Advisory Commission on the Review of the Constitution of the Federation of Rhodesia and Nyasaland

Report—Appendix VIII

EVIDENCE

Volume IV

SOUTHERN RHODESIA

Written and Oral Evidence
8th April, 1960—6th May, 1960

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INTRODUCTION

The principles which guided the Commission in taking evidence, and a broad indication of the scope of the evidence received, are contained in paragraphs 5 to 13 of the Report. The places at which evidence was heard, and the parties into which the Commission was divided for the hearing of witnesses, are set out in Appendix I to that Report.

2. Wherever possible the Commission sat as one body. On those occasions a verbatim record of the evidence heard was normally taken, and such verbatim records are reproduced in full. Editing has been confined to the exclusion of repetitions, and to corrections made solely in the interests of clarity.

3. Outside the main centres, however, the Commission toured the Federation and took evidence in Parties. And even in the main centres the Commission had often to be divided, because of the large number of witnesses who wished to be heard. On some occasions the Parties were obliged to sub-divide into smaller groups. Whenever the Commission was divided in this way it was generally only possible to produce summaries of the evidence received. If complete verbatim records had been taken, the staff of the Commission would have had to be increased to an unmanageable size. It is recognised that the summarising of evidence has inevitably resulted in some compression, and sometimes possibly in over-simplification, of what witnesses actually said. But it is believed that no important arguments have been omitted, and it is hoped that witnesses will understand the need for their evidence to be recorded in this way.

4. In some areas, particularly in Nyasaland, witnesses were reluctant to appear before the Commission or would do so only on the understanding that their names would not be published. Wherever this happened, the witness in question is listed in the evidence under the name of the town or village in which his evidence was heard. In such cases a typical entry appears as—"A European resident of Kitwe" or "An African resident of Blantyre".

5. A small proportion of witnesses stipulated that their evidence should not be published at all, or that part of it should be withheld from publication. So far as is known, all such requests have been complied with. Wherever possible, witnesses who submitted written memoranda unsupported by oral evidence have been asked by letter whether they had any objection to their evidence being published. Witnesses who appeared before the Commission in person were asked the same question orally. We are glad to say that the great majority of witnesses raised no objection to the publication of their name and evidence in full.

6. The documents contained in these volumes have been so arranged that, where a witness gave oral evidence before the Commission, any written memorandum or associated documents submitted by him immediately precede the record of the interview. In some cases, witnesses read a written document aloud to the Commission; such documents are usually treated as oral evidence. The records of oral evidence and the written documents connected with them have been arranged as far as possible in chronological order.

7. The written evidence of those organisations or individuals who did not appear in person before the Commission has been included in separate sections for each Territory, and these documents have been placed in alphabetical order of their authors' names, or of their places of residence in the case of witnesses who wished to remain anonymous.

8. The date and place of any particular piece of oral evidence may be discovered by reference to the beginning of each section. In the case of written memoranda, the date and place of origin has usually been given at the end of each item. Where no date appears, it signifies that the evidence was either undated when received, or that it was submitted on the same day as the oral evidence given by the same witness. Broadly, written documents are reproduced in the same form in which they were received without alteration as to content or spelling. In a few cases, however, corrections have been made at the specific request of witnesses.

VOLUME IV

SOUTHERN RHODESIA

WITNESSES WHO GAVE WRITTEN AND ORAL EVIDENCE

CHRONOLOGICAL INDEX

Oral Evidence

MATABELELAND CHIEFS

Name	*District*	*Reserve or Area*	*Acreage*
CHIEF KAYISA	BUBI	Ntabazinduna Reserve	25,000
CHIEF MABIGWA	LUPANE	Shangani Reserve & Shangani S.N.A.	989,096
CHIEF MZIMUNI	GWANDA	Matshetshe Special Native Area	166,902
CHIEF MAYINGA	SHANGANI RESERVE	Dagamela Area of Shangani Reserve	39,940
CHIEF BANKO	BULALIMA MANGWE	Special Native Area 'C'	153,000
CHIEF NTOZIMA	UMZINGWANE	Mzinyatini Native Purchase Area—communally occupied	67,363

In giving their evidence the Chiefs were assisted by an interpreter, the Rev. Somkenci. The Chiefs began their evidence by reading a Memorandum to the Commission which was in the following terms:—

"We submit that the concept of Federation is a noble one, and many clear minded people, black and white in this country, still want Federation of The Rhodesias and Nyasaland to go forward.

Good Results

We have seen good results of Federation of Rhodesia and Nyasaland two big dams have been built namely: Kariba and Kyle, good public roads, big hospitals and clinics have been built and the University of Rhodesia and Nyasaland has been built for black and white people, also industries have been expanded since the birth of Federation.

Federation has failed on partnership because of bad Constitution and Franchise, the Constitution is so bad in such a way that it becomes very difficult for an African to go into Federal Parliament and yet it is easy for a European to go into Federal Parliament. An African has got to rely on a European so as to enter into Federal Parliament, and yet a European does not rely on an African. The African nationalist has gained more support from the masses of the African people because of the bad Constitution and franchise of our Federal Government.

The Federal vote is in fact almost exclusively white. The biggest stumbling block in the Federal progress is the franchise —the right to vote. The franchise is so unfair to the African that if it is not modified there can be no thought of the African any compromising on this point with the present franchise.

Every Federal candidate for Parliament has to rely entirely on the European vote.

Let us scrap out the present franchise Act of the Federation and replace it with the common voter's roll with the means of qualifications reduced for Africans to register as voters. This does not mean to say the African people should outnumber Europeans on the roll. All we want is that black and white must rely on each other for support.

High Officers in the Federal Government speak of Dominion Status for the Federal Government by 1960. This has frightened Africans more than anything, the African has seen what is happening in the Union of South Africa. The Parliament is for Europeans only now the same thing can happen here too.

At this stage, we do not find it necessarily good to have Dominion status. For instance there is no guarantee that the whites here will maintain supremacy for all time if the British Government pulls out from Federation, we may find even these four African Members of the Parliament removed from Federal Parliament.

Let us give Federation another trial under a new constitution based on what we have said before. That the franchise must be prepared by the British Government in co-operation with the peoples of this country. It can be a good thing for the British Government to look very closely into the things for which the Federal Government has been severely criticised.

The two races black and white must have proper understanding and proper partnership. There is more room for black and white if they can only understand each other in this part of the world.

Ways and means must be found to persuade the Southern Rhodesia Government to reconsider her Native Policy. With a view to changing it, such as Land Apportionment Act.

The best way of showing the Africans that the Governments concerned with Central Africa really want Africans to work hand in hand with Europeans and give the same rights and privileges to all peoples who are citizens of this country.

Voters must enjoy the same rights and privileges irrespective of race. We have a hope that our Senior British Government will solve our problems in Central Africa".

Asked if they had anything to add to the memorandum Chief Kayisa stated that if the Federation was to progress in the way they wished it would be advisable for African education to become a Federal function because the Territorial Government faced great difficulty in getting the necessary finance. Much of what the Africans had at the moment had been provided by themselves in that they had built schools and bought books notwithstanding the fact that school fees were paid by the parents. In addition the salaries of teachers were very low, and unfortunately their services were being lost as thy tended to drift into industry.

Chief Mayinga added that the Africans had not so far seen a great deal that Federation had done for them, although they were quite satisfied that it was the best thing for everyone that it should go forward. He thought that the African might well fall between the two stools of the Federal and Territorial Governments, and this was why it was necessary to get certain functions such as education taken over in toto by one or the other Government.

Chief Mzimuni said that there were no Africans in the Territorial House of Assembly, and in the result, although African matters were a Territorial affair there was no one there to look after the African interests properly. The Europeans in the House did not know the needs of the indigenous people as well as they should.

Chief Banko commented that the black population in the country surpassed the white by millions, and it was essential for something to be done to increase the land available to Africans. Through Federation friendship between the races should flow and the people of the two main races should do everything they could to work hand in hand. He thought that it would be better if the Federation took over all the functions. As it was operating through two Governments there seemed often to be a tendency to "pass the buck" from the Territorial Government to the Federal one and vice versa.

Chief Mabigwa suggested that when Federation was brought into operation it was rather like a cow feeding two calves, the Territorial calf and the Federal calf. He felt that the position had been reached now that there was only one calf sucking and this was not the Territorial calf. African agriculture which was Territorial was not progressing as much as it should for want of funds. Added to this was the question of the poor soils in the African areas and the circumstance that the Africans had been confined to forest areas which were fit only for wild animals, and where cattle simply could not do well. The people also suffered from being great distances from the centre of affairs. Although he supported the concept of Federation he thought that as it was operating at the moment it was rather one-sided. Virtually all the benefits were going to the European. After all, what kept a person alive but a full stomach? This could not be achieved from areas of poor soil and areas which would not carry sufficient livestock. When Federation came he thought that such difficulties would have been adjusted and anomalies removed. An instance of these was that frequently, although there was only the division of a fence, Africans were not allowed to send their cattle to graze on unoccupied European land next door. He repeated that the Southern Rhodesia calf had gone very hungry. The Africans had thought that with the coming of Federation large unoccupied tracts of land could be made available for grazing purposes. In this year of drought very limited numbers of cattle were grazing on the otherwise unoccupied land whereas next door hundreds were dying.

There was a general complaint from the Chiefs that Africans were not allowed to buy European land, and they felt that in fact partnership was not being practised. Happiness was something that should be bestowed on everyone and not only on the European. Likewise when the laws of the country were being made they felt that the true representatives of the people should be there and the Territorial Parliament should be made up after the fashion of the Monckton Commission on which they were very happy to see a number of African Commis-

sioners. The voting strength of the population should be roughly 50/50 as between the European and African while two African representatives in the Federal House was anything but sufficient. It was unfortunate that Federation had not served to bring about a consolidation of friendship between the races; rather, enemies in the shape of nationalist Africans had been made. The European was not practising partnership as he should, and the Chiefs thought that with the African having virtually no voice in the scheme of things fewer Africans were now supporting Federation. In their view there was no reason at all for the European to be afraid of the situation.

The Chiefs thought that the Land Apportiontment Act had halted African progress, and this had certainly had a bearing on the franchise. With the high franchise qualifications applying very few Africans could get the vote, and in the result any Africans that were in the Federal House, or any that might go into the Territorial House would be elected on the vote of the European and not of the African. They thought that the Africans who were supposed to represent African interests identified themselves rather more closely with European than with African interests, because those Africans who were in the Federal House had not been voted into it by their own people. Had it been otherwise they would owe a greater responsibility to the African part of the electorate.

In regard to qualifications the Chiefs thought that the majority of intelligent people should come on to a common roll provided they were able to fill in the application form and had passed Standard V or VI. As far as African women were concerned they should only be allowed on to the roll if they had the necessary qualifications in their own right. The Land Apportionment Act had had the effect of limiting Africans from qualifying for the vote, and, after all, the wealth of the majority of rural Africans lay in cattle. They considered that given a reasonable franchise the African voter would cast his vote for the best man whether he be white or black and not on a racial basis. They were not so much concerned about qualifications provided the electorate was, as they had suggested earlier, based on approximate equality of numbers on the roll. The important thing was that candidates, and elected members more particularly, should be dependent on voters from both the main sections of the community. They felt that the candidates themselves should have completed satisfactorily their secondary education, and at the same time, regard should be had to their good character. The witnesses were prepared to see an income qualification introduced, but merely as an alternative to an academic qualification.

In answering questions, the Chiefs added some new points and reiterated others. They stressed that they wanted to be able to buy land in the European area, and therefore with limitations they thought that the European should equally be able to buy land in the African areas. They certainly did not intend that the Land Apportionment Act should be scrapped altogether because even now they found that certain European areas themselves, for example, Queen's Park, were too full. It was rather to amendments of the Act in respect of the rural areas that they were looking, and there they saw no reason why a European should not purchase a farm in the Native Purchase Area or an African in the European area. It was true that not many Africans had the resources to effect such a purchase but they wanted them to have the opportunity to be able to acquire such land. Virtually no Africans had farms which were worthy of the name and most of them had only small holdings. Necessarily such a transaction would only apply if the African had the means and the European was willing to sell. There was no point at all in these transactions being extended to the Native Reserves which were already overcrowded. They were thinking more of the large tracts of land owned but not occupied by Europeans and big land holding companies. Some of these farms indeed had been unoccupied for years.

They wanted education to become a Federal function because they had seen so much being done for European education by the Federal Government, while comparatively little had been done in the rural areas for native education by the Territorial Government. Most of the latter action had been confined to the urban centres. The Federal Government was in a much better position to provide the necessary finance. Altogether it was a bigger body, and if a unitary form of government could be developed here the cost of administration or overheads must be lowered. As they put it "the work of one man cannot be compared to the work of three men when put together".

In reply to a question Chief Banko said that they would like to be given more powers, for their authority had been taken over by the Native Agriculture Department. This Department now allocated people to new sites without reference to the Chiefs; the Chiefs now only tried civil cases; they had lost the arbitration powers they once had, and no longer had any power to deal with criminal cases.

A Government demonstrator stationed in an area was given land, and yet local people were not given land. There was no reason why the demonstrator should not do his demonstration work on the lands of the people whom he was teaching. Chief Mzimuni did not share this opinion and considered that the people should profit from the example of the work on the demonstrator's holding.

In the Land Husbandry Act mention was made of the Native Commissioner, the Land Development Officer and the Agricultural Demonstrator; but the Chief was not mentioned anywhere. In the Native Councils Act the people who had the most power were the Councillors, not the Chiefs.

Formerly Chiefs issued certificates for marriage and would also adjudicate in a domestic quarrel between a man and his wife. They were small things, but the Chiefs should be able to do them.

The Government paid the Chiefs from £10 upwards, but they were still unable to become registered voters. If the Chiefs could not vote for parliamentary candidates, where was their authority?

The Chiefs were not particularly concerned about the pass laws, but they were worried by the fact that urbanised Africans were regarded as aliens because when they left town to go to the reserve they had to have a special pass. Again, a person who was employed could not live in his place of employment without special written permission. The Chiefs had no objection to registration or identification certificates. An African could be stopped anywhere by a policeman and asked for his pass.

The Chiefs said they wanted Federation to stay; they did not want to be mixed up with the Union of South Africa and the discriminatory laws which existed there.

PLUMTREE

8TH APRIL 1960

Oral Evidence

CHIEF MDADAKAYAMA MPINI of the Nata Reserve

Nata Reserve is one of the largest Reserves in Southern Rhodesia—about 10,000 people.

The Chief wished to say how the Africans lived in the Reserves. They were too crowded, and yet there were Crown Lands round about them. Government claimed the Crown Lands, forgetting that the people were too crowded in the Reserves. They wanted Government to increase the land for them, since their stock had no place to graze.

In reply to questions the Chief made the following further points:—

(1) He could not tell if there had been any change since Federation, His people had little knowledge about Federation. They had thought that it would mean that white and black would mix together, but that had not happened. He had never seen a white man give an African "some water to drink" (meaning special friendly assistance).

(2) He would like to participate in elections, and felt that he could do so with the advice of his people.

(3) He himself did not fully understand about Federation, and it had never been explained to his people.

(4) There were no members of the African Congress in the Nata Reserve; there was one in the neighbouring Crown Land.

C. MALIKONGWA

The witness was Secretary of the District Council, but he said that he was speaking in his personal capacity.

He considered that since the creation of the Federal Government the borrowing powers of the three Governments had obviously been increased. He favoured Federation also because industries had been set up in the Federation which had employed African labour.

Under the operation of the Land Husbandry Act in Southern Rhodesia, Africans were to be removed from their lands. But more industries and commerce would assimilate them and give employment. This was another reason why he favoured Federation.

The Federation should continue, although at the next Constitutional Review he would like some changes to be made. The reservations in the Southern Rhodesian Constitution should be upheld however, particularly the reserved powers for the United Kingdom. His reason was that, while there was a very liberal government in power *now*, in time a reactionary party might come into power, which might legislate to the detriment of the Africans without the possibility of appeal. For these reasons he thought that the reservations in the Constitution should remain for all time.

On the franchise there were at present the A and B rolls (Federal). He thought there should be only one common roll. The A roll was predominantly European, and the B roll predominantly African. This was not consonant with the conception of partnership. The qualifications for the franchise should be made more suitable for the Africans, and the division between the A and B rolls should be abolished. The qualification should be education based on Standard VI: this was because the franchise should only be given to reasonable people. It would be wrong to give a child a sharp knife. The income level for the franchise should be about £500 per annum, or *alternatively* the possession of property valued at £500.

In speaking of education, he opposed the administrative division between the Federal and Territorial Governments. There should be one form of education only for all races. Adult Africans and Europeans met at the university level. There should be one system for all, and it should be Federal. At present the African education system suffered from lack of funds. He did not favour multi-racial education, but there should be the same standards for all.

There should be more Cabinet posts in the Federal Government so that there would be in fact posts for Africans, but posts given on merit and not on colour.

In reply to questions, Mr. Malikongwa made the following additional points:—

(1) He favoured the Land Husbandry Act, although the Africans were losing their land in consequence of it. But he did not approve when Africans were allotted worse land than Europeans. He agreed with the process by which land was going into the hands of fewer Africans.

(2) On the Franchise he would not like people who were rich, such as farmers, but were not Standard VI, to have the vote. He realised that many Chiefs and traders did not achieve Standard VI. On the question whether such people should have the vote, it depended on the degree of their responsibility. Even some Chiefs, although well off, did not really know how to exercise the vote.

(3) He was expressing his own views, and did not know whether they were those of other Africans since he did not discuss them with other Africans. He did not belong to any political party.

(4) He was puzzled to see how, on his recommendations four Africans in the Federal Assembly could be elected on the common roll without in fact being elected by a majority of Europeans. But he viewed this in the light of the fact that in the long-distant future Africans were bound to dominate the roll.

J. MASOLA

The witness was a business man and a general dealer of Plumtree.

He had a few comments to make on what changes might help Federation to continue. He thought Federation advantageous since small countries such as Southern Rhodesia and Nyasaland could not stand by themselves, while if combined they would form a strong country. Under the Federation they had got clinics in the Reserves, and High Schools had been built in the towns. But the Government had forgotten to build schools in the Reserves. For that reason people in the Reserves did not feel the presence of the Federation.

There should be only one Government and it should be the Federal Government. He would do away with the Territorial Governments, they only caused confusion to people. He wanted union between all the Territories and a single Government. Then the Federal Government would be able to take an interest in the Africans and forget about colour. While the colour bar continued there could be no peace and good understanding in the country, and the division of tribal groups would flourish.

In the Reserves they had found that people only got a small amount of land. There were Crown Lands available suitable for Africans for settlements. This would help to break up the undue compactness in the Reserves.

If the Federal Government had thought earlier about doing away with the colour bar, there would be no trouble. Jobs could be given to people, without regard to colour.

In reply to questions Mr. Mosala made the following further points:—

(1) On the colour bar, when Africans had developed to the standards of the whites, they should be accepted, and not set apart, as they were in hotels and cinemas. Civilised and good mannered Africans should be able to mix with Europeans. It was possible for a man to be uneducated, yet "civilised".

(2) He had been to Northern Rhodesia, and had found that people there wanted to keep their tribal laws and stay under their Chiefs.

(3) If hotels were freed from the colour bar, he did not believe that large numbers of Africans would want to crowd into them.

(4) He did not see great harm in the Land Apportionment Act itself, but he objected to Africans being given land which was too poor. He was not in favour of whites and blacks being on the same land.

BULAWAYO

9TH APRIL 1960

Memorandum

UNITED FEDERAL PARTY, WESTERN COMMONAGE AFRICAN BRANCH

B. Matawele—Chairman

Federation Principle.—Federation as an idea has been recognised for centuries as an essential feature of economics, political and social development of any country. The United Kingdom, the United States of America, Australia, Russia, and Canada are old examples. Recently there have been more Federations and Unions. In the Federation of Rhodesia and Nyasaland these effects of combining the resources of the three territories of the Federation have been remarkable in the first six years.

Changes which the Federation brought about:—

Kariba hydro-electric scheme, African Members of Parliament, more job opportunities in Government and private enterprises, African participation in State Lotteries, non-racial University College, non-racial franchise system, long leases for Africans in urban areas, now also freehold tenure in some areas, and a greatly increased acceleration of economics and social development in both urban and rural areas, are all changes which Federation brought to at least Southern Rhodesia. There has also been a definite change in the attitude of both Europeans and Africans towards one another.

Improvements which could enhance Federation.—The continuation of working together by both races until a mutual understanding is brought about. Africans be given opportunities to learn jobs, etc., so that his product can be increased and thus improve his standard of living. Closer voluntary association between Europeans and Africans. Unnecessary racial dis-

crimination and segregation in public places such as hotels, churches, cinemas and restaurants and other public places be abolished.

All the education in Southern Rhodesia be under the control of the Federal Government, and compulsion of all children's school attendance be introduced. Greater financial and other assistance ought to be given to Africans in order to bring them to European standards of education, training, and living. The African wage structure should be more realistic and just, and bear better relation with the Europeans.

Bulawayo

Oral Evidence

UNITED FEDERAL PARTY, WESTERN COMMONAGE AFRICAN BRANCH

Representatives: B. Matawele—Chairman
T. Chigumira—Vice-Chairman
E. Mboba—Committee Member

The witnesses who, had submitted a memorandum, stated that they had 25 members in their Branch, all in one part of Bulawayo. Mr. Matawele stated that he was a caterer in the township, Mr. Chigumira that he was a general dealer and Mr. Mboba that he ran a dry canteen (small groceries and minerals).

The witnesses did not wish to elaborate their memorandum; but in answer to questions they made the following points:—

(1) Racial discrimination in the Federation was diminishing very, very slowly. They were not satisfied, but matters were improving at any rate in some centres. For instance at some railway stations there was an improvement, though at others there was not. At present they saw mutual fears: the Europeans thought the Africans inferior and Africans thought the Europeans superior. But in some places the two were beginning to have a better relationship, and this improvement had taken place since Federation. Some courtesy was now being extended to Africans, at any rate in some places, where Europeans and Africans could meet one another socially. It was important that in the Federal Constitution there were African Members of Parliament to represent their views; but they would like the number of African representatives to increase. At present the views of Africans from only a very few centres were represented in Parliament.

(2) In the Southern Rhodesian Parliament there were no African representatives. The European representatives did not fully understand the needs and concerns of the Africans.

(3) As to the franchise, they were looking to the Government to relax the laws so that more Africans could become voters. On the voting side representation of Africans was very low. They would like the qualifications for voting to be lowered. Those who understood about voting, did not fail to register themselves as voters. It was only the uneducated who failed to register themselves. Very few accepted the Congress view point which was adverse to registration at all.

(4) At present there were too few opportunities open to Africans. If more education could be given to Africans, it would give them a chance to take over more jobs.

(5) The witness knew a number of African carpenters, plumbers and other tradesmen who could not at present get apprenticeships. They would take such apprenticeships if available, and would stick to them. Certain categories of work were forbidden to Africans even in the locations. In the locations Africans should have more opportunities for jobs such as superintendents, since African superintendents would understand the needs of Africans. Such opportunities were now being given to Africans in the Post Offices. Africans could work as bricklayers in the Municipality of Bulawayo [not in Salisbury] but there were complaints from the European bricklayers about this.

(6) On wages, Africans were now looking forward to better living and accommodation. Present wages were not enough. If wages were improved it would help the Africans. There was a basic wage, fixed by the Government, 30s. a week for unskilled labour. Poverty was a problem for Africans, coupled with the lack of knowledge of family planning, so that many had 6 or 8 children whom they had to educate and feed.

(7) As to developments in the rural areas, they knew of a few places where Africans had the chance of owning their own land. This was the responsibility of the Territorial Government.

(8) In education, European education was far more advanced. African education was Territorial. They would like equality of treatment, and African education to be Federal, on the same basis as European. All their friends felt the same way. They would also like agriculture to be Federal. They felt that the Territorial Government had been leaving the African behind.

(9) Questioned as to whether they preferred the Federal or the Territorial Government, they said that they would prefer the Federal, for at any rate one reason, because under that Government they had Africans representing Africans, whereas in the Southern Rhodesian Government they had only Europeans representing Africans.

(10) As for the Territorial franchise, qualifications for the vote should be lowered, so as to get more Africans on to the roll. The Africans were only just now beginning to understand politics, and to know how the Europeans lived.

(11) On racial discrimination, it was not so much the business of the Government to remove it; but it was up to the public to do so. Europeans, Asians and Africans alike must continue to work to remove it. The Government should legislate, however, about discrimination in hotels, restaurants, cafes, cinemas, public conveniences and buses, and possibly also libraries. Conditions in these were not yet satisfactory, and should be dealt with by Government through legislation. The poverty of Africans would prevent them from abusing any facilities thus given.

(12) The witnesses stated that they read books, but not for pleasure. There was a library in their location and also an African bookshop.

(13) Questioned on the Land Apportionment Act, they said that they wanted the same privileges as Europeans had in respect of the purchase of land. At present they paid rents all their lives. They would like to be able to buy freeholds. It would also be proper for the Government to set aside an urban area as a place for all races to buy their houses and shops, altogether. They had no idea as to whether or not a standard should be applied.

(14) Questioned as to the reason why Africans did not register as voters—in the past Africans had had no votes, and had thought of votes as something to do with Europeans. Only recently had they come to understand how voting worked. Many could not write, so for them and others with little education the qualifications were too high. It was only now that the Africans were beginning to understand what was happening. Some thought it was useless to exercise the vote, since the Members of Parliament who were elected would only go their own way. In most cases the Territorial qualifications were too high. If a man qualified by income then he was not sufficiently educated or else it was the other way around. Mr. Matawele and Mr. Mboba were both registered voters, but only on the lower roll. They thought the qualifications should be lowered. Perhaps it could be sufficient if a man could read or write in English. But a voter ought to know what he was doing.

Memorandum

SOUTHERN RHODESIA ASIAN ORGANISATION

N. V. Desa—Chairman

P. R. Vaghmaria—Hon. Secretary

As the representative body of the Asian Community of Southern Rhodesia, we submit for your consideration and report, this Memorandum, embodying the disabilities—legal, social and otherwise—adversely affecting the Asian Community living in Southern Rhodesia.

We appreciate the appointment of the Monckton Commission to inquire into, and report upon, the working of the Constitution of the Federation of Rhodesia and Nyasaland, and wish to place before you the disabilities faced by the Asian Community. We wish to make it clear that we do not ask for any special or exclusive privileges, but wish it to be known that the fundamental rights should be enjoyed and extended to all the inhabitants of the Federation, and we hope the Commission will urge the Federal Government to implement a non-racial policy, and recommend that the Federal Constitution be in consonance with that Policy.

We now enumerate the following for your information:—

(1) Minority:

The Asian Community is in the minority, forming .2% of the total population of Southern Rhodesia and about the same of the total population of the Federation. Asians here have their roots deeply embedded in this country and are Southern Rhodesian Citizens. About 85% are Southern Rhodesians by birth, and know India only in its geographical sense. They owe their loyalty and allegiance to this country. Their contribution to the development of Southern Rhodesia could have been much more, had they been given equality of opportunity in this country.

In spite of their undivided loyalty, Asians are discriminated against by the Government and Local Authorities in the political, economic and social spheres, publicly as well as privately. Our main complaint against the Government and Local Autorities is the practice of racial discrimination based on colour which is the basis of our difficulties. "Partnership"

has an empty meaning so long as the Administering Authorities fail to completely eradicate all traces of colour-bar, and practices determined by racial discrimination. It is our view that the Government of the country must itself have a positive policy, and give the lead. It should not remain unconcerned at racially discriminatory practices that lead to racial prejudice and hatred. The Government could, if it is determined to remove racial discrimination, do so by passing legislation and making it an offence for hotels, restaurants, cinemas or shops and public places to operate a colour-bar. It could also set an example by announcing that it will not itself countenance or practise racial discrimination or aid or abet such practice in any form or guise. If this was done it would tremendously strengthen racial harmony and trust in the Government.

(2) Citizenship and Immigration :

(*a*) Our great difficulty is in regard to immigration. We have neither asked nor advocated for free and unrestricted immigration from any country, but we have always urged for selective immigration. Since the promulgation of the Federal Immigration Act in November, 1954, no Asian is permitted to settle in the Federation, except the wives and children of domiciled residents. Yet all other sections are allowed free entry, and it has been our bewilderment to see that enemy aliens are allowed in the Federation on a quota basis, whereas Asians who are British Subjects are excluded.

The Immigration Act does not explicitly state that Asians would not be allowed into the Federation, but Part 1 Section 5(1)(a) of the Act gives powers to the Minister to prohibit Asians as a race on economic grounds or on account of standard or habits of life to be undesirable immigrants or to be unsuited to the requirements of the Federation. There is no appeal against refusal in terms of this Section, which is specifically and invariably used to exclude Asians. At present only wives, and children under eighteen, of domiciled Asian residents are allowed.

Aged dependants (Father or Mother) of domiciled Asian residents are allowed for settlement in the Federation only after exhaustive inquiry and on guarantee that they will not be a burden to the state and that they have absolutely no one in the home country to care for them. These impositions are for Asians only.

In spite of assurances by the Minister in the Federal Parliament that Asian teachers and preachers would be allowed, such persons who are needed in Government Schools, and also for religious and cultural education in private institutions, very few Asian teachers and preachers from outside the Federation are allowed. The very few who may be allowed are permitted conditionally, whereas no restriction is placed for recruitment of teachers or preachers for other sections. Asian teachers and preachers, where permitted, can not come with their families. They have to come alone, serve for a continuous period of four years and then only are they regraded as domiciled and permitted to call their families to join them. These stringent restrictions are not applied in case of teachers and preachers for other sections of the population. Large numbers of European teachers are recruited from overseas in spite of the large European population in the country, and the Asian Community of Southern Rhodesia, and the Federation, should have the same right in this matter.

Asian visitors coming to Southern Rhodesia, and to the Federation, are made to sign a Prohibited Immigrant Declaration. It is understood that visitors do not come to settle, and are allowed in on temporary visiting permits. So why should there be this humiliating formality for Asians?

A domiciled Asian resident, wanting to have temporary replacement in his place during his absence from the country, has much difficulty with the Immigration Department. If the temporary replacement asked for is a male, then his family will not be allowed to accompany him. If the temporary replacement asked for happens to be a female, permission is usually refused; and if permission is given, she has to submit to a medical examination first on entry, and thereafter every two or three months to satisfy the Immigration Authorities that she is not pregnant. This practice is not only humiliating but inhuman.

The Immigration Department can demand high deposits from Asians on temporary visiting permits, in addition to making them sign the Prohibited Immigrant Declaration. This is done in spite of them being in possession of return tickets, and the guarantee stood by local Asian residents.

(*b*) Asian women born in this country but married to persons outside the Federation, cannot come to settle permanently in the country of their birth wih their husbands. We feel that this is a grave injustice to persons born in the country, and irrespective of their financial interest in the country they should be allowed to settle here.

(*c*) Some of these difficulties may seem to be apparent to Europeans as well, but they can over-come them because of free European immigration.

(*d*) Children of parents domiciled in the Federation must return to the country before attaining the age of eighteen in order to acquire domiciliary rights and citizenship. A child under eighteen, whose parents are deceased but who were domiciled here before, cannot enter the Federation. This, to the best of our knowledge, is not applicable to Europeans here and therefore is unjust.

(*e*) An Asian child — (born outside the Federation, say in India, and whose parents are or were domiciled inhabitants of the Federation, and the child also is a domiciled resident of the Federation) wishing to study, or studying, overseas in India has to break his schooling and undergo much expense to come every time to the Federation to renew his/her domiciliary rights every two or three years. This is an unnecessary hardship and formality imposed upon Asians. We suggest that a certificate from the head or principal of the institution concerned should be accepted as sufficient evidence that the child or youth concerned is still schooling, and therefore exchange of correspondence should be enough to renew the domiciliary rights of citizenship until the person concerned completes his/her education.

(*f*) If an Asian marries outside the Federation, for example in India, there is much formality that he has to comply with before his wife is admitted into the Federation. Whereas a Marriage Certificate suffices in the case of the European, much detail and equiries are asked for, with the result that there is long delay before the Asian can bring his wife here. It is suggested that a Marriage Certificate and a photograph of the bride concerned, certified by a Magistrate in India, should be accepted as sufficient proof for admission into the Federation.

Recruitment of Trained Teachers :

It is a fact that some of the present staff serving Asian schools are not fully qualified. We would suggest recruitment of qualified teachers from elsewhere. It has also been our experience that when the Government Education Department appoints an Asian teacher, the Government Immigration Department does not permit him entry into the colony.

(3) Education :

(i) Teachers Pay

Asian teachers do not receive the same pay as European teachers, although a small proportion have been given promotion to Branch I. This inequality of pay should be removed.

(ii) It is heartening to know that admission is now given to Asian and Coloured students in the Technical schools that exist in Bulawayo and Salisbury, and that Asian and Coloured teacher trainees will receive the same training along with the European teacher trainees at the proposed teacher training college which will be built in Bulawayo in a few years' time. However, it is felt that there should be more High Schools as those that exist at Bulawayo and Salisbury are already overcrowded. There should be High Schools at Umtali and Gwelo too, and equipment and facilities should be on par with those existing at European schools.

(4) Hospitalisation :

It has apparently become a settled policy of the Authorities in the colony to discriminate against Asians on the question of Hospital Services, and that this is very evident in all the centres in the Colony needs no emphasis. The Asian and Coloured Hospitals are far from satisfactory in situation, equipment and furniture. The medical personnel is limited and consequently the services on the whole are inadequate, inferior and neglected. This is further aggravated by the sad neglect of maternity cases, for they are all accommodated in the same wards as for other patients, as private wards and maternity wards are not available in most centres. T.B. patients, instead of being isolated, occupy the front verandah of the hospital in Bulawayo in all kinds of weather. We also understand that the Princess Margaret Hospital has turned down a number of applicants desirous of taking the Nursing Profession. At present the hospital is staffed by "VAD" personnel whose conditions of employment and remuneration are not at all encouraging. Moreover, there are no recreational facilities for the nurses working at the Bulawayo Memorial Hospital, and this is true of other centres as well.

Nervous Disorders Hospital :

Asians and Coloureds are only treated as out-patients, and are not admitted as patients.

Ingutsheni Mental Hospital :

At this hospital Coloureds and Asian patients are not graded according to their degree of mental derangement. The Govern-

ment had promised to establish a block three years ago, so as to ease the position but so far nothing has materialised, the position is deteriorating. The Hospital Advisory Boards should have on it Asian and Coloured members. Generally in all the centres the Ambulance facilities provided are based on discriminatory basis. This practice should be stopped, and the first free ambulance should be made available for casualties and patients.

(5) Military Training:

Asians have to undergo compulsory military training in the same way as other sections of the population. However, their training is restricted to the Transport Corps, and they are not allowed nor given training in other branches of defence such as the Air Force, Engineering Corps, Combat Force, etc. Not only that, but their pay and other conditions are far below that of the Europeans and they cannot rise above the rank of N.C.O. Sergeant.

Asians have to perform all the duties of a citizen, but they are denied the rights and equal opportunities, and are grossly discriminated against. Where there is conscription we consider it wrong for the Government to discriminate racially in training, and in conditions of pay etc. Asian personnel must be afforded the opportunity of being trained as Commissioned officers on the same lines as the Europeans.

(6) Police Force:

At the present moment the Police Force is confined only to Europeans and Africans. Advertisements appearing in the press specifically ask applicants of pure European descent only to apply. The Police Force must be open to suitable young members of the Asian Community.

(7) Civil Service:

(*a*) Apart from the teaching field, and perhaps a few other jobs, Asians do not occupy positions of respect and trust in the Civil Service. Asians performing duties as Matrons, Secretaries and Caretakers have few chances of being placed in a branch where their pay would be satisfactory. For such persons there is no incentive, nor opening.

(*b*) Asians are not promoted on the same basis as Europeans to Branch I. Any European is promoted to Branch I automatically whereas an Asian has to depend on the success of an interview with the Commission.

(*c*) Asian Civil Servants render the same service under the same Administrative Authority and yet are subject to discrimination in salary and other benefits connected with the service, which can not bear any justification for its imposition.

(8) Discriminatory Practices:

(*a*) Firearms

Any European has the right to purchase and own firearms of any description without restrictions for purposes of recreation and protection. On the contrary, Asians are prohibited from possessing firearms except under very special circumstances. It is difficult to understand why there should be any discrimination in the issue of firearms. Asians should be given the right of owning and possessing firearms for pleasure or protection on the same basis as the Europeans.

(*b*) Liquor

Whilst we appreciate the relaxation of restrictions as far as the Liquor Laws are concerned, we wish to deplore the fact that Hotels continue to operate the colour-bar. A few hotels provide separate drinking facilities for Asians and Coloureds. This is wrong, and perpetuates racial discrimination instead of lessening it.

(*c*) Land Apportionment Act:

(i) In the allocation of Municipal land for public purchase, Asians are debarred from the ballot. Practically all the choice areas are closed to them because of the inclusion of restrictive clauses in the title deeds of the properties. If we are considered, as we are led to believe under the Land Apportionment Act to be equal to Europeans with regard to ownership and acquisition of land, we fail to see why there should be areas set aside for occupation of any particular group by enactment or by any other measure. The question of residence and occupation should be a purely personal matter and areas of occupation trade and residence must be purely voluntary and without sanction by any statutory enactment.

(ii) Closed Mining Areas debar Asians, simply on grounds of colour, from establishing business concerns.

(iii) The purpose of the restrictive clause in the title deeds of properties is to debar Asians from owning and occupying land or property in the per-urban and residential areas. This sort of racial discrimination is being practised by many Europeans who introduce anti-Asian clauses into the deeds of the properties, making it virtually impracticable for Asians to purchase or occupy these properties. This is done with the approval of the Government.

An example of the type of restrictive clause inserted in title deed of stands on the establishment of township is usually gazetted after approval by the Government Minister in the following manner:—

Southern Rhodesia Government Notice No. 580 of 1959 ACT 19/45, ACT 54/54, ACT 16/56, ACT 17/57, ACT 7/58, ACT 56/59.

Establishment of Township: Christon Bank Township 6

It is hereby notified that in terms of Subsection (7) of Section 54 of the Town and Country Planning Act 1945 as amended, that the Minister of Local Government has approved the establishment of the township Christon Bank Township 6 of Subdivision A of Christon Bank, held under Certificate of Township Title No. 6260/59, situate in the District of Salisbury, upon the following conditions:—
In these conditions any reference to:—

(i) "the Act" means the Town and Country Planning Act 1945 as amended;

"Neither the said stand nor any portion thereof shall be transferred, alienated, let, or in any other manner assigned or disposed of to any person not being a person wholly of European descent, or to any Company wherein the controlling interest is held by persons not wholly of European descent nor shall such a person be allowed to occupy or reside on the said stand or any portion thereof, save in the course of his or her bona fide employment as a servant of the owner or occupier thereof performing whole time duties upon or about the said stand".

(*d*) Admission to Hotels, Restaurants and Cinemas:

Hotels, Restaurants, and most Cinemas too, are the exclusive preserve of the Europeans in this country, and the right of admission is reserved by the concerns invariably to exclude Asians while there is no statutory authority to empower the management of these concerns to impose such restrictions. Nothing less than racial prejudice in this connection has been the cause of much inconvenience and displeasure to well meaning and responsible Asian travellers, tourists, and respectable residents. Many examples can be given of Indian business men and tourists who were told *NO* by hotel management because of their colour and race.

(*e*) Right of Admission Reserved:

Unfortunately this right is misused in this country. Under this notice the management disallows Asians on grounds of colour, whereas the notice is meant to prohibit entry of improperly dressed, drunken, or disorderly persons, not people who are reasonably attired and well behaved.

(*f*) Buses:

In the Omnibus Transport Service, which is a monopoly in certain centres, available for passengers to and from per-urban and suburban centres on various routes, the Non-European seating accommodation, is a specially limited, reserved rear portion of the buses. We submit that there should be different classes of seating according to fares payable.

(*g*) Municipal Swimming Baths:

Swimming bath is provided in every civic centre of the country. As these are built by the respective Municipalities it is only natural to expect that they are provided from Ratepayers' funds. However, Asians are prohibited from these baths on racial grounds, regardless of their legitimate claims as ratepayers. Here again the Government has given powers to the Municipalities and Town Management Boards to exclude non-whites.

(*h*) City Hall:

The Bulawayo City Council hires the City Hall to Asians and Coloureds but the discriminatory policy of the Council still remains steadfast. One of the conditions of the hire of the Hall by Europeans is that the seating accommodation for Asians and Coloureds is limited to not more than four rows at the back of the Hall, and the Council reserves the right to withdraw or amend this facility at any time without assigning any reason. The position is anomalous because at Political Meetings and Exhibitions Asians are permitted to sit wherever they wish to. In view of this restrictive regulation, European organisers are compelled to hold shows exclusively for Europeans.

(*i*) Sports Grounds:

At recreation grounds, leased by the Municipalities to European clubs, there is discrimination in the allocation of seats and at entrances, when Asian spectators attend during national and local sports meetings. They may enter the grounds only

through a special separate gate, and may be seated only in a special area reserved for them and the Coloureds, and may not sit in juxtaposition with the European spectators.

(j) Public Conveniences: Baths and Lavatories:

The few public conveniences that are scattered in the Municipal centres are exclusively for Europeans. No provision is made for Asians and Coloureds in this matter.

(k) Public Library:

Asians in Bulawayo are not accepted as subscribing members of the Bulawayo Public Library, although they are allowed the use of the Reading Room.

(l) Angling:

The Angling Societies of the country exclude Asians from membership.

(m) Automobile Association:

The A.A. accepts Asians for membership on restrictive basis. Asians are not provided the same facilities such as hotel accommodation etc. which are provided to European members.

(n) Railways:

The Railway Booking Office always demands the identity of Asian callers on the 'phone. No matter how early the booking is made, Asians are invariably placed next to the engine. Even Asians travelling First Class are placed next to the engine. Apart from this, husband and wives are also separated. Owing to limited Second Class seats a lot of inconvenience of this nature has to be faced.

(o) Travel to the Union:

Asians are not granted permission by the Union of South Africa for visit to that country. Numerous applications, some on compassionate grounds, have also been turned down. It appears that the Federal Government is prepared to face the affrontery made on Asians who are citizens of the Federation. Representations should be made by the Federal Government to the Union Government authorities to see that Asians are treated on par with other citizens. (This treatment is only meted out to Asians.)

(9) Fundamental Rights:

The racial discrimination, disabilities and indignities suffered by the Asians as stated in this memorandum come in the way of the Federation's growth, and development of common loyalty to the concept of the Federation based on the philosophy of partnership. These racial discrimination and disabilities corrode from within the soul of the Federation based on partnership. Thus the only way to prevent this weakening of the concept of the Federation based on partnership is to enshrine, in any future revision of the Constitution, provisions which make it impossible for anybody to practise racial discrimination. This can be done by incorporating the Fundamental Rights of the citizen in the revised Constitution of the Federation and providing therein that every citizen will have the right through due process of law, that the rights are not violated, and that any legislation—Territorial or Federal—in violation of these Fundamental Rights will be ultra vires the Constitution. These Fundamental Rights of the citizens of the Federation of Rhodesia and Nyasaland should be:—

The Federal Government shall not make any law which takes away or abridges the Fundamental Rights and any law made in contravention of the fundamental rights, should to the extent of the contravention, be void.

"Law" should mean to include any Ordinance, order, bye-law, rule, regulation, notification, custom or usage having the force of law.

(1) Right to Equality:

(a) The Federal Government shall not deny to any person equality before the law or the equal protection of the laws within the Federation.

(b) The Government shall not discriminate against any citizen on grounds only of religion, race, colour, sex, place of birth or any of them.

(c) No citizen shall on grounds of religion, race, colour, sex, place of birth or any of them be subject to any disability, liability, restriction or condition with regard to:—

(i) access to shop, public restaurants, hotels and places of public entertainment; or

(ii) the use of public conveniences, baths, roads and places of public resort maintained or subsidised wholly or partly out of Government or local Authorities funds, or dedicated to the use of the general public.

(d) There shall be equality of opportunity for all citizens in matters relating to employment or appointment to any office under the Government.

(e) No citizen shall, on grounds only of religion, race, colour, sex, descent, place of birth, residence or any of them, be ineligible for or discriminated against in respect of any employment or office under the Government.

(2) Right to Freedom:

(a) All citizens shall have the right to:—

(i) freedom of speech and expression,

(ii) assemble peacefully and without arms,

(iii) form associations or unions,

(iv) move freely through the Federation,

(v) reside and settle in any part of the Federation,

(vi) acquire, hold and dispose of property, and

(vii) practise any profession, or carry on any occupation, trade or business.

(b) No person shall be convicted of any offence except for violation of a law in force at the time of the commission of the Act charged as an offence, nor be subjected to a penalty greater than that which might have been inflicted under the law in force at the time of the commission of the offence.

(c) No person shall be prosecuted and punished for the same offence more than once.

(d) No person accused of any offence shall be compelled to be a witness against himself.

(e) No person shall be deprived of his life or personal liberty except according to procedure established by law.

(f) No person who is arrested shall be detained in custody without being informed of the grounds for such arrest nor shall he be denied the right to consult, and to be defended by, a legal practitioner of his choice.

(g) Every person who is arrested and detained in custody shall be produced before the nearest magistrate within a period of twenty-four hours of such arrest excluding the time necessary for the journey from the place of arrest to the court of the magistrate and no such person shall be detained in custody beyond the said period without the authority of a magistrate.

(h) When any person is detained in pursuance of an order made under any law providing for preventive detention, the authority making the order shall communicate to such person the grounds on which the order has been made and shall afford him the earliest opportunity of making a representation against the order.

(3) Right Against Exploitation:

(a) Traffic in human beings and other similar forms of forced labour shall be prohibited and any contravention of this provision shall be an offence punishable in accordance with law.

(b) No child below the age of fourteen years shall be employed to work in any factory, mine, household or engaged in any other hazardous employment.

(c) Nothing in this article shall prevent the Government from imposing compulsory service for public purposes, and in imposing such service the Government shall not make any discrimination on grounds only of religion, race, colour, or class or any of them.

(4) Right to Freedom of Religion:

Subject to public order, morality and health and to the other fundamental rights, all persons shall be equally entitled to freedom of conscience and the right freely to profess, practise and propagate religion.

(5) Cultural and Educational Rights:

(a) Any section of the citizens residing in the Federation or any part thereof having a distinct language, script or culture of its own shall have the right to conserve the same.

(b) No citizen shall be denied admission into any educational institution maintained by the Government or receiving aid out of Government or Local Authority funds on grounds only of religion, race, colour, language or any of them.

(c) All minorities, whether based on race, religion or language, shall have the right to establish and administer educational institutions of their choice.

(d) The Government shall not, in granting aid to educational institutions, discriminate against any educational institution on the ground that it is under the management of a minority, whether based on race, religion, or language, and it shall not discriminate in granting per-

mission to suitable and qualified persons to come into the Federation to manage and run such educational institutions.

(6) Right to Property:

(a) No person shall be deprived of his property save by authority of law.

(b) No property, movable or immovable, including any interest in, or in any company owing any commercial or industrial undertaking shall be taken possession of or acquired for public purposes under any law authorising the taking of such possession or such acquisition, unless the law provides for compensation for the property taken possession of or acquired and either fixes the amount of the compensation, or specifies the principles on which and the manner in which, the compensation is to be determined and given.

(c) No citizen shall be discriminated against by insertion of restrictive clauses in title deeds from acquiring, possessing and occupying property.

(7) Right to Constitutional Remedies:

(a) The right to move the Supreme Court by appropriate proceedings for the enforcement of the rights conferred by the Constitution shall be guaranteed.

(b) The Supreme Court shall have the power to issue directions or orders or writs, including writs in the nature of habeas corpus, mandamus, prohibition, quo warranto and certiorari, whichever may be appropriate for the enforcement of any of the rights conferred by the Constitution.

Conclusion:

We have tried summarily to give some idea of racial discrimination, against Asians. Quite often discrimination is publicly practised without legal sanction. The Government and Local Authorities practise racial discrimination, and give approval to it in various ways. It must be understood and realised that Asians have a background of civilization and culture which makes them useful citizens. Our plea is that all forms of racial discrimination should be abolished. Furthermore, every domiciled inhabitant irrespective of his race, colour or creed should be given equal opportunity for livelihood and advancement in all spheres—public or private—whether under control of the Government, Local Authorities or others. We are convinced that racial discrimination and prejudice breeds frustration and disaffection, and therefore, the Government should set the example by doing away with all racially discriminating legislation, and accord the same rights and opportunities as are enjoyed by the Europeans. We hope the Monckton Commission will note the indignities and humiliation suffered by the Asians in Southern Rhodesia and the Federation, and recommend to the Authorities concerned the need to do away with colour-bar and racial discrimination and to embody the Fundamental Rights in the Constitution before the conference for the review of the Constitution takes place.

Bulawayo

January 1960

Oral Evidence

SOUTHERN RHODESIAN ASIAN ORGANISATION

Represented by Mr. Vaghmaria and Mr. Anand.

Mr. Vaghmaria stated that the association he represented comprised 13 "centre" organisations throughout Southern Rhodesia.

The representatives said that their memorandum dealt very largely with discriminatory practices in force in the Territory and they considered there had been very few improvements in the last few years and whatever had been done in the right direction had been achieved very slowly indeed. Hotels were always a difficulty as far as the Asian people were concerned, and they also instanced that the City Council until two years ago were not prepared to hire their halls to the Asian community. The position, however, they stated, was satisfactory now; but until then they had found that Asians and Coloureds were always restricted to the last few rows in the hall. Another matter that concerned them a very great deal was that of the pay of Asian and Coloured teachers. This was below European rates, and in addition one found that members of these communities were not accepted for residence at the Heany Training College where they were still not allowed to mix and had to take their meals separately. They said that even in the new college which was planned to be opened within the next year or two different blocks had been erected for different racial groups. This sort of thing ran entirely counter to any idea of partnership.

The representatives considered that the question of the Federal Government franchise was a very controversial matter; but they took the view that the largest number of people possible should be on the voters' roll. This roll should be a common roll for all and there should not be separate rolls embracing other qualifications. They thought that a sound basis for the common roll was a literacy qualification, because if property and income qualifications were insisted on many educated and responsible people would be deprived of the vote. They suggested that even in England the literacy test was not very high. Asked whether, notwithstanding this, they would insist on higher qualifications for parliamentary candidate, the witness stated that while they were not prepared to subscribe to this idea the position nevertheless was that in practice the candidates for parliament would have a higher qualification.

They were satisfied that the Federation from the economic angle was something that should continue; but it was important that commercial and industrial developments should keep abreast with political ones. Their memorandum, they said, was based on the premise that the Federation would continue. The improved constitutional change they recommended had been covered by their memorandum, and their main proposal was that there should be a Bill of Rights, for if people were not prepared to heed public opinion, legislation was the only thing left to ensure the avoidance of discriminatory practices.

Questioned on the siting of the Capital cities, the witnesses stated that they did not mind if the Federal Capital remained in Salisbury but it was undesirable that both Capitals should be in the same city, and they thought that the Territorial Capital should be moved to Bulawayo.

On the question of Asian education, Mr. Vaghmaria stated that there had been no marked improvement in Southern Rhodesia; but notwithstanding this he would wish for Asian education to continue under the aegis of the Federal Government. He felt, however, that, even so, much more could be done for the children in the Asian and Coloured communities. They thought that the ideal would be for young children of the various races to be started together at the primary stage for it was only something like this that would yield a basis of substance on which friendship between the races could in the future be developed. They considered that the difficulties in primary schools were probably overrated but they thought that the children of the various race groups should come together at that stage notwithstanding the initial language difficulty. This was something they were certain would soon be overcome by the children themselves.

On immigration matters, Mr. Vaghmaria stated that there were numerous cases of Asians being prevented from entering the Federation, whereas before 1953 there had virtually been free entry to Northern Rhodesia and Nyasaland. Recently in Northern Rhodesia an Indian industrialist who was prepared to spend £50,000 in the Lusaka area starting an industry was refused permission to enter the country.

In answer to a question the witnesses stated that neither of them employed Coloured labour, and this was a situation that was fairly general. In their experience, Coloured people in general went for, what they termed, an artisan type of job.

Memorandum

BULAWAYO BRITISH INDIAN ASSOCIATION

A. S. Petker—Chairman.

I. E. Khalpey—Hon. Secretary.

1. As the official organisation representing the political interests of the Asian Community of Bulawayo, we submit for your consideration, this Memorandum embodying recommendations for Constitutional changes in the light of experiences by members of the Asian Community.

2. It is not the purpose of this Memorandum to detail every instance of the numerous disabilities experienced by members of the Asian Community in their day to day existence in the Federation. The evidence in support of these disabilities is substantially very heavy. In the main, the problems revolve primarily on colour discrimination and its various modifications. Our recommendations will therefore be substantiated by generalised illustrations of these disabilities.

Fundamental Human Rights: The Basis

3. It is our opinion that the basic approach to the problems faced by the under-privileged, and particularly the minority communities in the Federation, is one of fundamental human rights The constant denial of amenities and privileges enjoyed by the European Communities is a pivotal

factor in the social, political and legal disabilities that are faced by our community. As a minority race, it is abundantly clear that no amelioration can be brought about unless constitutional safeguards are assured to every citizen of the Federation, irrespective of race, colour, or creed.

4. The position of the minority communities in the political, economic and social life in a heterogeneous population such as is resident in the Federation, is vulnerable. The Bulawayo British Indian Association considers it imperative to provide certain basic constitutional safeguards for all citizens. The safeguards envisaged should take the form of fundamental human rights, enshrined in the Constitution of the Federation. Such a Bill of Rights would, we feel, put to rest all minority fears of discrimination and foster the necessary confidence in as much as judicial remedies may be invoked when basic human rights (as embodied in the U.N. Declaration of Human Rights) are denied to them.

5. The trend towards constitutional safeguards of this nature is evident in many recently promulgated constitutions of countries that have heterogeneous populations.

6. The present constitution of the Federation is void in so far as the guarantee of such rights to its citizens is concerned. The singular reference to the guarantee of a right appears to be with regard to the Federal Public Service, where in Article 40, Sub-Section 2, it is laid down that no person will be ineligible for employment on grounds of race alone. However, the subsequent Section 3, in our opinion, has a nullifying effect on this provision when it states that "In determining the suitability of any person for any employment in the Federal Public Service, regard may be had to the circumstances of the locality in which that person would be employed". This restrictive section is capable of being interpreted in a manner detrimental to the general eligibility for employment in the Service.

7. In view of this inadequacy and lack of general guarantees of impartiality, we recommend on behalf of our Association, the insertion in the revised Constitution of the Federation, a Bill of Rights or a chapter on Fundamental Human Rights on the following suggested lines :—

Prohibition of Discrimination, and Equality For All

8. The bulk of the population in the Federation is denied access to places of public entertainment, cinemas, public restaurants, hotels, public conveniences, and other organised institutions. Discrimination is practised on grounds of colour and race, and the Asians therefore fall into the category of the population to whom these rights are so denied. The desire of the Government not to interfere in the affairs of private enterprises has brought about a situation whereby phrases and terms such as "Right of Admission Reserved" find a general abuse based on colour and race instead of on decorum, propriety and behaviour. The mis-use of this phrase by European establishments to exclude all non-Europeans without exception, brings about considerable hardships when even important dignitaries on private and personal visits are not spared the humiliation of being denied hotel accommodation and access to places of recreation and entertainment purely on grounds of race and colour.

9. The Constitution must therefore guarantee that no person shall be denied access to shops, public entertainment, public restaurants, hotels and other organised institutions on grounds of race, colour and creed. The State shall not deny to any person equality before the law or the equal protection of the laws.

Equality of Opportunity in Public Employment

10. With the exception of the medical and teaching professions, entry into other departments of Public Service is, in practice, virtually barred to Asians. It may appear that in theory an Asian (and non-Europeans generally) would be entitled to apply, but selections are never made for Federal Service Appointments in Southern Rhodesia. Asians are generally selected to serve in Nyasaland where there exists a larger Asian population. Asian teachers are appointed to serve only in Asian and Coloured Schools, and non-European doctors in non-European Hospitals. It is our considered opinion that the Constitution should provide for the initial appointment of representatives from each race on the membership and constitution of the Body of the Public Service Commission itself.

11. In matters of private employment, qualified Asians have found it impossible to enter the engineering and the legal (Attorneys) professions, purely on considerations of colour and race.

12. It is our opinion that the Government should render every assistance to persons suffering such disabilities by exerting and exercising the necessary pressure and influence to make the initial entry of a few such persons possible.

Right to Certain Freedoms

13. Although certain freedoms are granted in practice, we strongly feel that the Constitution should be more specific about the freedoms that a man is entitled to enjoy in a country of his birth and adoption. The freedom to acquire hold and dispose of property has also been made difficult due to European objections to the purchase of properties by members of the Asian Community. There have been inevitable demonstrations of intolerance and protestations at the acquisition of properties in portions where normally only Europeans would monopolise. Many Asians have been ejected from areas which have been occupied by them for several generations. This ejectment has resulted from the proclamation by the Town Planning Authorities of such portions as European residential areas. It may be noted that for purposes of the Land Apportionment Act, Asians are defined and deemed to be Europeans.

14. We therefore recommend that among other freedoms the Constitution should guarantee:

(a) freedom of speech and expression;

(b) freedom to assemble peacefully and without arms;

(c) freedom to form associations and unions;

(d) freedom to move freely throughout the territories comprising the Federation, and to reside and settle in any part of the Federation;

(e) freedom to acquire, hold and dispose of property, and

(f) freedom to practise any profession, or to carry on any occupation, trade or business.

Right to Freedom of Religion

15. It may appear that such a right is implied and therefore need not be enshrined in a Constitution. However, in view of the fact that there exists a multi-religious community in the Federation, it does seem highly essential to protect and accord the same facilities to persons professing, practising, and administering different religious faiths.

Protection Against Arrest and Detention

16. In order to ensure that all persons are protected equally by law and exploitation to be prevented, the Constitution must guarantee that no person shall be deprived of his life or personal liberty except according to procedure established by law. Furthermore, it is essential that no person be victimised by the State, and therefore no person who is arrested shall be detained in custody without being informed, as soon as possible, of the grounds of such arrest, nor shall he be denied the right to consult, and be defended by a legal practitioner of his choice. Every person shall be guaranteed the right of Habeas Corpus.

Educational Rights

17. Educational facilities at the primary and secondary level are far from adequate and satisfactory for Asians. Every year it is experienced that a large number of students keen on pursuing higher education at the secondary level are forcibly precluded from education because of lack of accommodation at the few secondary schools that are available for Asians and Coloureds in the larger centres of the Federation. Hostel and Boarding facilities are poor, even in the larger centres. Students hailing from rural areas and from the smaller centres and towns are often without boarding and lodging facilities and in most cases have to fend for themselves. It is our recommendation that no citizen should be denied admission into any educational institution maintained by the State or receiving aid out of State funds, on grounds only of race, religion, language or colour, or any of them.

Constitutional Remedies

18. Constitutional safeguards and guarantees without the Constitutional right to move the Supreme Court by appropriate proceedings for the enforcement of the rights conferred by this Bill, would make this Chapter virtually a dead letter. It is our considered opinion that this last guarantee is absolutely essential to make this chapter operative, without which it would appear that the inclusion of these guarantees in the Constitution are merely an appeasement for the under-privileged communities of the Federation. The Supreme Court of the land must have the power to issue directions, orders or writs, including writs in the nature of Habeas Corpus, mandamus, prohibition, quo warranto and certiorari, whichever may be appropriate for the enforcement of any of the rights conferred by this Bill. The rights guaranteed by this Constitution must not be abridged in any way.

Conclusion

19. In conclusion, we would only wish to assert that the hopes and aspirations of a people are embodied in the Constitution which it gives to its country. Despite suffering numerous disabilities and humiliation, the Asian community of the Federation has always been a loyal, law abiding, non-violent and peace loving community, contributing immensely to its industrial, commercial and economic development.

20. Our roots are deeply embedded in this country and our hopes and future lie in the nature of the Constitution that will be given to the Federation. We feel confident, that in its recommendations, the Monckton Commission will ensure traditions of British justice and fair play will not be overlooked, and that the future citizens of the Federation will have a sheet anchor to cling to in the Constitution of their country.

Bulawayo

January 1960

Oral Evidence

BULAWAYO BRITISH INDIAN ASSOCIATION

Representatives: I. K. Khalpey—Hon. Secretary.

K. N. Rana—Vice-Chairman.

In reply to questions, and speaking in turn, the witnesses made the following points:—

(1) With reference to paragraph 13 of the memorandum "Many Asians have been ejected from areas which have been occupied by them for several generations", Mr. Rana had personal experience of this. There was an area a mile away from the hotel, to the east of Bulawayo, which used to be Commonage Land (i.e. not in the Municipality). Portions of it had been brought into the Municipality. In that area, had previously lived a number of Coloureds and Asians. The Municipality might have chosen that area deliberately, or it might have been an accident. But the Town Planning Authorities had then allocated that area for residential parts and called it Paddonhurst. This land had previously been or leasehold to Asians, but the buildings were their own. Asians had lived there for generations. At the time of the regrading of the land they had asked for the opportunity to buy stands there to build their houses. The local Town Planning Authority had refused, and made it a European area. The Asians did not want priority, but they wanted equality and the right to buy land. All the land there was non-African under the Land Apportionment Act, and this made the matter worse. (There was some discussion of the implication of this to clarify the extent to which the Town Planning Authority could go beyond the intention of the Land Apportionment Act.) Asians then had difficulty in buying their houses elsewhere. This was illustrated by some cuttings shown to the Commissioners. Areas which had been set aside for Asians were unsuitable, with no services, such as light and water, and in isolation. The Asians also regarded the allotment of such areas as segregation. They agreed that quite satisfactory compensation had been given for their "eviction".

(2) Mr. Rana had first come to Bulawayo, as a child of one, 50 years ago. When the Asians had first come to the country, there were no such barriers or difficulties. As time went on people seemed to have been doing worse rather than better. They felt that the Asians had had a raw deal. They objected firstly to the principle of segregation, and secondly, to the allocation of unsuitable, unserviced, areas. This was particularly hard on the poorer Asians who were forced to live in tenements, etc., at Hyde Park and Trenance outside the Commonage. Conditions in these places were shocking and they were living mixed up with Africans. The Asians should be allowed to buy houses in the residential areas according to their means. The European fear of overcrowding of Asian houses had no foundation, since the Asians had greatly advanced in wealth and in other ways. At Paddonhurst the building cost was £3,500 (which Mr. Rana himself had offered to pay).

(3) There were 18,000 Indians altogether in Bulawayo. The Bulawayo British Indian Association had been accepted as the official body to represent them.

(4) Reference was made to the list of "freedoms" in paragraph 14 of the memorandum — (a) to (f) — and Commissioners enquired as to the extent to which the freedoms mentioned did not at present exist. The witnesses explained that they did not mean to imply that all these freedoms did not exist at present. They were generalisations. Further their recommendations were not necessarily for the Asian community alone but for all communities. The freedom (d) (freedom of movement within the Federation) had been restored to Asians after three years of negotiation with the Government. Freedom (e), to acquire property; existed in theory, but was not permitted in practice, in the manner just explained. It was also curtailed in practice by the restrictive clauses in title deeds. A particular example was given of a recent government notice relating to a new "European" suburb of Bulawayo which indicated that properties could not be sold or leased "to any person not wholly of European descent". The witnesses understood that such restrictive clauses were not of full legal validity, but in fact solicitors behaved as if they were, and their point was that the Government appeared to approve of such restrictive titles (the matter is set out in greater detail in the section on the "Land Apportionment Act" of the memorandum presented by the Southern Rhodesian Asian Organisation, see p . . .).

(f) "Freedom to practice any profession etc.". There was a kind of professional ring, notably in the solicitors' profession. It was agreed that this was not specifically related to colour. Mr. Khalpey had wanted to get into Articles and had tried 56 firms in Southern Rhodesia without success. He had not a hope of getting into the profession. The solicitors' firms were exclusively European. He agreed that this was strictly nothing to do with the Government, but was managed by the Southern Rhodesian Law Society. Some of the solicitors in question had candidly given their reasons, which were fear of competition, particularly if an Indian lawyer became available to serve the illiterate mercantile community of Bulawayo. It was a trade protection bar. Mr. Khalpey had also found it impossible to get qualifications as a solicitor outside Southern Rhodesia and then to return to take up practice.

(5) On the colour bar, and with particular reference to the last sentence of paragraph 17 of their memorandum, there was a lack of High School facilities for Asians. There was no reason why there should be separate schools. This idea was not consistent with the concept of partnership. Those who could not get into existing Asian schools should be permitted to enter European schools. Asians who came from rural areas were particularly affected by the shortage of hostel accommodation.

(6) On colour bar generally there had not been much real improvement since Federation. In Bulawayo only the Hotel "Vic" had become multi-racial recently. Even now there were separate bars in the hotels for Asians. The position needed clarification. Formerly only Asians with diplomatic immunity had been admitted. Twenty or thirty years ago there had not been this colour bar in respect of hotels. They did not think it had come up from South Africa, but had been imposed by the European business people. It had started in one hotel, and then in one restaurant and so it progressed as more superior establishments had been set up. There was no real discrimination against Asians among the ordinary trading people with whom they did business.

(7) There was discrimination in cinemas; in many they were not allowed in at all. In another they were confined to a dirty pen at the back. They agreed that it might not be the responsibility of the Southern Rhodesian Government, but that Government gave no lead in doing anything about it.

(8) Questioned as to their view of Federation, they said that it should continue to exist *if* certain basic human rights were guaranteed to all. But if those basic rights were denied then it was unfair to associate Northern Rhodesia and Nyasaland, where greater privileges were enjoyed, with Southern Rhodesia. They agreed that the inclusion of these basic rights in the constitution was no guarantee that they would be given but it would be possible to move the Supreme Court in respect of those rights. The inclusion of a Bill of Rights in the Constitution was based on the precedents of the Indian Constitution (a complete chapter) and the American Constitution.

(9) With reference to Article 40, sub-section 2 of the Federal Constitution (mentioned in paragraph 6 of their memorandum) they thought that the Board of the Public Service Commission should be inter-racial as an interim or transitional measure. The Board, as at present constituted, overlooked certain conditions, and they, therefore, wanted racial representation on it so that it could act as a tribunal. There were a considerable number of matriculated Asians, but they were only employed in the Government. There was only one Asian doctor who was employed in Nyasaland. Mr. Khalpey himself had applied for a post in the Postal Services, and had been informed that he could only be so employed if he went to Nyasaland, although he knew there were vacancies in Bulawayo.

(10) The Military Training Corps was in theory non-racial; but Asians were restricted to the Transport Corps, and messing arrangements were separate. Further, there was no pro-

motion for Asians beyond the rank of Sergeant. This discrimination cut through the whole basis of loyalty and discipline so essential in military service.

Memorandum

P. HLAZO

Economic, Political, and Social Advantages of the Federal Set-up

1. Economic Advantages:
   (a) The bigger the country is, wider is the field of its natural resources and greater is the variety — in its potential wealth.
   (b) Our Federal set-up increases our man power labour source, i.e. the harnessing of the combined population of the Federal territories to work for the common good of the whole.
   (c) The Federation of Rhodesia and Nyasaland is a factor of great interest to the outside world and encourages immigration from older and higher industrialised countries — this encourages technical skill into the country as well as influencing internal technical organisation and skill, with a view to the rapid expansion of internal industries.
   (d) The combined population of the Federation is an economical internal asset by way of a home front market which is an incentive to competitive spirit, without which progress is impossible. The Federal industrial enterprise is encouraged and achieved by investments from abroad.

2. Political Advantages:
   (a) The keystone of the Federal political set-up is the constitutional policy of partnership on which rests our franchise common roll, as opposed to the Union of South Africa's political line up whose obnoxious foundation is apartheid.
   (b) The partnership policy is the main hope of the African aborigines. For the assessment of human values on their merits, regardless of race, colour or creed. In fact, partnership is British justice and fair play incarnate.

3. Social Advantages:
   (a) Naturally partnership breeds social integration which in itself is a spiritual amen of Christian ethics and God's human values, i.e. that all men are equal before the eyes of God. This unchangeable dictum is daily being forced before the notice of humanity — in things man tries to avert every day — disease and death together form the common lot of man and no colour bar can reverse this order.
   (b) Social partnership is the most influential factor which alone can completely break down centuries of social barriers detrimental to black and white harmony in our Federal set-up. Social partnership is the key hope of a multiracial society. It is in social partnership where the Federation of Rhodesia and Nyasaland can find a strong weapon to conquer centuries of social prejudice. Without the implementation of social partnership, the constitutional policy of partnership becomes a mockery both internally and externally and this leaves the edifice of partnership policy without a roof.

4. Economical Difficulties:
   (a) The Federation of Rhodesia and Nyasaland is comparatively speaking a very young country. Although the country is young, it is rich in man power and natural resources.
   (b) The Federation lacks money and skill to exploit all its resources for the good of the common whole. For this disadvantage the Federation has to look for investment from abroad for its programme and plans of development. This is true of both the spiritual and material progress of the country.
   (c) Spiritually, the Federation stands in need of men of integrity who will not be swayed about by racial prejudice from either the white nationalism or the black nationalism. Politics cannot achieve this goal without the Holy Spirit — it is feared the political world despises Him — it is equally feared that the political world is playing with fire without Him.

5. Political Partnership:

This is a thorny Federal issue for the following reasons:—

   (a) The two main Federal partners are of two distinct descent. Their common ground is the human family and the Christian Church. Basically in these two characteristics, the two main groups have one firm ground on which they stand on equal terms. Humanity is one, for mind and soul and spirit are the common make-up of all man The Church has no distinction in her message for humanity — all have sinned and become short of the glory of God — there is one salvation for each and all of the human race. This is not of course politics but a reality. This is a great difficulty in that politics do not moralise. Politicians concern themselves with material progress even if the progress envisaged is devoid of spiritual growth — hence the line up in White Nationalism. and in Black Nationalism. Consequently upon this line of thought, we see opposite camps snarling at each other. This takes all the ground underneath the policy of partnership.
   (b) The white group claims a two thousand years evolution of civilisation in thought, word and deeds. The black is a partner who is emerging from the primitive stage, as such, he is not expected to ask for a share on equal terms on economical, political and social standard of the higher civilisation. On the other hand, the black partner claims that civilisation is the heritage of humanity as the light from the sun is the source of light and warmth for all.
   (c) The white partner insists that the Government must remain in responsible civilised hands for the foreseeable future. Here the black partner is perplexed in that the English standard dictionary fails to define a civilised person, e.g. If Nehru or Khwame Kruma or any of the leaders of non-white independent states were to visit the Federation, the question of where they would be accommodated would hit the headlines of our Press. The fear being the reaction of the general white public in according such personalities the same status as a man with a white skin, consequently when such personalities visit the Federation special arrangements have to be made because in the normal running of things men with black skins are not accepted in the white social structure.
   (d) An African aborigine born and bred in London, educated in Eton or Harrow and thereafter graduates in honours either in Cambridge or Oxford, eventually lands in Africa of his forefathers, the first clash he experiences is a higher definition of European civilisation as understood by the white partner. A black skinned man may be acceptably civilised for the European social structure in Europe but he is not good enough according to the standard set by the white partner on the spot.
   (e) The Fear complex. From time immemorial numbers have been used as a determining factor in the assessment of human objectives. Kings and emperors depended on the sheer weight of numbers to gain their objectives in the battlefields. Before the days of mechanisation, industrial development depended on the numerical strength of the hands employed. Even in these days of mechanisation, the available human power in industry is still a factor to reckon with. Naturally, in a multiracial society the influence of the two main groups is not evenly balanced, the governing group is inclined to marshal its strength for self defence because the law of the world is founded on self preservation. This is contrary to the Chirstian faith which is founded on the moral law of aggression against self and powers of darkness. The governing minority in our society, although wishing to do good, has in it an influential element which seeks to maintain an exclusive privilege for the white minority. This element finds its expression in the slogan of the Government must remain in the hands of civilised people for the foreseeable future. It is needless to point out that the fore-seeable future has no specific day on which the bells will be rung for the majority partner to take a full share in the government of the country.

6. The Franchise:
   (a) The African partner believes in one man, one vote. He further maintains that the means qualification is deliberately arranged to check his numbers so that in the fore-seeable future he may never gain a parliamentary majority.

(b) The present line up, as evidence by the Southern Rhodesia Association, is in the African mind, a white determination for a European supremacy for all time. The Dominion Party's policy is an historical pointer to what is happening south of the Limpopo.

(c) The African feels that there should be a general policy regarding the franchise throughout the territories which come within the orbit of British influence. That the means qualification be altered in order to meet people whose income is lower than that of the average European but otherwise intelligent enough to exercise his vote. The idea that the average African is not in a position to exercise his vote with intelligence is a myth in the light of what is taking place in the Union of South Africa. Furthermore, centuries of civilisation are not the criterion on which to judge a people's intelligence in this regard. This argument is supported by the Hitler regime and the communistic block. To throw more light in this connection, mention may be made of the Old Cape liberal policy—here the franchise was never abused by the African but it was the European who used his vote against the Africans in 1936, when the House of Assembly in Cape Town obtained the two-thirds majority.

7. The Department of Justice:

(a) In the dispensation of justice the African feels there is something that leaves much to be desired. He (the African) feels his life is cheaper than that of his white partner. The search for a murderer who has murdered an African or committed sexual crime against an African woman is comparatively speaking always lukewarm. Whereas if capital crime or rape is committed against a person of white skin, the law will leave no stone unturned in order to bring the culprit to justice. In a case like this, the police will use all available means, e.g. police spot-planes, even the army joins in the search.

8. Native Administration:

(a) In Southern Rhodesia there is a department exclusively set up to administer native affairs. The feeling now in the emerging African is that this department has served its useful purpose of taming the African barbarian. Furthermore, this department has done the African commendable service, especially in the rural areas. Along this good work, this department has carried out a policy of intimidation in its general attitude and dealings with the African. The 'Nkosi' myth has been over-emphasised by this department.

(b) Recently, the report of the select committee on public accounts has revealed that this famous department is now on the verge of collapsing — it has grown too big to weld it together. In fact, in the African mind, this department has become a government within a government. Ugly flaws of this department have been brought to light. It is now publicly acknowledged that the work of this department is not only inefficient but has criminal characteristic of thieving. It is worthy of note that these ugly characteristics are not attributed to the African staff of this department. It is the white skinned partner who is the sufferer in this case. Let the following scriptural quotation suffice in this connection: "Or how wilt thou say to thy brother, let me pull out the mote out of thine eye; and, behold, a beam is in thine own eye? Thou hypcrite, first cast out the beam out of thine own eye, and shalt thou see clearly to cast out the mote out of thy brother's eye".

(c) In a multi-racial society, there should be one department in the nature of the department in question but with this difference, that it may not be exclusively for Africans only.

9. Solution:

(a) First and foremost, the Federation as a machinery of Government and the policy of partnership should by all means be helped to remain intact.

(b) In order to enable the Federal machinery to work smoothly, the root cause of its instability should be the first concern of our parliamentary surgery. Let the knife of the surgeon cut out the root cause of our parliamentary disease. What is it? It is the colour bar. But the colour bar is not in our statute books in the sense of the Union of South Africa. Here in the Federation, it is the general public opinion of the governing group which is pushing the ship of state to the bottom of the sea.

(c) If we are to produce good leaders let us be careful in working out the policy of integration. The first start should be the church and the school. Let us do away with black congregations and white congregations. Let those who feel they would benefit by attending an English service make thir own choice and vice versa.

(d) Let there be one department of public education for all. School doors should be opened to all children irrespective of race, colour or creed. Thus and thus only will suspicion and prejudice be removed from our multi-racial society.

10. Economics:

The question of low and high economical standards can only be corrected by the removal of social barriers. The complete removal of these barriers will be a natural process of self-sorting.

(a) The Land Apportionment Act. This Act is now obsolete in the light of the present trend of events in the Federation. The constant mention of it in our parliamentary debates in order to meet the emerging Africans in hotels and residential areas is a clear indication that the time has now arrived to revise the Federal set up without the influence of racial grouping but on a sincere multi-racial readjustment for the equilibruim of the whole.

(b) True enough, the Land Apportionment Act is a protective measure in so far as the economical disparity of the two main communities of the Federation leaves a yawning gulf between the two main races. But if we are to solve our problems, the first essential is to get away from thinking in terms of race. Our aim and purpose should be to create an African people composed of a white pattern and a black pattern. The white pattern should stop to refer to Europe as "at home", rather use the country of origin instead. The black pattern should stop to refer to the white pattern as a European. Instead a new designation should be coined, namely the white African. The smaller minorities who are neither white nor black should be contented with the designation African. Those whites and Indians whose intention is to spend the last days of their lives in their countries of origin should be admitted here on temporary permits of long terms of stay according to their wish.

(c) The contention that the disappearance of the Land Apportionment Act from our statute book would mean the buying out of the African from the land is a greedy vision. In a family there may possibly be four healthy strong children out of ten. It does not follow that the strong ones may look with contempt and greed on the six not very healthy brothers and sisters. On the contrary, if the family follows Christian ethics and principles it is the duty of the healthier ones to seek to cure the cause of weakness in their group. Sincere multi-racial cooperation will go a long way to cure our multi-racial weakness.

11. The Commissioners:

(a) The personnel of the Monckton Commission is implored to recommend suitable workable terms on which the ills of our Federal set-up may be cured and thus bring stability to the country and so encourage investment from abroad.

(b) Lastly, but not the least, the British way of life into which we have been born and brought up must be encouraged to continue in our Federal set-up.

12. Further Light:

For further light, I beg to draw the attention of the commissioners to the Summary of this evidence; especially on the following points:—

1. Progress since Federation.
2. Close contacts of the races.
3. How to improve the Department of Native Affairs.
4. The removal of the remaining reservations in our Constitution.

Bembesi.

Supplementary Memorandum

P. HLAZO

Born March 1899, Tegwani Mission, Plumtree.
Educated St. Mathews College and Lovedale College.

Teachers — qualified. Taught for 25 years in Matabeleland, Southern Rhodesia.

It is my desire as an old inhabitant of this country to contribute towards the development of the Federation and its peoples, both economically, socially and practically.

I therefore submit this abridged report, after which I would appreciate the opportunity to enlarge upon my evidence and my reasons for the continuance and the development of the Federation and its peoples.

Summary

A. Progress since Federation:—

(a) Prior to Federation heavy equipment for road construction was exclusively preserved for Europeans only, but since Federation more and more Africans find employment in this field, and European employees do not suffer for it as in the same field avenues of employment in clerical work expand and thus more Europeans find employment.

(b) The Federal Government is responsible for Income Tax which is spread throughout the Federal Territories on agreed percentage, thus a marked improvement in the harnessing of man power throughout the Federation is noticeable. This is more marked and conspicuous in Nyasaland. For Nyasaland as a result of Federation wages and salaries have risen out of proportion compared to pre-Federation days. Today in Nyasaland health and education are receiving the attention which before Federation it was impossible to give solely for money reasons. Of the three Federal territories Nyasaland ought to feel most grateful for the birth of a Federal Government which embraces her.

B. Close contacts of the races:—

(a) During the seven years of Federation contacts between the European and the African (outside the level of employer and employee) have improved beyond recognition. The general attitude of the European in the street toward the African is now promising for a change for the better.

(b) The Federation, as a new big field for outside investment, the eyes of the world have been attracted to it. Consequent upon this, men of the academic field are crossing the colour-line in order to contact the African in order to learn his soul. Thus friendly relations on a higher level have been developed between the races.

C. How to improve the Department of Native Affairs:—

(a) If there is need to keep this Department in being, it is feared that nothing short of a drastic surgery operation can improve it.

(b) The Head of the Native Affairs admits that his Department has grown too big to wield it together. This admission came as no surprise to the African who has been feeling for many years that the Department exclusively for African Affairs was a Government within a Government. This cannot be over-emphasised — a pity of it is that those who have never been governed by a Government within a Government cannot comprehend and so appreciate the significance of the need for a change or overhauling in this Department.

(c) It is a matter for great congratulation that Native Education and Native Labour Administration are now State Departments independent of Native Affairs as a Department. When the above two Departments were removed from the hands of the Native Commissoners, the Department of Native Affairs felt grieved, as one shorn of one's empire.

(d) Criminal cases should be removed completely from the hands of the Native Commissioners.

(e) Native Agriculture should be linked up with European Agriculture. After all, this is a field for experts for which Native Commissioners have no qualifications.

(f) The dipping of African cattle should be the entire concern of the Veterinary Department.

(g) The collection of Tax should be a matter for the Treasury.

(h) Surveying should be a concern of the Department of Land and Agriculture.

D. The removal of the remaining reservations in our Constitution:—

For the following reasons these reservations should go:—

(a) Whitehall is 6,000 miles away. A Government in the able hands on the spot cannot go ahead with plans and programme of development. The reservations are a stumbling-block to progress.

(b) When the black partner attains a majority in Parliament will hate these reservations.

(c) No repetition of the Union of South Africa here because the free world public opinion is one against any form of injustice.

N.B. In conclusion, if the Commissioners desire oral evidence to support my paper, I am willing to appear in person.
Bembezi.

Oral Evidence

P. HLAZO

Mr. Hlazo had submitted a memorandum to which he had added a summary of certain important points as a supplementary paper. He said that he felt that the Native Affairs Department had reached a stage where it should be trimmed to leave all criminal cases to be dealt with by the District Courts' magistrates. Today it was much too big a Department and should be re-organised.

In the rural areas, the Department, through its officers, maintained an archaic and intimidatory attitude. This was evidenced by Africans having to sit outside the offices, squat on the floor, and by their being kept waiting all day. This whole attitude exemplified a somewhat callous approach to their work. Into the bargain, the witness said that the Department was inefficent in that from time to time moneys were stolen or otherwise lost in the Department.

On the question of franchise, Mr. Hlazo said that he certainly believed in universal adult suffrage or "one man, one vote". In his view, no partnership between the races existed because as far as the Africans were concerned, there was a very limited franchise and in consequence very few African voters. He said that the qualifications were too high. His view was that in no sense did he necessarily wish to see an African majority but rather that white and black voters, as the electorate, should be able to return to Parliament a candidate of any colour.

The witness went on to say that the main trouble in Southern Rhodesia today was the colour bar although this perhaps had served one useful purpose in bringing Africans together. It was essential that the colour bar should be broken down as soon as possible. He conceded that in this direction there had been improvements in the last few days. One of the matters that struck him very forcibly was the question of education. This he was satisfied should be under one Government with multi-racial schools. He thought there might be friction to start with but he felt satisfied there would soon be an improvemnt in the relations between children and parents.

As to his reference earlier that criminal cases could all be dealt with by magistrates. he agreed that this presented difficulties in rural areas. He had no complaints against Native Commissioners and their judicial functions, and he regarded the majority of them as good assistant magistrates.

He heard that in Nyasaland African Chiefs tried criminal cases according to native law and that they dealt with matters such as petty thefts and matrimonial disputes. He was not satisfied, however, that it would be politic to give African Chiefs the power to try criminal cases because he thought that the standard of their education generally was too low. In any event, native Chiefs often tended to be biased, and he thought that women in disputes were likely to be prejudiced if their cases were tried by Chiefs.

Mr. Hlazo thought that agriculture should all be under one Government as he had recommended education should be, whether that Government was Territorial or Federal. He did not consider it right that Native Commissioners should be directing agriculture in the African areas. Allied to this question was the ever present problem of land as far as the African was concerned. He thought that the time had arrived for things to be arranged so that all land could be thrown open by repealing the Land Apportionment Act. He agreed that in such case there would be a danger of African land being bought up by others in a better position to provide the necessary cash. But his view was that suspicions flowed from divisions between the races, and the remedy lay in letting the people do all they could to toegther. He stated that at present nationalism was growing very fast among the Africans even in the rural areas.

On the question of the constitution, Mr. Hlazo recommended that the remaining reservations in the Territorial Constitution should be removed. Existing as they did today meant that there had to be constant reference to the United Kingdom Government where all along the local Government had the necessary knowledge to deal with the problem on the spot. While he could cite no concrete example of these reservations preventing progress, he considered it was a question of principle. Even if there was an African Government in Southern Rhodesia, he felt there would be no need to refer matters to the United Kingdom. It was the people on the spot who should decide matters, and this would have the result of avoiding a good deal of waste of time. He was inclined to agree that in any new Constitution the minorities would probably require some sort of protection for the time being.

Making what he termed practical suggestions as to a solution of the troubles, Mr. Hlazo said that the repeal of the Land Apportionment Act would provide a reasonable working basis for the future. Likewise he thought the Ministries of Education and Agriculture should be under one Government, although he had no preference as to whether this should be Territorial or Federal. He said that when he had stated earlier he advocated a franchise on the basis of "one man, one vote", he meant that the vote should not be bestowed indiscriminately, but it should be conferred on people with some satisfactory qualifications. He certainly never intended that one man should have one vote because if he had, the European in this country would be swamped, and it was never his view that the European should be eliminated from the political or econmic life of Southern Rhodesia.

Memorandum

E. B. MHAMBI

I Edward Ben Mhambi was born on the 9th. February 1930, in Salisbury. I did my primary education at Usher Institution in Matabeleland, after which I obtained my Cambridge School Certificate at Goromnzi Secondary School in 1950. In 1951 and 1952 I worked as a Welfare Assistant on the Railways stationed in Bulawayo. From 1953 to 1957 I worked as a Clerk for Amalgamated Auctioneers in Bulawayo, and since then I have been a Storekeeper in the Gwanda Reserve.

It is therefore my wish that I should give evidence before the Commission, and I am basing my facts mostly on Rural Areas. It should be understood that people in rural areas are less educated than those who live in towns, and that at times these town people have given wrong influences on country people about Federation. But I personally feel that Federation has done quite a lot of good in rural areas as it has done in urban areas, although I realise that some matters are Territorial but could not have come about without Federation.

I have seen a big improvement in Race Relations in the last few years in the country, such as the good treatment given to Africans by Officials of the African Department and many other Europeans who have dealings out in the country and Mines. A thing we did not experience in the early forties. We have had decent Clinics opened up in remote areas such as the Avoca Clinic in Filabusi thus enabling people to get treatment right at home instead of going to big Hospitals in towns hundreds of miles away from their homes. We have had certain places opened to the African public, and still think that more such places will be opened to everybody by the Government in the near future. Great change in the treatment of African prisoners in Her Majesty's Prisons has been noted by country people. Councils have been formed in the Reserves which enable Africans to have a word in their local Government, and can have matters discussed friendly with their District Commissioners. Land Development Officers both black and white have been appointed in the Reserves to improve African farming. Good houses are being built in the Reserves. Roads and bridges have been built to make communication easy in the remote areas.

I do feel that we should have industries brought into the Reserves — say have factories built in certain parts of the Reserves, and these would be of great help to local people. Also I feel big entertainment centres should be built for country people, and they be encouraged to take part in sports by the Government. For all the facts and opinions I have submitted to the Commission being views of the rural African, I would therefore not recommend whatsoever the breaking up of the Federation.

It is my own evidence, and I would appreciate an opportunity to give verbal evidence to the Commission when it visits Gwanda.

Oral Evidence

E. B. MHAMBI

(Storekeeper, Gwanda Reserve).

Mr. Mhambi said that over the past five or six years he had seen much improvement in the attitude of Native Commissioners and Land Development Officers in their approach to Africans. In addition there had been very considerable satisfaction to the African population in the opening up of roads and the building of bridges which had allowed a much more satisfactory flow of transport. The erection of clinics in the districts had also been very helpful for now it meant that in most cases it was no longer necessary for Africans to come into the larger towns for medical treatment. He realised that some of the matters to which he referred were Territorial functions, but he felt that the achievements could not have been effected without Federation. He also said that there had been a great improvement in race relations generally. It was not so many years ago that Native Commissioners' messengers had compelled Africans to take their hats off while they were still miles away from the office. Now the position was entirely different; they felt they were able to approach the Native Commissioner freely, they were attended to quickly and equally they were able to get back to their homes and on to their jobs with a minimum waste of time.

It was pointed out to Mr. Mhambi that in evidence earlier in the day a witness had said precisely the opposite. His reply was that if there were ten people before you you obviously had to wait and, for example, he had to wait today, but that was no fault of the authorities or in this instance of the Commission. Because of numbers the witness stated that the position was possibly worse in town but even in the country today when there were lots of people they were definitely not made to sit on the floor.

Mr. Mhambi did criticise the lack of sports and entertainment and what he termed other social welfare facilities. These should be provided and generally encouraged. Furthermore, he hoped that it would be possible for factories and industries to extend their activities into the more remote areas in order to give Africans employment nearer their homes. Many would not come to the larger towns and this sort of thing would provide a satisfactory avenue of employment.

The witness said that he was interested in politics and that he and his wife, who was a nurse, were both voters and he a member of the United Federal Party. He considered that the franchise was a little too high but he pleaded that it should not be brought too low. He thought that Standard VIII, that is the junior certificate, would be a satisfactory qualification, even if the prospective voter did not have any property, but provided he had an income of £120. per annum. In lieu of the Standard VIII qualification he would be prepared to see primary education plus two years post-primary. He stated that it was true that there were many persons qualified to be on the voters' roll who had not registered. He understood that the Central Africa Party was encouraging people to get on the roll, but added that there had not been much encouragement prior to the last election. To make the African vote effective he thought it would be too early even with normal encouragement were an election held this or next year.

As a person interested in politics he read the "Bulawayo Chronicle", all the African papers, "The Citizen" and certain South African papers. He never missed the "Bulawayo Chronicle" or the "African Daily News".

In answer to a question Mr. Mhambi stated that in his view African nationalism was not growing very fast in the reserves where the position was very different from the towns. His view was that things should be allowed to evolve slowly; but it was important that pin pricks such as liquor restrictions, admission to cinemas and the classification of all Africans for censorship purposes with children under the age of fourteen should be removed as soon as possible. In these directions he thought it would be very helpful indeed if there were suitable direct African representation in the Southern Rhodesia Parliament with things as they were at the moment. On the other hand, he was very much in favour of Federation, and indeed he often felt that all functions of government should be Federal.

On the question of Native Councillors he thought that these people were doing valuable work; but one frequently came across the situation where the Chiefs and Councillors did not agree and this was understandable because some of the Chiefs were really not educated at all. The Chiefs, on the other hand, had the feeling that the Councillors were usurping their powers. The witness did not agree that the Chiefs should be accorded further powers at this stage. It would be much better if their present authority was first consolidated by education and other means. He said that in some areas the

Councils had made very little progress. The Councils were responsible for financial matters, administration and planning with the Chief and Native Commissioner occupying the position of leaders of the Councils, but on the whole they had very few executive powers at the moment. He thought that the Chairman should not be the Native Commissioner, but that he should be a person elected from the Councillors with the Native Commissioner holding a watching and advisory brief. The Chief likewise should not be the Chairman unless his own merits dictated his election.

On being asked as to whether the Chief should be given power to try criminal cases Mr. Mhambi stated that he did not think this would be wise. For one thing most of the Chiefs had not sufficient education to try criminal cases, although he saw no particular reason why they should not deal with minor matters such as infringements under the Land Husbandry Act and the like. Otherwise it was enough that they should have authority to try civil matters between the Africans.

In regard to the Land Apportionment Act the witness stated that he was not satisfied with the way in which it was being implemented and he wondered why steps should not be taken to open up the areas in the towns for full competition between all the communities. It was true that the Land Apportionment Act had had the effect of protecting the African's interest in the rural area and he thought that in the African's own interests the European and Asian should continue to be kept out of the reserves. Were this not done he was certain that Asians would tend to swamp the reserves with their stores.

On the pass laws the witness confirmed that it was necessary for African males to carry a registration certificate or "situpa". His main objection to the carrying of these passes was that they evidenced discrimination between the races. He did not object at all to the identity portion of the certificate but he considered that the portion dealing with employment should be eliminated. Indeed he thought the purely identity certificates that were available to certain Africans and which carried a photograph of the bearer were an entirely satisfactory form of document. He mentioned that he himself had applied for one of these identity certificates which was granted on certain qualifications such as being a Chief or a headman, having the Cambridge examination or having been five years in business. He thought the categories were too restrictive but at the same time he simply could not understand why a headman, often a man of no education whatsoever, should *ipso facto* be entitled to these certificates. Mr. Mhambi stated that the application of the pass laws in Southern Rhodesia was not severe. He understood that in the Union of South Africa one was liable at any moment with a policeman at every corner to be taken in for not having one's certificate; but here the registration certificates were asked for by the police about once a year and this served a very good purpose because it enabled the loafers and criminals to be rounded up. Finally, Mr. Mhambi stated that he thought the town passes which were necessary when an African got a job in town served a useful purpose particularly because before they were issued an applicant had to have a thorough medical examination.

On being questioned further Mr. Mhambi said he could not say why comparatively few Africans were coming forward to give evidence. It had been widely known when the Commission was coming to Bulawayo, and there had certainly been no intimidation. Contrary to popular thought, the rural African discussed the Federation and politics generally to a very considerable extent. In his area round Gwanda there was virtually no Congress activity and the United Democratic Party had made no attempts to get supporters among the people there.

Memorandum (i)

F. E. B. FRIPP

Tanganyika to Limpopo

1. This was the principal area of Africa where penetration from the coast was possible, taking place for two thousand years or more.

Why? Is of course the first question.

2. The answer is simple. The means to hand of this early period were limited. Indian ocean travel by Arab dhows was simple, governed by the trade winds coming down with one. Six months later blown back by the reversal in direction of the trade wind. This regular alteration of winds is due to whether the sun is north or south of the equator. When the sun is on the equator the winds are erratic. Occasionally the trade winds partially fail. Then little or no rain, so famine in that area.

3. Why, North of Mobassa to Aden, little or no penetration. Apart from the coast line more or less inhospitable semi desert, for two hundred miles or more.

4. What of the Southern limit. This is about Sofala. Only the daring owners of dhows, reach here, as South of here Trade winds fail, also can strand a dhow for nine months. The importance of this, that East Africa was penetrated from Mombassa to Sofala. What was the reason for this penetration. In the main two commodities, slaves and ivory, gold probably filtered out spasmodically over many centuries. Of the first two there was a good supply. If it could be taken.

5. Sixty years ago the writer met two who had twenty years before taken part, not for slaves, but ivory and cattle. The system being simplicity and successful was more than probable the one that went back untold years.

6. This area of Africa was up to the writer's time occupied by a large number of differing tribes of Bantu stock, none of formidable numbers. Traditions of African empires could only have been originated where providence produced a phenomenal individual who could create by force a kingdom, also hold — it died with him.

7. Into this area came the Arab invaders from their dhows. They did not come in large forces but as far more formidably armed bodies than the local tribes, but would have been impotent against a generally hostile countryside. But the Arab leaders made use of the hostility between the local tribes by bargaining with a local chief that if he organised that chiefs raid on his neighbours supporting it by his powerfully armed party success was certain.

8. Of the spoil, the local chief, winner in the contest wanted neither the slaves or ivory and to great a hoard of ivory was dangerous, but coveted all the livestock, not much use to the Arab. The slaves carried the ivory to the dhows at the coast. These Arab slavers were feared so their passage to the coast was not interfered with, no tribe knowing when they would require their help against a neighbour, though every African hated the Arab.

9. This system of existence in this area bad though it was, held no hope of alteration, till the British Navy policed the Indian Ocean, halting and searching dhows, made this traffic not worth while.

10. This outline of a long history of this part of Africa seems essential. As to the African with their history handed down orally only, must have created in their mentality a sort of fatalism.

11. Without wishing in any way to decry Livingstone, his wanderings in this part of Africa was possible. He wanted nothing, could help to cure illness and did so. His outcry against slavery left the Arabs cold, as he would do nothing effective against them his destruction by them certain to be reported by the natives to the coast, so just left alone, or even helped with supplies, Livingstone was probably regarded as fey, he wanted nothing but a little food and gave help in sickness so could go to many parts, not everywhere at all times. His personal servants or followers took care he did not go where it was unwise, as their existence was at stake.

12. All the African chiefs had witch doctors in their entourage, the most important part. Nothing could be done without them. The comparative mentality between Chief and witch doctor determined the way things went. War or peace, drought, flood, or malefactors, the witch doctors omens or pronouncements were an absolute necessity. So the relative ability of Chief or witch doctor was a big factor.

13. To come down to the European entry on this complex Lobengula successor to Mazilikaze entered on a country devastated by his father (a refugee with his impi from Zululand) who yearly sent his young men raiding. To become a warrior and a man he had to have killed. So from the Limpopo to the Zambesi was heavily depopulated in what was known as Matabeleland and Mashonaland.

14. So the British South Africa Company came into an area with a fraction of its former population. What was the African like when the European came. He was of course completely ignorant of his ways in every form and had to learn how to train oxen, inspan them in a wagon, also learn to drive it. This 70 years ago.

15. As the African progresses in civilisation the more quick witted learned to read and write at a mission station. Why? You cannot blame him. He had learnt from the African brought up from the Cape Colony, that if you wanted for any reason to leave any employment at a moments notice, your registration certificate — a mysterious document but obligatory — had to be endorsed by the employer, as to how long you would work for, also for what wages. In this a protection to African work could become intolerable at short notice to the African, after the first

novelty so to just sit in the sun only became imperative. This could be done by giving the Cape African a shilling from your wages. He could write, and forging your employer's signature, sometimes well, or badly, if the latter, it being done after sundown, there was a plausible reason perhaps.

16. The easily earned wealth was attractive to the Rhodesian African, so it was little trouble to become a convert, if this valuable knowldge could be taught to one. So the Africans at Mission Schools were not often as the missionary hoped. You can hardly blame either. One had no standards. How could he. The Missionary full of hope and goodwill over estimated his convert.

17. Now the next stage. When a sufficient writer, one could write a note for a bottle of Cape Brandy, forging the signature of a local European who sent his houseboy with a note and cash for the bottle. As there was a big thirst for the white man's prohibited spirits, often a pound was the price for such a letter, coming down with more numerous writers.

18. With the African it was impossible to consider perjury in any court proceedings.

19. The African view of the answer to any question was a question of policy. To say to those in authority what he thought would please. If it incriminated anyone. He was not there so he knew nothing. When confronted, would glibly say some other tale expecting it to be taken for granted his first reply was untrue with his second tale quite likely improbable and so on indefinitely. The African view also ineradicable. Why should I tell the truth. I might let myself in for trouble.

20. A large number of Africans have a wonderfully retentive memory, being able to quote even chapters of a text book so being able to pass exams where quoting text books will do.

21. The average African is a happy-go-lucky individual prone to laughter. Being the survival of the fittest, he is tough in many ways, but mentally he would just take his blanket go out into the bush and die if the witch doctor so decreed. This up to the time of industrial dvelopment in the towns. Thus only since 1946 before that the Africans in town locations was not large as now. How the African will respond to modern industrialisation is perhaps a problem not easily solved. Certainly not by decrees from Whitehall. But with the quality of the Europeans in the area, with the extent of industrialisation with its rate of expansion. If this is fast enough it may keep pace with the very rapid increase of African population. A set back in the expansion of industry, population will overtake the demand for labour, with perhaps a lowering of wages leading to trouble.

22. As to the African with some education who aspires to political leadership his inheritance of domination by the witch doctor a very potent factor up to less than 30 years ago, must be a big influence on the would be African politician. Another characteristic is to make inordinate demands that he really never expects fulfilled but as a means of obtaining the utmost he can.

23. In the emergence of nationalism in its very different forms even in Western Europe, but far more so elswhere as in these countries where a new dominant section have to all intents enslaved the majority under an iron rule where no democratic opposition party can exist but is ruthlessly exterminated. This is so much akin to tribal domination that experiments in political freedom with a backward race, who could not tolerate an opposition in the political sphere, would end in disaster.

24. Where what is regarded as a progressive democratic state exists, there are two or more political parties, who can argue out their destiny, are, or can be put temporarily in power by the general electorate, who by common will would not tolerate one party murdering the others. Where such has occurred by domination of military forces to uphold one political party indefinitely no freedom can exist.

25. Here in the Federation if the African had political power with complete control of police and military forces there could be no other end but complete disaster.

26. A satisfactory democratic state is of necessity a matter of slow growth over the centuries. As an experiment an entirely elected set of politicians of local Africans, entirely financed by themselves, but with no powers could criticise the Government in power, formulate their policy. The actual Government could print their Hansard if no more voluminous. This would be necessary as loquacity would tend to thousands of pages.

27. The numbers of Africans with a university education is practicably negligible here. The more or less self appointed African leaders come from the rank and file not from the Chiefs, headmen, and elders of tribes, so there is a clash between them. But if there is a demand for more of anything both wait to see if success takes place. If so the waiting party wades in for their share.

28. Should the troubles in Nyasaland not have been firmly handled at once, indecision would have brought in many more rapidly if there was loot to be obtained unchecked. The African respects force only, so if it is only used promptly, with moderation, 90% of the Africans are quite satisfied.

29. To my mind the test for self government is for two or more political parties to be able to argue out matters without the majority party murdering opponents or of penalising them. By this standard the African in the Federation has by no means arrived at this stage.

30. It is also necessary to analyse the Federation area in its economy. As this was an outcome of the Union of South Africa also in many ways similar, its outline ought to be included, with some comparison to West Africa, also largely Bantu which is rapidly becoming self governing.

31. From the Congo to the Cape this part of Africa is mostly high table land in consequence its river drainage systems with no possibility of navigable rivers the rainfall being largely heavy storms the discharge of such rainfall is rapid on the steep grade of the rivers in consequence soil erosion is rapid and severe. The result is no deposit of soil worthwhile, it can be compared to the erosion of the Abysinian mountain plateau with its ground up soil taken to the Nile Delta. So Southern Africa is very low on the worlds list of agricultural areas. Had it been high, the population would have been like India or China an impossibility here.

32. Africa south of the Congo was worthless for trade, so neglected, till diamonds, then gold, finally base minerals, uranium, manganese, copper, etc. This caused the rise of Southern Africa with a very low African population.

33. The exploitation of great mineral wealth under conditions far beyond the capacity of Bantu to work, has been responsible for the rise to prominance here, with the ample employment for the African, also feeding him, has resulted in the remarkable rise in the population of Bantu.

34. Take the conditions of West Africa. For some centuries there has been an ever increasing trade in cocoa, palm oil, ground nuts and other vegetable products. All produced by the African.

35. European intervention here has been official to maintain order. Latterly by the latest scientific methods to eradicate disease, also improve vegetable exports. Europeans in this area were essentially traders, exporters of very considerable value, all produced by the African. Now the officials who kept order with those being scientists who stimulated output and instituted better methods are going. Traders only remain. For fifty years Africans from West Africa have been trained in ever increasing numbers in Universities. It remains to be seen what they can make of their country politically and commercial output. Miss Huxley's book 'Four Guineas' is not very certain of the outcome. Here in Southern Africa, where at the base of the economy is mineral wealth, employing vast capital, and technical work, no Bantu has ever tackled any of the chemical side.

36. In a sentence. Southern Africa immense mineral wealth. West Africa great tropical vegetable wealth produced by the African unaided.

Bulawayo

12th February 1960

Memorandum (ii)

F. E. B. FRIPP

To possibly help the Nyasaland impass may the following suggestion be of any use. It could only come from the Commissioners and the Governor of Nyasaland it would be completely suspect from a Federal source even Federal members of the Commission as it contains an element of idealism.

The only outside contribution would be a widespread record of appreciatin of the fact of the generally greater ability of Nyasaland migratory labour. (This I can personally vouch for over more than thirty years).

Would the Governor of Nyasaland and the Commission put forward to the African leaders of Nyasaland for their consideration the outstanding fact that the ability of their people in competition with other African races is high and in this their greatest asset lies, as up to the present time no important mineral wealth has been found in Nyasaland.

The greater ability of the Nyasaland African as artisan, rising to technician would be the largest field.

If Nyasaland leaders could take this view while urging still more and more efficiency to their people so that they held the position of head of the skilled and kept there, they would hold a position in the Federation of envy to others.

If in the Federation the financial and educational aid would one feels sure be forthcoming. By leaving the Federation such help could hardly be expected, or even if proficient have rights here, becoming aliens, with S. Africa their best market. I feel sure the Nyasaland African could do it if he has the chance to learn and be a steady worker. But will their political leaders favour this opportunity or frantically strive for personal powers and position at whatever cost to their people ?

Bulawayo

11th April 1960

Oral Evidence

F. E. B. FRIPP

The witness had submitted two memoranda. He said that he was close on 85, and that therefore it made no difference to him if his views were published. He had been in the country since the end of 1895. He had presented his first memorandum because he considered that an outline of origins was necessary.

He invited the Commission to consider the population of Southern Rhodesia. Msiklikazi and Lobengula had practically decimated the local population. When the Europeans came in they had to introduce labour. The Matabele were only interested in fighting and cattle. So a certain number of Africans came up from the Cape. Old maps showed "special Fingo location north of Bulawayo". Very large numbers were also brought in from Portuguese East Africa and Nyasaland. The native population of Southern Rhodesia had thus been derived from neighbouring areas and from the Cape. They were not a homogeneous native race.

He considered that the record of Southern Rhodesia had been fairly good. There had always been in every British colony of which he knew disappointment over the slowness of the Colonial Office in understanding what was really happening on the spot. He, and his wife, who knew many of the heads of the Colonial Office, considered that they did not know local conditions, and that they did not know whom to trust. He had, therefore been struck by the delay and difference of opinion between the Colonial Office and the local people. His experience of this dated back for 40 years. He thought that the record of Southern Rhodesia taken all round had been very fair. If Nyasaland and Northern Rhodesia could be more or less incorporated into Southern Rhodesia it would be best for all. Southern Rhodesia had had to look to Northern Rhodesia and Nyasaland controlled by the Colonial Office, each with its own Governor. He would like there to be one Government, and not four. It would be a better Government, with representatives of all parts sitting together, and not three Territorial Assemblies and a Federal Assembly. But Southern Rhodesia should have the greater representation on a population basis. He wanted a complete union, on the model of South Africa, where before union there had always been trouble between the Governments; it had been the same in Australia. This union would make a far better buffer against South Africa. The Dutch view (viz in South Africa) was mistaken. The Dutch had made the same mistakes in the East in Indonesia. The Dutch were not quite suited for colonisation. Thus he wanted the constitutional pattern of South Africa, but not its racial policy. He had known old Voortrekkers, who simply handed out the Bible and regarded Africans as the children of Ham.

In reply to questions Mr. Fripp made the following further points:—

(1) He would like the franchise to be as high as possible. Of the Africans, 1% would represent 10,000 in 1,000,000 or 70,000 in the native population of 7,000,000. But there were not 70,000 Africans with the Higher School Certificate standard. It had to be remembered also that the Africans with knowledge handed down orally had acquired a wonderful memory; and hence could gain success in examinations based on text books. He admitted that not a very high percentage of Europeans would pass the same test. But Europeans had lived longer with the constitutional governments. Also the temperament of the African was different. It was oriental. He would ask ten times the price which he would be ultimately willing to accept.

(2) He would give greater representation to Southern Rhodesia because its population had the most experience of government. He was taking the Europeans as representing the population because so far the Europeans had been the government. They had not ill-treated the natives. They were quite different from South Africa.

(3) Referring to the statement in paragraph 28 of his first memorandum "The African respects force only, so if it is only used promptly, with moderation, 90% of the Africans are quite satisfied". He wanted to clarify this. The bulk of the Africans, if they got fair conditions of emplyoment, wages, living conditions and security, did not want disturbances. But there were some who did not want to work and were quite liable to break the law, because they wanted easy living at some one else's expense. Some others wanted to control the rest through intimidation. This was true of whites and native races alike. It was only a small percentage, say 2%, who were willing to go to the extremes, through intimidation. This happened at home, amongst the labour: a few tried to dominate the many.

(4) The Commission should remember that every African of 30 years of age or more had grown up with the witch doctor as a regular part of kraal life. Looking at West Africa, and especially Ghana, he saw it drifting back to autocracy. But Ghana and West Africa could not really be compared with Central Africa. To have a comfortable population with easy living, depended on what they could produce. In West Africa the agriculture of the country was in the hands of the African population. In South Africa there were high altitudes and uncertain rainfall, inevitably causing erosion. In the West the African rivers were navigable, with no rapid drainage and consequently no loss of soil. Without its minerals Southern Rhodesia would be useless. The parts which carried a large population could grow quite a lot of food, and there the population had increased up to the food capacity of its people. When he had first come out to South Africa, he had found the African population round the coast with better agriculture than at present. African races did not dig wells and were therefore unable to support themselves in dry areas.

(5) The African was far more dependent on the European, his knowledge, skill and capital than the reverse. He agreed that the Africans claim to equality, if the African could come up to the standards required, was fully acceptable. He also agreed that the Africans had a right to be in Rhodesia, just as any Europeans who had come in. Nevertheless most of the Africans had come into the country since its occupation. But in respect of voting he felt that the educational standard was essential.

(6) One trouble was that the Africans had not yet really experienced the conditions of the European working class. He had not heard yet of any Africans taking a five year apprenticeship course in any trade: they wanted to gain the status in a trade in five minutes. He considered that the discipline of a five years apprenticeship would be of great value.

E. F. ROBERTS

Mr. Roberts stated he was 64 years of age and that during his lifetime he had been in most of the Services. He had come to Africa in 1922, and to Southern Rhodesia four years later. He was a smallworker miner and latterly a production engineer. At the moment, he was living in Bulawayo.

Mr. Roberts stated that he was strongly opposed to Federation in the first instance on the grounds that before it was introduced no "reconnaissance" had been made. Now, however, he firmly believed that the Federation should carry on notwithstanding the lack of planning originally. He held the view that against the heavy odds that this lack of planning created, the Federation had met with some success.

The trouble in this part of the world, Mr. Roberts stated, had arisen very largely through newspapers. He himself had seen the ridiculous exaggerations which newspapers were prepared to print or for that matter the depths they were prepared to sink to. He thought that it was important that a complete survey of the Federation should be made now which would embrace a study of the whole of the Federation's problems. On amendments to the Constitution, the witness said that he would not be prepared to say a word until he had made and studied the survey he referred to. This would take time but he was quite unable to see any quick changes on the immediate horizon. In any event, quick changes always tended to make the races upset one another. He thought that the Federation should be given time and went on to say that this time could be attained because of the not altogether unsatisfactory relations that existed between white and black in the country. He said that in labour relations he had never encountered any problems.

P. T. MPEDZISI

Mr. Mpedzisi said that he was born in Southern Rhodesia and had been employed for some years as an agricultural demonstrator in the Native Reserves. For the past five years he had been employed by Rhodesia Railways as a social welfare supervisor.

He saw Federation as a baby growing up; like other babies it had a number of disabilities and also some advantages. The advantages were improvements in hospital services, clinics, roads and bridges, and better methods of farming. In addition a good start had been made on education services. In the urban districts the municipalities were making good homes and were providing sports and recreation for the people.

The disadvantages were considerable, however. Although propaganda had said how good Federation would be, it was like a baby paralysed in one leg and arm. Africans were denied by the white population what they had expected from Federation. For fifty years Europeans had said that Africans were not mature. It was difficult to believe that they would ever admit that Africans were mature. A great many insulting words and phrases were used. For example, his wife resented being addressed as "Mammy". He himself was often called "boy" even though he could not believe that he looked like a boy. Africans only seemed to be respected when the people knew who they were — even Members of Parliament were insulted by being addressed in derogatory terms.

Like other people, Africans wanted good homes. Unfortunately, the wage structure was at present so worked that Africans could not develop themselves. For example, on the railways, much better paid than many other industries, average wages amounted to £6.10s. a month, plus £1 rent allowance. Often rent came to £1. 10s. or more, and if an African wanted to enter a house ownership scheme he had to pay £3. 11s. 3d. a month for a house worth about £300.

In the rural areas, too, Africans suffered from grave disabilities. Often the soils were not good and it was difficult for a man to earn enough to support his wife and family on a plot of perhaps six acres holding perhaps six cattle. Sometimes they lived next to Europeans having thousands of acres to themselves with many head of cattle. It was unfair that Africans should only be permitted to hold a limited number of cattle when there were perhaps many acres of European land which was not fully used.

There was discrimination against African advancement in both the Police and Native Affairs Department. In the Police, an African constable wore the same uniform of khaki shorts and tunic all the year round. Europeans had summer and winter uniforms. An African constable might work for twenty years without getting the pay and advantages of the youngest European constable. For instance, he probably still had to make his round on a bicycle whereas the European constable was given a motor cycle.

In the Native Affairs Department he had not heard of an African being appointed Assistant Native Commissioner; so far as he knew there was none in higher ranks than senior clerk/interpreter. Nor had he heard of an African typist. In the Railways African Affairs Department, an African senior clerk did all the writing in connection with issuing passes, preparing records, etc.; the white man merely put his signature on the bottom of what the African had done. In the whole railways administration jobs were mainly divided between white jobs and black jobs. Often Italian and Portugese immigrants who could hardly write came in to supervise African track gangers of considerable experience.

In many countries there were agitators. But it was necessary to enquire what made them nationalistic. In Southern Rhodesia it was the disabilities which he had mentioned. There were still many detainees locked in cells so that they could not answer back. The colour bar caused people to lose interest and confidence — they were tired of promises which did not mature. Such promises impaired the relationship between white and black people. Nevertheless, there were not many Africans who wanted to get rid of all the Europeans —they had lived together as children. The difficulty was that Europeans sometimes forgot how much they had learned from Africans.

In answer to questions, the witness made the following further points :—

(a) It was not always true that Africans found it difficult to control or supervise other Africans. There were many cases of African headmasters who had no difficulty in controlling staffs of perhaps 15, together with 800 children.

(b) It was true that wages had to be related to productivity and that African productivity was not always as high as European. Nevertheless, there were many cases where this was not the case where African productivity was very good.

(c) It was difficult to make laws to force people to act in a particular way, e.g. to abolish the colour bar. But there was a need to convince the ordinary European in the street to use common sense in race relations, and the Government and prominent citizens should take a lead.

(d) Not all Africans wanted to see the end of Federation. Many preferred the devil they knew. There was the additional point that if Southern Rhodesia turned towards the Union of South Africa, this would really frighten the Africans in the Federation.

(e) It was essential that Africans should be better represented in both the Federal and Territorial Parliaments. It was not adequate that Africans should be represented in Parliament by a European. Although it was not necessarily desirable to go straight to an African majority, African representation should bear some relation to the populations of the Territories concerned.

W. KANUKAI

Mr. Kanukai said that he was born and bred in Southern Rhodesia. He was a salesman. What he said was his own personal view.

Big economic strides had been made in Southern Rhodesia since Federation. Africans were better off now than they had ever been under the Territorial Governments. Federation was a benefit to all the people as long as the declared policy of partnership was implemented. This was not being done at the present time.

The best way to improve the position would be to amend the franchise laws to include more Africans. The witness wanted a vote himself, but was unable to obtain it because he could not at present reach the means qualification. He did not advocate 'one man, one vote'. A reasonable standard of education (say, Standard IV or VI), coupled with a certain means test, would be suitable. The important thing was to bring more people onto the voters' rolls.

In answer to questions, Mr. Kanukai made the following further points :—

(a) It was true that some people did not trouble to get themselves registered as voters; against these, there were many who would like to vote if they could reach the desired qualification. He himself had passed Standard VII and was studying privately for Standard VIII. He was 23 years of age.

(b) On the implementation of partnership he thought that places of entertainment should be open to all races. Discrimination in post offices had recently ceased, though some post offices in rural districts still maintained separate counters.

(c) There should be some Africans representing African interests in the Southern Rhodesia Parliament. It was wrong to have Europeans representing Africans, since they could not know the needs of Africans as well as Africans did.

W. DAVIES

Mr. Davies said that he had come to Southern Rhodesia in 1900 and had at one time been an active member, with his brother, of the Southern Rhodesia Labour Party.

Mr. Davies made the following points :—

(a) Immigrants from South Africa had always outnumbered those from the United Kingdom. If there were at any time a referendum on the subject of incorporation in the Union, the population of direct British descent would always be outnumbered by those of South African origin.

(b) The average Southern Rhodesia Africans did not understand what Federation was. But they did not want to lose United Kingdom protection, which they felt protected them from the local Governments and from possible incorporation in the Union of South Africa. For this reason the United Kingdom Government must never abandon its right to veto anti-native legislation, as had happened in the Union.

(c) The advancement made by Africans in the past fifty years had been a very great credit to the British administration.

(d) The witness did not exclude all political advancement for Africans in Southern Rhodesia; the important thing was that they should not dominate the Europeans. The cost of maintaining security in Nyasaland as a direct result of Dr. Banda's activities had amounted to over £1 million.

(e) The danger was that Britain would try to advance the African too quickly and too far. 'One man, one vote' was out of the question because it would swamp the European.

(f) If there was any external interference with the status of Southern Rhodesia, Southern Rhodesia would seek incorporation in the Union of South Africa.

Addendum to oral evidence

W. DAVIES

I forward a few notes which I trust may contribute to the evidence I gave on Saturday. There may be one or two points which may interest you; if so, that is all I ask.

I am sure that nothing but good will result from your visit.

Memorandum

Two reports, the Devlin and Beadle, offer interesting conclusions on the Nyasaland trouble. The latter has the advantage of being compiled by two gentlemen with the advantage of having long and frequent experience of trying criminal cases, in which Africans have been involved, and comparison of the two leaves no room for doubt that the conclusions arrived at, particularly in connection with Dr. Banda, are correct and fair. This person's conduct since release has confirmed this, and the end of the report amply justifies the conclusions arrived at. This man, after many years absence, returns to Nyasaland, unable to speak the native language, and sews the seeds of discord and lawlessness, involving loss of life and costing the country millions. His future is now being shaped by a visit to America where he will gather fresh ideas to create further trouble. In my humble opinion he will probably be declared a prohibited immigrant.

I wrote the following in an article five years ago—"Northern Rhodesia is the weak link in Federation and needs careful watching". This was based by the fact that on the Copper Belt by far the greater number of residents are from South Africa, here for the express purpose of creating trouble. This territory is next on the list and unrest there is acute. Here in Southern Rhodesia the same sinister influence is at work but with little hope of success, and events in South Africa will to some extent neutralise further efforts, but the position will want careful watching. The Press is run by a South African monopoly. Our Broadcasting Studio is full of South Africans. Sport is influenced by South Africans. One recent incident only at a Scout Rally held about twelve months ago. His Excellency, the Governor Vice-Admiral Sir William Powlett took the salute. Die Stem, the South African National Anthem, was sung followed by The Queen. Sir William said "I like Die Stem but we have one national anthem here, The Queen". He refused rightly to salute the other. He had spent some years in charge of Simons Town Dockyard. Last year I returned from a holiday at Capetown and in the compartment was an eminently respectable Scot who was told on leaving the Dockyard on its being taken over by South Africa "We have got you out of the Dockyard, now we'll get you out of Simons Town". The present trouble there will I feel sure prevent them doing so, and I have no fear for the future.

You will, I am sure, realise from the above that we are faced by difficulties created firstly by South Africa, secondly, by internal political influence, and thirdly, by unrest created by this and Banda's hostility.

Set off against this is the evidence surrounding you of the beneficial influence of less than 100 years of British influence. This has been to the advantage of the entire population, native and white. The two great cities you visit here are examples of such progress that are without doubt unequalled in British Colonial history. The benefits have been of inestimable value to the Natives in rescuing them from a condition of ignorance, insecurity, inter-tribal warfare, superstition and hopelessness. In the nearly fifty years of residence I have seen progress in all directions. When I arrived in 1911, I saw a ramshackle collection of tin houses, poor natives badly clothed, housed in huts of grass, with no religious or medical services, no schools, no hospitals.

In this period we have visibly improved the Native status and we have every reason to be proud of our achievements. Egypt with 5,000 years of their civilization can show nothing compared with it.

Yet there are those who now desire to take over the work and they are utterly incompetent to do so. In my residence in Rhodesia I have never met one Native who has complained of their social condition and are contented with their condition.

One is justified in asking "What defence could the 8 million Natives offer if Russia steps in, what could they do in advancing the Federation, what steps could they take to meet the growing population of Nyasaland, with a population of 3 million in a Territory of 49,000 square miles, compared with Northern Rhodesia's and Southern Rhodesia's 150,000 square miles?". 12,000 square miles of Nyasaland is water, so that Northern Rhodesia must be prepared to provide land in the foreseeable future for Nyasaland Native occupation from its 287,000 square miles. You will have met Sir M. Lewanika, son of a fine ruler, who would I think be prepared to consider this. If not, there is now in progress a reclamation scheme in progress in Northern Rhodesia offering vast possibilities.

This leads to a very interesting event which occurred during Mr. Macmillan's visit. At Peretsburg, near the Rhodesian border, he was appointed Head Chief of Natives. This is an honour never before bestowed, and in my opinion offers a definite opportunity for further consideration. The Governor-General of South Africa is appointed to this position but not by the Chiefs, and he would not receive any attention if he went amongst them. The underlying motives inspiring Mr. Macmillan's choice are first and foremost that he came from the Queen, secondly, his personality. He did a lot of good by his visit. To meet the Natives say in Bechuanaland, seeing Chiefs from all parts of the Union and Federation, would do good. The cost would not be prohibitive, probably £1,000 per anum, and it would mean that Native Chiefs from all parts of Southern Africa, Basutos, Zulus, from whom in my opinion a very large percentage of our Natives in the Federation fled after the Chaka events of, I believe, about 1830 when he ordered them to destroy their cattle and constitute the present mixture of Native races in the Federation whose arrival gives them a period of say 60 years before the advent of White settlers. At that time it is interesting to read that the capital of the Basuto race was Zeerust, Pretoria, the capital of the Matabele (vide "The Far Interior" by Tabler, published by Balkeme, 1955). For what it is worth I give it as my opinion that the Matabele are most typical of the Zulus, Mashonas of the Basutos, but their characteristics have been profoundly affected by the influence of children and prisoners captured by them in their migration. One peculiar fact is that their name for the Victoria Falls is pure Hebrew "Msioatunva, the smoke that thunders". I have seen many proofs of the maintenance of Biblical ceremonies amongst them, and there are words used "Bona Sacca" which are found in Latin. The Basutos also have many of the old Testament practices such as not muzzling the Ox that treadeth the corn.

Finally, I believe that the percentage of educated amongst the various tribes embraced in Federation to be 50 per cent in Southern Rhodesia, 30 per cent in Northern Rhodesia, 10 per cent in Nyasaland, and having regard to the franchise in Britain not being granted until about 1864 when Mr. Gladstone laid down the salient qualifications as being (in addition to property qualifications) "self-command, patience under suffering, regard for authority, ability to read and write, and not a natural right but a privilege to be earned". In a recent publication "Modern forms of Government" (Michael Stewart), he gives the following—"An abundance of people with education and sense at all its levels and a general willingness amongst all its people to understand and co-operate with each other". Very different is the claim of Mr. Nathan Shamayarma at Salisbury speaking at the University to which neither he nor any of our educated Africans have contributed a penny. "Whites have the right to say as equal citizens whose property would be respected by Government (Black)". We have only his word for it. Here are a few examples of things I have seen.

This I did not see but the information was given by a Chemist who knew the facts. Shortly before my arrival at Capetown in 1900 an epidemic of small pox struck the coloured district of Capetown. White nurses risked life in their ministry to those affected.

It was compulsory to hang carbolised sheets at the doors. When a death occurred the sheets were taken down and the sheets used were hung at the doors, thus exposing the devoted women to the dread disease. The following I personally saw. In 1906 the railway to and from Capetown ran along the beach. The fare was 3d. return, and the coloured servants of Sea Point in their hundreds availed themselves on Sundays of this service and would stand in groups on Monument Station for the return journey. When the train was shunted in they would scatter and each would go into a carriage, and laugh at Europeans wishing to travel in compartments apart from the coloured. This apartheid is still prevalent. On another occasion I travelled in a bus with a Major wearing the King's uniform. We sat on the seat near the door when a Coloured woman entered and said "Move up you white bastards, my tickey (3d.) is as good as yours".

About 1905 I attended a meeting of St. Mary's (English) Church at Woodstock which provided sick and unemployment benefits to its Coloured members, removed all white officers from office and voted in Coloureds to replace them.

The progress of the Federation for the six years it has existed is remarkable and in my humble opinion the extension of the franchise should not be effected for many years. The African population has advanced in the period I have lived in Rhodesia to a remarkable extent, as you will have realised in your visits to the various institutions you have and will see during the remainder of your stay, and I have no doubt of the beneficial results of your deliberations.

I sincerely believe that Federation is but the first step towards a future of unlimited opportunities. As an instance we must have an outlet to the sea. We cannot exist as a land-locked country; this is vital. Other possibilities present themselves which will profoundly affect our future and that of Britain.

Bulawayo.
16th April 1960.

BULAWAYO

11TH APRIL 1960

Memorandum

BULAWAYO CITY COUNCIL.

Part I

African Affairs

1. It is commonly asserted that one of the reasons for African hostility from Northern Rhodesia and especially Nyasaland to the Federation is the fear that the association of their countries with Southern Rhodesia in a Federation will lead to the spread of Southern Rhodesian practices to the two Northern Territories. More specifically, they fear the introduction of the Southern Rhodesian Pass Laws and Land Apportionment Laws. Doubtless the Commission will be investigating the accuracy of these reports and the validity of these fears.

2. It is hoped that the Commission will be able to assure itself and perhaps the Northern Territories that these fears are unfounded on two grounds.

3. One is strictly constitutional, in that these are Territorial matters which are entirely within the control of the Territorial Governments, which will eventually be autonomous and in respect of which there will be adequate representation.

4. The other is that these laws are not designedly inimical to African interests. They arise from sociological necessity, and will pass—and, in fact, are passing—as that necessity disappears. In Northern Rhodesia and Nyasaland the same situation either does not arise, or in so far as it does, is being dealt with in the same way, though somewhat disguised.

5. It would not be appropriate for a Local Authority to undertake the defence of national policy. But the Bulawayo City Council, which is intimately concerned with the realities of the situation, feels that certain facts should be brought to the Commission's attention in the hope that its dispassionate understanding will enable it to dispel some of the doubts and fears which misunderstanding, misrepresentation and perhaps earlier experience may have created. These facts are dealt with under the following headings :—

(1) The City's Housing, Health and Welfare Services;
(2) The application of the discriminatory laws referred to above and their modification;
(3) African participation in local affairs.

(1) Housing, Health and Welfare:

6. The stereotype of the Rhodesian "settler" is often that of a pith helmeted, whisky drinking, sjambok swinging, sunburnt white man, who imperiously dominates naked or poverty stricken black savages, and pays little attention to their spiritual or physical needs. It is hoped that the Commission will tour Bulawayo to see for themselves how far removed this is from actuality. In fact, such a visit, to which should be devoted at least one day, is essential to proper appreciation of the facts.

7. The Bulawayo City Council has made enormous efforts to provide African housing, health and welfare services. Indeed, these are second to none in Africa, in quality and quantity.

8. Prior to the last War, Bulawayo, like most Rhodesian towns, was a small backwater, where little happened. African schools and health services were in their infancy, and dependent entirely on Missions and private welfare agencies, the great majority of the local Africans were migrant males who left their families in the country, and very few had any intention of settling permanently in town or forming an integral part of the urban community. The War stimulated enormous growth of industry, and radically altered the picture. The working population trebled itself in 15 years from 21,000 males in 1940 to 63,000 in 1956, and brought in its train many problems of the industrial revolution that have been encountered elsewhere.

9. The most urgent of these was the need for housing. The following figures show how energetically this was tackled:

	Single Men	Single Women	Family
Built prior to 1949 (July)	10,400	61	1,854
Built 1949 - 1959	14,814	72	7,634
		(+ 600 (Railways)	
Actually under Construction - 1960 (February)	1,326	—	340
Planned to start 1960	3,000	—	3,000
		(+ 1,900 (Railways)	

10. The present backlog is approximately 5,000 houses for families, and replacement of unsatisfactory accommodation occupied by an equal number of single men, and this, it is hoped, will be largely resolved in the next two or three years.

11. The provision of amenities of all kinds has proceeded pari passu. Hospitals, clinics, clubrooms, halls, playing fields and swimming baths have been built by the Council—(schools are provided by the Government). The programme of development is not complete—no programme ever is in a rapidly developing country—but it is keeping pace with, and in some ways is even slightly ahead of needs. In the field of education, for instance, the position has been reached where every Bulawayo African child of school-going age can find a place in school. If it is realised that all this has been built up from scratch, with practically no preliminary development in the way of long established basic services or traditional skills, training and knowledge, the magnitude of what is being done would be the better appreciated. Details of the amounts spent on health, welfare and recreation are given below:

Year	Health	Recreation/ Welfare	Total
	£	£	£
1950	15,573	24,833	40,406
1951	17,797	36,886	54,683
1952	44,337	41,873	86,210
1953	35,295	48,257	83,552
1954	21,075	61,225	82,300
1955	21,492	62,829	84,321
1956	23,237	79,940	103,177
1957	35,764	90,972	126,736
1958	67,681	121,986	189,667
1959	71,359	185,602	256,961
Planned for 1960	121,874	247,859	369,733
Total:	475,484	1,002,262	1,477,746

12. The quality and variety of the social services provided have been steadily improving to keep pace with the increasing African differentiation and sophistication. A generation ago there was scarcely an African in the town who thought of it as home, or who was not content with the same simple amenities he had been used to in the country—and there was scarcely a teacher, minister, professional or businessman of more than rudimentary education and experience. Now there are thousands who will live nowhere else, hundreds with secondary or higher education, and scores with overseas experience or four figure incomes. To meet their needs, better homes and services are provided, and they have opportunities to develop their own interests as their taste and pocket dictate.

(2) Discriminatory Laws:

13. All the above has been done on a segregated basis. Is that very terrible? Before condemning this outright, as is so often done, perhaps the Commission will pause to look at it in perspective and weigh the pros as well as the cons.

14. Racial segregation is a form of social operation which is a universal aspect of community life. Presumably as such it is acceptable, and that it only becomes damnable when it becomes discriminatory in the sense of being a differentiating measure that is imposed unfavourably by one party on the other. If this postulate is agreed, the system of residential segregation can be defended on the grounds that it enabled like to live with like, and has prevented friction between the races. The facts are that Africans and Europeans had very different ways of life and standards, and that undue juxtaposition did lead to conflict and irritation. Moreover, the statutory provision whereby local authorities were made responsible for African housing has helped enormously to alleviate and prevent the slums that have been created by private exploitation and public neglect in so many countries, Africa not excluded.

15. It should, indeed, never be forgotten that the Land Apportionment Act which creates residential segregation was originally introduced with the approval of African and European liberal opinion alike, and the endorsement of a Labour Government in the United Kingdom. Its original objects were to prevent racial friction, and to prevent Africans being tempted to dispose of their land to Europeans, as many were doing.

16. To these two benefits, a third may now be added. In-

creasing economic development and education are opening up new opportunities for Africans in trade and the enjoyment of higher standards of living. Segregation gives them the advantage of protection — African businessmen can, and now do, acquire experience and capital in the African areas that would be denied to all but a tiny few exceptionally gifted traders if they were in open competition with non-Africans. There is scarcely a single African who would like to see the restriction on non-African trade in the African townships removed.

17. So, too, though perhaps to a less degree, the development of home ownership has been fostered by African schemes being separate from European schemes, as they have been subsidised in various ways and protected from expensive competition for land. But these very developments are now outmoding the Act as it stands. The Bulawayo City Council itself has for several years advocated the granting of freehold rights to Africans in the urban townships. (It is understood that the necessary amendments to the Act will soon be promulgated).

18. Other modifications to the Act have been proposed, such as the removal of all race restrictions to the occupation or ownership of land in central City areas zoned for residential and business purposes. But this leads into the realm of political speculation. The essential point which the Bulawayo City Council wishes to make is that differential legislation such as the Land Apportionment Act is not necessarily inimical to African interests, and that it—and the political bona fides of Rhodesia—should be judged in the social context of the Act, by the effects it has had and is having on African interests, by the reasons for its introduction and by current attitudes towards its modification.

19. The same considerations apply to the Pass Laws—they have been represented as shackles on African movement, designed to curtail African liberty and development. Undoubtedly, there was an element of control in their introduction—but this was not confined to Southern Rhodesia. Similar restrictions on movement are to be found in some shape or other in pretty well every African Territory. Besides this there are administrative reasons which necessitated the introduction of some sort of identity document.

20. With industralisation and the townward drift of the rural population, the system also provides a useful check on the undue accumulation of idle and unemployed in the towns. This has had several advantages to all sections of the community, and has contributed to the creation of a more stable community than has occurred in many other Territories, who have been plagued by large numbers of lawless, rootless, young men.

21. But in spite of its advantages, this system, too, is getting out of date, and its modification is being actively considered at the moment. Some changes are suggested by the African Urban Affairs Commission, 1958. Others put forward by some Local Authorities include the total abolition of passes and their replacement by local Employment Bureaux.

(3) African Participation in Local Affairs:

22. Here, too, the time perspective will help in assessing the merits of the present system and trends.

23. The first suggestion that African opinion should be formally consulted was made in 1930. This was implemented 10 years later when Bulawayo voluntarily set up the first Advisory Board in the country. In 1946 legislation was introduced making them compulsory for every Municipal African Township. Their success has varied with the calibre of candidates offering themselves for election. In Bulawayo they have played a valuable part in the administration of local affairs and proved a useful training ground for African leadership.

24. This aspect of African Affairs has also been affected by the general advance of the country, and has also been examined by the Urban African Affairs Commission. It is generally accepted that Africans must participate to a far greater extent in the administration of local affairs, whether their own or that of the town generally, but opinions differ as to how this should be done. The problem is just another aspect of the difficulty of reconciling African political aspirations with European apprehensions of the possible consequences of too rapid political advancement. In this country the apparent conflict is more intractable than in other African Territories such as Nigeria and Sierra Leone because of the vital part Europeans have played in its economic development. The need for continued rapid economic and industrial development is as urgent here as there—perhaps even more vital, because any check in the present high level will be the more sharply felt—and the satisfaction of this need depends very largely on continued European enterprise until African technical skill and knowledge have been further advanced. And this in turn depends on restored confidence and stability. It is no solution simply to ignore European fears and turn the country—or the city—over to a thin cream of African politicians—partly because the cream is so very thin there will be a far greater retrogression here than in West Africa, and partly because the overt conflict it would provoke would do untold harm.

25. The answer seems to lie in acceptance of the fact that democracy is a political system that cannot be transplanted fully grown from one environment to another, but is a plant of slow growth whose final flowering depends on careful culture and the appropriate conditions. Local Government in Southern Rhodesia may not be fully democratic but it is moving in the right direction and is providing a practical and satisfactory answer to present needs.

Part II

The Siting of the Federal and Southern Rhodesia Territorial Capitals

26. One of the major considerations which gave rise to the decisions to site both the Southern Rhodesia Territorial Capital and the Federal Capital in Salisbury was the—in our view—erroneous opinion held by many of those whose evidence was given considerable weight, namely that in a comparatively short time Territorial and Federal Governments would cease to have independent existence. In addition considerable attention was paid to the evidence of Civil Servants who, living as they already were in Salisbury, could hardly have been expected to be entirely disinterested.

27. We think, also, that far too little consideration was given to fundamental issues and too much to superficial appearances and alleged financial expediency, as a result of which a decision was taken which, we believe, has had very serious disadvantages. Apart from the undue centralisation of functions, which would be a bad thing in any country, the identification of the Federal and Southern Rhodesia Territorial Governments in the minds of the people of the Federation, and in particular the Africans in the two Northern Territories, or at the very least the feeling that the Southern Rhodesia Government has a big pull with the Federal Government due to the contiguity of their Administrations, is a most unfortunate consequence.

28. We believe that a considerable amount of ill-feeling has, rightly or wrongly, been aroused because of the situation outlined. We believe also that, had there been less loose thinking about the comparative permanence of the Federal concept, the matter would have been approached with greater wisdom.

29. We feel, therefore, that in the interests of the Federation, which cannot afford to permit the persistence of factors that exacerbate disruptive tendencies, the question of the geographical relationship between the two Capital seats should be reviewed. In most countries, where a similar problem existed—though never, we suggest, so serious a one—it has been solved by siting the Federal Capital, or its equivalent, in some place with no great localised attachments and sometimes with no previous existence. At the very least, the two Capitals should be separated by a considerable distance, which symbolises a freedom from the possibility of undue influence, whether such influence is a matter of fact or not.

30. It may well be that there are grounds for retaining Salisbury as the Federal Capital since the Federation would thereby present a more substantial and dignified front in external affairs. If so, then the Territorial Capital should be sited elsewhere. In making this suggestion, we do not wish to urge a case for siting it in Bulawayo. It is not our desire to discuss the advantages or disadvantages of various centres, or suggest which Capital should be moved, but merely to urge that the question be seriously reviewed for the sake of the future of the Federation.

31. The advantages that we believe would accrue from the separation of the Capitals are as follows :—

(1) The allaying of suspicion—particularly in the Northern Territories—arising from the possibility of a too close liaison at Cabinet, Ministerial and Senior Civil Service levels between the Federal Government and the Southern Rhodesian Territorial Government.

(2) The clarification in the minds of the people of Southern Rhodesia of the fact that the Federal Government is not merely an appendage of their own Territorial Government.

(3) The spreading of resources which, if permitted to continue concentrating in one place, will weaken the economy of the country.

(4) The recruitment of the strong public spirit and responsibility that exists amongst people in other parts

of Southern Rhodesia who have become frustrated through the exclusive dominance of the people in one centre.

(5) An improvement in the efficiency and distribution of various public services. Inevitably, the centre in which the ultimate authority resides receives the greatest consideration. At least two centres in Southern Rhodesia, instead of one only, will thus benefit and, with them, the country as a whole. Recent events have emphasised how significant this factor is.

(6) At least a partial elimination of the grounds for a feeling of bitterness, which we believe pervades the whole Federation, outside of Salisbury, and which is derived from the multiplication of controls emanating from that City

Part III

Health Services

32. Despite the fact that "Health" (other than Silicosis in Northern Rhodesia) is item 64 on the Concurrent List, the Federal Government has assumed responsibility for the provision of both curative and preventive medical services in the Federation. Without in any way adversely criticising the Federal Ministry of Health, the Bulawayo City Council feels that this has proved a mistake in practice because of the urgent necessity of meeting the increasing demands from all sections of the community for the provision of curative services, including hospitals. Council feels that undue emphasis has, of necessity, had to be placed on the provision of such curative services to the detriment of the provision of preventive medical services—which, being less urgent, have of necessity had to take second place.

33. This undesirable trend would, in the opinion of the Council, be most easily halted and corrected if the Federation responsibility for the provision of hospital and curative services was transferred to the Territorial Governments. The primary function of a Federal Ministry of Health, which should continue to exist, in the opinion of the Council, should be to provide preventive medical services and to encourage Local Authorities, by technical service and financial support, in the provision of these services. The Federal Ministry of Health should also be responsible for the administration of legislation dealing with environmental and preventive medical services, including international sanitary regulations.

34. It is felt that the responsibility for the provision and carrying out of planned schemes of preventive medicine, such for example, schemes of Tuberculosis control and immunisation campaigns, could best be delegated to Local Authorities, wherever these exist—and this is more particularly important in the case of the African people. It should be remembered that in Rhodsia the Africans' contact with civilisation is limited to a couple of generations and that, generally speaking, the African people are emerging from a primitive, rural existence into an industrial, urbanized community. It is felt to be essential, therefore, that the African people themselves should be closely associated with the provision of these particular medical services, in order that they may appreciate their value and make the fullest possible use of them.

35. For the information of the Commission, similar responsibilities exist in the Union of South Africa, where the Central Government Health Department is responsible for preventive medical services as well as the provision of mental and leprosy hospitals—whereas the Provincial Governments are responsible for curative methods, including the provision of hospitals.

Bulawayo.

26th February, 1960.

Oral evidence

THE CITY COUNCIL OF BULAWAYO

Represented by: The Mayor (Councillor S. H. Millar)
The Deputy Mayor (Councillor Mrs. M. Brett)
Councillor J. G. Pain
Mr. E. S. White
Dr. E. J. Watson
Dr. E. H. Ashton

CHAIRMAN: Q. You suggest that there would be advantages in separating the Federal capital from the Territorial capital of the colony. This has come before us a number of times. Is it the Council's view that a separation of the two capitals would do something to remove some of the psychological fears which appear to upset the Northern Territories? — A. We are quite emphatic on that: we are not parochial in this matter. We do not mind where it goes, but feel categorically that it is in the interests of the Federation that one or other of the capitals should be removed from Salisbury. In view of the apprehension with which the Northern Territories, and perhaps Southern Rhodesia also, view this question of close liaison by having the two capitals in Salisbury, it would be much better to have them separated, even at this stage.

Q. Dealing with African affairs, you have set out what has been done by the City authority and, in paragraph 17, you draw attention to the fact that for many years the Bulawayo City Council has advocated granting freehold rights in the urban townships. You would hope to be authorised to do that? — A. It would be true to say that Bulawayo was probably the first municipality to implement the principal of paragraph 17: in fact before that we were the first ones to introduce the 9 year leasehold, and when house ownership for the Africans was suggested loans were given to them to enable them to build their own homes on the land. We have in fact been given certain ground for freehold title.

Q. You also advocate bringing more Africans into active municipal life? — A. The system in existence at present is that there are African Advisory Boards, and in the past they were purely advisory, as such; but we feel it would be in our interests and those of the Africans if they were allowed to decide what should be done, and to give them certain extra powers to enable them to implement that aspect. We have a councillor as chairman of each advisory board, of which there are 6 or 7. Though it would be better for a councillor to continue as the chairman, we think it would be better if, instead of being merely advisory, they should perhaps be given greater authority to do these things, and that would enable them to be tutored later on to play a much greater part in the administration of their own areas—to levy certain rates and collect monies and spend them.

Q. What is the view of the Council as to how the Land Apportionment Act has worked? — A. That is tied up with the question of freehold title. We have to apply to the Government for an amendment of the Land Apportionment Act: if that were done there would be no difficulty. We feel in some cases it would be to the benefit of both parties.

Q. Would you like to see the health services in the hands of the Territorial Government? — A. Yes. The Deputy Mayor has been concerned with the health service for some time, and will amplify that point. — (DEPUTY MAYOR): Since our memorandum was written the report of the Morton Commission of Enquiry has come out, and there on page 8 it is quite clear that that Commission do not feel the health services should be split in the way we have suggested. They are very emphatic about that, and there is another point—that since Federation the definition of what health is has been very vague and very little legislation has been passed on health matters at all. They recommend that the whole constitutional question of health should be gone into carefully. We feel ourselves that a certain amount of division between the Federal and Territorial Governments would be good, because the Territories vary very widely in their requirements. In view of the Morton Commission's recommendations it seems unlikely that what we have advocated would come about, but there have only been two Acts changed since the Federal Government took over—health and food control, including the manufacture of food, for instance is completely inadequate. That Act has not been altered at all, except that the drugs side has been taken out. But there is no control on this sort of thing, and there are a number of other points in the way of preventive health legislation which have not been dealt with. It seems the whole question has been held up because of the difficulty of definition as between the Territorial and Federal Governments.

Q. Does the Council wish to modify its suggestion? — A. I think the Council would prefer to leave it standing, but obviously it is very difficult.

SIR LIONEL HEALD: As regards African Advisory Boards, we have been told that Africans are reluctant to take part in that kind of work; and it has been suggested that this is to a great extent due to the fact that they have not got effective power, apart from advisory functions. Could you tell us whether there is that reluctance to a noticeable degree, and also whether you think that would be diminshed if they had more say in what was done? — A. (MAYOR): We can only speak from Bulawayo's point of view and, as a member of some years on the City Council, that reluctance has not been apparent to me, or to us as a Council. If there has been any difficulty it has been due to the short period which they can serve as members of the Advisory Board—two years. It means they have to seek re-election within a short period. But I can definitely say there has been no reluctance at all.

Q. We have been given some rather striking statistics of

the places open for them to come in and help, and there are extraordinarily few Africans who are willing to come in on the basis of advisory functions. — A. (DR. ASHTON): Our experience would not support that at all. The standard of the person who comes forward has been good on the whole. We have been handicapped in the past by an unofficial ban by the Education Department on teachers taking part, which removed the main educative group of people. That ban seems to have been recently removed, because only this year a headmaster of one of the schools came on. But the calibre of persons coming forward has been good, and in some cases excellent. That is on the candidates' side. A number of organisations have put up candidates and in some cases that has tended to limit competition, because those who have not a big organisation behind them have been reluctant to stand, and for that reason there have been cases where there was no contest. There have been few cases, other than where a board member has established himself as a leader of the people, where there has been no contest. My memory goes back 11 years, and we have never had occasion here to use the power whereby the Government can nominate members. There have always been candidates here.

Q. You think there is something more attractive in your way of doing things than there is at other places? There is nothing special about your machinery? — A. No, the machinery is common throughout the Territory. I think Bulawayo started some years before it was required to have Advisory Boards — that was on a voluntary basis. Possibly, Bulawayo has tended to do two things to a greater degree than other centres; and that is first to encourage married housing, which means you have a more stable group. I have figures here showing the percentage of polls, showing the difference between the single men's area and the married men's area. In the locations last year the poll in the single men's area was 1.7% and in the adjoining area, which is entirely married, it was 28%. That compares favourably with ordinary municipal elections. The other point is that the Council has made a deliberate point of encouraging the Board to play its part fully, and stand by their recommendations. It is very rarely that a recommendation by the board has not been accepted, and that has helped to build up a feeling that what the Board members say, goes.

MR. CHIRWA: Does the Council feel that it is better that, instead of having Advisory Boards, the Africans should participate on the City Council, and if so, what are the difficulties in the way of doing that? If the present legislation is not adequate, can the Council put forward any suggestions to bring this into being? — A. (DEPUTY MAYOR): It is difficult to say what the Council would feel about the question of direct representation of Africans on the City Council, as it exists at present. The question has never really been raised in that form. You are no doubt aware that the Municipal Association of Southern Rhodesia in February 1959 drew up a memorandum to the Government on the question of greater participation, and they reached the conclusion that, for the time being at any rate, it was better to develop the Advisory Boards as suggested. There are a number of legal points needed to bring in direct participation and until the question of freehold title is clearer it is a difficult problem. I feel that European opinion has not reached the stage where it has seriously considered the question of Africans as City Councillors, but things are moving so fast that it is possible to foresee it. In Southern Rhodesia the system of Advisory Boards has worked so well that so far as I know there has been no definite approach on this matter.

SIR CHARLES ARDEN-CLARKE: In paragraph 21, on pass laws, you say this system is becoming out of date. Has the Council formulated the changes it would like to see? A. (MAYOR): That is another matter which the Bulawayo City Council is about to consider, in conjunction with the Municipal Association. It would be true to say that we feel that there are a number of passes which could well be done without. I am not suggesting they are irksome, but in some cases they are not adhered to. For instance we have an employer's registration pass, a pass to seek work, a visitor's pass, and so on. We have considered the proposal of having the registration certificate, the 'situpa' as being the one certificate which is necessary. Some modification of it may well take place. We have recommended to the Municipal Association the total abolition of those passes I have mentioned.

MR. ROBINSON: Could you explain to us the value of the registration certificate — why do you feel it is necessary to continue it? — A. To some extent it is rather like a European passport. It gives all the details and is an identification certificate. We think that should continue, but it should be sufficient by itself.

MR. CRAWLEY: A European does not need a passport in his own country. I do not quite see the need for this. — A. At present we get Africans from Northern Rhodesia and Nyasaland. We have migrant labour, and they come to Salisbury and Umtali seeking work. There needs to be some means of identification.

Q. Even for inhabitants of Southern Rhodesia?—A. I think so.

MR. MOLSON: You suggest that the Land Apportionment Act is becoming out of date now. I understand a municipality is not free to allow Africans to acquire freehold land within the municipality; that is covered by the Act. Will you tell us what modifications you have in mind and whether you have made representations to the government about it? — A. So far we have merely been thinking aloud in Committee. We feel the time has come when there can be an extension of the trading areas which are available both to Europeans and Africans. The Land Apportionment Act has been of great advantage to the African in his own areas where it has prevented competition with more experienced and more monied traders. We would like to see areas set aside as a sort of free for all.

MR. ELLMAN BROWN: Would you advocate that in these housing areas the time has arisen where you would allow European trading to come in as competition? — A. Definitely not. The Advisory Boards are very firm on that. There was an example last week when there were applications for two funeral parlours and it was suggested they should go to European firms. The Advisory Board were dead against it, and we take a great deal of notice of them, so we agreed to their proposal that it should not be allowed.

MR. MOLSON: In paragraph 17 you mention the granting of freehold rights to Africans in urban townships. Is it the area where the Europeans own land? — A. No, it is the African areas where there are Advisory Boards. There is a home ownership scheme. We have also passed a Council resolution, and it is Council policy to grant freehold titles in those areas. It would need an amendment to the Act to do it in the African area.

Q. Have you had any reply from the Government? — A. Just a letter to say they are considering the matter.

MR. MCCLELAND: In paragraph 16 you say that increasing economic development and education have opened up new opportunities for Africans in trade. Educationists say that one of their big difficulties with graduates from secondary school is to find them occupations in commerce. On the other hand you suggest the opportunities are in fact there, but we have heard that they are not. A. In South Africa there are certain avenues of employment, a number of types of factories who employ a lot of types of people, but we have not developed to that extent in Southern Rhodesia, although Bulawayo is considered to be quite an industrial town. We absorb African graduates in our own African Administration Department of the Council.

Q. You are absorbing all graduates? — A. We have not experienced any difficulty in placing graduates in Bulawayo: it is rather the up and coming secondary school children now leaving—the type who leaves at standard VII or VIII or even lower.

Q. Those are finding difficulty? — A. Actually, you are linking it with Land Apportionment: paragraph 16 refers to that.

Q. I see. Now in paragraph 31 you say that other parts of Southern Rhodesia have become frustrated through the exclusive dominance of the people in one centre. — A. The territorial capital? All the legislation is concentrated in Salisbury, both Federal and Territorial: It is the feeling that everything emanates from there that makes people feel frustrated. If they were separated it would be better. As it is people get the feeling that there are private meetings at night—calling on one's next door neighbour, as it were.

LORD CRATHORNE: As regards the Asian community we understand they were removed from the area of the Commonage and sent to an area where there are no amenities and no water. — A. (MR. WHITE): The Commonage was an area developed in the early days: it has become almost a slum area, and gradual clearance of the area has taken place over the years. Owing to the expansion of the city and the laying out of further sites, we have planned a very fine area for these people, but there has been resistance from the community themselves in going to the area, because they said it was segregation. There was a clause in the agreement of sale which said this area could only be used for Indian occupation. They took strong exception to that clause; some years ago the Council decided to withdraw it, and discussions have since taken place to encourage them to go to that area. The Council has promised to develop it, but these people have not come forward themselves in sufficient numbers to enable suitable services to be provided, which is quite an economic exercise. I

have myself had discussions to try to encourage some enthusiasm so that we can get on with the work.

Q. It is a local problem which people will eventually sort out? — A. Yes.

MR. MENZIES: We were told by an Asian that he occupied a good site in one of the areas here, and was quite prepared to put up a residence which would comply with any minimum specification required—in other words, a £3,000-5,000 house, to live there. He asked only for the opportunity of buying that allotment where he was. It seems to highlight the point of discrimination set out in the memorandum. This is a matter, I understand, within the jurisdiction of the municipality and it does not touch the Land Apportionment Act at all. Is it the policy of the Council that an Asian who has the means to erect a proper residence within a residential area shall not be allowed there because he is an Asian and not a European? — A. (MAYOR): I do not think that is quite the position. Where Asians have the money there is nothing to stop them buying property in a European area. An Asian has quite recently bought a £5,000-6,000 house five houses from where I live. The Land Apportionment Act does not affect them. They own considerable property in the European area, blocks of flats, etc., which they occupy.

SIR VICTOR ROBINSON: When you cut up a new piece of commonage, do you put a restrictive clause in the title saying the land cannot be alienated to Asians or other non-Africans? — A. It is illegal to do so. If a man can buy, he buys.

MR. CRAWLEY: You imply that segregation has been for the benefit of all races. Do you suggest that it is welcomed or liked by the Africans and Asians? — A. I think it is true to say the Africans themselves are getting somewhat concerned about it, and the Coloured community too. They feel they are likely to get people unsuitable in their particular areas rather than that the European feels it would be unsuitable to have these people living next door to him. Dr. Ashton might be able to elucidate further, but we have a Coloured community housing area, and they are concerned about some of the types of people who are going to live in their areas. The size of the Asian community in Bulawayo is about 18,000.

PROFESSOR CREIGHTON: In paragraph 1 you refer to the apprehension of Northern Rhodesia and Nyasaland on the spread of the Southern Rhodesian pass laws; then in paragraph 19, you proceed in general to justify the existence of them. You say you prefer to see them abolished with the exception of a certificate of registration. Do you not feel that might properly be amended or altered? As it stands at present I believe on the left-hand side there is a list of various information—the kind of thing you would find in a passport in Western Europe or North America. On the right-hand side is a list of occupations, with the salaries obtained in each case. It has been represented to us that is a disadvantage to the holder , in that it possibly prevents him from receiving increments or increases which he might get on the grounds of experience. Do you feel it would be more effective if that side of the pass were eliminated? — A. If commercial employment progresses to the stage of having fixed types of jobs with fixed rates of pay, it may well be so; but so many indicate they were receiving pay considerably in excess of what appears on the 'situpa' in any case, that it is not a disadvantage. The employer, if a man is worth so much, will offer him so much. I have not yet come across cases where it has worked to the detriment of the holder of the certificate. Already there is a minimum in many cases which can be paid. I do not think it matters very much whether this information is removed or not.

Q. Would the European community contemplate a common certificate for all citizens of Southern Rhodesia, in order to remove this element of discrimination? — A. I do not know about that. This is political. The major difficulty is perhaps the question that the European is easily identifiable as regards place and type of employment, whereas there are so many Africans that whereas one has perhaps learnt to identify European faces it is a little more difficult for people to recognise African faces. I do not really know.

SIR LIONEL HEALD: You said you did not know of any respect in which this was a detriment to the African. Can you suggest any respect in which it is an advantage to him? — A. Well, it is easily identifiable that this particular man has been with an employer for five or ten years and, due to adversity, has had to leave. In cases of that nature I think one would take cognisance of that and probably pay him the same money as he had been receiving.

MR. ELLMAN BROWN: Is it not law that an employer must write down the salary that has been paid to the individual in the firm's contract? If the African is not receiving that he has the right to sue for it. It is a contract. — A. Yes, that is so.

SIR CHARLES ARDEN-CLARKE: Can we go back to Mr. Crawley's question as to whether the Africans like segregation? — A. (DR. ASHTON): One could generalise and say that by and large the position of like living with like has been accepted, and therefore Africans live with Africans and white with whites. There are practical advantages, in the way of special housing schemes and sheltered trading rights for Africans, and so on; but there is now a feeling amongst Africans, of wealth, and particularly of education and standing, that there should be an opportunity of moving up and living with others, whatever their race, of similar education and interests. It applies to a very small group at present, but it does apply and the best way is to start off with the neutral area referred to by the Council. It would not meet with any general support: there would be just a very few who might use the generalisation to cover this point, and who feel that the African areas should be protected by stopping others coming in. This is all we argue.

MR. CRAWLEY: Is the Council generally in favour of reducing racial discrimination? — A. (MAYOR): Very definitely. We are now contemplating a Club for the far western areas of the city which is almost completed now, which we hope will be a multi-racial club. We are encouraging multi-racialism, and the Uganda multi-racial side is coming down to play soccer in May: they will play against multi-racial sides here. Generally the Council are alive to the importance of improving race relations by gradually breaking down segregation.

MR. ROBINSON: Dr. Ashton has had experience in African administration both in the Union of South Africa and Southern Rhodesia. Would he like to comment on some evidence that has been given to us in the Northern Territories that an association with Southern Rhodesia is objected to because the colour bar policies, as practised here, are identical with those in the Union? I would like to know, purely on this question of the colour bar and discrimination, whether he would suscribe to this view, and whether he has noticed, in the 11 years he has been in Bulawayo, any relaxation of the colour bar, and what his views for the future are on this matter? — A. (DR. ASHTON): The colour bar takes a large number of forms. In certain obvious ways there has been less colour bar in the Union than here, going into shops, for instance, the use of lifts, and so on. There certainly was more of that here 11 years ago than there was in Johannesburg, but there has been a very marked relaxation, even in those particular things. You will still see buildings in Bulawayo where Africans are not allowed in the lifts, or shops where Africans are not welcomed as customers, and what was the usual thing and very often brought up—which I personally never saw—of Africans being served through a hole in the corner: but those are fading away quite rapidly. An African in the Eastern District said some years ago—what many Africans say—there was no colour bar in South Africa. On enquiry it turned out he meant that wages were higher down there. That was true, of course, but it was truer then than it is now, because wages in Southern Rhodesia are picking up. Wages are still higher in the South,but there has been a definite increase here. In other ways the position is quite different. In the Union of South Africa there has been a considerable tightening up on the whole question of pass laws. They are very much more strictly administered and very much wider in their scope and there is a much greater control of freedom of movement. The trend in South Africa is towards more control whereas in Southern Rhodesia it has been in the opposite direction. Take education. In the Union there were two or three multi-racial universities. That is now being prevented. The trend in the Union is for them to be much more strongly administered and much more concentrated, whereas the trend here is towards relaxation. Since I came here I have noticed a considerable relaxation both in administration of certain laws and, above all, in the attitude towards the laws—for instance, multi-racial sports or clubs would be banned in the Union. Welfare activities of various sorts have to be run entirely on an all-African basis in South Africa, under government white supervision, but with no voluntary association. The white churches are being removed in many cases out of African areas. I can give you many examples of how trends in the two countries are moving in opposite directions.

LORD CRATHORNE: He says here the trend is relaxed. Would he advocate the getting rid of the whole show by legislation or do you think it is better to go on as you are? To give a concrete example of things like multi-racial cinemas, should you go on like this or do you think it is better to let the trend continue and eventually get it done? — A. The trend is continuing. The question whether you can do it by legislation is an extremely difficult one. I have myself got fairly strong views on that. I do not think you can legislate that a man must do something. I think you can legislate that

he must not do so and I think in that way legislation can help considerably. I do not know if that answers your question.

SIR LIONEL HEALD: Would you say that the relaxation is taking place more as a result of pressure from Africans or as a result of some voluntary act by Europeans or both? — A. I would say it is a matter of both and I think the situation generally is changing. The situation that requires many of these restrictions and forms of discrimination is changing. World opinion is changing, the situation in Africa is changing. I think people here are realising for these reasons there must be a change as well. All sorts of factors come into it. Here in Southern Rhodesia there is perhaps not so much direct pressure on the African side but there are all these indirect pressures.

Q. Do you think that the view of your Council that there should be relaxation is one that is widely held? You do not regard yourselves as rather unusual in having that view? — A. (CLR. MILLAR): I think we ought to leave the Commission to decide that, Sir.

MR. CHIRWA: The Council in paragraph 1 has referred to some of the objections which Africans in Nyasaland in particular have to the Federation and they cite Pass Laws as one of them and the Land Apportionment Laws. Does not the Council think that as long as the pass laws exist there is bound to be continued opposition from the Africans in those Territories, Northern Rhodesia and Nyasaland, and that if the people are anxious for co-operation with those Territories they should abolish those laws so that those people's fears may be allayed instead of there being constant friction between those people? — A. With due respect to the questioner I submit that is a political question as such and if the Commission are not aware of it, we have no politics in our local administration in any way. We have agreed to the abolition, as I have already indicated, as far as Bulawayo is concerned and with due deference I submit that is a political question a bit outside our sphere.

CHAIRMAN: Most of the questions put to you have a political tint. — A. We have agreed to it as far as Bulawayo is concerned.

Q. You are in favour of getting rid of it all? — A. Yes.

Memorandum

THE NATIONAL INDUSTRIAL COUNCIL OF THE ENGINEERING INDUSTRY

25th January 1960

Bulawayo

Dear Sir,

The National Industrial Council of the Engineering Industry in Southern Rhodesia is a body constituted to operate in terms of the Industrial Conciliation Act within the engineering industry, and its authority is naturally confined to Southern Rhodesia and to that industry. The Council has, however, been established for seventeen years, and during that time it has acquired wide experience in the working of the Colony's industrial conciliation system. Its members have always believed that in exercising the functions entrusted to them they have a wider responsibility than mere concerns with the affairs of their own industry and that decisions on these affairs must be related to the national interests as a whole.

Consequently the Council has always concerned itself with the development of labour legislation and matters subsidiary thereto; in so concerning itself it has never believed that it is exceeding the functions intended of it, or that it is interfering in matters outside its authority. In fact it believes that it is in duty bound to interest itself in all matters that affect industrial legislation as a whole, and that by virtue of its interest and experience in these affairs it can offer a valuable contribution to any deliberations on this subject.

Since the Federation was formed the interests of the constituent Territories have necessarily converged, and, as labour legislation is a subject specifically touched upon in the Federal Constitution, the Council believes that the Monckton Commission, preparing the way for a review of the Constition, would wish to study authoritative evidence on the subject.

For that purpose, this memorandum has been prepared and is hereby submitted to the Commission; and the suggestions contained in the Summary in the final section are the considered opinions of this Council. Should the Commission desire that the contents of this memorandum be amplified, the undersigned is authorized to give verbal evidence to the Commission on behalf of the Council.

Yours faithfully,

P. B. GIBBS, M.I.,Prod.E.
General Secretary.

Labour Relations in Central Africa
A Survey of the Legislation Operating in the Territories of the Federation

Introduction

1. It is in the field of labour relations in industry that the most positive steps can be taken towards fulfilment of those aims which are set out in the preamble to the Federal Constitution—partnership and co-operation between all the inhabitants of the Federation. When people are brought together in their daily work any differences which arise between them are caused by positive factors and not by negative prejudices. The differences resolve themselves into differences of human relationship and are no longer concerned with race, and they must be reconciled, otherwise the daily lives could not go on.

2. Consequently the legislation by which labour relations are guided plays a supremely important role in the affairs of the Federation, and it is the intention of this memorandum to review this legislation as it now stands and to study the effect of its working.

3. The authors of the Federal Constitution specifically delegated labour legislation to the Territorial Governments—almost more emphatically than they delegated other functions by inclusion in, or exclusion from the Federal and Concurrent Lists of governmental powers—by introducing a separate clause in the body of the Constitution, Article 30, reading:—

(1) Save as provided in paragraph (2) of this Article,* the Federal Legislature shall not have powers to make any laws with respect to—

(*a*) trade unions and other like associations: or,

(*b*) the settlements of disputes between employers and employees, or between employees, being disputes connected with the employment or non-employment, or with the terms of employment or conditions of labour, of any persons.

(*Note. Paragraph (2) of this article deals with matters concerning Federal civil servants and is irrelevant to the subject of this memorandum.)

4. It should be noted that in the White Paper outlining the Draft Federal Scheme (Command Paper 8573) issued by the Conference held in London in 1952 to consider proposals for federation, the following note qualified the Conference's recommendation that the power to make laws relating to trade unions and industrial conciliation should remain Territorial:—

"This is necessary as an interim measure in view of the differences which exist at present between the Territories in laws relating to trade unions and industrial conciliation".

5. It is clear, then, that the Conference hoped that development would be towards removal of the differences, so that, after an interim period, labour legislation would become a Federal responsibility, and it is the purpose of this memorandum to examine whether this hope has any likelihood of fulfilment in the present circumstances. The purpose is—

(i) to examine the differences, both in their substance and in their effect;

(ii) to consider whether it is in the interests of the Federation, and of the individual Territories, that the differences should be removed or that they should remain;

(iii) if it is concluded that the differences should be removed, to consider whether,
(*a*) the system at present in force in one Territory should be adopted by the others; or,
(*b*) a hybrid system should be devised;

(iv) if it is concluded that the differences cannot be removed, to consider whether any constitutional steps are necessary to prevent their further divergence.

The System in Southern Rhodesia

6. In Southern Rhodesia the system is now based on the Industrial Conciliation Act, 1959, which applies industrial conciliation—previously confined, so far as employees were concerned, to non-Africans—to all employers and employees irrespective of race.

7. This system is aimed at the prevention and settlement of disputes between employers and employees, the emphasis being in that order; that is to say, the system is designed primarily to provide machinery for negotiation of conditions of employment so as to prevent disputes from arising, and secondarily to provide machinery for settling disputes if they do arise.

8. The kernel of the system is the Industrial Council, consisting of representatives elected by registered employers' organizations and trade unions, set up spontaneously by individual industries, who can make agreements on conditions of

employment, which agreements are given the force of law; non-observance of an agreement thereby becoming a criminal offence. But the Act is at pains to ensure that before decisions of an Industrial Council are made binding on an entire industry, the parties to that Council are fully representative of the employers and employees in the industry concerned; and much of the machinery of the Act is directed to this end.

9. It is recognized that the parties to any Industrial Council cannot be compelled always to agree, but if, in an industry where an Industrial Council has been set up, agreement is not reached—that is to say, a dispute has arisen—the conciliation and arbitration machinery provided by the Act must be used before a party resorts to a strike or lock-out; and, unless such machinery has been used, participation in a strike or lock-out is a criminal offence.

10. For the most satisfactory functioning of these Industrial Councils it is an inherent feature of the system that trade unions and employers' organizations (and hereinafter in this memorandum the term "trade union" includes also employers' organizations unless specifically stated otherwise) must be registered for specific interests, and that not more than one trade union may be registered for any one interest in any one area. It has been alleged that this limitation possibly contravenes the International Labour Office Convention 87 on the Freedom of Association and the Right to Organize. It is suggested here that even if this limitation does contravene the Convention technically, it nevertheless does not, in effect, deprive those concerned of the benefits which are the aims of the Convention.

11. On the other hand there is a further limitation imposed by the Act which might well be considered as contravening the principle of freedom of association. The Act lays down that membership of a trade union must be limited to workers in one particular industry. (Exemption from this provision is, however, given to trade unions registered before the Act came into force.) This means that association of workers is narrowly restricted and workers in a specific occupation who are employed in different industries are not permitted to associate together in any aspect of the industrial conciliation system.

12. The Industrial Conciliation Act also provides for Industrial Boards or Conciliation Boards in industries where no Industrial Council has been registered.

13. An Industrial Board, nominated by the Minister of Labour, is intended to recommend conditions of employment within an industry where the employees, or the employers, have not organized to the extent of setting up an Industrial Council. A Board consists of persons chosen by the Minister with due regard to the interests of employers and employees in the industry concerned, and the Minister has power to appoint a limited number of other persons. Again, in this instance, the primary aim is the prevention of disputes by determining conditions of employment before disputes arise. The Industrial Board is purely advisory to the Minister, who may make regulations (based in practice on the Board's recommendations) laying down conditions of employment within the industry; and contravention of those regulations is a criminal offence. If an Industrial Board has been set up in an industry it is also a criminal offence to participate in a strike or lock-out in that industry unless the dispute has been referred to the Board.

14. A Conciliation Board, appointed by the employers and employees in an industry—or, in default, by the Minister—is intended to settle a dispute that has already arisen in an industry, where there is no Industrial Council. If the Conciliation Board fails to settle the dispute, then the arbitration machinery provided for an Industrial Council in the same situation may be invoked. In the circumstances in which a Conciliation Board can be set up, it is a criminal offence to participate in a strike or lock-out unless the Conciliation Board machinery has been used.

15. Thus, the right to strike or lock-out is not entirely removed; but it is circumscribed by the obligation to make full use of the appropriate conciliation machinery—involving an Industrial Council, an Industrial Board or a Conciliation Board—before participation in a strike or lock-out is legal.

The System in Northern Rhodesia

16. The Northern Rhodesian system is based on the system in the United Kingdom, which is one of collective bargaining resting on the principle of mutual consent, without the necessity of legal enforcement, and the machinery for settling disputes depends on the loyal acceptance by both sides of the decisions reached. The acceptance is purely voluntary and depends solely on the sense of moral obligation.

17. The Trades Unions and Trades Disputes Ordinance (Cap. 25) regularizes the formation of, and requires the registration of trade unions and employers' organizations, but the Ordinance lays down nothing whatsoever concerning the constitution, machinery or procedure by which these bodies shall conduct their negotiations or come to their agreements. A trade union is not required to register for any specific interest and there is no limitation to the number of trade unions that may be registered with any particular object, or in any particular industry, nor is there any requirement that membership shall be confined to a particular industry. On the other hand, there is no restriction to the limitations which a trade union may impose, by its constitution, on the persons whom it will admit to membership; thus each trade union may, and in fact does in practice, restrict its membership to a particular race.

18. These trade unions and employers' organizations are encouraged to form between them, on any basis on which they may care to decide, Joint Industrial Councils for negotiating conditions of employment. These Joint Industrial Councils have no statutory foundation, although any agreements to which they come may be made legally binding, not only to the parties to the Joint Industrial Council but also to all other employers and employees in the industry to which the agreement is intended to apply.

19. The part of the Trade Unions and Trade Disputes Ordinance concerned with disputes has no reference to the manner in which disputes shall be handled, but merely provides protection in law in certain circumstances for persons concerned in strikes and lock-outs.

20. The handling of disputes is primarily covered by the Industrial Conciliation Ordinance (Cap. 26); in fact, this ordinance is intended for this purpose only and makes no pretence to serve towards the prevention of disputes. Moreover there is no compulsion to use the provisions of the Ordinance in the event of a dispute, nor can it be used until any other machinery, which may be operating in the industry in which the dispute has arisen, has been used to the full. It is when the parties, who may or may not have formed a Joint Industrial Council, are unable to resolve a dispute that they may apply to the Government for the conciliation and arbitration machinery provided by the Industrial Conciliation Ordinance to be set in motion.

21. If conciliation and arbitration fail the Government may appoint a Board of Inquiry, whose report may be released for general publication in the hope that the weight of public opinion will induce the parties to accept the Board's recommendations. But there is no compulsion for anyone to accept the findings of conciliators, arbitrators or Boards of Inquiry, and, except in the case of those engaged on essential services, it is quite legal to reject the findings and to participate in a strike or lock-out.

22. The Government has certain powers under the Minimum Wages, Wage Councils and Conditions of Employment Ordinance (Cap. 190). These powers correspond to the Southern Rhodesian Government's powers to set up an Industrial Board when no adequate machinery for industrial conciliation exists in a particular industry. In that event the Northern Rhodesian Government can set up a Wage Council to which it makes its own appointments consisting of equal numbers of persons representing employers and employees in the industry concerned, together with three independent members, one of whom becomes the chairman of the Council. The determination of conditions of employment in the industry is the agreed decision arrived at between employer and employee representatives, to whom the voting on the matter is at first restricted. If, however, agreement between these representatives cannot be reached, the independent members, acting virtually as arbitrators, make the decision, which becomes the decision of the Council and may be made legally binding on all engaged in the industry. That is to say, in contradistinction to the Industrial Boards in Southern Rhodesia, the Wage Councils in Northern Rhodesia determine the conditions of employment in their industries and do not merely recommend to the Government.

23. The Ordinance also provides for Minimum Wage Boards which the Government may set up in particular industries; these consist of a chairman appointed by the Government, an equal number of representatives of employers and employees in the industry, and one employer and one employee from outside the industry. A decision of the Board is by a majority of members, the chairman having a casting vote; that is to say, a situation may arise where he acts as a sole arbitrator; and, like the decisions of a Wage Council, the decisions of a Minimum Wage Board may be made binding on all in the industry.

The Situation in Nyasaland

24. Because labour in Nyasaland is chiefly employed in agricultural undertakings (to which sphere of employment, incidentally, the industrial conciliation system even in Southern

Rhodesia does not apply) and is scattered in comparatively small concentrations over large areas, it has not yet been found necessary to introduce specific legislation for the settlement of industrial disputes. There are provisions for Wage Councils and Wages Advisory Boards, whose constitution and functions would be very much on the same lines as their counterparts in Northern Rhodesia.

Summary of Systems

25. In practice, therefore, there are two systems operating in the Federation, whose differing principles may be summarized as follows:—

(i) The Southern Rhodesian system of industrial conciliation has been fully formalized by legislation, so that the steps to be taken in the conduct of negotiations in both the prevention and settlement of disputes must follow a prescribed routine, and each constituent part of the negotiating and conciliation machinery is given a statutory pattern and is backed by the force of law.

(ii) The Northern Rhodesian (and embryonic Nyasaland) system is primarily intended to leave the pattern of negotiating machinery entirely to the discretion of those desiring to take part in it in individual industries; and formal agreements between the parties to the negotiations may be concluded although these may not necessarily be given the force of law to prevent their contravention.

The Effects of the Two Systems

26. Those operating the particular system in each territory claim that theirs is the superior system and that the other has important shortcomings.

(*a*) In Southern Rhodesia it is popular to criticize the Northern Rhodesian system by inferring that, like the system in the United Kingdom, it has encouraged, particularly during the post-war years, a series of often irresponsible strikes; and that where the provisions of the Industrial Conciliation Act in Southern Rhodesia (so far, confined to non-Africans) have been observed, the Colony has been entirely free of strikes, or even of any serious disputes, during a period of extensive development. (It must be remembered that the Rhodesia Railways fall outside the scope of the Industrial Act, and the subject of their labour legislation will be referred to later in this memorandum.)

(*b*) In Northern Rhodesia the formal provisions of the Southern Rhodesian Industrial Conciliation Act are looked on as restrictive and contrary to the principles of the freedom of the individual to participate in collective bargaining.

27. Each of the Territories answers the other's criticism as emphatically as the criticism has been made. In Northern Rhodesia they maintain that the mining industry (in which all the disputes and strikes have taken place) is an industry in which special factors and circumstances prevail, and that throughout the world, even in countries where compulsory arbitration systems apply, strikes on mines have been generally on a higher proportional scale than in other industries and that the Northern Rhodesian record is comparatively good. (In contradiction of this claim, we are bound to point to the mining industry in South Africa which has been remarkably free from labour troubles since the introduction of the Union's Industrial Conciliation Act.)

28. Answering Northern Rhodesia's criticism of the compulsive nature of Southern Rhodesia's Industrial Conciliation Act, those who have for many years now enjoyed the benefits of the system in Southern Rhodesia are inclined to reply that in practice the element of compulsion (which, in respect of the process of negotiation between employers and employees is only a compulsion to follow certain procedures, and has no influence at all on the negotiations) is salutary, and is just as important for the protection and benefit of the individual, say, company legislation.

29. Thus, each Territory operating its own system is the defender of that system and would be strongly averse to changing it for the other.

30. The truth is, probably, that the circumstances in each Territory are different, and the differing systems have suited each set of circumstances; the appropriate system having, quite fortuitously and without deliberate intent, been applied to the set of circumstances to which it is better suited.

31. In Southern Rhodesia, industry to which the system applies (apart from the Rhodesia Railways with which we will deal separately) is divided into comparatively small establishments, and labour within an industry moves regularly between the establishments. Consequently it is to the advantage of all concerned (employers and employees alike) that conditions of employment shall have some uniformity within the industry. In these circumstances shop-floor negotiations in individual establishments would be valueless; in fact, they would be disadvantageous to all parties. And if, therefore, negotiations are to be conducted, the outcome of which will affect a large number of individual establishments, it is essential to have the pattern of these negotiations and the safeguards against misuse of the system properly laid down by legislation. Any looseness of procedure in these circumstances would lead to chaos.

32. Moreover, Southern Rhodesia has been developing its secondary industries on a considerable scale for some years, and consequently in the non-African spheres employers and employees are already fairly widely organised. In Northern Rhodesia, so far, the only effectively organised industry, both in respect of employers and employees, is the mining industry; and that industry is organised to a high degree. Thus, the bulk of labour organisation in Northern Rhodesia is contained in one industry—an industry which is not, as in Southern Rhodesia, spread over a multiplicity of employers, but is confined to two employers who, for purposes of labour negotiations, act as one unit in the Chamber of Mines.

33. The Northern Rhodesian legislation, by remaining silent on the constitution and procedure of negotiating machinery, permits the mining industry to set up its own system of collective bargaining; and there is, in fact, a Joint Industrial Council (with no statutory authority) to which the Chamber of Mines and the Northern Rhodesian Mine-workers Union are the parties. Until comparatively recently the constitution of the Joint Industrial Council laid down no procedure for arbitration in the event of a dispute; now, following advice given by United Kingdom advisers, brought out after the 1958 strike, an arbitration procedure has been mutually accepted although there is, of course, still no force of law to compel the procedure to be followed by either side.

34. In this connection it should be recorded that both parties, the Chamber of Mines and the Mineworkers Union, are perfectly satisfied with the situation; in fact they both contend that they would never accept any system of compulsory arbitration enforced by legislation. If the parties are considering only their own interests this attitude is understandable, but it does tend to ignore that there is also a public interest—which is not confined to Northern Rhodesia—which can be vitally affected by a refusal of the parties to accept any system designed to compel every reasonable step to be taken before strike or lock-out action is resorted to. The attitude on the Copperbelt today is that the effects of the 1958 strike had such a salutary effect on the mineworkers that in future the arbitration machinery they have contrived will always be used to the full, and consequently compulsion will be unnecessary. That may be a reliable short-term prediction, but memories can be short too, and it hardly seems justifiable to assume that without the force of law to prevent it, a strike causing damage to the Federation's economy will never again be called.

The Effect on the African

35. The matter that is of the greatest importance to all concerned with labour legislation in the Federation is, of course, its impact on the advancement of the African. And here it is possible that the divergence between the systems will not, in practice, cause much difference in their effects.

36. In Southern Rhodesia, the Industrial Conciliation Act, 1959, has removed all distinctions of race, and it does, in fact, prohibit the exclusion of any person from membership of a trade union on the grounds of race. Instead, it insists that a trade union which desires to negotiate through an Industrial Council shall be fully representative of the interests of the workers on whose behalf it claims to negotiate. But so long as workers with different interests (for example, skilled workers in an industry on the one hand, and unskilled workers in the same industry on the other) are workers of different races, as they are in most cases at present, the trade unions registered for those different interests can, and in fact are likely to, consist of members of different races.

37. In Northern Rhodesia there is no legislation prescribing the constitution of the trade unions, so a union is quite free to restrict its members to a particular race if it so desires. In actual fact the Northern Rhodesian Mineworkers' Union restricts its membership to those performing scheduled work, with no reference to race. At present all the scheduled work is done by Europeans, and the Africans doing the unscheduled work belong to the African Mineworkers' Union.

38. Thus, so long as the workers are in separate categories they are likely to belong to separate unions—which, in actual

practice, are racial—under both systems. When the races start to overlap in Southern Rhodesia (that is to say, when African workers enter the higher categories which are at present the exclusive field of non-Africans) because the law will require that there cannot be more than one, none-racial union in those higher categories, the African, if he wishes representation, will have to join that union—which, of course, in practice will be the European union that has already been registered for those categories. That situation is coming very near, as Africans are already entering what have been traditionally non-African spheres. It is, of course, impossible to predict whether in these circumstances the Africans will consent to join the unions already established by Europeans, and the concensus of responsible African opinion is that they will be reluctant to do so.

39. In Northern Rhodesia there will be no legal compulsion for the Northern Rhodesian Mineworkers' Union to accept Africans if, as is generally expected, developments in the comparatively near future lead Africans into jobs which are included in the Union's scheduled work. But the formal agreement between the Mineworkers' Union and the Chamber of Mines (that is, the Joint Industrial Council agreement) lays down a closed shop, and every person performing scheduled work must be a member of the Union. But it has to be repeated that there is no legal sanction that can prevent the Mineworkers' Union or the Chamber of Mines from breaking the agreement; and moreover, because the African Mineworkers' Union is so strong (more than 20,000 members) and is well organized, the comparatively few Africans who might qualify for scheduled work would be unlikely to throw in their lot, on an impotent minority basis, with the 10,000 strong European union.

Other Industry in Northern Rhodesia

40. In the foregoing, the situation in Northern Rhodesia has been mainly related to the mining industry which, as previously stated, exists in particular circumstances such as do not prevail among industries in Southern Rhodesia. Nor do those circumstances prevail elsewhere in Northern Rhodesia.

41. At present, other industry in Northern Rhodesia is comparatively unorganized; but in some instances it is now reaching a scale where organization is essential. The problem that faces those concerned in Northern Rhodesia is whether, when they are organized and ready to embark on collective bargaining in earnest, they will be served best by the loose system which happens to suit the highly concentrated mining industry, or whether some more formalized system would not, by very reason of the regularity of its machinery, more satisfactorily meet the scattered conditions which do not apply to the mines.

42. It is reasonable to expect that when secondary industry becomes established and starts to expand in Northern Rhodesia, as it certainly must in the very near future, contacts between the two Territories in all matters connected with industry will progressively increase; and the efficient operation of industry in both Territories will be either assisted or hampered according to the degree of uniformity of their respective labour legislations. Already—although admittedly only on a small and comparatively unimportant scale—the temporary transfer of labour from Southern Rhodesia to Northern Rhodesia by contractors carrying out work in the Northern Territory, causes considerable anomalies due to the inapplicability, during the period of transfer, of the conditions of service under which the labour is normally employed. But as industry in Northern Rhodesia expands, such interchange will increase and will operate in both directions; in fact, the interests of employers and employees in both Territories will become common and the need for uniformity in labour legislation will soon become apparent.

Legislation for the Rhodesia Railways

43. The labour force of the Rhodesia Railways, both European and African, approximates in size the force of the mining industry in Northern Rhodesia, and the legislation that applies to it in both Territories is basically the Southern Rhodesian indusrial conciliation system as practised before the new Industrial Conciliation Act came into force. That is to say, the European workers negotiate separately with the Railway Administration through an Industrial Council whose constitution and procedure are prescribed by law; the Council consists of representatives of the Administration and elected representatives of the registered European trade unions; their agreements can be given the force of law (although, so far, this provision has never been effective as the agreements have not been published in the Government Gazette as the law requires that they shall be) and strike or lock-out action becomes criminal in the same circumstances as under the Industrial Conciliation Act.

44. The African workers have contact with the Railway Administration through what is known as a Special Industrial Council, whose employee members are not elected but are appointed by the Minister. The Special Industrial Council has no negotiating powers but provides a forum for discussion, between the Administration and the African employees, of conditions of service, which, after such discussion, are laid down by the Minister. The Special Industrial Council corresponds, in effect if not in constitution, to the Native Labour Boards which operated in industry before they were superceded by the Industrial Boards set up by the new Industrial Conciliation Act.

45. Although the Railways operate throughout the Federation, and are in effect a Federal undertaking under the authority of the Federal Minister of Transport, their enabling legislation is Territorial, identical instruments having been enacted in each Territory—the Railways Acts in Southern Rhodesia and the Railways Ordinance in Northern Rhodesia. The legislation covering industrial conciliation is contained in the Second Schedule to both the Act and the Ordinance, and consequently, in the case of the Railways, the labour legislation is common to the two Territories.

46. Thus, an industry which corresponds closely to the mining industry in Northern Rhodesia—that is to say, in the field of labour relations the employers are a single entity, and the employees are numerous and highly organised—is operating under Southern Rhodesia's formal, legalised industrial conciliation system, in contradistinction to the informal system used by the mines.

Effect of the Railway Legislation

47. As mentioned above the labour legislation for the Railways is basically the Southern Rhodesian system as it was before the non-racial principles of the new Industrial Conciliation Act were introduced. Consequently the machinery for determining conditions of employment, and for settling disputes, is divided into two distinct racial compartments—the negotiating machinery of the Industrial Council for the Europeans, and the merely consultative machinery of the Special Industrial Council for the Africans. These separate machines have served well enough so long as the Europeans and Africans have been performing distinctly separate work. But now that the principle of African advancement into hitherto exclusive European spheres has been accepted, the machinery is obviously inappropriate and much of the tangle into which the negotiations on this issue have been tied is due to this factor, because there is no common negotiating body on which workers of both races who will now be doing the same work can be represented.

48. It seems clear that had the non-racial principles of Southern Rhodesia's new Industrial Conciliation Act been introduced into the Railways labour legislation, the machinery for proper negotiation of the African advancement issue by all parties concerned would have been available and much of the impasse would not have arisen. Admittedly, as previously suggested in this memorandum, the Africans would have hesitated to join the Europeans for reasons of suspicion, but the implications of the issue must necessarily have drawn the workers of both races together in time, and, if the machinery were there to encourage it, a coming together would have been more likely to transpire. As it is, the situation corresponds to the position of the respective mineworkers' unions in Northern Rhodesia, with this difference—that whereas there is no legal obstacle in Northern Rhodesia to an ultimate fusion of the two unions, the present Railways legislation positively prevents it.

Summary

49. To return to the purpose of this memorandum, as set out in the Introduction, the following comments are offered on the respective intentions:—

(i) To examine the differences both in their substance and in their effect.

The differences between the systems, of labour legislation in the Territories are considerable in substance, but, except where an outdated system is used on the Railways, are unlikely in the long run to have a great deal of difference in effect.

(ii) To consider whether it is in the interests of the Federation, and of the individual Territories, that the differences should be removed or that they should remain.

50. It is obvious that if the Federation is to progress and the objective set out in the preamble to the Federal Constitution of "partnership and co-operation between all the inhabitants of the Federation" (and this must surely imply partnership between Territories as much as between races) is to be

achieved, any advance towards that aim must be handicapped by lack of uniformity in labour legislation. It may be that this is not an aspect of immediate concern; but if the rate of industrial development in all the Territories is to be of any consequence, it is an aspect that will grow into one of considerable importance.

(iii) If it is concluded that the differences should be removed, to consider whether,

(*a*) the system at present in force in one Territory should be adopted by the others; or

(*b*) a hybrid system should be devised.

51. It is further obvious that opinion in each of the two Territories, Southern and Northern Rhodesia, is considerably strong and that each Territory would discountenance adoption of the other Territory's system in place of its own. For that reason any suggestion of attempting to impose one of the existing systems as a universal system is quite fruitless; nor would it, at the present stage, have any justification. Nor would it seem practicable to develop a hybrid system, using some features of each, because the basic principles—the one built on legalised machinery, and the other on informal, voluntary procedure—are so divergent.

(iv) If it is concluded that the differences cannot be removed, to consider whether any constitutional steps are necessary to prevent their further divergence.

52. At the present stage—when there is strong public opinion in the Northern Territories, even among the Europeans, against giving the Federal Government more powers, and even in favour of removing some it already had—it would clearly be inopportune politically to suggest that Article 30 of the Constitution should be deleted and that labour legislation should be placed even on the Concurrent List. On the other hand it would seem to be an admission that the Territories are not expected to come closer together in this important aspect of human relations if Article 30 is left to stand as it is, because in that case the divergent lines on which the systems in the Territories are now developing must necessarily continue to run farther apart.

53. Taking all the points contained in this memorandum into consideration, it is suggested that Article 30 should be amended so that the power to enact labour legislation remains for the time being with the Territorial Governments, but may be transferred to the Federal Government when, but only when, the Territorial Governments concur.

54. The real purpose of such an amendment would be to imply that the Federal Government has a responsibility to endeavour to achieve ultimate uniformity. As the Article is phrased at present the implication is that the Federal Government must keep its hands off labour legislation. It is known that there is an inter-governmental committee, consisting of representatives of the three Territorial Governments, which acts as a basis of live co-operation between them—that is to say, between the Governments. And it is assumed that this committee is constantly striving towards uniformity by the exchange of information and ideas. But labour relations are not the function of government (even the formalised Southern Rhodesian system recognises this and leaves organised industry to settle its own problems) and any positive steps towards achieving uniformity, or even reconciliation of different systems, must rest with the people and organisations who are concerned.

55. If, therefore, the provision as suggested were written into the Constitution, the Federal Government's interest in labour legislation would be established and it would have justification for entering the field, at first on a purely informal basis, by setting up some form of standing commission, representative of industry and labour in their widest sense, which would enable the problem of achieving ultimate uniformity to be kept constantly under review, not by Government departments, but by the people who are actually concerned.

56. Unless something is done on these lines it is clear that the separation of labour legislation by Territories will be perpetuated and it is suggested that this would certainly hinder attainment of the main objects of Federation.

Oral Evidence

NATIONAL INDUSTRIAL COUNCIL OF THE ENGINEERING INDUSTRY

Represented by P. G. Gibbs, General Secretary

Q. You are, I think, the General Secretary of the National Industrial Council of the Engineering Industry here?—A.. Yes, Sir.

Q. In the memorandum you submitted to us on behalf of the Council you have drawn attention to the distinctions between the system which applies in relation to industrial disputes and the prevention of them and the settlement of them in Southern Rhodesia as compared with Northern Rhodesia and, as I understand it, putting it quite shortly, in Southern Rhodesia under the Act of 1959 you have compulsory arbitration, if necessary, on lines which, am I right, are more like those of the Union of South Africa. With your Union, in fact, the two sides represent the whole of the industry for the purposes of negotiation? This contrasts with the position in Northern Rhodesia where they have adopted more the U.K. system where there are negotiations but no compulsory arbitration?—A. Yes.

Q. The Unions also include members of any race; they all belong to the Union.—A. Yes.

Q. To take the biggest industry there, the mining industry, there are two distinct Unions very far apart, the European one and the African one and, as you point out, there will be the greatest objection in the two Territories to adopting, at any rate at the moment, the system of the other, that is right, is it?—A. Yes, Sir.

Q. So that you conclude that whereas in Article 30 of the Constitution, the Federal Legislature should not have powers to make laws in respect of trade unions and the settlement of disputes between employers and employees etc., it would not be appropriate to get rid of that as an interim measure but you would like to see some other words included which would make it possible with the assent of the Territorial Government for a transfer of power to the Federal Legislature at a later stage?—A. Yes.

Q. Does that fairly summarise your points?—A. Yes.

Q. You quite agree there is no question of making any transfer at the moment; it would not be possible, would it, with regard to Northern Rhodesia?—A. No, Sir. Do you wish me to comment on that?

Q. Yes.—A. I think probably that I should make it quite clear from the start that the Council did not see any particular reason or there did not appear to be any particular immediate reason why there should be some alteration to what is in the Federal Constitution but the Council did feel that as the Federal Constitution was being reviewed it was an opportunity in which the whole situation should be thoroughly investigated to see whether there should be any alteration. As the situation is at the moment the present arrangements are working out perfectly satisfactorily because, as you have yourself pointed out, Sir, we have said that neither Territory would wish to give up its own system for that which obtains in the other. But there is, of course, the situation that has arisen over the Railways which does suggest that the subject should come under review now because although the impasse that has come about in the Railways negotiations is basically, of course, due to other than legislative causes the fact that there is a division of the system used makes it no more easy for these other difficulties to be overcome, to put it at the lowest. In fact it does probably present some sort of obstacle to people getting down to it and making decisions.

You are quite right, Sir, when you said that we have pointed out that as things are at the moment the respective systems of each country are working well but the situation in Northern Rhodesia is likely to change for the reason that at the moment industry of any scale in Northern Rhodesia is confined to the one industry in which the employers as such operate as a single entity, whereas it is accepted that developments in Northern Rhodesia will be on the lines of development in Southern Rhodesia when one will get industries that consist of a number of employers instead of just one unit and we do consider that when that situation arises Northern Rhodesia will find that the advantages which we experience from the working of the system in Southern Rhodesia would not be unattractive to them.

Q. As I understand it, you would not suggest any alteration in the Constitution except one which would require the assent of the Territories concerned?—A. Yes. Our reason is this, Sir, that we feel that if the Federal Constitution remains as it is then the door is always shut to any coming together of the two Territories in so far as labour legislation is concerned; they must always be separate. But we feel that the Constitution should be amended so that the door was ready to be opened if somebody wanted to do something.

MR. ELLMAN BROWN: When you say the door is open, would you do it through Federal legislation?—A. We suggested here . . .

CHAIRMAN: Paragraph 53 of the memorandum.—A. That is right. "It is suggested that Article 30 should be amended so that the power to enact labour legislation remains for the time being with the Territorial Governments, but may be transferred to the Federal Government when, but only when, the Territorial Governments concur". It is more than the ethical effect of that, that is to say, it provides for the practical

opportunity. We go on to say in paragraph 54 "The real purpose of such an amendment would be to imply that the Federal Government has a responsibility to endeavour to achieve ultimate uniformity" whereas so long as it remains as it is, it is nobody's responsibility that ultimate uniformity should be achieved.

MR. MENZIES: Your real point, I suppose, is you do not want to leave it merely to an amendment of the Constitution which is available even now by adopting the procedure laid down which requires a certain statutory majority? You want to see it written into Article 30 so that there is an implied moral obligation at some time to take it over?—A. Yes, Sir.

Q. When you say when the Territories agree, you mean a simple majority there?—A. I am afraid I do not know much about the Constitutional implications there. It is merely this that if it were written into the Federal Constitution then there would be an obligation on the Federal Government to give consideration to this. At the moment you have this sort of situation, for instance. The Railways is a Federal organisation yet the Federal Minister responsible must keep completely out of any discussions on what is one of the most important matters in regard to the running of his particular portfolio, the labour which is running the Railways.

CHAIRMAN: I was only going to suggest to you that if we adopted what you put forward in paragraph 53 there would not be any moral obligation on anyone to do anything, would there, because you say it would remain with the Territorial Government but it may be transferred to the Federal Government when, but only when, the Territorial Governments concur?—A. No, Sir. I do not know the way that the Federal Goverment's mind works. It does suggest to me that the Federal Government, particularly in the present instance with the difficulty over the Railways, would say we must consider if we should take the initiative now by getting the two Territorial Governments together and trying to bring them to our suggestion that we should adopt some Federal system. Then, provided we can get the two Territorial Governments to agree that we adopt a Federal system, then we can adopt it, but at the moment the Federal Constitution virtually says to the Federal Government you must lay off this.

CHAIRMAN: As Mr. Menzies was suggesting, if the Territorial Governments and the Federal Government wanted the change they could do it by an amendment under Article 30 of the Constitution.

SIR VICTOR ROBINSON: Who are the people who are parties to your Industrial Council of the Engineering Industry? —A. We have three Employers' Associations—Engineering Employers' Association; they are regional—Bulawayo, Salisbury and Midlands—and we have three trade unions.

Q. Which are?—A. Amalgamated Engineering Union, South Africa Boilermakers' Society and the Rhodesian Engineering Union.

Q. They are the employees?—A. Yes.

Q. With this new Industrial Conciliation Act which has just come in I take it at the present time there is not a single African on the employees' side?—A. No. Up to 1st January this year the Industrial Conciliation Act specifically excluded the African in the definition of employee. From the beginning of this year the new Act has come into force. Would you like me to expand this?

CHAIRMAN: Yes.—A. This Engineering Industrial Council now has an agreement which runs to the end of this year in terms of the old Act. Any new agreement it comes to will be in terms of the new Act so if the terms of that agreement are to be applicable to employees in the industry irrespective of their race the trade unions must be representative of all those employees before an agreement can be made binding. So trade unions in our industry at this moment are faced with the situation and I understand that they are working on this situation to draw in not only the African employees, but to draw all employees into their membership, otherwise they will not be representative of the employees of the industry but they cannot come into the agreement which expires at the end of the year.

SIR VICTOR ROBINSON: They are working to get the Africans into the union which was in the past wholly European?—A.. That is right.

Q. You as a Council have nothing to do with that Conciliation Act?—A. No, Sir. The Industrial Conciliation Act excludes from its operations statutory commissions and the Railways have a similar piece of legislation which is the Second Schedule to the Railway Act but this should outmode the Industrial Conciliation Act.

Q. The point is this: you as a Council are very jealous of interfering in the affairs of the Railways because you feel that the Federal Government whose creature the Railways are has no say whatever in the rates and wages or anything else. In other words Southern Rhodesia and Northern Rhodesia can tomorrow say that every African on the Railways shall get £50 a month and the Federal Government want us to find the money, is that the point?—A. No, Sir, we are not asking the Federal Government to do anything at all.

Q. You are sorry for them?—A. In the first place in regard to this question of interference, might I just read this introduction. I do not think it is included on the copies of the memorandum we sent; it was included in the letter which went to the Commission and I have an idea from what Sir Victor has said that it is possible that he misunderstands the situation.

Q I was trying to get at what your worries were about Railways.—A. "The National Industrial Council of the Engineering Industry in Southern Rhodesia is a body constituted to operate in terms of the Industrial Conciliation Act within the engineering industry, and its authority is naturally confined to Southern Rhodesia and to that authority. The Council, has, however, been established for seventeen years. and during that time it has acquired wide experience in the working of the Colony's industrial conciliation system. Its members have always believed that in exercising the functions entrusted to them they have a wider responsibility than mere concern with the affairs of their own industry and that decisions on these affairs must be related to the national interests as a whole".

Consequently it is for that reason the Council has come along and put those proposals forward. I do not want to give the impression that we are interfering in something which is not our concern.

The other point is the suggestion that the decision about wages should be put in the hands of the Federal Government. That is not the effect of industrial conciliation at all. The whole purpose of industrial conciliation is that it shall be home rule for industry and that each industry and that those who are engaged in the industry and employees should meet round the table and come to decisions between them. We are not trying to suggest that it should be written into the Federal Constitution that the Federal Council should lay down wages and rates for industry.

MR. A. E. P. ROBINSON: In view of the very special position of the Railways and the statutory bodies generally would you contemplate a constitutional arrangement whereby the Territorial Governments were responsible for labour legislation in Southern Rhodesia and Northern Rhodesia as they are now but that the Federal Government might be responsible for labour legislation in respect of Federal statutory bodies such as the Railways, Airways, Federal Power Board and other similar institutions?—A. We believe, Sir, that most satisfactory arrangements would be for labour legislation to be a Federal Government responsibility and, of course, it is merely enabling legislation that is required in any case.

Q. You make that point quite clearly. Would you as an interim or any other sort of measure regard it as helpful if the Federal Government were empowered to pass legislation in respect of labour matters affecting statutory bodies?—A. Yes, I think it would be a great advantage in the present circumstances.

PROFESSOR JACK: Could I ask you three questions? The first is purely one of your text in paragraph 6 where you refer to the Act of 1959 as applying irrespective of race which I think is a correct statement. In paragraph 26(*a*) you talk about the Industrial Conciliation Act; then in brackets—so far confined to non-Africans—is not that an error?—A. Yes. Let me put it this way. In Paragraph 26(*a*) what I really meant was that so far it has only been applied to non-Africans. There is not a single agreement yet in force under the new Act.

Q. The correct legal statement is as in paragraph 6.—A. Yes.

Q. The second point I wanted to ask you is this: although labour legislation is a Territorial function there is provision for liaison in the three Territories, of an Inter-Territorial Consultative Committee on Labour whose terms of reference include this in the first part, "To explore and report on the possibility of uniformity of labour legislation within the Federation". Have you any knowledge or experience of the working of that Inter-Territorial Committee?—A. What knowledge I have is very secondhand. I have discussed the matter with members of the Committee from both Northern Rhodesia and Southern Rhodesia and I understand that they do, before any matter of labour legislation goes before either the Southern Rhodesia House or Northern Rhodesia House, consult about it

Q. Is the Committee composed solely of officials in Government?—A. Yes.

Q. There is no consultation with Employers' Associations?—A. No, Sir, they are entirely Government servants.

Q. Do you think it would be a good thing if employers and trade unions were members of that liaison committee?—A. I do not know whether it could possibly work. In fact, you will see that is really what we have said in paragraph 54 at the end of the third paragraph. "But labour relations are not the function of government (even the formalized Southern Rhodesian system recognises this and leaves organised industry to settle its own problems) and any positive steps towards achieving uniformity, or even reconciliation, of different systems, must rest with the people and organisations who are concerned.

If, therefore, the provision as suggested were written into the Constitution, the Federal Government's interest in labour legislation would be established and it would have justification for entering the field, at first on a purely informal basis, by setting up some form of standing commission, representative of industry and labour in their widest sense, which would enable the problem of achieving ultimate uniformity to be kept constantly under review, not by Government departments, but by the people who are actually concerned".

In other words we have said there that is what we do want.

Q. The third question does not arise from your memorandum, but have you any knowledge of the Industrial Courts Act, 1919, in the United Kingdom?—A. No.

PROFESSOR JACK: I will not put my question to you then.

MR. CHIRWA: In paragraph 38 you say: "It is, of course, impossible to predict whether in these circumstances the Africans will consent to join the unions already established by Europeans, and the concensus of responsible African opinion is that they will be reluctant to do so". Reading from the papers and having had discussions with Africans, naturally I do have the fears of the Africans at the moment that if they did join these European unions under the new legislation the possibility is that they would not be leaders in these unions and the leadership would be confined to Europeans. Do you think that is a possibility?—A. Let me say this. I know what the Southern Rhodesian Government wishes the approach to be and that is that the control of trade unions should be in accordance with the skills of the people who are the members and that whereas there would be some qualifying of the vote in trade union affairs this should be qualified by the skills of the different members, that is to say, that the fully skilled men would have a greater say in the affairs of the union than the unskilled men. They would balance the votes accordingly but they would have to be in the trade that put proposals forward and, of course, it is an accepted practice in trade unions that these would have to be absolutely fair and not based on an endeavour to counteract an overwhelming number of unskilled workers in relation to the skilled workers.

Q. Do you think that this present legislation will work to the advantage of the Africans? Will the Europeans who also will be the leaders of the union take up the African causes as if they were Africans themselves?—A. I think that one has got to say quite frankly that there is bound at first to be some prejudice. The racial prejudice is there and you are not going to get rid of a racial prejudice just because you have passed an Act in which race is not supposed to enter. But I think that the very fact that the situation has been set up whereby Africans and all races in fact shall be in the same union must lead to the disappearance of racial prejudices because the members of the union whoever they are will come to recognise that actually all workers, whatever race they are, have a common interest. If they are in separate unions they are not so likely to come to the conclusion that they have a common interest but if they are in the same trade union and that trade union is negotiating with employers then my opinion is that the realisation that they are workers and not people of different races and that those workers have common interests, is likely to come about very much better than if the trade unions were separate racial trade unions.

Q. Has your Council started thinking of taking Africans into responsible jobs, that is to say, are you prepared to have African apprentices in the engineering industry?—A. The question of the introduction of apprentices is covered, of course, by the separate legislation of the Apprentices' Act but the answer to anybody who asks us whether an industry is prepared to have African apprentices boils itself down to the individual employers; is he prepared to have him and that is where the bottleneck is and is likely to be for some time; is the individual employer prepared to take an African apprentice on? So far as the engineering industry is concerned there are qualifications laid down for apprenticeships. They are not very serious qualifications. They are Standard VII and Standard VII in English and Arithmetic and that is all. In theory if an African presents himself with those qualifications and he has found an employer who is prepared to engage him as an apprentice he can become an apprentice.

Q. In practice?—A. In practice it will depend on whether the employer will take him.

Q. What do you think is likely to be the attitude of the employers in this matter?—A. I know a number of employers who would be quite prepared to do it.

MR. CRAWLEY: Are there any African apprentices?—A. In the engineering industry, no.

Q. Could I just ask you for some elucidation of these words appearing in paragraph 11—"Membership of a trade union must be limited to workers in one particular industry". Does that mean an electrician who works on a bridge is a member of your union and one who works in a power station is not?—A. The division of industries has always been a very tricky question because it is very difficult indeed to get a definition of industry that has an absolutely straight abiding line. It is always very ragged but we will put it his way. You can have a tradesman who is a fitter and turner who is working in the motor industry and in terms of the new Act he has got to be a member of a different union from a fitter and turner who is working in the engineering industry which is separate.

MR. MENZIES: They are not craft unions, they are industrial?—A. They have been in the past in the Amalgamated Engineering Union. Now there is provision in the new Act which has allowed those unions already registered in more than one industry to be registered. The Amalgamated Engineering Union in this country was previously registered in a number of industries and would still register its members in those industries. Any new unions, and this will, of course, particularly apply to those new unions which are likely to be formed very shortly now by Africans, will have to be in one industry. I will mention the example of where this will emphasise the situation, that is lorry drivers. The heavy vehicle driving has been virtually taken over by the African in this country and if they wished to form a union those lorry drivers who were driving lorries for employers engaged in the engineering industry would not be able to be in the same union as those lorry drivers who were employed by employers who were in the cement industry.

MR. CRAWLEY: Who decides where the engineering industry begins and ends?—A. A Council which is formed by the trade unions and employers' associations applies for registration in that particular industry which its parties represent but it is going to be difficult to interpret this Act because it is merely laid down in the new Act—it was not in the old Act—that a trade union may only be registered in one industry and, of course, that decision will be in the hands of the registrar or minister and he is going to have to make some fairly arbitrary decisions.

PROFESSOR JACK: There is no definition of what an industry is?—A. No.

CHAIRMAN: It may be a problem of demarcation?—A. Yes, a chalk line.

MR. CHIRWA: Suppose an African was an apprentice and he qualified, would your Council have any objection to that man receiving the same pay as a European?—A. The Council would have very serious objection if he did not. Of course, up till now, the Council agreements have been in the terms of the old Act. The Council has had no jurisdiction over the African but from now on when the new agreement comes in it will apply to all workers irrespective of race.

CHAIRMAN: I wanted to ask you one other thing about the Railways. You have a Railway running through two Territories and they have their different Governments and industrial legislation. Do you find the people in the Railways transfer to other industries from time to time, and the reverse?—A. Not on any scale.

Q. So it would not be an awkward problem if they left the industry; they might lose superannuation or other benefits?—A. No, Sir.

Q. Very few transfer?—A. That is right.

CHAIRMAN: Thank you very much for giving us this help. If I may say so, it has been particularly interesting to me.—A. Thank you, Sir.

Additional Memorandum

NATIONAL COUNCIL OF THE ENGINEERING INDUSTRY

Bulawayo,
13th April 1960.

Dear Lord Monckton,

It has occurred to me that your Commission would be interested in a recent paper that I prepared on the subject of African participation in industry.

I enclose a copy, and have a supply available of further copies should you think that your members would like to see them.

Yours sincerely,
(Signed) P. G. Gibbs.

Fragmentation and the Rate for the Job

The process of advancement of the African in industry has already been set in motion and has been going on for a number of years. So the problem is not, as is so often implied, merely whether advancement should be embarked upon but, rather, whether the process should or should not be stopped, and if it is not to be stopped, at what pace and in what manner it should be continued.

First, it is essential to look at the historical background of the present situation. When Europeans first came to this part of Africa seventy years ago they found the country peopled by a race whom the march of civilisation had passed entirely by. The Europeans took on their own shoulders the task of developing the country, and all that the Africans could contribute at first was their manual labour. Due to their lack of any civilisation at all the Africans were incapable at the time of acquiring even the most elementary skills, and being primitive people they were satisfied with a primitive standard of living.

Gradually they learnt the elementary skills—some of them even acquired a smattering of education—so that in time they were able to do a little more than mere labouring, and although their work was still menial they began to take on tasks requiring at least an elementary aptitude. But their economic level, based on the standards that had been established when they were still but primitive labourers—and that is what the majority of them still were—remained virtually as it had been from the time the Europeans had first come. This was the state of affairs that persisted up to the time of the second World War.

What had happened, in effect, was that the comprehensive range of industrial and commercial labour, stretching from the most highly skilled work at the top to completely unskilled labouring at the bottom—which range is normally classified in levels of skill in a series of reasonably uniform steps—was divided in the first instance into two entirely separate groups. The upper group, comprising work carried out by Europeans, stretched from the skilled jobs at the top of the range down to jobs of comparatively little intrinsic skill—jobs which were, however, beyond the capacity of the primitive, uneducated African, as he then almost universally was. The lower group comprised work, involving even less or no skill at all, which the African was able to do, which was comparatively limited in extent but varied nevertheless in the degree of competence it required.

In an integrated society the whole range covered by both groups would have been carried out by workers living on one economic standard, and the difference between the wages paid to those at the top and the bottom of the range would have remained within the standard. Consequently, the extent of that difference would have been relatively narrow and would have been limited by two factors — the maximum economic value in the labour market of the most skilled workers at the top, and the minimum subsistence needs, within the same economic standard, of the unskilled labourers at the bottom. However, by dividing the whole range into two separate groups, each on a separate economic standard—one a standard of civilised living, the other a standard of primitive existence—the difference between the wages at the top and bottom limits of the range was tremendously increased. In fact, as the two groups had no common factors influencing the fixing of wages, there was no relationship between them whatever.

And even within the groups the normal pattern of wage relationship was lost. Taking the lower group first, there was at the time almost no differentiation at all in the wages paid for the different jobs. Every African was virtually paid the same minimum subsistence wage, on his own economic standard, irrespective of the form of labour he was performing, or of the degree of aptitude or physical effort involved. Usually, the only differentiation was made in relation to length of service, and the ingredients of the job were hardly taken into account.

In the upper group there was some differentiation in wages based on the relative skills of the jobs concerned, but, for reasons which are explained in the next paragraph, the difference between the wages for the most skilled work in that upper group, and the wages for the least skilled work in the same group, was not as wide as it would necessarily have been in an integrated society with all the workers on one economic standard.

Each industry, and each unit in industry, has a certain amount of money to spread over its payments to workers in wages. Even though there may be controversy on how that amount should be determined, or what factors should influence it, it is nevertheless a determinable amount. If, from that amount, all the workers in both groups were to be paid on the same economic standard—as is an integrated society—there would clearly be less of the whole amount for distribution among the workers in the upper group than there would be if those in the lower group were to be paid on a different and much lower economic standard. There is, in fact, a cake of a determinate size to be shared throughout the industry, and if the lower group is given a disproportionately small slice of the cake, there is a correspondingly disproportionately large slice left for the upper group. So the effect of spreading the amount available for wages over two groups on different economic standards has been to inflate the wages of the upper group, and particularly for the lower classifications in that group, to higher levels than they would have reached if the classifications in the lower group had been paid on the same economic standard.

In the decade following the Second World War, the rate of industrial expansion in the Rhodesias, in relation to the previous economic growth of the country, was tremendous, and the demand for labour at any level far outpaced the supply. Inevitably, where it was practicable to employ an African to meet a particular demand, this was done. Naturally there was a limit to the skill that could be expected of an African at this stage, and there were also certain legal and sociological restrictions to the spheres of his employment. (I include among the "legal restrictions" industrial agreements which fixed wages on the European economic standard and thereby, by reason of the racial structure of our society, automatically excluded the employment of Africans even though they imposed no theoretical colour bar.)

But a fair number of Africans had now received some primary and, in a limited number of instances, secondary education; and, whether educated or not, those in the towns had been in contact with industrial practices for some time, so—where legal or sociological restrictions were not applied—they were able to embark upon work which may have involved comparatively little intrinsic skill, but nevertheless had previously been reserved for the Europeans in the upper group. And, in those years following the second World War, there was arising throughout the world an ever-growing demand for emancipation of the backward races—a demand which was bound to have the effect of acclerating any process that might be set in motion by purely local circumstances.

So, as a result of this process of evolution, where there has been no legal or sociological bar to prevent the African from doing so, he has already advanced to undertake work which has traditionally been included among the lower classifications in the upper group—and for which wages were previously paid on the higher, European economic standard —while he himself is still receiving wages on his lower economic standard. At the same time, in those industries or commercial undertakings where a legal or sociological bar to the employment of Africans has been and is still operating, the same or similar work is being carried out by Europeans, at rates of wages based on their higher economic standard.

Consequently, if the expression "the rate for the job" is understood to mean the rate of wages for a particular job which has been established by custom there have already been established two rates for the job in certain classes of work.

The Bogey of "Fragmentation"

The jobs which have been referred to in the foregoing—that is to say, those jobs in the lower classifications of the upper group which in some instances are now being done by Africans—have generally been jobs requiring no specialised skill or training. Their performance requires common sense, aptitude, little more than an elementary education, a reasonable sense of responsibility, and not much else. Examples are: motor-vehicle driving, straightforward stores supervision, simple clerical work.

There is, however, a second category of semi-skilled work

which is also already being done by Africans, the demand for which has arisen from the expansion of industrialisation locally and will increase as industry develops. This is what is known as "fragmentation" of skilled work; that is to say, the performance of individual operations which in the past have been carried out by skilled workers as part of their overall range of work. This development, in the breaking down of skilled work into comparatively simple operations, is one that has come about whenever there has been industrial, and even commercial, expansion even in integrated societies, and the problem that it presents is not basically one of race, although it is complicated in this country by the dual economic standards on which the workers are at present living.

Qualifications for skilled labour imply a knowledge, backed by experience, which enables the worker to carry out all the multifarious individual operations that go to make up the full compass of his occupation. This is true of a journeyman practising a recognised skilled trade, such as a fitter and turner or a compositor, or a worker engaged in an occupation requiring long training and experience, such as a railway guard. The essence of his skill is his versatility; and it is his length of training and variety of experience that establishes his value to his employer and entitles him to a high rate of wages.

But at the same time each individual operation, of those which combine to make up the skilled worker's whole occupation, can, in a number of instances, be learnt in a relatively short period of training, by a worker without the ability or qualifications needed to master the whole range of the occupation—provided that the particular operation is uncomplicated by association with another operation. Moreover, it is fundamentally uneconomic to employ skilled workers, able to undertake any operation within the wide compass of their calling, on the repetition of individual operations. Nor does a fully skilled worker wish to be so restricted in the practice of the occupation for which he has been trained.

In the early stages of industrial development, when industry is mainly engaged in "jobbing" as distinct from quantitative production, the only workers needed are the all-round, versatile, skilled tradesmen and the entirely unskilled labourers. When quantitive production is embarked upon the skilled worker is still needed, but for other purposes; not for the production of the actual goods themselves—as in the times of jobbing—but for supervisory and technical services. In fact, the establishment of manufacturing industries, wherein the productive labour force is confined to semi-skilled and unskilled workers each carrying out one individual operation only, creates employment for skilled workers that would not otherwise exist—both within the manufacturing industries themselves, and also in the ancillary jobbing industries which profit from the development and maintenance work that arises.

This breaking down of skilled occupations to simple operations is the process of "fragmentation", and instead of reducing the demand for skilled workers, as is so often implied, it actually increases it. The effect of fragmentation is fully analogous to that of mechanisation, and although mechanisation when first introduced was feared by the workers to imply a reduction in the demand for labour, time has indisputably proved that the opposite has been the result. Mechanisation increases productivity; and increased productivity, by reducing cost of production, widens markets.

In integrated societies, with all workers on the same economic standard, fragmentation has had the same effect as mechanisation. More goods have been produced at lower prices, markets have widened and demand has been increased, and employment for all classes of labour has been swollen. The clearest proof of this truth can be seen in the motor-car manufacturing industry. Forty years ago, before Henry Ford introduced mass production to the world, every motor-car was virtually built by hand by skilled workers. The result was that cars cost so much that only very rich people could afford them. As the skilled processes in their production were progressively broken down into operations—which, with each step in fragmentation, required less skill to perform—so the prices of the products progressively fell (relative to the value of money) and where motor-cars were turned out only in dozens they now roll off production lines in tens of thousands. In fact, if the principles of mechanisation and fragmentation had been rejected—as workers throughout industrial history have always fought to reject them—millions of workers of all classes would have been denied employment over the years. This principle is not confined to industrial manufacturing processes; it applies in all spheres of employment, and mechanisation or fragmentation of commercial work has the same effect of increasing productivity, with its consequent increase in overall demand for labour.

Antagonism of workers to threats of mechanisation or fragmentation, even though it is unjustified, is understandable enough. That the skilled worker will not suffer by the introduction of either process always seems to him to be a gamble, and he not unreasonably sees himself as the pawn that is to be sacrificed if the gamble does not come off. But the gamble always does come off, because in truth it is no gamble at all. It is, rather, a deliberate and essential measure in the pursuit of economic expansion and national prosperity, and never in history have workers of any class obtained anything but eventual and lasting good from it.

A Common Economic Standard

In a number of instances where fragmentation of skilled work has already been effected in this country the individual operations are being done by Africans, and so the wages paid to those performing them have been related to the lower, African economic standard. In other instances, where Coloured labour has been employed, wages have been paid on a level between the general rates paid on the European and African standards; and in a few instances European operatives have been employed and have usually been paid rates of wages not much less than those ruling for skilled workers. That is to say, the rate for the job applied to individual "fragmented" operations has in every case been determined arbitrarily, according to the economic standard of the race of the worker performing it, and has had little connection with the value of the operation relative to the skill involved.

This local process of fragmentation, and the method of determining wages, which has been effected only over the last few years, has tied yet another knot in the tangle of dual economies which even previously had made our situation so different from that in an integrated society. In an integrated society the wages paid to workers carrying out fragmented operations naturally bear a fairly close relation to those paid to the fully skilled workers whose occupation has been broken down, because all are living on the same economic standard (That situation applies, in fact, in this country in those instances where the fragmented jobs are being done by Europeans.) But, if we compare the overall picture of our present situation with that of an integrated society, we find that not only have European workers been carrying out for many years comparatively unskilled—but traditionally European—jobs for relatively high wages, but also that African workers are now carrying out fragmented jobs—involving narrow but nevertheless definite skills—for relatively low wages. Or, to put it the other way round, in an integrated society the workers doing those particular jobs which are being done here by Europeans would be paid relatively less, and the workers doing those jobs being done here by Africans would be paid relatively more.

If, therefore, the objective is to determine rates of wages in relation to the skill, or other appropriate factors, involved in the job, and irrespective of the race of the worker performing it, the present structure that has been built up so arbitrarily must be entirely disregarded. At the same time it has to be recognised that if such a non-racial approach is to be adopted, consideration of separate economies cannot enter the calculations. The whole range of industrial and commercial labour, from the highest skilled worker to the labourer, must be integrated on one economic standard.

A non-racial approach—and that is the professed intention of those who use the slogan "the rate for the job"—implies, by definition, a common economic standard for all workers and a wage structure classified in levels of skill in a series of generally uniform steps. In determining this structure it is reasonable enough to take the standard of wages established for a European skilled worker as the datum line to which other rates can be related. (It has been suggested earlier in this paper that the whole of the scale of wages in the upper, European group has been inflated by the operation of the dual economies—thanks to the disproportionately large slice of cake enjoyed by that group—but most of that inflation has occurred in the lower levels of the group and the wages at the top have been least affected.) But that is as far as the "rate for the job" as a principle can be applied—not because of political considerations, but because of inexorable economic laws. In the context of a unified standard of economy, the rates for all other jobs must be relative—in accordance with their degree of skill—to the wages for fully skilled work. Up to the present they have been based on no such relation, so there is nothing either logical or equitable in persisting that they shall remain "the rates for the jobs". This does not mean that most of the present rates in the higher categories will not remain on their present level, but if they do remain there, it will be solely on their merits and not for the sake of satisfying a shibboleth.

The process of unifying, within the Federation, the economic standards of the races, and of establishing rates of wages on their proper relative levels within one standard, would normally be one of gradual evolution—which, incidentally, like the very process of African advancement has already started. But because of the sociological aspects of the African advancement problem the process of economic evolution is not being given a chance to operate naturally. During the decade following the second World War it operated automatically enough, and in actual fact both the European and the African profited handsomely from it. But from the point of view of the European extremist, who fears African advancement, it has operated too fast, while from the point of view of the average African, who feels frustrated, it has operated far too slowly. So now we are experiencing a clash between these view points, and neither side is prepared to leave economic evolution to work out its own salvation.

Achieving the Common Standard

There can be only one way out; to accept that the workers in industry and commerce must, within a measurable period of time, be integrated on one economic standard—that is to say, the economic standard of the urban African must be raised to that level where he is on the same basis as the European, so that he may be in a position to enjoy the normal amenities of civilised society at his particular social level within that society. When that has been achieved, rates of wages can be determined, as they should be, by the relative values of the jobs. This will mean that the difference between the wages of the most skilled worker and the least skilled labourer will be circumscribed by the two limiting economic factors—the maximum economic value of the skilled worker and the minimum subsistence needs of the labourer, both being on the same economic standard. As a result, the range of wages will be severely narrowed down from the tremendous differential that exists today.

If that objective is accepted, two decisions have to be made in order to implement it. The first is, what period is to be set by the end of which the single economic standard is to be achieved? And the second, How is the adjustment from the dual standards to be made?

In deciding on an arbitrary period within which to raise the economic standard of the African to the European level, there is one particular aspect that has to be considered. That is the case of the European with a low standard of ability who up to now has found a place in the upper group of workers solely on account of his race, and has consequently enjoyed wages at a level above that to which his relative ability entitles him. In an integrated society his natural level would be considerably lower. But the whole object of integration will be to encompass all wage rates, including those of the lowest paid labourer, within one economic standard wherein all workers can enjoy the normal amenities of civilised society. Consequently although the unskilled European will be paid, not in accordance with his race, but in accordance with his ability—so that the rate of wages for the job he is able to do may be lower than that which Europeans with the same limited abilities have enjoyed in the past—his standard of living will not be depressed below the levels of civilised society.

But, having established over the years, as we have, a tradtion of protection for the less able European, it would not be practicable to remove it instantaneously, despite that ultimately it must be removed. And it is that period, over which it would be just and reasonable to remove such racial protection, that should be set as the period during which a single economic standard for all workers is to be achieved.

If that period is set at ten years—it should certainly not be more although it might be unreasonable to set it at less—it would mean that the next generations of European schoolchildren, that is to say those entering junior school within the next few years and thereafter, would know that when they leave school they will have to stand entirely on their own merits in direct competition with school-leavers of other races. They will have to do that in any case, but it is better that we should ensure that whatever work they find themselves fitted to do—be it entirely unskilled—will be paid for at wages within the economic standard of a civilised society, and that we will not be creating a race of "poor whites".

Therefore it is necessary now, at this moment, to set down clearly what is to be the detailed wage structure in each individual branch of industry and commerce in ten years' time (based on present monetary standards but subject, of course, to adjustment to conform to fluctuations in the value of the pound)—classified in levels of skill in a series of generally uniform steps, on the basis of a single economic standard for all workers. It would not be unreasonable to require by law that from now on every industrial agreement, or employment regulation, or any form of instrument of wage determination, besides laying down its current scale of wages on present standards, must set out a parallel scale based on a unitary economic standard, and must provide for the method by which adjustment from one scale to the other shall be made in the ten year period.

That would be an honest method of fixing "the rate for the job"; by establishing a rate based, not on an arbitrary consideration of race, but on the relative worth of the job on a common economic standard, and insisting thereafter that that is the rate to be paid irrespective of who is doing the job. Until that is done the slogan "the rate for the job" will remain, as I have called it, merely a shibboleth.

Bulawayo
November 1959

Memorandum

A. D. H. LLOYD

(Graduate in History and Political Science. Former Southern Rhodesian Member of Parliament. Temporarily Minister of Justice, Internal Affairs and Labour, Southern Rhodesia, 1958.)

A. Bearing in mind the terms of reference of the Commission, the following memorandum constitutes an attempt to analyse the situation in the Federation in general and in Southern Rhodesia in particular during the years 1953 to 1959.

B. The Political Sphere

1. In the campaign which preceded the referendum on the draft proposals for federation its protagonists were, in the light of after events, at variance in their interpretation of the proposals. The majority sought closer association (a unitary state being denied to them) for two reasons; to secure for the rapidly expanding secondary industry of Southern Rhodesia, stimulated by the War, the bulwark of taxative revenue from the copper mines of Northern Rhodesia and, secondly, to prevent the creation of Black independent states in Northern Rhodesia and Nyasaland. The minority now out of parliamentary life in Southern Rhodesia, advocated acceptance of the draft federal constitution (and, in particular, of its preamble) as a means of achieving a non-racial society through partnership of the races. It was essential in their view to secure the confidence of the African people in all three territories in the good faith and impartiality of the Federal Government so as to enable its subjects, when they so desired, "to go forward with confidence towards the attainment of full membership of the Commonwealth". The acceptance of the Federal Constitution represented a solemn obligation by the Federal Government to continue the policy of trusteeship of the African people.

2. The antagonists of the draft scheme for federation composed of avowed White supremacists, advocated a policy of European entrenchment. In the event there proved to be close identity of interest between the majority of the protagonists and of the antagonists.

3. There are now four fundamental reasons why the progress of the Federation towards advancement of its constitutional status envisaged in Article 99 of the Constitution has been halted. They are:—

(i) The association of two dependent protectorates with a semi-sovereign self-governing territory in a federation was a constitutional anachronism. The Federal Government based upon a virtually exclusive and relatively small White electorate governed a federal state (the ultimate sovereignty of which lay in the hands of the British Parliament) composed of a people which was, in the main, opposed to closer association of the territories.

(ii) The Federal Government, electorally dependent upon the White population, identified its interests with its electorate. It inevitably became a government with "partnership on its lips and apartheid in its heart", compelled to service the prejudices of the narrowly-based electorate.

(iii) Although the legal and administrative machinery of federation was set up swiftly and efficiently, in the field of human relationships in the new State, the confidence of the majority of the inhabitants was not fostered and secured by impartial administration. The development of federal patriotism as distinct from racial nationalism was neglected.

(iv) In these circumstances, the spread of pan-African nationalism from West to East Africa and thence through the Congo received no check in the existence of a government in the Federation securely based on the confidence and good will of its subjects.

4. The basic reasons for these post-federal developments are set out in Leys: "European Government in Southern Rhodesia" (Oxford Press).

5. The predominant pre-occupation of the Federal and Southern Rhodesian Governments with the interests of the White electorate led to the banishment of liberal elements (the minority of the protagonists of the Federal scheme) from the governing party in 1958. Their subsequent political banishment by the electorate in the Southern Rhodesian general election of June, 1958, destroyed the belief of the African people that a non-racial policy of partnership could be achieved. The governing party, shed of the advocates of such a policy and of a widely based franchise, was returned to power. Liberalism being eclipsed, the way was open to the growth of African nationalism. The inception of the Special Vote recommended by the Tredgold Commission on the Franchise, subsequently nullified by stringent conditions of registration imposed by subsidiary legislation to the Electoral Act of Southern Rhodesia, did not secure a more widely-based franchise. The electoral voice was still overwhelmingly that of the European section of the population. The Federal franchise also was designed to prevent an adequate broadening of the electoral will. Government remained, and still remains, narrowly based upon a predominantly White electorate.

6. The rejection of liberalism based on the fulfilment of the fundamental concepts of the Federal Constitution in combination with the economic and social conditions of the territories, in particular of Nyasaland, led to the most unfortunate results. The African people, despairing of the development of liberal government, could only turn to their nationalists.

7. Federal and Southern Rhodesian Government leaders, conscious of their lack of sovereign and independent power imposed by the provisions of the Federal and Southern Rhodesian Constitutions and needful of such power to with stand the growth of African nationalism, began a federal-wide campaign for the early grant of dominion status. African nationalism in Nyasaland reacted sharply to this demand fearing, rightly or wrongly, the imposition of Southern Rhodesian discriminatory practices in Nyasaland. Dr. Banda was called from Britain to lead an African National Congress, strengthened and unified by the cry for dominion status. Thus, as Sir John Moffat has said: "Dr. Banda did not create the crisis, the crisis created Dr. Banda". Having fanned the fire of militant nationalism, it was quenched by the Southern Rhodesian Government (so closely identified with the Federal Government in the all-embracing governing party) which declared a state of emergency and introduced preventive detention legislation.

8. The history of the years 1953 to 1959, when objectively written, may well record that due to their electoral systems the Governments of the Federation and of Southern Rhodesia were gravely out of touch with the African people during these years, so important to the new State. For example, since February, 1958, it has become virtually impossible for members of Parliament (other than nationalist) to hold peaceful meetings with Africans in the rural and urban areas of Southern Rhodesia. This has been due to the resentment created by the detentions of the Emergency. Only members of the electorally rejected liberal group have any real and peaceful contact with the African population as a whole.

9. It would be quite untrue to suggest that there are not genuine liberal elements in the governing party. Liberal measures have been introduced, unfortunately under pressure and as a matter of political expediency. The voice of these liberal members has been nullified by the reactionary measures with which they have allowed themselves to be identified. The institution of sincerely progressive measures, following the destruction of the confidence of the African people in governmental intention to implement partnership, is regarded as a victory for nationalism rather than as a sign of genuine liberal tendency.

10. The detention without trial of African nationalist leaders in February, 1959, was a grave error of political judgment, especially in Southern Rhodesia. There the African National Congress was ill-led and without much cohesive organisation. In the van of its leadership were some men of criminal record or tendencies. Others were genuinely and sincerely disturbed by political and economic frustration; by the often unsympathetic (though technically excellent) administration of the Native Land Husbandry Act; by the failure to abolish irritating discriminatory practices and legislation; by the rigid colour bar in industry. The evidence laid before the Detention Tribunal in 1959, following the Emergency, if released to the Commission, would, it is believed, substantiate each one of the submissions just made.

C. The Economic and Social Spheres

1. Since 1940, relatively speaking, a great industrial revolution had developed in Southern Rhodesia. One hundred thousand rural Africans, constituting in the main a primitive peasantry, had migrated from the rural areas to the urban centres seeking work in the new factories and workshops which sprang up during and after the War. This industrial development led to the unprecedented post-War immigration of White artisans, clerical workers and business executives. Fragmentation of skilled trades to suit the ability of the African migrants greatly increased industrial potential. The familiar pattern of an industrially developing country followed, bringing in its train all the problems of industrialism and, in particular, the problems of housing, recreation, social adjustments and of employer-employee relationships. Strikes occurred caused by inadequate wages, poor conditions of employment and of housing. Labour Boards were set up, conditions of employment laid down and minimum wages established. But the fundamental problems of the breakdown of the industrial colour bar; of legalised trade-unionism; security of tenure in housing and urban and rural land ownership; and extension of the franchise, were only slowly and hesitantly recognised and partially tackled.

2. It is to be remembered, however, that an indictment of governmental action in the Federation in the years 1953 to 1959 would be unfair unless the difficulties of government were exemplified. The inception of Federation placed a great burden upon the European population of the three territories in 1953. It was essential to procure from a population of 250,000 Europeans, at a time when educational facilities for Africans had not, as yet, produced many African leaders and administrators of calibre, a cadre of trained and capable men to compose the parliaments, governments, public services and commercial and industrial enterprises of the new State. There was a genuine and sincere desire to extend educational facilities for Africans on the part of Government, such desire being frustrated by lack of finance. The Commission may find that an essential to the success of the federal system of government in Central Africa was lacking in view of the relatively small numbers of the population capable of manning its institutions.

3. Despite this great handicap which contributed to the difficulties of government in Southern Rhodesia and throughout the Federation during the years 1953 to 1959 (and indeed since the grant of self-government in 1924 in the former territory), the usurpation of the rule of law during the emergency was unwarranted. It was apparent early in 1958 that a few irresponsible, even criminal, advocates of violence amongst African nationalist leaders would have to be punished. It was said by Government during the Emergency that legislation adequate to secure their punishment was lacking. Even if this be correct, the Southern Rhodesian Government had adequate time after the election of June, 1958, to introduce the necessary legislation. It failed to do so, possibly because its all-White parliament was so out of touch with the African people. Ultimately in February, 1959, it detained without trial a number of persons of whom the majority were innocent of subversive activity, who were members of the African National Congress which they had joined, in default of other action, in order to secure redress of legitimate grievances. The only reasonable explanation of the detention of innocent men, who had to be released soon afterwards for lack of evidence and sound reason for their detention, lies in Government's ignorance of the legitimate desires and aspirations and of the grievances and hardships of the African people, unrepresented electorally in Parliament. Consultation of Government with liberal leaders outside Parliament, once the decision to intern was taken, would have resulted in the numbers of those detained being greatly lessened. Thus the dangerous effects of a mistaken policy would have been limited, because liberal leaders had a considerable understanding and knowledge of the situation among Africans.

D. Future Constitutional Advancement of the Federation

1. Despite all that has been said in criticism of governmental administration, particularly in Southern Rhodesia, since the advent of federation, the existing confused situation is remediable. European and African, Asian and Coloured leaders of liberal thought in all three territories who hold the confidence and loyalty of their people believe that a truly liberal and non-racial policy of their people can yet succeed in the Federation. The essential requisite to success is the broadening of the franchise on a reasonably qualitative basis until the effects of universal education to a compulsory age of sixteen years are experienced. Secondly, it is essential to abolish all discriminatory practices based upon colour. There are a number of trained and capable men and women of the races other than European unable to develop their

ability and to satisfy their legitimate aspirations within the social, economic and political fabric of the Federation, and particularly in Southern Rhodesia, because they are frustrated by discriminatory practices and legislation, based on grounds of race. For example, approximately fifteen thousand Africans recruited to the armed forces in all three territories during the War some of whom fought in West and East Africa, Burma and Malaya, have in many cases been unable to find suitable employment since 1945. There are many thousands of Africans and lesser numbers of Asians and Coloured people anxious, indeed eager, to co-operate with the European population, recognising the achievements of European settlement as being in the interests of all the inhabitants of the Federation. They are anxious to participate and work within the political and economic framework of Federation. This good-will can yet be retained by adoption of a sincerely progressive policy of non-racialism in the Federal State. It will be destroyed by agreement with the insistent demand for dominion status, before the confidence of a majority of the people in the Federation in the sincerity and good intentions of its governments is secured.

2. It is essential, therefore, that independence of all three territories, whose governments are based upon a representative franchise, be secured before dominion status is granted to the Federation. Constitutionally the tendency, so marked since 1953, to strengthen the Federal Government at the expense of the territories by the surrender of territorial powers has been a grave mistake. This tendency arose from the desire to hasten the advent of unitary government in the desire to achieve federal independence. Moreover, the juxtaposition of the Federal and Southern Rhodesian Governments in one capital city was mistaken. The decision to site them together awakened and fostered suspicion in the Northern Territories of Southern Rhodesian intentions to spread that country's policies throughout the Federation. These suspicions were exasperated by peristent Federal and Southern Rhodesian demands for dominion status as soon as possible, unaccompanied by an amelioration of racial discrimination in the most powerful of the three territories.

3. The present situation in Nyasaland demands early planning for self-government in that territory despite its political immaturity and its lack of economic resources. Its very poverty has accentuated the strength of the nationalistic movement which now can only be satisfied, without a struggle of attrition, by radical constitutional changes. The greatest task before the 1960 Conference will be to secure self-government of Nyasaland within the Federation. Much will depend on the Nyasa leaders and a conciliatory attitude by the Federal Government in negotiation of the spheres of government to be allocated to the latter. Entrenchment in the Constitution of provisions to safeguard minority rights and generous grants-in-aid by the Federal and British Governments to the new self-governing territory are necessary. It has so often been said that Nyasaland is the Ireland of Central Africa that a warning not to repeat the mistakes of the Irish Treaty of 1922 is scarcely necessary. In it no provisions were made to secure the rights of the Protestant minority, while the Treaty as a whole contained many seeds of future dispute between Great Britain and the Irish state.

4. Fulfilment of Southern Rhodesia's independence in 1960 and that of Northern Rhodesia, after a period of adjustment not exceeding ten years, may well create the confidence necessary in the Territories to ensure the continuance of a prosperous multi-racial Federation.

Oral evidence

A. D. H. LLOYD

Q. I do not know if first, you would like to add anything to what is in your memorandum or whether we could proceed to ask you some questions in expansion of it? — A. No, Mr. Chairman, I do not wish to add anything. I thought I would be submitting myself for questioning on any point in the memorandum.

Q. We will then proceed on that basis. In the latter part of your memorandum you have said that despite all that has happened you think that the existing situation is remediable, that there are a great many people of all communities who believe that even now a truly liberal and non-racial policy can succeed in the Federation, but you say there are certain essential things that have got to happen if it is to succeed. — A. Yes.

Q. You have suggested, first of all, a reasonable qualitative franchise; secondly, discriminatory practices based on colour have got to disappear, and you also say, I think in effect, that all this talk about dominion status has got to cease until all three Territories have become independent, and I would like to ask you a question on this last point in regard to dominion status. You said that it is essential that independence of the three Territories whose governments are based on representative franchise be secured before dominion status is granted to the Federation. Do you regard it as essential that all three Territories should achieve complete independence before there was dominion status in the Federal field or would you think that if certain elements of subordination had for purely Territorial reasons to be retained in one Territory or another, but that there would be a government nevertheless which was truly representative, that one would still have to hold up the demand for dominion status until there was complete and utter independence in all three units? — A. I would not like to be dogmatic on that question, but it seems to me that the failure of Federation, if it can be said to have failed, and certainly the presence of this Commission in the country, is due to the fact that you had the association in a federation of one state which relatively speaking was very powerful with two dependent governments and because of that fact I think very considerable suspicion was aroused at the intentions of Southern Rhodesia, both vis-a-vis the Federal Government and in relation to the Northern Territories. I believe, as I have said in another part of the memorandum, the juxtaposition of the two capitals fostered that suspicion; and I believe, and I do not want to suggest that all the ability lies in Southern Rhodesia, but I believe the preponderance of ability and political experience in Southern Rhodesia as compared with that in the Northern Territories, particularly political ability in relation to self-government, because Southern Rhodesia virtually has self-government, all combine to bring about a state of affairs in the Federation which would not have existed had Federation been brought about between three independent Territories. Therefore, in answering your question as directly as I can, I would say that until the Northern Territories have reached the stage of self-governing independence, and can stand on their own feet as against the more powerful Southern Rhodesia, it is desirable that dominion status should not be granted.

Q. May I ask you another question in the same field. Would you regard it as desirable or necessary that all three Territories should attain complete independence at the same time or would you see any objection to one Territory or another Territory going ahead in advance of the others to that final stage? — A. I do not think it would be necessary for them to achieve it at the same time. I think in relation to the three territories of which we are speaking, from the actual ability to achieve self-government on the basis of the ability of its population from an educational point of view at any rate, Northern Rhodesia would probably achieve self-government before Nyasaland. That is having regard to the confines of your question.

Q. I had one or two smaller questions to obtain some clarification of what you have said. In section B paragraph 10 you speak of the unsympathetic though technically excellent administration of the Native Land Husbandry Act. Would you expand on that? Why do you regard it as having been unsympathetically administered? — A. Yes. The Native Land Husbandry Act was to be put into force on the five year plan and both from the financial and the timing points of view, the plan was, for want of a better term, tight. The conception of the plan was excellent, the regeneration of the land in the native territories, and there is not the slightest doubt that Government and its officers—I speak of Land Development Officers and other such officials concerned with the implementation of the plan — were prompted by the highest motives; but I think very often it was impossible to get the personnel who had sufficient knowledge of, in some areas, the backward people with whom they were dealing, and that, in consquence, in the enthusiasm of their desire to regenerate the areas the aspect of human relationship was overlooked. For instance in de-stocking very often I think a plan was set for a particular area which from the technical point of view was perfectly correct, but the implementation of de-stocking was very often unsympathetic having regard to the lack of understanding of the technical aspects by the people in respect of whom the plan was being carried out. In other words, you had a first class scientific plan being implemented among a people who were not capable of understanding it, and I think in the technical enthusiasm a great deal was lost or, rather, not sufficient regard was placed upon the whole question of human relationships. I think that the Native Commissioners who were in overall charge of the implementation of the plan in their districts were very often, through overwork—we know recently that the Department was under-staffed and it was said by the Chief Native Commissioner and Secretary for Native Affairs, to be breaking down—the Native Commissioners themselves who could have supplied the cushioning between the technical application and the necessity to have regard to the human relationships side, were often too busy to do it so there was no court of appeal, so to speak, where decisions as to de-stocking or decisions as to the amount of work which was to be done in the particular areas could be

reviewed. There were, of course, Native Commissioners who were perhaps more sympathetic than others. There were Native Commissioners who have perhaps realised that liberal tendencies required a change from old views, but I think all these things built up over a period of time. That is what I meant by saying that the technically excellent plan nevertheless led to grave dissatisfaction which was a field for nationalists to feed upon, and they did so.

Q. There are plenty of examples of the technical enthusiasm around this room. — A. Yes, I must say it has been a wonderful achievement in increasing production and so on. But, of course, there was one thing I would add, Mr. Chairman, if I might, which is that there was also too little land. There was far too little land to apply this Act to and the land upon which it was being applied was in many cases in a very sorry state, and in order to achieve the excellent objectives in the Native Land Husbandry Act, Government should have allocated whilst the Land Apportionment Act remained at least two million acres which would have alleviated the necessity for drastic de-stocking.

Q. Can that land be found now? — A. That land I think could be found, but it brings me to a much wider field and that is, of course, the belief that it will ultimately be necessary to repeal the Land Apportionment Act, and make a free market in land; but certainly I think the Government must regard it as feasible, because I conducted the case of a number of Africans living on a European farm who wished to buy a farm from the owner, and I made the same suggestion to the Select Committee, that two million acres should be transferred now from the European area to the Native area and it was subsequently, I understand, very sympathetically received.

MR. WOODROW CROSS: Are all the two million acres unoccupied European land? — A. Yes. I did not bring with me but you will find in 1957, I think it was, the Report of the Select Committee on Development of Unimproved Land of the Southern Rhodesia Parliament [Annexed hereto] which made the point that it was quite wrong for a small section of the population to retain a huge area of the land of the colony unless it was fully developing it. We made various suggestions which, to save time I would refer this Advisory Commission to. We wanted a land authority. Difficulties were that we were dealing with a Federal subject in a Territorial house, but quite clearly the evidence put before us established that the amount of undeveloped and under-developed land available in the Colony would have supplied far more than the two million acres which at that very moment was required to implement the Native Land Husbandry Act without injustice.

PROFESSOR CREIGHTON: That is not land which has not been granted, it is still Crown land? — A. That is actually land in the European area.

Q. It is granted, but it is undeveloped or under-developed and therefore in your view might be recalled or confiscated on those grounds? — A. Yes. I speak subject to correction but I do not think there is sufficient Crown land to satisfy the urgent requirements for the implementation of the recommendations of the Select Committee.

CHAIRMAN: That would have to be obtained by purchase? — A. That would have to be obtained by purchase.

MR. GONDWE: Is it already leasehold?

CHAIRMAN: It is freehold land. — A. It is freehold.

MR. GONDWE: All of it, 48 million acres? — A. Yes. We did make, in regard to that question, recommendations that Government should develop a system of tenancy of land which would enable African farmers to take up European owned land as tenants under tenancy agreements which would provide for the proper care of the land.

SIR LIONEL HEALD: That would not be a question of confiscation; it would be a question of forced use of the land? — A. Yes. It would virtually mean the repeal of the Land Apportionment Act.

MRS. HUXLEY: Can I ask if you want to repeal the Land Apportionment Act, if you want to repeal the whole thing, so that the African areas would be a free market for land? — A. Ultimately but under the Constitution the Reserves, of course, are dealt with by a Board.

Q. So you would only repeal that side of it relating to the European areas? — A. Yes.

MR. GONDWE: Do you think that would be fair on Europeans? — A. I do not think so, I do not regard it as an actual immediate policy because I think the situation which gave rise to certain serious consequences in the colony arose because of the immediate lack of, say, two million acres. But I think as an ultimate policy, and by ultimate I mean, because it is difficult to put a limitation of time, ten years or so, it will be possible to create a free market in land in the Colony; and I think it will bring about great prosperity because we have master farmers being trained annually who have not got the land, and I am quite sure that if the Commission were to take evidence as to the number of Africans wishing to purchase in the Native Purchase Area it would find that there is still a long waiting list and these are men who are trained in agriculture. They are men such as I had, an African sergeant in the police, who retired the other day. He came to me over a year ago but he said he was number 220 on the list to obtain a farm in the Native Purchase Area, and he was a man who had had twenty years' service in the police.

MR. WOODROW CROSS: What is the hitch there? — A. Lack of land.

Q. I do not understand lack of land. We have maps showing 8 million acres transferred. — A. I must be wrong. It certainly is a hitch, possibly on the survey side.

MR. JUSTICE BEADLE: Lack of surveyors, not adequate surveys. 18,000 farms not surveyed yet. — A. Yes.

Q. But they have not had the full staff to survey them. — A. Yes. I have been out of touch since February, 1958, with the actual records of the land allocated but I believe lack of survey was one of the problems.

CHAIRMAN: You say if the Land Apportionment Act was repealed the Native Reserves would still be secured to the Africans by the existence of the Board? — A. Yes, the Reserves could not be opened to European occupation.

Q. What would be the position of the Native Purchase Areas? — A. The Native Purchase Areas would probably also have to be reserved for some time. The main object of the repeal would be to create a free market in land outside the Reserves and outside the existing Native Areas.

Q. In the 48 million acres of land which is under European ownership? — A. Yes. I cannot say I am satisfied because it would be foolish to be so dogmatic, but I believe if undeveloped and under-developed land in the European area was made available for African ownership that there would be a big increase in agriculture output accompanied, as I hope it would be, by a considerable increase in wages in industry which would provide the market.

Q. What would be the effect on land values? — A. I think land values would rise, but I am not an economist.

MRS. HUXLEY: You think the Africans have the capital at present to purchase land in the European areas at European prices? — A. Not at present.

Q. And develop them as they would have to be developed? — A. No, they have not the capital. It would be necessary for Government to use the African Land Bank on the same lines as the Land Bank at present established for Europeans. I am not sure whether the present Land Bank does make loans to Africans.

Q. That would envisage a very considerable allocation of capital to develop this? — A. It would envisage a very considerable grant of money.

MR. WOODROW CROSS: Even the Land Bank at present does not advance money for the purchase of land. I understand. — A. On that point I am not sure, Sir, but certainly it would be necessary. The question put to me was whether there are sufficient funds in African hands at present. I would say not judging from the income tax returns which were given in the paper the other day, there can only be possibly 500 Africans in the whole of Southern Rhodesia who would have sufficient liquid capital to purchase any quantity of land.

CHAIRMAN: There might be Africans who would not be able to give the usual security demanded by the Land Bank? —A. That is so. I feel that a policy such as this would create so much goodwill and this, with a corresponding policy of training in industry for increased production leading to increased earnings, ultimately would lead to the position where, as in the European economy, land could be purchased by those who own sufficient or have obtained sufficient resources from business enterprise or employment.

Q. To turn to another point arising from your memorandum, in section D. paragraph 1, where you talk about discriminatory practices and legislation you say: "For example, approximately 15,000 Africans recruited to the armed forces in all three Territories during the War, some of whom fought in West and East Africa, Burma and Malaya, have in many cases been unable to find suitable employment since 1945." Why do you cite that as as example of discriminatory practice? — A. I think you are quite right, Mr. Chairman, in saying that it should not be cited as a discriminatory practice. What I mean to convey there, now that you have pointed it out to me, is that owing to the colour bar in industry, the difficulty of obtaining land that we have just discussed, the African's inability to enter the Civil Service prior to the Federal Government's decision against racialism, owing to these difficulties

many thousands of Africans, and the figure of 15,000 was given to me and I believe it to be correct although I cannot substantiate it, particularly in regard to Nyasaland, returned from the War and were demobilised. They had received a training in the War which fitted them for something which was a great deal better than they could have hoped for when they went into the army. They had given good service to the State and many of those men were unable to find a niche in the economic life of the Colony, or indeed the social life of it. I think the Devlin Commission Report instances that. I am not sure of this fact but I believe that many of the agitators, as they were termed, and the preachers of violence were men who had returned from the armed forces, and who had not been satisfied legitimately in their aspirations in the life of the country to which they had returned.

MR. ROBINSON: You talk about the period from 1945, that was eight years prior to Federation. Would you not agree that just after the War the economic capacity of the three Territories to absorb these large numbers of returning ex-servicemen was very much restricted? — A. It was Mr. Chairman. It was restricted I would say until 1950, but I do think that greater opportunities could have been made for recruitment to the public services, for instance. I think more could have been absorbed there. What I term the industrial revolution really began round about 1945 and unless or until its effects were felt they could not have been absorbed at any fast pace, I agree with that.

CHAIRMAN: May I go on to one point. You talk about the mistake made in regard to the juxtaposition of the Federal and Southern Rhodesia Governments in the same capital city. Would you give us your view as to whether it would be sufficient if the Southern Rhodesia capital was removed and the Federal capital remained in Salisbury? — A. Yes, it would. I stressed the point of what I term the constitutional precedent in other countries before Mr. Menzies, that is, the removal of the capital in order to avoid the suspicion which is fostered between the Territories that with a Territorial and the Federal Government being in the same capital city, they are hand in glove. That was particularly important here because one political party enveloped the three Parliaments and the Government of the Federation as well. It was particularly important, therefore, that the Territorial Government should be removed from the Federal capital site. I think that as a result of the failure to reach a decision in principle to separate them, it may have been difficult economically to do so, had immediate political repercussions which have been most unfortunate.

MR. WOODROW CROSS: Would you not suggest that the Federal capital should be removed rather than the Territorial capital? — A. I think possibly that may well be true. The point I make is that the two should not be in the one centre.

CHAIRMAN: You think Salisbury might by now have become so identified with Southern Rhodesia policies that even if the Territorial capital was removed the fact that the Federal capital remained in Salisbury, the Northern Territories might still think it was identified closely with policies of Southern Rhodesia? — A. There is a danger of that, but I feel that Salisbury is so obviously geographically and from every other point of view the suitable centre for the Federation that it would be quite unwise and possibly impractical to remove it now, but I think it would still be wise, and an earnest of the two Governments not to appear to be hand in glove against the other two, to remove the Southern Rhodesia capital. It was done in Australia, we know, and it was done in Canada.

CHAIRMAN: It has just been done in Malaya. — A. Quite so.

MR. ROBINSON: You could not think of places to which it might be removed? — A. I was thinking of Gwelo though as a Bulawayan I have a certain amount of bias. I feel Gwelo would be a suitable central place in the Colony.

MR. GONDWE: Elsewhere people have expressed the desire that it should be the Federal capital which should go elsewhere because in the Northern Territories especially when they see that the Federal capital is in Salisbury, that is, in Southern Rhodesia, they feel that the policies of the Federal Government are influenced by the Southern Rhodesia Government and they feel that it would be much better if the Federal capital were sited elsewhere. — A. I think there is a great deal to be said for that point of view because Southern Rhodesia is the most powerful of the three Territories; in what I call a constitutional anachronism it would have been wise to have sited the Federal capital in one of the Northern Territories; but I am afraid that the existing position is such that, with the development of Salisbury — it is now the international airways centre and it has a very heavy investment of capital — it may be extremely difficult to come to that decision. I have no doubt that the wise decision would have been as it has been put to me, to have sited the Federal capital in one of the Northern Territories because they were the weaker Territories, certainly politically.

SIR LIONEL HEALD: Can I ask your help on a matter which has not been mentioned yet, but which I think we will all agree is very important. Under Section D, paragraph 3, you mention the problem of the 1960 Conference and you then go on after having referred to the importance of the attitude of the Nyasa leaders and a conciliatory attitude by the Federal Government, to refer to the entrenchment in the Constitution of safeguards and so forth and you there give, although I know you would not agree it to be an exact parallel, you do give the example of the past experience in Ireland. Would you just enlarge on that a little bit for us? — A. Yes, Mr. Chairman. In answer to Sir Lionel's question the tragedy of Ireland which, of course, is written in over 200 years of history, was the attempt to suppress a nationalist movement which could not be done. The tragedy was that the attempt to do it persisted for so long, and had the British Government at the time of Lord Balfour perhaps granted self-government there is little doubt that Ireland would have fought on the British side certainly in the Second World War and the bitterness which was engendered as a result of the failure to face facts ultimately led to Ireland being outside the Commonwealth. But the extraordinary thing is that the greatest nationalist of all, a man who actually symbolised nationalism in this century, Mr. De Valera, would have remained within the Commonwealth. It was his political opponents who for political expediency cut the painter. Mr. De Valera would have remained in the Commonwealth under external association. The parallel I draw is this: that I do not believe from Lord Lugard's time Nyasaland has been a disturbed country, and I do not believe that it is possible to retain Nyasaland in its present position unless concessions are made. I appreciate the anxieties not to make concessions to persons who are not able to take over government, who are not sufficiently trained, who have not sufficient administrators and so on; but I am quite convinced that an attempt to retain Nyasaland within the Federation must lead to what I term a struggle of attrition, and I believe it would be much better fairly soon to recognise that Nyasaland can possibly only be retained in the Federation on the basis that Mr. De Valera would have remained within the Empire, that is, had conciliatory gestures been made somewhere else.

MR. GONDWE: What do you suggest there? — A. I suggest, Mr. Chairman, that it will be necessary at a very early date to bring about self-government in Nyasaland. I believe that it will be necessary for an interim period to take place as in the Congo. We know what is happening there; training of ministers is taking place under a sort of condominium at the moment and it may be necessary to operate on that basis, but at any rate I think it is essential to satisfy Nyasaland now that it is not the intention of the British Government to allow the Federal Government to impose Southern Rhodesian policies on Nyasaland. I am not suggesting that it is the intention of the Federal Government to impose those policies, but I say it is the firmly held belief in Nyasaland that the intention is that Southern Rhodesia wishes to impose discriminatory legislation in Nyasaland and will do so if she gets dominion status in 1960.

MR. ROBINSON: What would happen if those terms were unacceptable to the nationalist leaders and they demanded complete independence now? — A. I am satisfied it should not be given.

Q. Would not that lead to attrition? — A. I do not think so. I have personally spoken with Dr. Banda. He has acted most unfortunately lately, but I am satisfied that just as the Irish leaders had started off with guns in their hands, and ended up as reasonably good ministers of state after a short period, so Dr. Banda—or whoever it is—will ultimately see the benefits, in the not too distant future, of remaining in the Federation. I may be unduly optimistic, but I believe that the announcement of self-government for Nyasaland within the Federation, dependent on the spheres of government retained by the Federal Government, would bring about a much improved situation from the point of view of preventing secession.

PROFESSOR CREIGHTON: Under Section D., paragraph 2 you refer to the tendency to strengthen the Federal Government at the expense of the territories . . . . etc. as having been a grave mistake. I assume that refers to developments since 1953 and not the Constitution itself and its distribution of powers? — A. The leader of my own party in the S. Rhodesia Parliament in 1954/58 was one who advocated unitary government almost before the ink was dry on the signatures; and the general desire at that time, despite warnings, was to bring about unitary government by transferring as many functions to the Federal Government as possible. It was largely brought about by the unfortunate allocation of Federal revenues under the Apportionment Commission's work. Southern

Rhodesia had not sufficient Federal revenue, particularly from income tax, to carry on efficiently a number of spheres of government which had been allocated to her under the Constitution; and the tendency was to pass over as quickly as possible functions which remained in the Concurrent List. There was a definite desire from 1954/58—which is supported by the Hansards of both Federal and Territorial Parliaments—to hand over spheres of government; but more recently that desire has changed.

Q. Were any functions transferred as a result of that desire? — A. Yes, some that were on the Concurrent List. I have not a copy of the Constitution with me, but births and deaths and agriculture—that was the main thing—and national parks. Health, of course, was taken over: that is on the Concurrent List.

SIR LIONEL HEALD: In fairness to you, you speak of the tendency; and that included what was proposed and urged by people in public speeches, and so forth? — A. Mainly, I am referring to that, yes. Agriculture did go over: it may well have been that although some functions did not go over the desire to take them over was there until, I should say, 1957.

PROFESSOR CREIGHTON: Do you think the tendency should properly be the other way? — A. Yes, because it is particularly essential where you have one political party—I am not speaking from a party political point of view—blanketing the whole of the Government's activities, you are inclined to get lethargy and complacency in such a situation. It is important that the territory should be strong.

Q. It has happened in other federations, you know, that sometimes nearly all the governments are of the same strength. Do you not think, in theory or practice, that there are better reasons for transferring functions than simply that? — A. Probably Mr. Menzies would be the person to deal with this but I understand there have been labour governments in the States, and when that has been so in one or more of the States in Australia there has been great prosperity.

Q. Would you like more transfers of powers to the Federal Government? — A. I would: agriculture particularly. It is illogical to separate African and European agriculture. I believe a changeover might make it impossible: health also.

CHAIRMAN: What about education? — A. Yes, the desire of Africans has been to have education Federal on the ground that there were greater funds for education available from Federal sources. The main spheres of government should be defence, external affairs, emigration, law, posts and telegraphs, income tax, and other such items.

PROFESSOR CREIGHTON: Under Section D. paragraph 1. you say "The essential requisite to success is the broadening of the franchise on a reasonably qualitative basis until the effects of universal education to a compulsory age of 16 years are experienced." Would you enlarge on that? — A. The demand for franchise stretches from universal to a reasonably qualitative basis. The latter is one, I think, which has some regard to the output of the average individual in this country. For instance we have policemen, nurses, bus drivers, etc., people doing comparable work which attracts a wage of one-fifth of what it would be in Great Britain. Such persons should be enfranchised. I have the latest figures on the franchise, as no doubt you all have. These are up to the end of February, 1960: on the Federal roll there are 65,000 Europeans—in round figures—and 1,330 Africans. On the special roll there are 1092 Africans in the Federal sphere. In Southern Rhodesia on the general roll there are 64,961 Europeans and 2,198 Africans. Government is on a very narrow basis, and until that basis is broadened considerably, it will not be a government based on the goodwill of the people which I think is essential. The qualifications I suggest for the common roll commence at £10 per month, plus 10 years' education. That is not unreasonable. In Britain you have compulsory education, I believe, to the age of 15 or 16 which ensures that. Also £500 in property. The special qualifications in Southern Rhodesia are £250 for two years, or two years' secondary education and £120 per annum for two years. I would term that a reasonably qualitative franchise. I also feel there muts be a qualitative franchise until such time as there is universal education in this country with a compulsory leaving age of 16 years. That would provide a safeguard which, in the intermediate period, needs a qualitative franchise.

MR. GONDWE: We have been told that when it comes to Africans becoming voters there is a limit: they cannot go beyond 20% of the electorate. Is that right? — A. Yes. I was a member of the parliament which passed that 20% limitation, 1 in 6 on the general roll. I do not think that was a recommendation of the Tredgold Commission on the franchise.

MR. JUSTICE BEADLE: They recommended not more than half the votes in any one constituency, which was actually more restrictive. — A. That is so; I am anxious to avoid party politics, but that limitation was imposed by parliament. I disagreed with it: a common roll on the qualitative franchise is the correct method.

Q. Under Section E, paragraph 5 you refer to the inception of the Special Vote recommended by the Tredgold Commission on the Franchise, subsequently nullified by stringent conditions of registration. — A. That is another matter. The first time the special vote was brought in would have resulted, we believed, in some 10,000-15,000 Africans being brought on to the common roll. The fact that there are only 2,198 on the common roll in Southern Rhodesia indicates that there is something preventing them from enrolling. Two things could have done it. The first was that African extremist organisations recommended people not to go on the roll—I know that in fact happened, but subsequently the effect was nullified by the detentions. The second thing is fear. I have a reference here which I think will give my point of view. The Commission may not be aware of the type of form which must be filled in, which I suggest is a very stringent one. [Forms passed to Chairman]. In addition, that form must be filled in before a registering officer—he is defined in the Act—either a magistrate or one of his officials, a policeman above the rank of sergeant or a native commissioner. Very often thos wishing to enroll had to travel great distances—no doubt the Commission appreciates the force of that, following their own travels. Also, the Africans, particularly after the detentions, did not like going to the police station: not that the police are unfair to them, in fact they have been one of the greatest forces in good relationships in this country—but they did not like going to the police station because they might be asked whether they had paid their taxes or asked to show their passes which perhaps had not been renewed. There was also the fact that this form had to be filled in in the presence of the official. You will see from my memorandum that I have made the point that the European in this country was stretched to the utmost in the administration which had to be set up under Federation, and these officials just had not the time patiently to wait and watch these men filling in the form in their presence. Native commissioners had far too much to do and so had the police. Consequently, I believe that the difficulties introduced by the regulations prevented registration on a large scale.

MR. GONDWE: I thought this applied to all races? — A. Yes it does; but naturally it applies most heavily to the Africans.

MR. ROBINSON: Let us assume that all you have advocated comes about, as the result of the Constitutional Review, quite rapidly—grounds for racial discrimination removed by and large, the Land Apportionment Act changed, a widening of the franchise—I am sure you would agree that would have the effect quite soon of giving Africans a majority in the Southern Rhodesia and Federal Parliaments. Supposing all that was to be presented to the country now as a set of recommendations, supported by this Commission and by the governments at the Review, do you think that European political opinion in Southern Rhodesia would abide by any such recommendations? Secondly, do you think the Westminster pattern of parliamentary democracy, which would give an African majority quite mapidly under your proposals, is the sort of constitutional arrangement which will, with certainty, abolish racial discrimination or, shall we say, avoid the substitution of black domination for white domination in this country? Have you considered that? — A. I have; and dealing with the first part of the question as to whether European opinion would accept the recommendations as proposed, I find it difficult to answer. I believe that, as a result of the failure to implement the many things of which I have spoken in my memorandum, European opinion has hardened: it may be that for that reason the recommendations on these lines would not be accepted. On the other hand, failure to adopt a more liberal approach from the time of Federation onwards and the impact of very recent events in South Africa may well make even the most hardened European realise that he has to alter his attitude considerably; and that may lead to acceptance of the proposals. Dealing with the second part of the question, I believe that government on the lines of a Western Europe democracy is suitable for a multi-racial community. It is the most suitable government I can think of. If the much-abused word "colonialism" is regarded as the system of government, I fear it is outmoded now. There have been tremendous advances since the last world war—the Atlantic Charter, the great pace of things and the opening up of new methods of disseminating news.

Q. Would you contemplate any checks and balances to make possible many of the proposals you have put to us? — A. One check and balance is the qualitative franchise. That is very desirable. To introduce universal suffrage, for instance—and this also bears on the question—would almost certainly lead to the last stage being worse than the first, because you have so many people in Southern Rhodesia and in the Northern Territories who are absolutely primitive still. My

philosophy is summed up in this: that you cannot continue to govern peaceably a country unless you base your government as broadly as possible and unless you win the goodwill of your people. I believe that by the abolition of racial discrimination and discriminatory practices, by the sincere implementation of what we term partnership, and by dealing with economic, social and political affairs in this country in such a way that a man, no matter who he may be, can develop his ability to the fullest, this country, as a multi-racial state, has a great future.

CHAIRMAN: Going back to the franchise, on the level you proposed, would you apply the same qualifications to your candidates for election? For instance, a nurse may be good in the hospital, but may not be so good in parliament. — A. That is not a matter to which I have given deep thought. I know that in the Federal Electoral Act specific qualifications are laid down for candidates; and I think it is advisable. It is desirable that their qualifications should be higher than those for the franchise itself. It is very important to have a common roll, because then you have Members of Parliament who appeal to their constituents on a non-racial basis. If you have two rolls, general and special, as I believe you have in the Federal Roll at present, then you are liable to have an appeal to members of parliament on a racial basis; and that must be avoided at all costs.

Memorandum

JOINT ADVISORY BOARDS OF THE AFRICAN TOWNSHIPS OF FEDERATION

1. The main question occupying the minds of leading Africans in Southern Rhodesia is whether the Federation should continue as it is, or in some other form, or whether it should be broken up altogether. It is true there are numerous Federations which exist throughout the free world, and possibly within the Eastern block. An examination of countries or states which have federated reveals that almost all have encountered considerable birth pangs, due to suspicion or covetousness between states, or simply antagonism between the member units. Other reasons for withholding public support has been the delay in the implementation of the promises held out as an inducement for the marriage of the units. This can be lack of capital, failure to bring about material advantages such as improved living conditions, or other reasons. In the case of the Federation of Rhodesia and Nyasaland it has been the failure of the Federal Government to implement promises that racial discrimination will disappear. The point is made here that most anti-Federal propagandists stem from the Northern Territories, and very little has been said about the views of the Southern Rhodesia Africans.

2. It is agreed that the unification of Territories can mean immense economic benefits, and other advantages are evident.

3. We would say that Federation should continue, but whether in the existing form, or with other modifications, is a matter of opinion. It seems to us that the economic advantages will only accrue with the establishment of large industries. We are aware that a number of these, such as motor car manufacturing industries, will only appear on the scene when such industries' commodities can be sold locally. Internal markets are essential, and this can only be done by a general rise in the standard of living. It is therefore evident that a pre-requisite for the success of Federation is an improvement in earned income to a point commensurate with a civilised standard of living. This is necessary—in fact, vital—if the confidence of the people is to be held and developed.

Siting of Capital

4. It is essential to remove the Federal Capital to prevent the identification of Southern Rhodesia with Federal activity, and we believe that this would ensure that there is a similar separation of Southern Rhodesia to Federal authority as is the case with the Northern Territories. We would support the removal of the Federal capital to Northern Rhodesia, but we appreciate that it may be economically impossible to achieve such a removal, and therefore feel that, in such economic circumstances, the Southern Rhodesia territorial capital should be re-sited to ameliorate the suspicion directed towards Salisbury.

Concurrent Legislative List

5. Several of the powers laid out in this list are worthy of comment.

6. Section 45: Deportation: It seems to us that this question should remain on the concurrent list. Our reasons for believing this is to prevent any possibility (which might arise if deportations were controlled on a Territorial basis) of retaliatory measures being taken between the two Territories. Such a position could arise, and would be catastrophic if European—African retaliation was practised. It seems that deportation, apart from the barring of normal criminals, has been worked on a predominantly political basis, and we submit that this is a cause of deep anti-Federal feeling. For instance, many Africans have been deported or removed from one Territory to another within the Federation, but the African public is well aware that no European has yet been removed on the same basis. We would also point out that Europeans have made near seditious statements without deportation or restriction, and this factor is often commented upon by Africans. Generally, we believe that deportation should remain on the concurrent list, but the discriminatory application of this section of the law should be examined by a commission composed of equal numbers of Africans and Europeans.

Section 47: Control of the Voluntary Movement of Persons between Territories:

7. Basically, we believe that complete freedom of movement between the Territories of a Federation is a right available to all the inhabitants, as is presently the case with Asians and Europeans. We further feel, however, that some control is necessary due to the fact that economic prohibition can be justified to prevent large masses of people flooding the labour markets of certain cities or areas. Nevertheless, there is at present discrimination between the races on movement control, and this discrimination must be removed; some restrictions should remain—such as economic safeguards—but they should be on a fully non-racial basis.

8. Section 60: Prisons: This section is now under Federal control, and we would point out that during the Emergency persons were admitted to Federal prisons as a result of action taken by a Territorial Government. This analogy resulted in public accusation that the cause of the Emergency was Federal, and we believe that a little more foresight could have prevented this. We suggest that prisons are to hold persons committed for crimes, or awaiting trial, and should not, in any circumstances, be used for political prisoners. There seems no reason why, in the event of Emergency conditions, the Government should not have erected Detention Camps for the political prisoners detained in February 1959. Political detentions may be in conflict with the law.

9. Section 54: Health: The Local Authorities and Territorial Governments, prior to Federation, provided adequate health services for all the people. The present Federal control of Health is an extremely large organisation which cannot provide all the services on a local basis, both rural and urban, on a scale hitherto enjoyed under Territorial control. It is no argument to suggest that certain large hospitals and clinics which have been completed since Federation indicate improved conditions, as most of these projects were planned before 1952. We believe that Health should be handed over to the Territorial Governments.

10. Education: At present African education is handled on a Territorial basis, and all other races on a Federal basis. All education should be under the control of either Territorial or Federal Governments. It would be unwise to place it under Federal control because there would be undoubtedly strong objections from the Northern Territories. We think, therefore, that this should be Territorial.

11. Dr. Banda: The Africans of Southern Rhodesia agree with Nyasaland Africans on the necessity for the immediate release of Dr. Banda, and also for the release of the Southern Rhodesia detainees. These continued detentions have taken on an anti-Federation flavour, and the supposition that trouble would ensue upon their release is without any considered reason.

12. Nyasaland is becoming embittered through the detention of Banda and others, and the people feel that the Federal Government is directly responsible, together with Sir R. Armitage, for this state of affairs.

13. We feel that if as seems inevitable, Nyasaland obtains independence, their anti-Federation attitude will continue, and the longer Banda is detained, the deeper the resentment will plunge. There is a possibility that they might link up with Tanganyika, and a further possibility is that capital might come in from the United States and/or Soviet Russia, or both. Such a situation could result in infiltration of Communist ideas into Northern Rhodesia and Southern Rhodesia, and this, of course, is dangerous to the state. A similar position exists in relation to the Southern Rhodesia detainees — the longer these men are detained, the deeper the public's resentment will go.

14. Secession of States: The Federal Prime Minister has frequently stated that the Federation cannot be dissolved. It seems to us that in certain circumstances, and as a matter of practical politics, it might be necessary to see that Nyasaland does secede, and if that is so there is also the posibility of the secession of either of the other two Territories. The statements of both Sir Roy Welensky and Sir Edgar Whitehead on this subject, are vague and frequently ill-considered.

Sir Edgar, for instance, has publicly stated that he would like the reservations removed from the Constitution. If this power to veto discriminatory legislation is removed, surely this is an indication that discrimination is being practised? Sir Edgar has not mentioned any substitute safeguards, and so the people generally have not been assured of a positive place in the Federation. We would like to consider the possibility of embodying legislation in the Constitution which would prohibit discrimination between the races. It seems to us that the Preamble to the Constitution which has directly stated that Federation would conduce to co-operation between the inhabitants, can be disputed under the present set-up. If anti-discriminatory legislation is passed there seems to be no reason why we could not follow the methods practised in the United States and test discriminatory measures in the Federal Courts.

Native Passes Act—its implications and bearing upon attitudes to Federation:

15. Ordinance 15 of 1913 initiated legislation which required Africans to carry documents establishing their identity and occupations, district of origin, and other details. Later amendments required details of employment to be entered by employers, and included duration of employment, wages paid and so on. Section 20 of the Native Passes Act makes it an offence for any person to employ "any native who is not in possession of a Certificate", and effectively prevents any African from entering employment unless he complies with the Act. The end result of Section 14, which requires employment details to be entered, is that the life of the holder is laid bare for any employer to scrutinise; very little opportunity exists, in practice, for the holder to graduate from one type of employment to another, and consequently little chance to improve his wages; the phrase "once a labourer, always a labourer" is effectively illustrated here. There are many instances of the humiliation suffered by Africans—even elected members of the Federal Assembly—when "passes" are demanded at the state Post Offices; is there any logical reason why Africans should be discriminated against in procuring their registered mail from Government offices. This pernicious regulation must be abandoned immediately. The carrying of "passes" is probably the most reprehensible of all the discriminatory legislation enforced in Southern Rhodesia, and we recommend that the present system be abolished and a more enlightened approach instituted.

16. We have no wish to proffer destructive criticism only. We recognise that in most countries there are occasions when citizens are called upon to identify themselves, and so we recommend that some type of identification, perhaps broadly similar to the present "Identity Card", be issued to the citizens of the Federation on a non-racial basis. There is no reason why a numbered card could not be cross-indexed to the confidential information and history of an individual which must obviously be retained by the state.

17. Tax: It is obvious that the state cannot function unless the citizens contribute a pro-rata share of their earned income towards the maintenance and development of the state. This contribution falls, broadly, within two fields; direct and indirect taxation. It must be accepted that Africans contribute fully to the latter. The former is computed, in most enlightened countries, upon the income earned by the individual. As the Commission is undoubtedly aware, this formula does not apply in the Federation. We would draw the Commissions' attention to only one factor. An African can be unemployed, through no fault of his own, for six months of the year and still be compelled to meet the full annual Native Tax; not so with the European, however, who contributes according to wages earned during the year. We recognise that the country could not afford to lose the amount of approximately one million pounds collected annually from Africans, and we therefore recommend that the primary taxable amount of income for all persons, be lowered to a point commensurate with an increase in income tax which would offset the loss of native tax revenue. In this way the more highly paid Africans would contribute to direct taxation and relieve the persons existing below the poverty datum line of the crisis which confronts them annually.

18. Land Apportionment Act. All land in Southern Rhodesia is classified into five areas, and the most prominent of these are the European and Native areas. Of these two areas, further sub-classification has taken place from time to time such as the Native Purchase Areas and Special Native Areas. Provision has been made for assignment of land in the "Unassigned Area" to the "European", "Native Purchase", "Special Native", or "Forest" areas, providing the approval of the Secretary of State is obtained. This Board considers that there is an urgent need for the acreage to be increased in the native reserves, and submits that such assignation of land should be considered as a national necessity comparable to the appropriation of land for the Kariba Hydro-electric scheme, and so could be assigned as outlined above or possibly from the undetermined area. The question of grazing land for Native cattle is a vast problem which cannot be considered in a brief memorandum, but we would submit to the Commission our belief that the success of Federation is largely dependent upon an acceptance of the African reliance upon traditional cattle wealth. The present drought has increased the problems and Africans feel that the Land Husbandry Act is restrictive in that only the persons stabilised upon the land may acquire title. It is agreed that the results of part-time farming may have an undesirable effect upon the family life such as the maintenance of several homes, impermanent marriage unions in two areas and so on, but we feel that this break with tradition is untimely and restrictive as it severs the urban African from his birthright of land. European farmers own large tracts of land in Southern Rhodesia, yet cases arise where they receive preferential treatment; a recent instance occurred in the Sanzukwe Special Native Area when a European farmer was given permission to graze cattle despite the fact that adjoining African farmers were in severe trouble!

19. The urban question is quite as bad. The Land Apportionment Act effectively prevents or circumscribes social intercourse between the races, and this lack of contact is a deterrent to the understanding and mutual confidence which is vital to the success of the Federation. Europeans who enter the African townships—even during the day—are halted and questioned by the State police, and it is an offence for a European to visit the townships at night without a reasonable excuse. Similarly, although the African may be abroad in the "white" area until midnight, there are other sanctions such as the pass laws which dissuade him. How then, are the races to achieve contact? Government have made minor inroads by the concessions to the University College, an advocates' chambers, the Capricorn Society, several hotels, and recently the site of the Central Africa Trade Fair. These, we consider, are minimum concessions granted to create an illusion that the preamble to the Constitution is being implemented.

20. We will be referred to, and we do concede, the fact that the Act provides protection for the African in trading rights and acquisition of land. The wealthier European citizens of the Federation are debarred from bidding for land on an unequal basis, and the sophisticated and experienced Asian/European traders are precluded from competition in the native areas. This protection is just and should continue for some time. On the debit side, there are an increasing number of cultured Africans who are sharing in the public life of the country and these men are completely disbarred from purchasing homes in the better-class districts and mingling with their social equals. The tenor of European opinion supports a complete division of African/European contact, and we believe that this is largely due to ignorance of the social and other achievements of the middle and upper class African. The majority of Europeans have no knowledge of Africans other than as servants, and so are incapable of viewing the African as a partner or fellow citizen; if this attitude continues it will be impossible to achieve the ends of Federation. Africans have been accused of ingratitude, laziness and greed. We submit, in all sincerity, that only a patient and industrious people could have suffered daily humiliations and abuse without retaliation, or contributed with their physical ability and skill to the successful industry and commerce which now thrives in the Federation. Could all these successful projects have been achieved without positive contribution from the Africans? We, the Africans, know and are proud of the extent of our contribution and of the justice of the claim for a fair share of land and privileges for every citizen of the Federation.

21. We categorically refute the current assumption that urban land depreciates upon the arrival of non-whites in a particular area; experience in Salisbury has shown that this is not the case!

22. To sum up, we recommend the retention of most existing land separation both in rural and urban areas, but urge

(a) that more land be set aside for African use in the rural areas, and

(b) the erection of special areas in the towns to which any persons, regardless of race, might obtain title.

The proscription of the African National Congress

23. To date, no specific reasons have been advanced by the Government for the proscription of the Southern Rhodesia African National Congress, and the indefinite detention of its leaders and supporters. Apart from rumours from the Native Department that Congress was engaged in seditious activities, and that it was encouraging all the people to disobey the laws of the country, the real reason for the Government's very shocking action still remains a mystery.

24. It is quite in order to mention here that the very

Native Department which recommended the proscription of Congress and the detention of its leaders, has been found by a recent Select Committee to be inefficient, dishonest and, therefore, unreliable.

25. We can say nothing here except to emphasise how discriminatory this action was in that all European political parties, no matter how extreme have, up to now, never been proscribed or interfered with. We therefore arrive at the one and only conclusion that the proscription of Congress and the indefinite detention of its leaders, crowned by the creation of the Preventive Detention Act, were all designed purely to stop the African people from voicing their grievances against the unjust and discriminatory laws of this country.

26. The whole world today is attacking South Africa for its racial policies. We would like to draw the attention of the world to the fact that Southern Rhodesia has set a shining discriminatory example even to South Africa by proscribing Congress, because South Africa is following behind Southern Rhodesia on exactly the same lines—hence the belief in the North that Southern Rhodesia's policies are just as bad, if not worse, than those of South Africa.

27. The proscription of both Southern Rhodesia, Northern Rhodesia and Nyasaland African Congresses in Southern Rhodesia is a spur to Northern Africans' objection to any form of association with Southern Rhodesia, and under the present circumstances, we feel this objection is justified.

28. We are not aware of the reason why these innocent people were ever detained, let alone their continued unnecessary indefinite detention. All we say now is that these people, who have been made to suffer so much for no earthly reason, except to lead and to belong to the Southern Rhodesia African National Congress, must all be released without further delay. Further we submit that on their release, all detainees must receive full compensation for the untold suffering they have been forced to put up with. If these people have committed any offences, let them be brought before the courts of law immediately to prove their innocence or otherwise.

29. The current assumption that the release of these people would be a danger to the state is both unfounded, false and misleading. In fact the continued detention of these people is a danger to the state because of the bitter feelings of the African people against the detention of their innocent people, and is bound to explode in the not too distant future, with very grave consequences which the Government will have to accept.

30. The continued detention of these people will widen the gap between the Africans and Europeans of this country, and also between the Northern Africans and Southern Rhodesia Government, which is a danger to the Federation as a whole. It is our submission that the continued detention of these people is a mockery of British democracy and a symbol of African oppression and servitude in Southern Rhodesia. These people must all be released now or appear in courts of law.

Franchise:

31. The purpose of the Constitution is to provide a framework within which the peoples of the three territories will live harmoniously together and contribute to the state. The ideals of democracy presuppose that such contribution entitles the contributor to a voice in the Government of its own territory and in the Federal Government. We believe, however, that an illiterate person is not qualified to exercise his voice and cannot be enfranchised until his judgment and reason are sufficiently mature. We have attempted, therefore, to examine the franchise commissions of other countries and particularly that of the Mother Country, Great Britain, in relation to our own, and it seems that some basis or standard of literacy must be decided upon.

32. Many adult persons both African and European, are fully literate without having received the benefit of education. Others are not and we agree that some test must be applied to determine the ability of the individual.

33. We accept the following qualifications as laid down in the Southern Rhodesian Electoral Acts of 1951:—

(a) be not less than 21 years of age.

(b) be a citizen of the Federation; or, in the case of the Federal Rolls, a British Protectorate person;

(c) have not less than two years residence in the Federation and three months in the electoral district;

(d) be capable of filling in the necessary application forms in the presence of a Registering Officer.

34. We do not agree with (vii) or (viii) of the table of Educational and means qualification for the Southern Rhodesia Voters Roll, and we propose the following:—

	Income (Per annum for two previous years). Not less than:	Immovable Property (Registered at Deeds or Native Land Office) Not less than:	Education
(i)	£120	—	Primary
(ii)	£240	—	Adequate knowledge of English only.
(iii)	—	£500	4 years secondary.
(iv)	—	£1000	Primary
(v)	—	£1500	Adequate knowledge of English only.

35. The remaining categories (vii and viii) would fall away and the 20% restriction of low category votes must be excised completely as we are aware that this provision of 20% restriction was to ensure the continued dominance of the European electorate and is therefore discriminatory.

36. We believe that if Governments—both Federal and Territorial—accepted the proposals outlined above, the African people would show an adult awareness of the positive contribution which they would then be responsible for. One further point causes some concern in the urban areas. The Act prescribes certain persons as registering officers and includes Native Commissioners, Assistant Native Commissioners, and European members of the British South Africa Police of or above the rank of Sergeants. In the view of the Africans, these persons rank in stature—or below—with the township administrators or Superintendents and we are aware that the public have more confidence in the Superintendents. In these circumstances we recommend that urban township Superintendents be appointed Commissioners of Oaths and thus qualify as Registering Officers for particular townships.

37. In conclusion, and briefly, we feel that Federation can work providing the ideals enshrined in the preamble are implemented; that positive efforts are made to allow the peoples of the territories to have an equitable voice in the Government of the country, and that the concept of partnership be positively applied by an immediate rescindment of all the discriminatory legislation which presently provides an impregnable racial barrier both socially and economically.

C. C. Ngcebetsha) Bulawayo African
J. Patsika) Township Advisory Board

F. P. Ziyambi) Mpopoma Township
G. M. Bango) Advisory Board.
L. Macebo) Western Townships Advisory Board.

Bulawayo

1st April, 1960.

Oral Evidence

JOINT ADVISORY BOARDS OF THE BULAWAYO AFRICAN TOWNSHIPS *

CHAIRMAN: We are grateful for your memorandum. In your first paragraph you speak of the main question occupying the minds of leading Africans here—the future of Federation. You say there has been failure to implement promises of the Federal Government that racial discrimination will disappear. Would you like to add something about racial discrimination? —A. (MR. NGCEBETSHA): We consider that Federation should be continued but that in its present form it is not functioning properly, mainly because those in power are not, in our humble opinion, doing all they can to see that Federation is implemented in every respect. We think the Europeans want to maintain white supremacy, although they say they do not—especially the party in power (without saying anything about the Dominion Party which is out and out segre-

* A statement signed by 141 residents and ratepayers of the Bulawayo African Townships was received on 10th April, 1960, in the following terms:—

"We, the undersigned Residents and Rate Payers of the Bulawayo African Township hereby petition The Monckton Commission so as to make it abundantly clear that the evidence that will be lead by the Joint Advisory Boards is a decision entirely their own and should not be interpreted as evidence submitted on behalf of those they represent.

We, further wish to state that the Joint Advisory Boards on no occasion consulted the people it represents, and therefore your Commission should take cognisance of this fact".

Represented by: G. C. Ngcebetsha, J. Patsika } Bulawayo
F. P. Ziyambi, G. M. Bango } Mpopoma

gatory)—that is the United Federal Party, to which some of us belong. They are not entirely sincere in carrying out the aims of partnership as originally stated.

Q. You mention the changing of the capital, either the Federal or the Territorial, to Northern Rhodesia. Do you attach importance to that?—A. (MR. BANGO): Africans feel that the monopoly of Federation is in S. Rhodesia, and as long as the capital is in S. Rhodesia the native policy in S. Rhodesia will be a difficulty. If the capital had been placed in Lusaka or Blantyre in the first place, it would have been clearer to the minds of Africans that Federation was going well.—(MR. PATSIKA): Africans in Nyasaland are opposed to Federation because they feel S. Rhodesia policy is discriminatory: the placing of the capital there intensifies their feeling.—(MR. NGCEBETSHA): Even if you feel it is not economically feasible for the capital to be transferred to one of the northern Territories, we feel there should be a separation of the two capitals, even if one is left in Salisbury.

Q. You regard the policy of Southern Rhodesia as discriminatory?—A. (MR. ZIYAMBI): Very much so. Africans are in the majority in Southern Rhodesia—2½ million as against 250,000 for Europeans; yet the Legislative Assembly is all white. That in itself is discrimination, and we, as Africans in Southern Rhodesia, do not feel secure because we have no representatives in Parliament. When discriminatory legislation is passed there is no opposition: both Government and Opposition agree when it comes to Africans, since we are not represented. In the Northern Rhodesia Legislative Assembly there are Africans, though they are not a majority, who can speak for Africans. Also, this is the first time I have been inside the Hotel Victoria, and it is the last time; because immediately I go out I shall not be allowed again within the hotel doors.

Q. I take the point, but I believe and hope that it will remain multi-racial.—A. That is good news. Some of us feel it is only temporary while you are here, and immediately you go it will be the end of everything. Nobody is unhappy about social segregation: that exists everywhere among African and European communities alike. What we do not like is segregation purely on grounds of colour. For instance, I am able to speak to you in your language, which is not my own; and the importance you attach to me now because I am here to speak to you is not attached to me anywhere outside here. I am regarded as a political agitator or something. All Africans who speak for their race outside are branded as agitators and extremists, but you will find among the Europeans some who are even more extreme.

Q. You tell us of the changes you would like to see in particular functions. Will you tell us about the two important ones you would like to see made Territorial?—A. There are bound to be suspicions as long as the same things for two sections of people in the same country are retained by different powers. Africans want to be educated as good as Europeans. If this country is committed to a policy of partnership, it should mean that all human beings are equal. We do not mind whether education is Federal or Territorial as long as it is both in the same hands. However, we would prefer it to be Territorial.

Q. On secession, in paragraph 14, you quote some observations of Sir Roy Welensky and Sir Edgar Whitehead.—A. We would like to make it clear that if Africans in Northern Rhodesia and Nyasaland do not want Federation it must be broken. Nothing can succeed through force. There are economic advantages to Federation, and we are trying to convince Europeans, who are the main stumbling block to Federation, to afford Africans the same opportunities. Federation must be on a basis of equal partnership. The Federal Prime Minister has frequently stated that Federation cannot be broken. I think that is not true. It is like the Minister in church when he marries two people—he says they can only be divorced by death—but you will find a lot of divorces taking place. The Prime Minister of Southern Rhodesia himself says the Africans in the North are unreasonable because they want to leave Federation, yet he has laid down conditions under which he will accept Federation, otherwise he says Southern Rhodesia will secede. In this way I see no difference between Sir Edgar Whitehead and perhaps Dr. Banda in Nyasaland.—(MR. NGCEBETSHA): The term secession is not in the minds of Southern Rhodesian Africans, but it may be planted there if the trend of events continues. We know Nyasaland talks particularly of secession, and there are good reasons. They want self-government and independence; and who in this house can say he does not want those things, be he white or black? We concede that although the people of Nyasaland may not be able to get self-government in the immediate future, that is their objective. I submit that those in power in Central Africa should go out of their way to try and make these people feel at home in Federation in persuading them to stay inside it, through their acts and their speeches. In Southern Rhodesia, if Federation is broken up, we fear that the Europeans will begin to look south and join South Africa. When they do that and there is a government which is more or less, if not quite, the same as in South Africa, the plight of Africans will be very frightful indeed. So we wish Federation to stay and work for the benefit of all.

Q. In paragraph 18 on the Land Apportionment Act, you consider there is an urgent need for the acreage to be increased in the native reserves, and you go on to deal with what you feel is the restrictive character of the Land Husbandry Act. Would you like to add anything?—A. (MR. ZIYAMBI): No, the position as we see it is as we have put it here.

SIR LIONEL HEALD: On paragraph 15, would you say how you think the Native Passes Act should be amended?—A. Passes as they are now as purely discriminatory. My pass gives name, place of birth and headman, and has places where employers fill in the particulars of my job, the date signed on, the rate of pay and when I was discharged. The passes are a big handicap: you get educated Africans leaving school and going to work in the town. They cannot get a suitable job, because they have not worked before. Often they will get a job as a messenger because there are no clerical jobs, and then they get a minimum of 30/- a week. That is endorsed on the certificate, and in the next job such an African applies for he will only get that rate of pay, because that is what he had before. The 'situpa' lays bare everything. We feel that passes should be the same throughout Southern Rhodesia, with the same sort of identity for everyone. Why cannot I have just a card with my name on it and nothing more, so that I can convince my next employer I am competent and capable of earning a wage, without necessarily saying how much I was getting before and what I was doing?

Q. It has been suggested that the entry on those cards is a benefit to the Africans.—A. Whatever you may have been told, it is not: it is a disadvantage.

MR. MOLSON: How many passes are there?—A. There are about three different kinds, but they all come out from the main one, the situpa. After one is signed on by an employer, he sends the pass to a department in town, and we get a town pass. There is a self-employment certificate, given to those who are not directly employed by anybody and have a business. There are visiting passes. When you go from one place to another, your employer has to certify that he employs you. It is a pass to let the authorities know where you are going. When you get to another town, if you want to go to the African township you have to get permission from the local superintendent and he gives you another pass. There is also a pass to seek employment.

MR. CHIRWA: You have a night pass too?—A. Yes. You must have one if you are crossing town here after a certain time, otherwise you get arrested, unless there are certain circumstances.

SIR LIONEL HEALD: None of you have your situpas with you, but if you went for a new job you would have to produce it?—A. They are not useful at all. The town pass shows the necessary information, transferred from the situpa. When you leave employment you are not allowed to carry it; it is sent back to the African Administration, and the employer tells them you are no longer employed by him. I work on the Railways and have a completely different pass. Here it is, if you would like to see it (handed to Chairman). It contains no information at all.

MR. MOLSON: This is the type of pass you suggest might be substituted. Is it sufficient for you to carry that pass?—A. Yes, that is my town pass.

Q. Is it sufficient for all the purposes covered by the other passes?—A. For the purpose of moving up and down in town, it is enough because my situpa is with my employers' office. He gives me this pass, and when I show it, people know I am employed by the railways.

MR. ROBINSON: Has there been any recent relaxation of the pass laws—is there any class of person who is exempt?—A. Lately the Government has recommended what they call an identity card, but to qualify for it a person has to be highly educated, just as for qualifying for the vote. You have to be a matriculant and earn more than £10 a month. There are so many conditions that we feel it is almost impossible to get one. We want such an identification card given to everyone, irrespective of whether they went to school or not.

PROFESSOR CREIGHTON: It has been said to us that these things are in fact a protection for the African in that it constitutes a species of contract as between him and his employer, which he can produce in case the employer attempts to pay him a wage for which he had not originally contracted.—A. That might be said in support of the town pass, which is a

result of employment. We are mainly against the situpa because it contains all the information about your employment and pay. For instance, you might have been employed and then discharged, say after two months, for any reason. You apply to another employer and he sees this and says, "I would have taken you on, but I think you are irresponsible because you were only in the last job for two months".—(MR. BANGO): The complaint is that when an employer sees what pay you have received from the last job, however competent you are, he will not give you any more. The situpa is such a disadvantage that it will always keep down the wages of that African individual.

MR. CHIRWA: It has been put to us that Africans in this country accept racial discrimination, and that they are happy because they have their own African townships, distinct from places where Europeans, Asians and Coloureds live.—A. That is not correct at all. Residential areas came into being as a result of the enforcement of the Land Apportionment Act, and that is discriminatory to a large extent. Africans, for their advantage or not, must stay in their own areas and conduct their own affairs in those areas. The same is true of Asians and Coloureds. Europeans, as far as possible, want to stay by themselves in their own areas and have objected to Africans staying in their midst. It is simply not true that Africans are happy to be separated in their own areas.

MR. CROSS: Summing up in paragraph 22(*b*), you urge special areas to which any persons, regardless of race, might obtain title.—A. It is actually the Europeans who do not mix with the Africans, because the Land Apportionment Act was one of the earliest legislations: maybe it should go out of order if we are going to get any form of partnership. Africans who have developed to a certain standard of ability and education would like the opportunity of mixing with men of other races, black or white, of that standard, and do not want different residential areas. If an area was set aside in which all races could live if they wished, Mr. Black and Mr. White could live side by side. It will not get us anywhere to always keep the Africans and Europeans by themselves.—(MR. ZIYAMBI): Animals of the same colour always keep together in groups and the same is true of human beings. We do not mean to force Africans and Europeans to live together, but only that there should be some places where those of different races who want to be together should be able to do so. There must be no restriction to keep them apart, but there should be no restriction to make them live together.

SIR CHARLES ARDEN-CLARKE: In paragraph 18 you refer to the African reliance upon the traditional cattle wealth. I understand that is measured by quantity and not quality—a man with 15 scrub cattle is regarded as wealthier than one who has 10 good cattle.—A. This again comes from the Land Apportionment Act. The allocation of land in Southern Rhodesia is different. Some Africans in the reserves are given no more than 6-8 acres of land to cultivate. I do not know how a man can make a living out of that, but they manage. The only wealth of the African is cattle.. We appreciate the difficulties about land, but you cannot keep many head of cattle in a small area. The whole thing centres on the allocation of land. People would be able to keep more cattle if they could be given, say, 20 acres. The African feels the allocation is discriminatory. Some Europeans have thousands and thousands of acres, while he is busy doing something in town. We want land to be allocated to all sections of the community.

Q. You would have no objection to a limitation on the number of cattle put on a certain area?—A. No, we appreciate the difficulties.

SIR DONALD MACGILLIVRAY: You wish to provide opportunities for people to live together if they wish. Would you apply the same to education? You would not oblige children of different races to go to the same schools, but you would provide schools to which parents of all communities could send their children if they wanted?—A. We advocate that point because it is not long since the Europeans came into this country, yet the greatest difficulty is lack of understanding of each other. The only way to understand each other is to live together, and if our children go to school in the same classroom they will learn to live together.

MR. GONDWE: Do you believe in multi-racial education?—A. Very much so.

Q. At what stage would you like to see that start?—A. In the beginning there is the language difficulty, but where students get to a certain level where they can understand English as a common language, then they should go to the same school. When an African gets to secondary school level, for instance, he understands English and can be taught in the medium of that language.

SIR DONALD MACGILLIVRAY: Would you apply multi-racial education compulsorily?—A. There would be an explosion from the European point of view, not African. We do not believe in forcing things: they should be voluntary, but we feel the European is reluctant to give way. He feels the African is much below him and the time has not yet come for him to be considered as a human being. We wish to provide opportunities for multi-racial education, that is all.

DR. SHEPHERD: In paragraph 19 you seem to suggest that Europeans should be allowed to go into African townships at night without reasonable excuse—A. That is very discriminatory, we feel. Here we are talking about visiting in different communities, not living together. A European who wishes to visit friends in an African township has to see the superintendent to seek permission, and there is a time limit. Even if you have not finished your discussions then, you have to leave. That restriction on social intercourse is unnecessary. I do not see why a European should be stopped from visiting an African township, or why I should not be allowed to go to a European home and live there.—(MR. NGCEBETSHA): We do not wish, of course, that Europeans of undesirable character should be free to come to visit African townships.

MR. CROSS: How are you going to differentiate between the desirable and the undesirable? How are you going to exclude some and not others?—A. (MR. ZIYAMBI): It would be easy to tell, I think. A European and his wife and child, who came to visit a friend in such a township would be desirable, but if there was a European just walking around aimlessly, he obviously would not want to see anybody, or to pay a visit. His presence there is bound to be suspicious. An undesirable person is always noticed because of frequenting places of bad repute. For instance, there are places such as shebeens. Usually only bad people go there, and a European of good reputation would not be found there. It is the low type of European who goes to a place like that.—(MR. PATSIKA): Two Europeans were convicted in the courts about 4-5 months ago. I was actually present when they were in the location, shouting they were friends of the Africans and would not like to see interfered with by the police.—(MR. much as possible. One was whistling and the other singing and they were half-naked. A large crowd gathered and the police came and took them away. Those are the type of Europeans not wanted in the African areas. They are easily distinguished, and even Africans themselves will tell the police about them. But we have Europeans coming into the locations on business; they interview people, and we like their help; also the doctors. You can call a doctor any time from town and he will come. Those are the types of Europeans we would not like to see interfered with by the police.—(MR. BANGO): There was the case of an African businessman who advertised his business and got a lot of European customers. When they were seen outside his shop they were questioned by the police, and now that man is facing a charge of trying to bring Europeans into the area. In Bulawayo a lot of Africans come to town to buy in the shops there. Why cannot the people go and buy from the shops of African businessmen—why cannot we visit each other for business and social purposes?

PROFESSOR CREIGHTON: In paragraph 22(a) you urge that more land should be set aside for African use in rural areas. We have been told that in August, 1941, there were approximately 18,609,000 acres of unassigned land. That has disappeared: it is now nil. Where would you get the additional land to be set aside for African use?—A. We recognise that most of the Africans who have been moved from European land during the last 5-6 years have been moved under special provisions to other areas which were unassigned, but there still remain large tracts of land adjacent to the African areas in the rural areas. This land might be unassigned or Crown land. Africans need more land, and the land which they see there cannot be used for them—it may be kept for game or for the permanent use of the European community. Even during this drought, Africans cannot move their cattle to that land which they see adjacent; but Mr. Smith, who perhaps comes from town and has a ranch of so many thousand acres is given that land to graze his cattle on. This causes ill-feeling, particularly the fact that the land is near to the African land and far away from the European land.

MR. HADLOW: We are told that many Africans who could be on the voters' roll do not bother to register, and furthermore those who are on the roll do not bother to vote.—A. (MR. PATSIKA): Because of the legislation enacted, limiting the African vote to 20% on the whole vote, most Africans, whether qualified to vote or not, did not see the need to vote because they knew if they made up the number beyond that, the Europeans would still be in the majority so their votes would not count anything at all. The franchise is discriminatory: Europeans do not want large numbers of Africans on the roll because they would soon be in the majority. The

Government has made these franchise laws in such a way that Africans who would like to be voters are discouraged. Even though some Africans own businesses and could qualify because of property, they have not enough education. There are quite a lot who could fill up forms without being aided. (MR. ZIYAMBI): There is a belief that half a loaf is better than nothing. I believe so. If you have half a loaf at least you eat it. This is hardly the question when it comes to some quarters because there is a belief if Africans are given that bit, why do they take advantage. The Africans have qualifications in themselves which are very high so that only a few qualify. The position today is that if all these Africans who qualify, the lowest qualifications are two years secondary education after Standard VI and an income of £120 a year. If about 20% of the total number of voters in Southern Rhodesia is reached by those Africans who are registered under this qualification then nobody else can register; I do not know if you are aware of that. The whole thing is so restricted that much as we would like to be voters we find it is useless because if we register only the first lucky few up to 20% can register. Still there are some who can qualify but they will not register because the government will not be the government that the African likes because the qualifications are so high that only a few Africans can reach them and their voice will not be heard. What we are striving for is a lowering of the qualifications so a great number could register.

MR. CHIRWA: You have stated that the Africans have no representation in the Territorial Legislature. Suppose you were asked to say what representation you would like to have, what would you suggest?—A. I will put two proposals. Either that the franchise qualifications are lowered: we know the Africans are in the majority. If there were a majority of Africans on the voters' roll I would not mind myself seeing a hundred per cent European Legislature, because I would know they are truly representative of the people because they will have been elected by the Africans. The other alternative could be that the whole thing be purely on racial lines. You could say 50% must be Africans and 50% must be Europeans in the Legislative Assembly. I think that would cause friction but the main thing is that the franchise qualifications must be lowered so that the majority of the people in this country would be the majority on the voters' rolls. If they voted for "Mr. Smith" then there is "Mr. Smith" in the House. I would not mind because I would know they have been elected by the people. All members are elected now by the Europeans—we do not elect anybody.

Q. Suppose on the last thesis that the majority were Africans. Is it unlikely that they would vote for Europeans? —A. If it is unlikely they vote for Africans why not let the Africans run the country if they are representatives of the people? Unfortunately the Africans fear the Europeans, but if such a European is a man who has the interests of both European and African at heart I see no reason why he should not be in Parliament. But the position is that the majority must make the decision.

MR. ELLMAN BROWN: I would like to go back to paragraph 22(b), where you recommend erection of special areas in the towns to which any person regardless of race might obtain title. I think you will agree that the development of the housing under home ownership in the last five years is beginning to give the Africans a sense of owning fixed property. The second stage was to increase the value of that particular house. There are here in Bulawayo houses of £750 and more but no laws to get the right type of people in the right areas. The next stage was to develop a housing area of minimum £1,500 which I think you all agreed to. I think you will agree that the difficulty is that there are only something like 69 Africans in Bulawayo who can afford to buy houses in an area which is in excess of £1,500 or more. If you are going to have another area where there are Europeans in your area you will have a minimum restriction of £2,500. I think you will agree that the economics of building a town with all its essential services is very expensive at the present moment, but I think that (b) is well within the aims and objects of the Government. I have had discussions with the Minister of Housing and he tells me that is his policy. Has he discussed it with you?—A. (MR. NGCEBETSHA): He discussed it with the residents of another area, it actually does not affect us in the municipal area.

Q. The same will be applicable wherever those townships are erected.—A.(MR. ZIYAMBI): We are very grateful for the steps being taken by the Government, but the main thing is there must be a certain area where people who want to live together should live together. Even if there are no Africans who can qualify it must be open. It is the restriction that we want to move.

Q. I agree the principle of it, but it is the application of the services in a small area to begin with.—A. (MR. BANGO): If you have visited Mpopoma Africans have put up houses just as good as others but because those Africans have put up those expensive houses—£6,000, £7,000—on ground which is not their own freehold, we want to work out a channel whereby freehold should be extended to Africans. At the present moment we buy houses but not on our own ground. —(MR. ZIYAMBI): May I give an example. Of late an Indian bought a house somewhere in the European settlement. There was a very loud protest from the Europeans, they did not want this Indian there. If my information is not wrong, he was a very rich Indian businessman; but because he was Indian they did not want him there.

MR. ROBINSON: You have told us and I personally have listened with very great interest to various suggestions which you have made about how an improved situation could be brought about in Southern Rhodesia in terms of race relations. What I would like to know from you is whether you feel there has been any improvement over the last seven years, any relaxation of these bars and discriminatory practices of which you have talked? Are you fairly hopeful or not about the continuing course of events in this regard?—A. (MR. NGCEBETSHA): Yes. There is no question about it. The trend is in the right direction. There are Europeans who are trying to improve things and nobody can deny, even we here cannot deny, the fact that, although the progress in that direction is very slow, it is there all the same. (MR. ZIYAMBI): My friends here has indicated that there are steps being taken to meet the African, but the steps that are being taken are so few that almost they are unnoticeable. I am looking at the question of the employment, especially in the Civil Service. We have African doctors who are employed on exactly the same business as Europeans. But you find in the same country, some spheres of employment where people do the same work with the same qualifications but at different centres so whichever way you look at it I do not think the whole thing is being done sincerely. It is being done in this way because the Government knows there are African doctors who are just as good as Europeans. But there are many more Africans who are educated who want to be considered as good as Europeans from all points of view except the colour, but they are not being met because the majority of Africans are considered semi-illiterate or not civilised. I also have in mind the removal of discrimination in public places like Post Offices; such things should have happened years ago, but just why the Government did not want to do it, I do not know. The Government is very reluctant to do such things. We are quite aware they are taking steps but they are doing so little so slowly that we do not notice it.

(MR. PATSIKA): In my own view the Government is taking these steps knowing full well what is coming. It seems to me that if the Government was not working towards getting full rights for the Federation as such, perhaps no steps would have been taken such as have been taken in the Post Offices, hotels, that have been talked about so much. We would like to see our Government and the Government of the Federation as a whole doing certain things for the African people in the Federation with the idea of not having to be pushed behind or wanting to gain something or to gain favour from overseas. It would be something initiated by the Government itself. There are quite a number of things they are promising to do. All these things are being done in preparation for this conference we are having here today. Once perhaps they achieve what they want—dominion status—they will stop all these things, they will do nothing. So it will take other conferences again to try to bring these things about. We do not like to see such things happening all the years of our lives.

MR. MOLSON: Do you feel it possible to draw any distinction between the Federal Government and the Government of Southern Rhodesia? Do you feel either that the Federal Government is more liberal in this matter and is trying to make more rapid progress than the Government of Southern Rhodesia; or do you feel that they are very much the same; or do you feel that the Government of Southern Rhodesia is more progressive in these things than the Federal Government? —(MR. NGCEBETSHA): Speaking for myself I think Sir Edgar Whitehead and Sir Roy Welensky are as brothers. What one does, the other also does exactly the same way. They are political brothers in their thinking. My friends has put it nicely in saying all that is being done is being done with some ulterior motive and that is in preparation for the 1960 Review which is just in the offing now. We are being alarmed now by the utterances of the Prime Minister of Southern Rhodesia in particular when he speaks of secession and thereby more or less supports Dr. Banda in Nyasaland when Dr. Banda speaks of secession. It makes us feel that the people of Southern Rhodesia brought about Federation with ulterior motives to advantage themselves at the expense of non-Europeans in

view of the fact that there is a possibility of Africans getting some advantage out of Federation which according to their way of thinking might be detrimental to their interests. Then Sir Edgar Whitehead turns round and says there will be secession if these conditions are not fulfilled, conditions which are acceptable to the white community. That is why we say we are alarmed at the trend of events as we see them now through the utterances of Sir Roy Welensky and particularly Sir Edgar Whitehead when they go so far as even to ask for the removal of the enfranchised clauses, clauses which were never used, never applied. We do not know what is up his sleeve or what is the motive behind it. We are alarmed, ladies and gentlemen.

CHAIRMAN: Gentlemen, we are grateful and not alarmed by the help you have given us—A. We are not alarmed at you, gentlemen, but we hope you will interpret our spirit correctly.

Q. I think we have.—A. We are not representative of our own personal views in this matter. We have insisted that we see you although there was some pressure elsewhere that we should not come. We did not want to say unpleasant things against our Government but we wanted to tell you the facts as we see them.

Q. You have done it with great discretion, if I may say so.

MR. MOLSON: What exactly are the Joint Advisory Boards, how many people do you speak for?—A. (MR. ZIYAMBI): It is all the African townships of Bulawayo. Each township has an advisory board. Just before we go I am a bit discouraged because there is something that I thought you were going to cross-examine us on, that is a cause of great anxiety amongst the Africans, that is on the Constitution of the African National Congress. I am not asking you, Mr. Chairman, to deal with that now, but I would just like to add that we put it here. It is a matter that is burning our hearts. I should also like to congratulate the British Government on freeing Dr. Banda. We are very happy indeed and I feel the same spirit will be adhered to throughout, that all detainees will be released in good time.

CHAIRMAN: Thank you very much.

H. A. MORESBY-WHITE

The witness's parents had come to the country in 1890. His father had fought in the Matabele Rebellion. He himself was a farmer and businessman.

In his fifty years of life he claimed to have got to know the Africans as well as they knew themselves. In his younger days he had eaten and drunk with them, and slept side by side with them around the camp fires. Now he employed them. According to their creed, some Africans wanted to lie and deceive the Europeans and would stop at nothing to gain their ends. They would merely go their own way and were completely heartless about it. He was speaking of the educated few who came from the missions, and who felt they were not given sufficient opportunities. He could not understand the African's demand for equality, when he would not give equality to his own wife: he treated her as a black slave, simply someone to bear his children, and he would sell his own children for gain. Did Africans expect the Europeans to live in their way? Africans frequently accosted women openly in the streets. If the Africans had equality, they would behave in just the same way with white women, and this would lead to bloodshed immediately. He mentioned a figure of 90% of Africans having V.D., and refusing treatment. Were the Europeans to share a social life with such people? He related an anecdote in his recent experience about the murderous behaviour of Africans when thwarted; and gave other examples. If you gave an African your finger he would take your hand. An African would just take what he wanted, not what he had worked for.

Even the educated Africans would not eat out of the same pot as their own wives. They had no respect for women at all; their wives just walked behind them carrying the loads.

He was not trying to condemn all Africans, but only those Africans who had been to the missions. Those who lived in the country and on the farms were a respectable lot. He could make friends with them, more than with many Europeans; they were the older type of Africans. He said that you must always keep a promise which you made to an African.

He recommended that the Commission, although he knew it was difficult, should spend eighteen months in the country in various different positions in life.

He agreed that racial discrimination should continue in Southern Rhodesia to the same extent as in South Africa.

In reply to questions the witness made the following further points:—

(1) Only a handful of Africans had reached "part education" which had taken the British a thousand years to gain. Such people could not be given equality with the whites. But they should be given opportunities. The Africans must prove themselves, and not gain their ends just by sheer numbers and intimidation.
(2) Most of the educated Africans, he did not say all, were only out for their own gain. He was speaking of those he had met and those about whom he had read in the Press, such as Dr. Banda. He felt that the Africans were trying to force themselves into the Europeans' homes. When they went to college they seemed to get an inferiority complex.
(3) He agreed that the educated Africans, who became liars, had been given European education; but he still blamed them. They felt that they were being ill-treated if they were not given top jobs after they had reached Standard VII.
(4) He had been against Federation, but was not prepared to work for it.
(5) He felt that a tremendous amount had been done for the Africans. But everything must go forward in the country.
(6) He was not so sure about keeping Nyasaland in the Federation.
(7) He felt that the political development in Northern Rhodesia had been right, over the years, and that Africans ought to be given the same opportunities in Southern Rhodesia.
(8) The British Government was trying to hand over to Africans too quickly. Africans should first earn their advancement. But the Southern Rhodesian and Federal Governments attitude might lead to over-rapid African advancement. Nevertheless he would agree to having Africans in the Southern Rhodesian Parliament immediately, but not an African majority.
(9) If there was an African majority in Northern Rhodesia, he would want to break up the Federation immediately.

BULAWAYO

12TH APRIL 1960

Memorandum

AN ASIAN GROUP

B. D. Parekh	G. M. Naik	R. K. Naik
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1. We have pleasure in submitting the following memorandum with the hope that the recommendations contained therein will receive your sympathetic consideration and also help in formulating a Constitution that will meet with the approval and recognise the aspirations of the majority of the inhabitants of the Federation.

Observations on Terms of Reference

2. We wish to emphasise at the outset that this memorandum is submitted under protest because of the restrictive terms of reference which do not allow for alternate suggestions to Federation or a possible recommendation for its dismemberment.

3. This we feel is objectionable and unrealistic considering the views of many inhabitants of the Federation who were and are still vehemently opposed to the idea of Federation.

4. That the Commission should sit at a time when the true representatives of the large majority of the people are detained without trial is we consider yet another unfortunate aspect of the Inquiry.

5. Finally we strongly believe, with due respect to all the Commissioners, that the composition of the Commission is not fully representative and therefore far from satisfies those who would have normally given evidence before the Commission.

6. Bearing in mind the aforesaid we are compelled to suggest the best means for enduring Federation. If Federation is to continue, concrete proof must be given to the African

people that the principles contained in the Preamble are in fact to be implemented; that economic, political and social advancement will go hand in hand for all the inhabitants.

Scope of Memorandum

7. This memorandum will therefore
(a) suggest consitutional changes,
(b) advocate the broadening of franchise laws and
(c) recommend for the inclusion of a Bill of Rights in the Constitution.

Constitutional Proposals

8. Whilst there may still be reason for continued association between Northern Rhodesia and Southern Rhodesia with uncorruptible safeguards, we are of the firm opinion that Nyasaland should be free to reconsider its continued membership of the Federation immediately by a referendum based on Universal Adult Suffrage. Taking into consideration the composition of population and such other factors it is our belief that Nyasaland's political evolution should be more akin to that of Tanganyika. Having made clear our views on this vital question we offer our comments on the Revision of the Constitution. In doing so we shall bear in mind the terms of reference of the Monckton Commission, which precludes consideration of any dissolution or withdrawal of a territory from the Federation.

9. The Preamble to the Constitution states that the Federation is "the rightful home of all lawful inhabitants thereof, whatever their origin". If that is so it is incomprehensible why "control of voluntary movement of persons between territories" is allowed to be a subject on the Concurrent Legislative List. Immediately after Federation, legislation was passed by the Southern Rhodesia Legislative Assembly to exclude all Asians residing in the northern territories from entry into Southern Rhodesia. This disability was removed only last year as the talks for the review of the Constitution were nearing. Mr. Patrick Matimba, "a lawful inhabitant" of the Federation was released from detention on condition that he left the Federation. We believe that stringent provisions must be put into the Constitution so that the right of free movement within the Federation is not denied to any inhabitants on grounds of race or political affiliation. We also believe that the territories should have no right to legislate on this subject.

Composition of Legislature

10. The composition of the Federal Legislature has been a matter of much concern to us. In view of the fact that immigrant populations in the three territories vary considerably in numbers and taking into consideration the political history of the three territories we have come to the conclusion that the method of election of members from Nyasaland will have to be different from that of Northern Rhodesia and Southern Rhodesia in the interest of political stability. We suggest that the Federal Legislature should consist of 60 seats: 25 of its members to be elected from Southern Rhodesia by a system of qualitative franchise (as advocated in paragraph number 44). 20 members to be elected from Northern Rhodesia on the same basis. 15 members to be elected from Nyasaland by Universal Adult Suffrage. We wish to emphasise that if all Nyasa goodwill can be regained it will be by nothing short of Universal Adult Suffrage. With the system suggested above the need for an African Affairs Board falls away.

11. You will have noticed that the ratio of representation for each territory differs from the present. We feel it is a gross injustice to the northern territories that nearly 50% of the seats—29 out of 59—be allotted to Southern Rhodesia. Northern with the Copperbelt is not only the economic backbone of the country but is also the largest in area. We have given Nyasaland 15 seats—only a quarter of the total—because though it is the territory with the largest population, it is small in area and as yet undeveloped. Southern Rhodesia has been given the largest numbers of seat—25—in order to appease its comparatively large European population and because it is the most well developed territory. We stand for the ultimate goal of "one man, one vote" based on Universal Adult Suffrage but we appreciate that if such a viewpoint is advocated at the present stage the Commission is likely to dismiss it as an extremist suggestion (see paragraphs 43 and 45).

Super-Flaw

12. At this stage we wish to point out a super-flaw in the present Constitution. Elections could be manipulated in such a way that within the course of two general elections there would be not a single African Member of Parliament. We refer to Article 9(2) of the Constitution. If at the next elections four African candidates are elected from each territory from its general constituencies, at the subsequent elections the "elected African members" and "specially elected African members" can be done away with, without any guarantee that the four Africans elected at the previous elections from general constituencies will be re-elected. We make bold to say that without doubt *this is one of the most fraudulent political stratagem designed to hoodwink the African population.*

13. We also draw your attention to the last sentence of Article 2(2) of the Constitution which provides "that the question whether or not the Governor-General has in any matter complied with any such instructions" (those from Her Majesty) "shall not be enquired into any court". Already Southern Rhodesia has a local man as Governor. In future the Federation may also have a local man as Governor-General. That he would give unbiased interpretation to such instructions is not assured. In the event of such instructions being improperly carried out, there can be no recourse to law under the present constitution.

Special Constitutional Courts

14. There should, we feel, also be provision for a special court to deal with Constitutional matters, the judges for which should be recruited from outside the country—as past events have shown that justice is a rare commodity for people whose political affiliations are not to the liking of those that govern. There should be appeal from such a court to the Privy Council or to the International Court at the Hague.

Future Status of The Federation

15. The Preamble to the Constitution states that the Federation may attain full membership of the Commonwealth when the "inhabitants so desire". We would like this assurance to be fortified by a machinery of Referendum taken on the basis of Universal Adult Suffrage. The granting of Dominion Status should be postponed until such time that the majority of the inhabitants of the Federation desire such a change.

Bill of Rights

16. The present Constitution of the Federation is void in so far as guarantees of fundamental rights to its citizens is concerned. In view of this omission, we strongly recommend for the insertion in the revised Constitution, a Bill of Rights or a Chapter on the following lines:—

17. Right to Equality
(a) The State shall not deny to any person the law or the equal protection of the laws.
(b) 1. Prohibition of Discrimination. The State shall not discriminate against any citizen on grounds only of religion, race, sex, place of birth or any of them.
2. No citizen shall on grounds only of race, religion sex, place of birth or any of them be subject to any disability, liability, restriction or condition with regard to:—
(a) Access to shops, restaurants, hotels and places of public entertainment or
(b) the use of roads and places of public resort maintained wholly or partly out of State funds or dedicated to the use of the general public. It would be necessary to define certain universal phrases, which, because of lack of legal definitions in this country, find a general abuse based on colour. Illustration: "Right of Admission Reserved". This phrase is being misconstrued by European establishments to exclude non-Europeans.

18. Equality of Opportunity in Matters of Public Employment: No citizen shall, on grounds only of race, religion, sex, place of birth or any of them, be ineligible for, or be discriminated against in respect of any employment or office under the State. The singular reference to a guarantee of such a right seems to be with regard to the Federal Public Service, wherein Article 40, Sub-section 2, it is laid down that no person will be ineligible for employment on grounds of race alone. However, the subsequent section 3, in our opinion, has a nullifying effect of this provision when it states that "In determining the suitability of any person for any employment in the Federal Public Service, regard may be had to the circumstances of the locality in which that person would be employed". This restrictive section is capable of being interpreted in a manner detrimental to a general eligibility for employment in the Service.

19. Right to Freedom:
(1) All citizens shall have the right—
(a) to freedom of speech and expression;
(b) to assemble peacefully and without arms;
(c) to form associations and unions;
(d) to move freely throughout the territories comprising the Federation.
(e) to reside and settle in any part of the territories of the Federation.
(f) to acquire, hold and dispose of land and property, and
(g) to practice any profession, or to carry on any occupation trade or business.

20. Right to Freedom of Religion:

Subject to public order, morality and health, all persons are equally entitled to freedom of conscience and the right freely to profess, practise and propagate religion and to establish, manage and administer charitable and educational institutions.

21. Protection against Arrest and Detention

(*a*) No person shall be deprived of his life or personal liberty except according to procedure established by law.

(*b*) No person who is arrested shall be detained in custody without being informed, as soon as may be, of the grounds of such arrest, nor shall he be denied the right to consult and be defended by a legal practitioner of his choice.

(*c*) Every person who is arrested and detained in custody shall be produced before the nearest magistrate within a period of twenty-four hours of such arrest and no such person shall be detained in custody beyond the said period without the authority of a magistrate.

22. Educational Rights:

No citizen shall be denied admission into any educational institution maintained by the State or receiving aid out of State funds, on grounds only of race, religion, language or any of them.

23. Right to Constitutional Remedies:

(*a*) The right to move the Supreme Court by appropriate proceedings for the enforcements of the rights conferred by this Bill is guaranteed.

(*b*) The Supreme Court of the land shall have the power to issue directions or orders or writs, including writs in the nature of habeas corpus, mandamus, prohibition, quo warranto and certiorari, whichever may be appropriate for the enforcement of any of the rights conferred by this Bill.

(*c*) The rights guaranteed by this Constitution shall not be suspended or abridged in any way.

Franchise

24. The following quoted from the Preamble of the Constitution of the Federation has a direct bearing on the mandate of the Commission. The Federation (to quote its preamble) was designed to ". . . conduce to the security, advancement and welfare of all . . . inhabitants . . .". We therefore wish to recommend for your consideration, franchise proposals which conform to the spirit and the letter of "partnership and co-operation", and which will help to direct the nation's course along the road to democracy.

25. It is extremely difficult to conceive of a system for the just representation of the people of the Federation on any other lines than a democratic one. And with this in view we submit

(*a*) that democratic government is the only form of government compatible with the needs of all the inhabitants of the Federation, and

(*b*) that the widest possible franchise is the very basis of democratic government.

26. Much has been said about the "democratic" feature of the national life in the Federation, but the truth is that the franchise laws, though apparently democratic in form, are in practice restrictive, unjust and undemocratic, and quite out of keeping with the policy of "partnership and co-operation".

27. In the Federation of Rhodesia and Nyasaland political power is confined to a numerically small minority who seem determined to prevent ever having a parliament with a majority of black members, however civilised and whatever stringent tests they may have passed.

28. There can be no question, we submit, of the minority continuing to live, even in the foreseeable future, as a privileged class by means of a manipulated franchise, an industrial, economic and social Colour Bar and the various other stratagems designed to preserve the status quo.

29. The present system of government in the Federation cannot be termed honestly government *by* the people and it is our belief that for the ruler as well as the ruled it is the very negation of living.

30. This system we feel has been instrumental in preventing the development of a Rhodesian loyalty, instead of which we have today literally two nations one white, one black, with all the danger inherent in such a situation when they are separated by a considerable economic gulf.

31. It is precisely *because* the majority of the people are disfranchised that their needs do not receive the attention they otherwise would. This is not a situation unique to the Federation. It is one which has prevailed in every "civilised" country of the world. A comparison of the period of Industrial Revolution and the present period in the Rhodesias will prove conclusively that this was true of Britain as well. It is well known that the widening of franchise in Britain averted revolution, led to great improvements in the living conditions of the mass of the people, and united the "two nations" into one.

32. The "two" nations exist in the Federation as they did in Britain, one the rich, one the poor, and the added factors of different colour, language and ethnic background make the likelihood of eventual collision, even greater than that of the England of 1848. The one advantage is that our politicians can learn from history. To avert such a collision the granting of a wide franchise is the only solution.

33. Failure to make the African "part of the democratic system" in the Federation is, we feel, the prime cause of the ever growing unrest. The risk of a restricted franchise is greater than the risk involved in widening it.

34. Article 21 of the Universal Declaration of Human Rights deals with the basis of democratic government:

> "The will of the people (irrespective of race, colour etc.—Art. 2(1) shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures".

35. It is our considered opinion that the commission should indicate its belief in a democratic government which can and must prevail in a multi-racial society, as the only form of government which will ensure the implementation of partnership and the building of a united nation in the Federation. And since Universal Adult Suffrage is absolutely basic to a democratic state, its attainment should be the ultimate goal of the Federation.

36. One often hears the question:

Can the African understand democracy which is essentially the Whiteman's way of government? Did the African have any democracy before the coming of the Whiteman to Africa? Ndabaningi Sithole's book on "African Nationalism" (page 86) makes the following observation:

> "Those of us who have lived in Africa know the African people are democratic to a point of inaction. Things are never settled until everyone has had something to say. African councils allow the free expression of all shades of opinions. Any man has full right to express his mind on public questions. Even those in authority will always consult public opinion: 'Batini abantu? (Ndebele, Southern Rhodesia) means 'What do the people say?' 'Nxa abantu bevuma, kulungile' means 'If people agree that is alright'. The people—the common people—are the basis of all properly constituted authority".

37. There is no reason to believe that the African would be less capable of understanding the rudiments of government than the English labourer, Indian villager or Ghana tribesman.

38. The differences in education, intelligence, moral responsibility and political understanding between members of any Western electorate can be and usually are great but no one thinks of denying these people the vote for fear they may use it unwisely. The Africans are citizens of this country and have accepted and are striving within their limited means to attain standards of Western civilisation. The question for the Federation is not "which of our people are civilised?", since no standards of selection really exist. The only answer to this can be that we are and propose to become more so.

39. The fundamental need of the large majority of the population is simple economic security. In so far as they feel a challenge to their economic security from people of another race they will think and act racially. The way to ease racial feeling lies in creating economic conditions which provide security regardless of race.

40. Those who are against Universal Adult Suffrage will only find themselves in agreement with the following quaint quarter:

> "We must also note that Engels quite definitely regarded Universal Suffrage as a means of bourgeois domination". (V. I. Lenin, in 'The State and Revolution').

41. The fear of African susceptibility to the influence of 'demagogues' is an argument advanced against extending the franchise. But demagoguery breeds in hopelessness. The increasing social chaos, the falling standards of living, the lack of political expression and economic opportunity of Germany and Italy in the 1920's gave rise to the rule of two of the world's worst demagogues in highly civilised countries. The bulk of any people are capable under normal conditions, to judge wisdom, integrity and honesty of purpose in a candidate for election. The danger of Africans being swayed by and electing 'demagogues' may be present but it is smaller now than perhaps it ever will be again, if exasperation, hopeless-

ness, and racial animosity were to set in, as undoubtedly they will if the status quo is maintained.

42. In considering the effects of the above recommendation, the first point is that any government in Africa proclaiming its belief in democracy by the introduction of a wide franchise in a multi-racial state would immediately gain the goodwill and respect of the mass of the people. This in itself would, as nothing else, tend to consolidate its position. Conversely, the forces giving rise to African nationalism would receive the greatest set-back. The people would look to European leadership, civilised leadership, with the new knowledge that partnership meant what it said after all; and their vote would undoubtedly go to the party which practically demonstrated its belief in democracy. A further point is that the responsible elements among the African leaders would be the first to recognise the tremendous step forward towards democracy, that the granting of a wider franchise, leading ultimately to Universal Adult Suffrage would represent. The result—the practical result—then, would not be the overnight establishment of an all-black parliament, mob rule and the end of the Whiteman as the advocates of White Supremacy would predict, but rather the development of a government with multi-racial support, enjoying the good-will necessary to develop a pattern of life in Central Africa which would be an example to the rest of the Colonial world.

43. We are fully conscious of the fact that it may not be practicable to introduce Universal Adult Suffrage immediately. That it will take time to build up the necessary political institutions, to overcome prejudice and to allow time for public opinion to adjust itself, so that Suffrage may be introduced without the dangers inherent in too sudden a change. But we must declare our intention to do so at the opportune moment unequivocally and stick to it unswervingly; and as a demonstration of our sincerity and because it is an immediate political necessity ask for the extension of the present franchise laws immediately.

44. The present B roll which in actual fact is designed for Africans, and is restrictive in as far as election of candidates is concerned should be abolished. As a reasonable compromise between the existing franchise laws and the objective of Universal Adult Suffrage we propose the following qualifications:—

(*a*) that the applicant is over 21 years of age and is able to fill in the requisite forms in English or any indigenous language;

(*b*) (1) that he (or she) has passed Standard VI education or

(2) has £250 worth of property (property held in Native Reserves to count) or

(3) is receiving an income of a cash value (including allowances) amounting to £120 per year.

(*c*) that he is resident in the Federation for not less than 12 months.

These franchise qualifications should not be hampered by any citizenship laws.

45. We realise the implementation of such a programme would need a great deal of courage and faith on the part of the government as well as the present electorate. But we also believe that in the display of such courage and faith lies the only hope for the future of a young, vigorous and growing country. It is a positive policy to unite the people of the Federation into one, sharing common loyalties and common interests.

46. Conclusion.

We earnestly believe that the immediate and sincere implementation, on the lines suggestion in this memorandum will undoubtedly bring untold good to all the inhabitants of the Federation. On the other hand the rejection of the views expressed will only lead to the eventual break up of the Central African Federation.

Much will depend on the course the politicians of this country will chalk out. And much more still the sincerity of purpose in implementing a policy aimed at creating a harmonious society based on:—

(*a*) Equality of opportunity for all.

(*b*) Privileges at present enjoyed by the few to be extended to every citizen.

(*c*) Guarantee of Civil Liberties and an independent Judiciary to safeguard personal freedom against abuse of power, either by the State or any Organisation.

Bulawayo
January 1960

Supplementary Memorandum **57**

AN ASIAN GROUP OF BULAWAYO

We wish to bring to your notice a little-known fact embodied in the present Constitution of the Federation of Rhodesia and Nyasaland.

Article 9 of the Constitution provides for a Legislature of 59 members composed of five (four?) categories:—

Category	*S.R.*	*N.R.*	*Ny.*
1 Elected Members	24	14	6
2 Elected African Members	4	2	2
3 Sp. Elected African Members	—	2	2
4 Sp. Elected European Members for Afr. interests	1	—	—
5 Sp. Appointed European Members for Afr. interests	—	1	1
	29	19	11

"Elected Members" are those elected by voters on the Common Voters' Roll, which is predominantly white. Up to now no African has been returned an an "Elected Member".

2. "Elected African Members" are those elected by voters on a common voters' roll for seats reserved for Africans only. All Africans returned to Parliament in such a way have been members of predominantly white parties.

3. "Specially Elected African Members" are those elected in a manner prescribed by the Governors of the respective territories.

4. "Specially Elected European Member" from S. Rhodesia is also elected by voters on the common roll.

5. The "Specially Appointed European Members" are appointed by the Governors of the respective territories.

Now Article 9(2) provides that if an African is elected as an "Elected Member" (Category 1) at any election at the subsequent elections one seat of an "Elected African Member" will be reduced from that territory and one seat of "Elected Members" increased. This has been designed to keep constant the number of Africans in Parliament. Thus if four Africans are elected as Elected Members (category 1), at the subsequent election all four seats for Elected African Members (category 2) will be done away with. Thus elections can be manipulated in such a way that within the course of two elections there can be no Africans sitting in the Federal Legislature. We give an example to illustrate the point:— Let us assume an Election takes place in November 1960 and at that election the United Federal Party and the Dominion Party come to a mutual agreement to put up four African candidates in each territory to contest seats agreed to by them. Since the electorate is predominantly European and supporters of these two parties, they will naturally vote as their parties want them to. We will therefore have four Africans elected from each territory. Thus there will be in Parliament twelve Africans as "elected members" (Category 1) and twelve Africans from categories (2) and (3)—24 members in all—no doubt an impressive number by present standards.

Now, the constitution comes in. Because 12 Africans were elected as "elected members" (category 1) at the 1960 elections Article 9(2) of the constitution provides that the seats for "elected members" be increased by that number by reducing seats for categories 2, 3 and 4 (i.e. seats reserved for Africans). So at the 1965 elections the Federal Legislature may be composed in the following manner:—

	S.R.	*N.R.*	*Ny.*
Elected Members	28	18	10
Specially elected European Members ...	1	1	1
	29	19	11

Now suddenly the U.F.P. and the Dominion Party may decide to withdraw from their previous agreement and put up European candidates for all seats. We will thus find that the 1965 Parliament will consist of European members only. If such a situation arises, there is nothing in the constitution which guarantees that the seats in categories 2, 3 and 4 (reserved for Africans) will be restored.

The above example is hypothetical. The dates are more so because the Federation is not likely to achieve Dominion status by then. And, as long as Dominion status is not attained our white rulers are unlikely to play any such tricks. Once Dominion status is achieved, however we feel that such a situation can arise. Nothing that has happened in the past has given us confidence in the integrity of local politicians. We therefore appeal to those who wish to see progress in the Federation to use their influence in order to remedy this grave flaw in the constitution. The clauses which we referred

to above were introduced into the constitution only a year or two ago. We cannot for one moment believe that the architects of these amendments are ignorant of their long-term prospects. We hope that the British people at a time when "they've never had it so good" will not abdicate their responsibilities towards a people facing their darkest hour—the 7,000,000 Africans of Central Africa.

Oral Evidence

AN ASIAN GROUP OF BULAWAYO

Representatives: N. B. Mooney
S. K. Naik
D. N. Desai

The Group had presented two memoranda. Their Supplementary paper was read during the course of their oral evidence (see paragraph 17 below.).

Mr. Desai stated that the Group had come before the Commission as individuals, although they were all members of the Asian community, which numbered 18,000 in Bulawayo. He wished to start by reiterating certain points made at the beginning of their memorandum. "To protest against the composition of the Commission; to protest against the Commission sitting at a time when numerous leaders were in detention; and to protest at the Commission sitting in a hotel where discrimination had been permitted, and many of the Asian leaders had been insulted in the past. He also stated that although the hotel had become multi-racial, discrimination still existed in separate bar facilities for Asians and coloureds.

In reply to questions on the memorandum, Mr. Desai and the other two witnesses made the following points:—

(1) On the first sentence of paragraph 8. He was asked whether a referendum in Nyasaland on Universal Adult Suffrage would not be affected by intimidation, they said that they thought there was no intimidation. Intimidation was only exercised by those who held power, that is the Government. They had not been to Nyasaland recently.

(2) On paragraph 10: the suggestion that the 16 members of the Federal Assembly should be elected from Nyasaland by Universal Adult Suffrage. They suggested this because Nyasaland Africans were politically more conscious, and they thought that the Nyasaland Africans would be satisfied with nothing less than Universal Adult Suffrage to ensure the stability of the Federation, so the grant of Universal Adult Suffrage was still only a compromise. They considered it would be feasible to grant it at the present time.

(3) Comparing paragraph 24 on the franchise and the statement in paragraph 43 that it would not be practicable to introduce Universal Ault Suffrage immediately, they stated that the latter was their considered view. If Universal Adult Suffrage were introduced immediately it would win over the Africans, but they knew that the whites would resist it. They then referred to the Southern Rhodesian Prime Minister having talked of secession at a time when the Monckton Commission was already sitting.

(4) On paragraph 44, details of a suggested franchise. All these related to the *Federal* franchise. They wanted to eliminate the B Roll because they felt that there could not be two classes of citizens; either all should enjoy the same degree of citizenship, or have none at all. They felt that there should not have been a B Roll from the beginning, and on their proposals the need for a B Roll fell away.

(5) Asked why many Africans, entitled to do so, did not register for the vote; they said that they felt that very few Africans could in fact qualify; the economic position of Africans was very poor, they were paid £7 10s per month in contrast to the high wages of Europeans. In Nyasaland they were totally opposed to joining the voters' roll because they thought they would have no effect if they did so.

(6) On paragraph 44 (b)(i); women should have the vote as well as men. They thought that African men would also agree to this, and that in fact African women were the more politically conscious .The income of the husband should count as the wife's income.

(7) Questioned as to whether this should apply to all three wives of a polygamist marriage, they said that it was a pity that the Government should allow three wives to be kept; it was not democratic. If the system allowed for three wives, then all three should have the vote. Unmarried African women, if qualified, should also have the vote.

(8) An educational Standard VI should qualify without any means or income qualification at all. "Property held in Native Reserves" meant that this should also be a qualification as well as property held elsewhere.

(9) The qualification of £120 per annum need not be held for 2 years before registration, but merely at the time of registration.

(10) The reference at the end of paragraph 44 to "citizenship laws" meant that if merely the word "citizen" were employed in the statute, then the legislation relating to citizenship might be made too difficult for many to meet, thus affecting the franchise; for example it might be prescribed that the form had to be filled in in the English language.

(11) They had not worked out how many people would be enfranchised on these qualifications. They would be satisfied with the qualifications which they suggested. They were expressing their own personal views, and were not speaking on behalf of all Asians, and definitely not on behalf of all Africans.

(12) The reference in the first sentence of paragraph 8 to "uncorruptible safe-guards" meant that the safe-guards should be left with the Crown, meaning the British Government, exercising those powers from the Colonial Office or the Commonwealth Relations Office. Such an office should continue to control the Federation. They realised that this might not now affect Southern Rhodesia.

(13) Paragraph 19 (g) in the past they had found that Indian young people, although qualified, had not been allowed to enter professions. The Indians were described as "a nation of shop keepers" but when for example one of their sons tried to become qualified as a solicitor he was prevented by the "trade ring". Another Indian, qualified as an engineer, had been unable to get employment in Southern Rhodesia and had had to go elsewhere. The provision for this freedom (i.e. freedom to enter into professional business) should be embodied in a Bill of Rights for all, not merely for Asians. As in America, it was the duty of the Government to break up all monopolies.

(14) Nyasaland should evolve in the same way as in Tanganyika, although the witnesses were aware that Tanganyika had not yet achieved Universal Adult Suffrage. If Nyasaland had to remain in the Federation, then nothing short of Universal Adult Suffrage would suffice there. The difference between Nyasaland and Tanganyika was that the latter was free, and not afraid of anyone.

(15) Paragraph 22. This paragraph implied that they were in favour of multi-racial schools. They believed that they could have only one nation in the Federation, and that the idea must be inculcated from the beginning.

(16) Paragraph 14. The reason why they thought that judges should be brought from outside the country was that they felt that judges from this country did not give fair treatment; they cited the Beadle Tribunal as an example.

(17) On paragraph 12, the "Super-Flaw" in the Federal Constitution, relating to Article 9 (ii), they stated that they had not taken any legal opinion, and supported their view by reading out a special statement, (See Supplementary Memorandum). They refused to admit that the provisions of Article 9 (i) were legitimate as designed to see that at least some Africans could get into the Federal Assembly.

(18) Paragraph 15; last sentence. If the other proposals in their memorandum were carried out, they felt that Dominion status would be good for the country. Their views generally, they admitted, were based on suspicion. They had seen what had happened in South Africa, and they had no reason to think that the white people in the Federation were any different.

(19) They were questioned as to whether Southern Rhodesia would be prepared to stay on in the Federation on the basis which they had proposed; and whether they would prefer to have the Dominion Party in Power. They stated that they preferred the Dominion Party to the United Federal Party, believing that the latter had not a straight policy and they preferred to deal with the devil in his own clothing. A change of heart was needed in the Federation, and it would have to be on the part of the Europeans, because they hold the power. They knew they would not get this from the Dominion Party, but they did not get it from the United Federal Party either.

(20) Paragraph 19 (e) (f). They were asked whether the suggested freedoms should include universal rights to settlement in Native Reserves and Native Trust Land. They replied that they could not overlook that certain lands needed to be reserved for Africans. If those lands were opened up there might be large scale purchase, leading in the end to the Africans being landless. They, therefore, thought that certain lands should be set aside and reserved for Africans. But the Crown should not permit the selling of any land on speculation, without full development clauses; and if these were not carried out the land should be confiscated.

(21) Paragraph 8. Asked again why they thought the special

position should be accorded to Nyasaland, they replied that many white people thought Nyasaland should be free. But if the same idea were applied in Northern Rhodesia there might be disturbances between the whites and the blacks.

(22) Paragraph 2. If the terms of reference of the Commission had been other than they are, they said that they would have advocated a different course. They felt that Northern Rhodesia and Nyasaland should never have been federated with Southern Rhodesia, and they would have said that the position should revert to what it was before Federation. But they had had to assume that nothing was permitted in evidence except what related to the continuance of Federation; they wanted the Federation to continue if, but only if, the proposals which they made were accepted.

Memorandum

W.B. DAWSON

Some Comments on African Development

1. In 1896 when the European population of the Matabeleland portion of Southern Rhodesia was probably below four figures, the Matabele developed the idea that the loss of cattle from Rinderpest was caused by the white man, and turned on the Europeans, particularly on outlying farms and mines. There was heavy slaughtering.

2. The local defence was inadequate to cope, and Rhodes, at Capetown, decided to come up to face the rebels. His position at the moment was unfortunate. Because of his association with the Jameson Raid in December 1895 he had lost status. He was no longer Prime Minister of the Cape Colony, nor was he Chairman of the British South Africa Company, which, through his enthusiasm a few years earlier had, with the approval of Lobengula, the Matabele chieftain, secured a Charter over what has become Southern Rhodesia.

3. In time contact was made with the Africans, through the medium of a white man acquainted with the language, and Rhodes spent six weeks in the Matopo Hills (a visit today would clearly indicate what that would have meant in the 90's without its present roads). From time to time there were talks with the ringleaders who would disappear and then come again and again until, finally, they came and declared in their own language "La hla nkonko" (We lay down our spears).

4. From then onwards, in spite of the horrible slaughtering, the Europeans and Africans lived in peace and concord for over 57 years until that unfortunate, because it was premature, and quite inappropriate word "partnership" appeared in the preamble of the Federal Act.

5. It was Rhodes who coined the dictum "Equal rights for all civilised people", and in keeping with that in 1903 (this was during the period of the Charter which did not cease until 1923 when self-government was granted) the African in Southern Rhodesia was given the right to vote on the same terms as European—the terms at that time being:

£100 a year income, or

£150 property, and

the ability to fill in an "Application to Vote" form.

6. After fifty years, out of an African population in Southern Rhodesia of about two millions, only 400 had either attached sufficient importance to the value of the vote as a step towards democracy, or had reached the qualifications, and that was the state of things at the time of Federation in 1953.

7. Of necessity there had to be some sort of registration. Even Europeans find themselves registered in some form or other, either as voters or as municipal or government taxpayers. This registration is relatively easy; but in the case of the African, up to the present the vast majority have been unable to say who they were or where they came from, other than in their own language, and their abodes might be many miles away. Hence at the first opportunity their registration at the office of a Native Commissioner takes the form of a pass, which saves a lot of trouble to all concerned.

8. That very brief outline of the relations between the African and the European in Southern Rhodesia is of an importance that cannot be overstressed because in Northern Rhodesia, under the direct control of the British Government, through a Legislative Council, relations between European and Africans were somewhat different. It is true that one found Africans employed in Government offices, if that can be accepted as a sign of advancement. To that extent they may be said to be ahead of similar Africans in Southern Rhodesia, but all the time they were only "protected person", and up to 1948 had no sort of representation in the Legislative Council, and yet today the people of Great Britain are calling for universal suffrage amongst all Federal Africans, quite regardless of the utter inability of the greater portion of Africans to know what it means. Bechuanaland does not come into the present subject, but it is another instance of direct control from Great Britain. Was there ever a country so completely void of any sort of encouragement to the African after over sixty years of British rule? Was there ever a country so completely dead? From this it may be gathered that I ask myself: "How can the people of Great Britain be accepted as a guide to us in the development of the African?"

9. To the extent that the right to vote is fundamental to "partnership", partnership prevailed in Southern Rhodesia for 50 years, during which time the African was gradually evolving from a savage into a civilised being. The progress has necessarily been slow. He had no written language. It was the European missionary who began by framing the phonetic sound of an African word into English symbols, just simple words used by the African, and ultimately, by perseverance there were sufficient words to form a dictionary. Indeed it was necessary for the African to be taught to read English before he could read his own language in the written words the European had prepared for him. As a matter of fact there are twenty or more spoken languages amongst Africans, for many of which, if not all, there are dictionaries. This is of interest in that it indicates that although all of them are black, all Africans are not of one tribe and do not necessarily think alike on any subject.

10. What was actually developing in Southern Rhodesia was a form of "guardianship", which is still in progress, but being pushed aside by an elaboration of the word "partnership". Just as a European child, under guardianship, develops into a self-supporting man, so here and there have we seen a few Africans rise above their fellows, but that has not made all Africans self-supporting. There are millions requiring the attention of the last 50 years to be continued, and I suggest that the African will be a better fellow if evolution is allowed to develop gradually, and that the system that prevailed in Southern Rhodesia for over fifty years should be extended to Northern Rhodesia and Nyasaland and become a common policy under the Federal Government. As the African advances so he will take his place in the life and activities of the population, and anything in the shape of force will be eliminated.

In brief, "time" will do the "cementing".

Bulawayo

February 1960

Oral Evidence

W. B. DAWSON

Mr. Dawson said that he was born in Port Elizabeth in 1882, and that he had spent over 50 years in the Union and the last 26 years in Southern Rhodesia. Altogether he had served the railways in the Union of South Africa and Rhodesia for a period of 50 years, and his beat extended from Beira to the Congo border, and it included the railway road services routes as well. In the circumstances he had virtually covered the two Rhodesias from end to end.

He stated that he did not wish to expand his memorandum beyond saying that he continued to be very worried about miscegenation; for he believed that the white person in Southern Rhodesia should have respect for his colour, and he thought it was most important that mixed racial strains should not develop in the Federation.

In response to a question Mr. Dawson stated that his reference in paragraph 7 of his memorandum was purely in relation to registration as a means of identification; it was not related to registration as a voter. On the latter, however, the witness commented that the failure by the African to register as a voter when he was entitled to do so arose primarily from ignorance. Many people tended to ignore the fact that it was only now that the African was emerging. It was true that educational facilities for Africans had been somewhat primitive until the last 8 or 10 years, but nevertheless the African had been entitled to register as a voter since as far back as 1903. After all, he commented, it was only a very short while ago that many of them were able to write their own names in their own language, let alone write and understand English.

Mr. Dawson said that in his view the idea of partnership between the races was premature. He much preferred a concept of guardianship, because the vast majority of Africans were still in the process of evolving. While he was perfectly happy to assist Africans in any way that he could, Mr Dawson said he was not willing to enter into partnership, so to speak, with those who remained ignorant.

Memorandum

S. J. M. MOYO

Autobiographical Note

I, Siminya John Makalisa Moyo, was born on the 12th of November 1920 at a little village in the Filabusi District.

My early schooldays were at a kraal school and I later came to Bulawayo, Usher Salvation Army Mission School and ended my school days at Domboshawa Government School near Salisbury. I left school after a third year Post VI in Community Work, and was immediately employed by the S.R. Government as a Community Demonstrator in January 1943. From March 1952 I worked as a Mobile Cinema Commentator and left on the 1st of December 1952 to join Rhodesia Railways as Recorder/Interpreter.

In 1955 I decided to pursue further studies and passed my Junior Certificate in 1956.

I have held executive positions in the Domboshawa School Disciplinary Committee, Railway African Football Association (Bulawayo) Mpopoma Ratepayers' Association (Bulawayo), Railway Township Advisory Committee (Bulawayo), African National Congress (Bulawayo) and Railway African Workers' Union. (I am President General now of that Union).

Introduction

Failure by the Federal Government to Win African Confidence in its Own Departments and Industries

It is generally accepted that the accelerated development of industries was evident immediately after the Federation of Rhodesia and Nyasaland came into being.

While it may be diffult for one to attempt to prove that without Federation we could not have had the same progress, one may at least claim wonderful progress in providing public services where the Federal Government was responsible. The Medical Department is one where the public has seen not only new hospitals and clinics in the last four or five years but has also seen very much better facilities in both old and new hospitals and clinics. The post offices have also been improved and new ones built and for the public this Department has removed colour bar and all the counters.

In the Railways an attempt is being made at removing social colour bar for the passengers, and one may say that but for minor incidents by members of the public resenting each other this Department is doing its best to please everybody.

Employees to these Departments

While the Federal Government is not expected to dictate what policy to be followed by industries in order to make partnership a reality it is expected that where it is responsible like the departments mentioned above it would endeavour to apply its policy truly. But unfortunately the Federal Government has failed badly just in these very departments.

In the post offices we believe that where duties were the same the remunerations should be the same. We have African Postmasters whose wages the Minister responsible would not like to compare with their workmates of the other colour.

In the Railways the position is even more revealing in that in this department an African Union has been struggling for the last six years trying to break an industrial colour bar which appears to have the blessing of the Federal Government. (See footnote)

A pledge to Employees

As I intend to deal in detail about this industry—Rhodesia Railways—may I now introduce its earlier history when at the time a Commission (Railway Commission) in 1947 went into details about the pledges before its purchase.

The then Secretary of State for the Colonies had this to say:—

"It will be the policy of the Commission (that is the Commission of Southern Rhodesia, Northern Rhodesia and Bechuanaland Protectorate) to promote the Welfare and advancement of the African employees of the Rhodesia Railways, both by *progressively* improving their conditions of service, health, housing and feeding, etc. by securing for them opportunities of employment in more responsible work as and when they are qualified to undertake such work. His Majesty's Government in the United Kingdom has a special responsibility in regard to African labour both in Northern Rhodesia and in the Bechuanaland Protectorate. In measures which it takes for the advancement of African labour the Commission will, of course, be required to take into account the interest of all other employees of the Railways and to consult closely on these questions with representatives of European and also African employees. In this connection the Commission will give facilities and encouragement for any steps which the African employees may take towards the formation of a Trade Union or Unions."

It was as a result of trying to fulfil this requirement that consultations between the Railway Administration and the three Unions (Rhodesia Railway Workers' Union, the Amalgamated Engineering Union and the Railway African Workers' Union) resulted in the appointment of a one man Commission—Mr. Farrar—to investigate and report on:—

(a) what jobs were being reserved to Europeans in the Railways but were done by Africans outside the Railway industry;

(b) to what extent jobs reserved to Europeans in the Railway industry are in fact being done by Africans, etc.

This reporter recommended at least 25 jobs now reserved for Europeans to be open to all and later representatives from the Railway Administration, Rhodesia Railways Workers' Union, Amalgamated Engineering Union and Railway African Workers' Union met and adopted the report in principle on 23rd August, 1956.

For some reason or other nothing was done about putting what was accepted into a reality until in 1957 when the Railway Administration produced a scheme showing a transitional period of sixteen years before an African could reach just the minimum of a European's rate of pay. This was not acceptable to both European Unions and the African Union.

At this stage the three Unions met and drew up their own scheme and submitted same to the Railway Administration for transmission to the Higher Authority. This scheme envisaged a transitional period of only seven years in which the African advanced would reach the minimum European's pay in any Grade.

Although there was constant reminder from the Railway African Workers' Union, the Higher Authority did nothing about this matter till the middle of 1959, when the Minister again came with another scheme which was rejected outright by the two European Unions. At this meeting, for the first time, the African Union learnt that the other two Unions were no longer willing to be a party to the 7 year scheme.

As the African Union was still willing to negotiate with the Railway Administration a Special Joint Industrial Council sat in Bulawayo and devised what is generally known as the "White Paper" which was subject to ratification or rejection by the National Industrial Council and in spite of the Administration's promise to Railway African Workers' Union to take this scheme to National Industrial Council that has not been done, but instead have entered into another agreement between the European Unions based on the rate for the job scheme. After this agreement between the Railway Administration and the Railway African Workers' Union, the Federal Trades Union Congress demanded to see Sir Roy Welensky the Federal Prime Minister and Sir Edgar Whitehead the Southern Rhodesia Prime Minister and meetings took place in Salisbury on the 6th October, 1959.

At both these meetings the Railway African Workers' Union was allowed to send observers and in spite of Sir Roy's suggestion that the two Railway European Unions go to National Industrial Council on the White Paper they chose not only to refuse to do but in fact forced the Higher Authority to accept another scheme based on what we may choose to call *European Rate for the Job*. This scheme was later taken to National Industrial Council and was accepted with very minor amendments. (The African Council is totally opposed to this scheme).

There is no doubt that a practical demonstration of industrial partnership to the 23,000 Africans employed by the Government controlled undertaking could have made a tremendous impression upon the whole African population. The lead which it would give to industry generally would set a pattern for the whole country and be a very positive step in bridging the yawning gap between European and African economic standards. Despite constant profession that this is Government's intention the African, particularly those who are Railway employees, can be forgiven for lack of confidence when their average wage is still only £6:18:6 per month and the 8,000 European railwaymen have a total income of over seven times that of the 23,000 Africans.

Whilst progress for Africans is slowly coming about in the higher grades in other Government departments, the field is mainly clerical or professional. Here is the Railway undertaking as the largest single industrial employer in the country, Government has failed to gain the African's confidence because of its half-hearted attempts to implement practical partnership and until it is willing to forfeit tthe support of some section of the European electorate, by a more forthright implementation of its policy then the confidence of the African generally can never be won.

Footnote: Whilst discussions are still going on which may eventually lead to positive African advancement there is no doubt that Government has been prepared to let the matter drift rather than upset European Trade Unions by pursuing an active policy of partnership.

Bulawayo

Oral Evidence

S. J. M. MOYO

Mr. Moyo stressed that although he was an official of the Railway African Workers' Union, he was giving this evidence and he had submitted his memorandum entirely in his personal capacity.

He said that one matter he would like to add to his memorandum was that as he understood the position in the Ministry of Health, where qualifications were otherwise the same, African nursing sisters had to undergo a two years' probation service in addition. This was something that was not demanded of the European nursing sisters. He also wanted to mention that he understood that African Postmasters were not on the same salary grade as European Postmasters and generally they were placed in a lower branch. Mr. Moyo also referred to the industrial colour bar on the railways. It was a matter to be dealt with by the Federal Government and unfortunately they tended to let the matter drift. It had been canvassed in the Federal Parliament and the Chairman of the African Affairs Board had been asked to take it up from time to time but they seemed to be getting nowhere.

He mentioned that when his memorandum was drafted negotiations had been referred to the Ministers of Labour of the two Territorial Governments. Subsequently the National Industrial Council had decided to postpone the matter for two months in order to sound members of the Northern Rhodesia Railways Workers Union. In the meantime the Ministers had proposed another scheme which was one based broadly on the rate for the job, and they had made other concrete suggestions, one of which was for some sort of round table conference embracing the Government, the administration and the European and African Unions. The witness said that the Ministers had indicated that if no agreement was reached by 2nd May they would refer the matter to an Industrial Council.

On the question of the rate for the job Mr. Moyo stated that if a true rate was to be applied all the jobs on the Railways would have to be re-rated. At the moment, as far as he could see, it was necessary that some of the jobs should be under-rated and others over-rated. In principle the African was prepared to accept this basis provided the rating was properly done. Fragmentation of jobs had been suggested in the Minister's recent proposal, but he was a bit sceptical of this. Nevertheless he preferred the Minister's proposals to those of the National Industrial Council.

His Union had not given evidence to the Commission because their doing so was opposed by some members of the Executive who were affiliated to political parties who generally opposed any approach to the Monckton Commission. Furthermore, his Union was affiliated to Trade Union Councils in Northern and Southern Rhodesia, and these had voted against the giving of evidence. Added to this was the idea that the Governments had ignored the findings of the Devlin Commission while the Beadle Tribunal was something that had been created to counteract the Devlin findings. This last mentioned circumstance had a very big bearing on the attitude of Africans. Indeed, some of them wondered, if the recommendations of the Monckton Commssion were not well received whether another Commission would follow the present one.

On the franchise Mr. Moyo stated that although the Southern Rhodesia franchise had certain bad features it did represent a step forward. His big complaint was against the Federal electoral legislation. For there one found that the European could elect Africans yet the reverse did not apply in respect of the "B" roll. This posed a situation that the African representatives in the Federal House were not in truth such for, having been elected by their European voter, they naturally took the view that they owed their allegiance to him. He thought that the financial qualifications could very well be lowered and enquired why a person who had his primary education and £300 income should not be registered as a voter on the ordinary roll. He thought that if the Federal franchise had something like this it would be a perfectly feasible proposition to eliminate the lower roll altogether. One found the situation was that many voters, particularly African ones, could get on to the "B" roll, but only comparatively few were admitted to the common roll. The "B" roll was essentially discriminatory, and it tended to make the persons on that roll second-class citizens. He would be quite happy if the Federal roll were altered by reducing the educational qualification to Standard VI, i.e. a primary education.

Mr. Moyo said that in his view while a good deal of improvement could be expected from the Federation it was certainly something which must not be broken up unless something better was substituted for it. He considered that it had brought great advantages to Africans in this part of the world for without Federation the Southern Rhodesia Africans would have been gravely disadvantaged and now that it had been achieved the ties with the north must be kept and even tightened. Notwithstanding his sympathy with Africans in the north he thought that they had a rather circumscribed outlook, and had overlooked the wider and more important issues flowing from Federation. He definitely supported the idea of this or some other form of closer association, and he deprecated any suggestion that parts of Northern Rhodesia should be dismembered from the Federation.

He was quite certain that without Federation, Africans' political rights would not have improved nearly as much as they had done. His view was that the Federation should have another five or six years during which the northern Territories should get self-government after which the aim should be to go for dominion status.

He thought that there should be certain changes in the Constitution and cited the following as cases in point. In Southern Rhodesia as far as the Railways were concerned there was a divided authority. The Railways as such were a Federal function while labour was a Territorial function and this resulted in a constant "passing of the buck". He considered that full control of the Railways including labour should go to the Federal Government, as should all education and all agriculture. He went so far as to say he had seen vast improvements since Federation had come into being and went on to say that he saw no evidence of the Territorial Government here refusing to advance matters; their trouble was that their development plans had been seriously curtailed by lack of finance. He did not think that if Federation endured more attention would be paid to the Europeans than to the Africans. Other advantages he had seen were that there were more clinics in the reserves; and if education were removed into the Federal sphere he had no doubt that educational facilities in the rural areas would similarly be improved. He was quite satisfied with the bona fides of the Federal Government. He agreed that his argument was primarily financial, and that if it were pushed to the extreme the tendency would be towards the creation of a unitary state.

On the pass laws Mr. Moyo stated that he sympathised to some extent with the Northern Rhodesia Africans' detestation of Federation which arose partly from the thought that the pass laws in force in Southern Rhodesia would be brought into operation in the northern Territories. He went on to say, however, that the relaxations of these pass laws in Southern Rhodesia recently should not be overlooked, and they certainly represented a considerable advance since the inception of Federation. It was true that an ideal situation had not yet been reached but the position was very much better. It was possible that this improvement was due to influence flowing from the Federal Government and the northern Governments. The pass laws could be relaxed more but there should still be some form of certificate of identity. If one had such a certificate carrying a photograph it would be very much better than the tax receipt used for identification purposes in Nyasaland. But this certificate of identity, should only be called for when necessary and never arbitrarily.

Memorandum

THE SANDWICH CLUB OF BULAWAYO

This memorandum does not express the opinions of a body of experts. It may, with more truth, be said to express a consensus of the considered opinions of a group of citizens represented in this instance by thirty members of the Sandwich Club.

The Sandwich Club

1. The Club has been in existence for eighteen years.
2. Membership is open to all races and is entirely personal. Members represent only themselves.
3. There is no Constitution or subscription. The Club meets at lunchtime every Thursday and members attend as and when they can.
4. The Club comprises men from all walks of life. The average attendance per meeting over the past few years has been approximately 30.
5. The purpose of the Club is to enable members to examine and discuss affairs of local, national and international interests in an endeavour to clarify their own minds on such subjects.
6. Speakers of all races, and of all shades of opinion, have addressed the Club over the years. Members' opinions

vary as much as do those of the speakers.

7. The debates of the Club are neither recorded nor reported: all discussions are accepted as confidential.

1953 — the campaign for Federation

Prior to the Referendum of 1953, a detailed and exhaustive study of the proposals was made by the Club. Every publication available was studied and many students of the subject, both for and against, addressed the Club. The proposals were analysed and examined from the standpoints of politics, strategy, economics and social developments.

The Club came to the conculsion that *the proposal to form the Federation was sound* and should be supported: this, despite the diversity in political outlook amongst members.

To this end, the Club took an active part in the campaign which preceded the Referendum. By means of public debates addresses and participation in Brains Trusts, the Club made it clear that it was in full support of the proposals. Members believe that their work in this field made some small contribution to the results recorded in the Bulawayo area.

1953 to 1959 — the years of testing

During this period, the membership of the Club has grown considerably. Study of all aspects of changes within the Federation has continued. It is noticeable that the great growth in tolerance which has occurred throughout the country has made itself felt within the Club. There can be no doubt that worthwhile achievements have been made in many of the fields envisaged by the architects of Federation. From personal experience and observation, members of the Club know that this is so.

1960 — the year of review

The Club has recently reviewed the opinions expressed by members in 1953, and the standpoint which the Club, as a body, adopted at that time. The conclusion now arrived at is that, though the Federation, so far, is by no means perfect, there is no reason whatever to change the views expressed by the Club in 1953.

The signatories to this Memorandum, therefore, re-affirm that they believe the wellbeing of all the people in the Territorials comprising the Federation can be best served by a well-constituted and smooth-working federal form of government.

We realise that seven years is all too short a time to achieve a faultless machine of State along these lines, and to this end, will, later in this Memorandum, venture to suggest a few points which may be of help in improving that machine.

We believe that the experiment being conducted in the Federation is unique, in that the object is a multi-racial State with equal opportunities for all; this is to be achieved in a situation which contains two main races which are, in the mass of each, centuries apart in standards of civilisation, culture and ways of life and thought. And with the further complication that the higher standards are the heritage of the small minority of the combined population. The successful outcome of this great social experiment will be the antithesis of the destructive maxim of "Divide and Rule" and may rather be expressed by a concept of "Integrate and Rule with the consent of the Ruled".

The Problem

We realise that legislation can play only a limited role in achieving the success of the experiment; and may even, in fact, operate adversely against that success. We believe that the major contribution lies in a rapid and large-scale change in the personal attitudes of members of each race towards members of other races, but especially between the two main racial groups of European and African. The great stumbling block is in the attitudes expressed by the ill-informed; and the greater the lack of information and the degree of misinformation, the greater the harm of the attitudes expressed. Without question, this applies to all races, and is a point of great convenience to demagogues.

Urgency

We feel it is vitally important that steps be taken to restore public confidence within the Federation, to put an end to the social, economic and political uncertainty which exists and to restore the good name of the Federation overseas—and to do these things without delay.

Proposals

Having studied much of the information affecting this matter and in an endeavour to be of practical assistance, we suggest that consideration be given to the following points:—

1. Education

We are faced not only with a multi-racial population but also with a multi-tribal one. Europeans know all too little about Africans, and vice versa; equally, many Africans know very little about other Africans due to differences in language and customs.

(a) A definite policy of "know thy neighbour better" should be undertaken, and we suggest exchanges of students, teachers and leaders in all fields, particularly educational and cultural. This policy could be aided by an introduction in European schools to the early history of the Territories in the Federation, and customs of the inhabitants thereof, with a view to putting in correct perspective the history of this part of Africa.

(b) Secondary education for Africans should be a responsibility of the Federal Government, and the aim should be to integrate all secondary education as soon as practicable, the ultimate aim being the integration of the whole of the educational system and administration on a non-racial basis.

2. Industrial Development

A definite programme of large-scale industrial development, sponsored and financed by the Government of the United Kingdom in consort with the Government of the Federation, should be undertaken. We do not feel that the social aspect of racial integration can be solved by the mere application of economic measures, but believe that the expenditure necessary to carry out much of the work required in the social field is beyond the present resources of the Federation itself. Economic development is required to increase the wealth of the country for these reasons.

3. Whatever can be done to direct a large portion of such industrial development towards the two northern Territories should be done. It is in the north that the gap between the "Haves" and the "Have-nots" is greatest.

4. African agriculture should be made a responsibility of the Federal Government as soon as possible, with the aim of integrating the whole of the agricultural administration on a non-racial basis.

5. Legislation should prohibit the colour bar in hotels, restaurants and all places of entertainment.

6. The acceptance of a formula which relates a progressive removal of discriminatory legislation to degrees of civilisation.

7. Pass laws should be repealed and replaced by total population registration.

8. The Federal Government should have the power to review Territorial legislation of a nature discriminatory to any racial group, prior to reference to the British Government.

9. Better machinery of propaganda (if necessary, a Ministry) should be created to "sell" Federation both within and outside the country.

10. The earning potential and the productive output of the lower income groups should be increased deliberately and as swiftly as possible. A start should be made with the totally unrealistic statutory wage minima.

11. Government-subsidised (if necessary) multi-racial youth hostels should be set up in places of interest such as Zimbabwe, Wankie Game Reserve, Kariba and the Victoria Falls.

Africa is on the march. The Belgian Congo and Nigeria with achieve full independence this year. Tanganyika will achieve self-government and before long Kenya must do likewise. To Africa north of the Federation freedom has come with frightening speed. It is our earnest hope that evolution in this part of Africa will be orderly and peaceful, to enable all who have made their homes here to live alongside each other in harmony and share the benefits of a multi-racial society. But time is running out fast.

We feel that up to a point far beyond the scope of our present contemplation it is desirable to form states of such size in area and population as to make it possible, within reason, to become self-supporting. We submit that the Federation of Rhodesia and Nyasaland can hope to go a long way towards attaining this idea, whereas its three constituent territories, separately, cannot.

We therefore affirm our faith in a Federation based on the two governing conceptions—the doctrine of equal rights for every civilised man, and the progressive integration of the African in the structure of Western civilisation.

Obviously no group of thinking people will hold unanimous opinions on such a controversial subject as this. The foregoing, therefore, represents the viewpoint of thirty members of the Club.

Bulawayo

Oral Evidence

THE SANDWICH CLUB OF BULAWAYO

Representatives:

E. A. Cordell (employed on the railways)
H. Bayar (a businessman)
C. G. Hodgson (formerly an estate agent, now in a secretarial post)

The Sandwich Club had produced a memorandum.

The Club existed in Bulawayo only, was non-political, and unlike Rotary had no ideals. It was simply a meeting place for the exchange of views. It had no political aims. It was a very loose association with an average attendance of about 30. Africans had attended the Club on occasions, but came rarely because of transport difficulties.

The witnesses had nothing to add to their memorandum. It was merely a reaffirmation of their faith in Federation, of which they were very much in favour, and they were anxious to help to make it work.

In answer to questions, speaking according to their own subjects (and sometimes disagreeing with each other), these witnesses made the following points:—

(1) In their memorandum, under Proposals, point 1: Education: they were keen on the exchange of both students and teachers. They felt that they did not really know who their neighbours were, and that this was a handicap to the working of partnership. Although children of the age of three had no colour consciousness, nevertheless they thought that integration of education would best come at the secondary level because of language difficulties.

(2) Under Proposals, point 4—African Agriculture: it was desirable that this should be made a Federal subject from the economic point of view. They were thinking mainly of Southern Rhodesia. African farmers objected to being dealt with by a separate (Territorial) department. Even though such a change might be opposed in the northern Territories, they would still recommend it having recollection of the initial opposition in Southern Rhodesia to the Land Husbandry Act which had proved beneficial.

(3) Mr. Bayar had visited Nyasaland three weeks ago. He had gained there a very different picture from that painted by the Press and Radio. He felt that there was a basis of co-operation there. He had talked with 30 or 40 people, but in the towns. The majority of people there merely wanted peace and to be able to foster prosperity.

(4) The witnesses thought that liberal thinking had definitely spread in the Federation as a whole in recent years. But it had been held up during the last twelve months because of the emergency. This had caused a hardening, for example, among the rank and file of railwaymen. It was not so much that the trend towards liberalism had gone back, but it had ceased for a time to go forward, and despite this people were realising that they could not go on as they had done in the past. The reaction to recent events in South African was on the whole one of thankfulness, bringing the realisation that success now depended on the working out of partnership in Central Africa.

(5) The views of the three witnesses on the Federal franchise differed. Mr. Cordell was not in favour of lowering it, Mr. Bayar held the views of the Central African Party (i.e. in favour of a lowering of the franchise), and Mr. Hodgson was in favour of the principal of "one man, one vote", but thought it impracticable at present.

(6) Under Proposals, point 5: Mr. Bayar was a member of the Bulawayo Theatre Club which had removed the colour bar 2½ years ago—by 89 positive votes with 2 abstentions. This had proved a complete success so far as European feeling was concerned, but no success at all in the sense that Asians and Africans did not in fact support the Club. They were all in favour of legislation in respect of hotels and restaurants, and thought that the trade themselves were likely to ask for it. Similarly, in entertainment and sport they saw no reason why the colour bar should not be removed, and it had been already to some extent in sport, they drew a distinction between the colour bar and the social bar, and pointed out that the latter existed within the races themselves. They were emphatic that legislation was needed to start the removal of discrimination, and they were convinced that such removal would not be abused.

(7) Under Proposals, point 10: All three were agreed that the present minimum wages were much too low. The country was in fact depriving itself of the purchasing power of 9½ million people. To live on 30/- a week was quite impossible. Mr. Bayar had worked out the principal on the basis of the price of a pair of khaki trousers. If the minimum wage of 30/- were to be put up to 57/6d., it would raise the price of those trousers from 10/2d. to 10/11d.; but at the same time it would create a number of entirely new purchasers and would tend to create an internal boom. There was some discussion on this point related to the fact that the raising of the minimum wage almost exactly two years ago from 20/- to 30/- had been the immediate cause of unemployment in Salisbury and Bulawayo. It was therefore agreed that increases in wages should be based on increases in productivity, but the three witnesses still held that they should not start the process from such a totally uneconomic minimum level. They thought that increases in wages might cause unemployment at first, but that the increases in economic activity would soon absorb the unemployed again.

(8) The witnesses said that the Government was not yet teaching any native language in the European schools.

(9) In relation to the colour bar, they agreed that amendment of the Land Husbandry Act would be necessary.

(10) Questioned as to the effect on Europeans of recent events in the north, they thought that they had had a certain influence in the hardening of opinion, but they did not think that similar events in the south would have a similar effect.

(11) On Proposals, point 6—The "formula": they were speaking generally, and had been attempting a formula themselves. They realised that some discriminatory legislation had originally been protective. But as Africans advanced such legislation should be progressively removed, and it seemed wrong to have "blanket" legislation covering all Africans at whatever stage of advancement. The formula to which they looked would therefore be one of the progressive removal of discriminatory laws. For example, the pass laws should be modified. At present about seven different passes were required. It was apparent however that these laws were gently applied by the Police. But there were other discriminations also to be removed. As to the pass laws they thought that the system should be compulsory registration for all, as had been done in the Congo.

(12) On Proposals, point 9: one had to be careful about Ministries of Propaganda. Nevertheless, there was a great degree of ignorance about Federation. The Europeans had done too little to "sell" themselves and their own ideas. More propaganda would help the multi-racial society to exist. They did not believe that only an African could explain matters to Africans. It would be worth the Government's while to create a team of people who were able to write and put things across. But they had observed that the publications of the Institute of African Affairs were more effective than those of the Government. The target of such propaganda should definitely include Europeans as well as Africans.

(13) They thought that the Europeans in Southern Rhodesia were already reconciled to the idea of an African majority in Nyasaland, and also of an enhanced number of African representatives in the Legislature in Northern Rhodesia.

(14) They thought that many thinking people of all races realised that "Balkanisation" was bound to lead to poverty and lower average incomes all round; and the best hope was in Federation with intensive industrialisation.

(15) Mr. Hodgson thought that a parallel might be drawn between British Guiana and Nyasaland.

Memorandum

SIR HENRY LOW

It is interesting to note at the outset that the Matabele, the warlike tribe which entered Southern Rhodesia somewhere about 1838 - 1840 only preceded the Pioneer Column by a matter of some fifty years. The Matabele had sustained serious reverses in battles with the Voortrekkers and Dingaan's Zulu warriors. The Matabele are an offshoot of the Zulu nation and it is thought by some that the Angoni, another warlike tribe, of Nyasaland were also probably of Zulu descent, but this seems to be wrong. It is more likely that they were of Swazi origin, but both they and the Angonis left Natal about the same time and the Angonis joined up with another column of their own tribe which came into Nyasaland from further north about the same time.

In 1891 the British Government, which had not yet occupied any part of what is now Northern Rhodesia, but merely claimed that that territory fell within its sphere of influence, probably under the Berlin Act of 1885, agreed to allow the British South Africa Company to extend its so described sphere of operations over the territory north of the Zambesi and south of the territory of the sphere of the Congo Free State and the German sphere similarly claimed. This document (see paper Africa No. 2 (1895) presented to the British Parliament February 1895 containing agreement of 1891) also provided that the administration of the British South Africa Company should be subordinate to the British Commissioner for Nyasaland. That provision seems almost farcical, because there was literally no means of communication with either north-western Rhodesia or north-eastern Rhodesia, except by a few bridle paths on the latter's common boundary with Nyasaland. There were certainly no roads, railways, telegraphs or other communications in what is now Northern Rhodesia. Moreover, it should be mentioned that the control by the British Government through the Administrator of Nyasaland, shadowy as it was and is described in the 1891 paper, was not held long as it was later abandoned to the British South Africa Company (see page 264 "Beginning of Nyasaland" by H. A. Hanna). This situation continued until the British South Africa Company surrendered the administration of Northern Rhodesia when Southern Rhodesia secured the right of self-government. Up to that time the development of Northern Rhodesia had been due to the British South Africa Company and the people of Rhodesia, and the development that has since taken place has not been due to Colonial Office Rule, but by the efforts of private enterprise since those days.

We hear a great deal to-day of the sacred duty imposed upon the British Government because the Africans in Northern Rhodesia are under their protection, but, until the British South Africa Company surrendered their right of administration to the British Government and Southern Rhodesia obtained self government, the British Government had not been asked by any of the African tribes to give protection, nor had it annexed Northern Rhodesia at any time.

While I am on this subject, may I refer to a criticism levelled against Rhodesians on the ground that they adopt too much a paternal attitude in their relations with Africans. For those who have knowledge of Africans it is no unusual thing for an African to appeal to a European as his father. In fact, he usually prefaces what he is going to say by announcing that the hearer is his father and must therefore help him. I think his readiness to come to the European for help of any kind strongly suggests his recognition that he owes his advancement to the European. If anyone is paternal, I think our own flesh and blood in the United Kingdom adopt that paternal attitude towards the Rhodesians, apparently claiming that they know more than we do, who have had a lifetime of experience amongst the African people.

Most people outside Africa seem to imagine that the African in the mass is fit to take part in a democracy. Those who have studied the matter believe that it is only through a process of gradualness that the African people begin to understand what democracy means. We, in Southern Rhodesia, inherited the Common Law of the Cape Colony and the Cape Legislation that was then in existence and applicable at the time of the Matabele War. Cecil Rhodes at that time established the claim that there should be equal rights for all civilized men in Southern Rhodesia. This was reflected in the Franchise Laws of the old Cape Colony which, broadly speaking, accepted that the qualifications for a voter to prove that he was a civilized man were as follows:

1. A standard of Literacy.
2. Citizenship of the Colony.
3. A minimum amount of income or a minimum value of property owned by him.

The money or property qualification requirement was meant to ensure that the prospective voter had made good use of his education. At the time of the union of what are now the four provinces of South Africa, special provisions were inserted in the South Africa Act to protect the rights then enjoyed by Bantu and coloured persons. A two-thirds majority was required before any such rights could be taken away, but, alas, they were taken away by using means which were never contemplated by those who framed the Act of Union. Southern Rhodesia has retained the policy advanced by Cecil Rhodes of equal rights for every civilized man.

I am inclined to agree with General Smuts that "the test for any human society in the last resort is—what is its human attitude. Is there kindness, helpfulness, consideration of others, the stretching out of the helping hand to those who cannot help themselves? I know how some people, some thinkers have derided and sneered at the Christian religion because it is a religion which looks at the underdog, the weak ones, the failures; and Nietzsche and others have called it a wealthy religion. Call it by whatever name you like but there is no doubt that the final test of civilization is its attitude to human problems. Social service and the spirit in which it is carried on is a much surer indication of the measure of the civilization we have attained than all the material triumph of science". I know that by and large the Africans are poor, but I have experienced very little help from them towards any outside their family circle or for any cause which deals with real, but to them abstract, problems.

The present wave of African Nationalism, urged on by opinions from outside Africa, has the claim of "one man one vote". As has been said, the African in the mass knows nothing of the working of a democracy. He has been accustomed to the despotism of a king or chief assisted at the ruler's discretion by his sub-chiefs or headmen. It is true that up to the present a considerable number of Africans have become de-tribalised. This is only partly true, as the majority of the Africans who come to work in the white man's industries and other employment leave wives and children in their homes, to which they return for periods of indolence following a period of industry.

It must be remembered, too, that the African lived a communal type of life. Anything owned by the group or possessed by any one, was looked upon as the property of each and every member of that group. That fundamental custom of communal right makes it very difficult for the African to be responsible for financial affairs and even the finance of a football club or the like is not considered secure as a rule unless it is in the hands of a European treasurer. I venture to predict that when our Africans become politicians and statesmen, it will only be by many trials and errors that they will learn how to conduct the financial cares of any government. It must also be borne in mind that even the educated African finds it difficult to forget about the belief in witchcraft which he acquires from birth and from time to time educated men have been under the belief in this if some domestic trouble occurs. The first of such may be ascribed as due to chance, but after a second or third occurrence the person concerned very readily comes to the conclusion that a spell is being put upon him by some adversary who is assisted by the strong medicine of some witchdoctor.

We, in Southern Rhodesia, took a very wise step when at a very early stage in our Responsible Government our statesmen decided to appoint a commission to decide what provision should be made for the future land requirements of the Africans in the Colony. This was no doubt inspired by the knowledge that great trouble had arisen in other countries owing to the fact that most of the Crown Land had been disposed of before the necessity for safeguarding the needs of the African peoples was realised.

We see what is happening in the Gold Coast. It is interesting to note that the great mass of the Africans have no part in the Government and are carried away by the eloquence of the professional politicians, who may not always be worthy of their support. Once a leader comes into power, the temptation to become a dictator will become irresistible. It is interesting to note that the percentage of literacy in Ghana is, I am assured, only about 11½% of the population, so that in effect the people are ruled by that small minority. Today in Southern Rhodesia we claim that we are educating 80% of the children coming on each year, a figure that is unsurpassed in any other part of the continent. Industry has developed in Southern Rhodesia in a manner that has outstripped the other two territories in the Federation and this is due to the enterprise of the European population and the willing assistance of the African people, not only in Southern Rhodesia, but also those who come into Southern Rhodesia from the other two territories in order to earn money which will enable them to enjoy periods of indolence in their own homes.

The Federation has suffered for over a year from the fact that our affairs have become the sport of party politics in the United Kingdom and it is not surprising that feelings of uncertainty have arisen and not only amongst the Africans, but amongst the Europeans as well. In this connection I cannot urge too strongly that the Police Force of the Federation should be made a department of the Federal Government and not of the Territorial Government. As things are now, if the police force of a territory is inadequate almost inevitably at any outbreak of violence and contempt of law and order a military force has to be used for the suppression of violence and interference with law and order. A military force is not intended for such a purpose and the police force

requires special training for the handling of mob law and rioting of any kind. I think it was a mistake that police force work had to be done by the military authorities and that the police of one territory was not sufficient to prevent violence and contempt of law.

I strongly recommend that the political advancement of the African should only be conceded as a privilege that is earned by the advancement of the African. If the power of voting is handed over to the Africans in the mass I am convinced that before long states governed in that way will come under the despotism of some dictator and the change to communism will be an easy and rapid affair.

If too much of an advance is conceded today, it will almost seem to be like the rewarding of the African people for preceding acts of violence and contempt of law and order which were shown particularly in the territory of Nyasaland. In saying this I fully recognise that advance is necessary as it is earned and that too slow a pace will be as wrong as too fast a pace.

As far as Nyasaland is concerned, I think it is pathetic to suggest that this country is strong enough to stand by itself from the economic point of view. To-day its very limited economy is preserved by the individual Africans selling their labour to Northern Rhodesia, to Southern Rhodesia, to the mines of the Transvaal and other places and if she were to stand on her own without the assistance of the Federal Revenue her economic plight might well become pitiful.

It is easy to condemn what has been done thus far, but I am quite certain in my own mind that no part of the Colonial Office territory in Africa can produce a record in the advancement of the African in any way comparable with what has been achieved in Southern Rhodesia since it achieved Responsible Government. It is difficult to understand how a government six thousand miles away from the scene of operations can really give attention to any marked degree towards the development of the natural resources of a country or the advancement of the people in it. To-day it almost looks to the average Rhodesian that we are under not only a review of the Constitution, but also we are up for trial for some unknown offence conceived in the minds of politicians in the United Kingdom. One has only to go a few miles south to see the neglected Colonial Office territory of British Bechuanaland to realise that to a very great extent. advancement of the African is left to their own devices or to the kindness of the missionary bodies who are interested in their welfare.

I would urge therefore that any change should not be one of a revolutionary, but evolutionary, kind and that the process of attainment to full stature should be a gradual one and not conceded peremptorily, which might well be looked on as having been obtained by violence and contempt of law.

Much has been said about a wind blowing through the continent of Africa. I cannot help thinking that a great deal of the wind comes from our own British people, the people of America, the feelings expressed by the American Negro people and Americans in a wider sense. Americans and Russians speak with contempt of our British Imperialism and Colonialism, so that I often wonder whether the British people are now ashamed of having founded an empire, which has enabled people who might not have been able to protect themselves to advance along a path which would otherwise have been denied to them.

It is curious that this criticism by Russian leaders of British Imperialism and Colonialism should be advanced at a time when the Russian people have penetrated into a greater portion of territory not their own than has been experienced in the past in any similar short period of time to that which has elapsed since the close of the Second World War and have dominated the people belonging to such territory and deprived them of their liberty.

This outside criticism has undoubtedly urged African people to adopt a show of force which may well be disastrous to themselves.

I should perhaps have mentioned that I have no ill-feeling towards our African people. I think of three faithful servants in particular, who have served me faithfully and well for periods of some twenty to thirty years each. I think I could claim to have been the one to suggest the start of the first African Welfare Society in Rhodesia, namely that of the Bulawayo Native Welfare Society as it was called in those days. At that time, some thirty-five years ago, the only body that spoke for the African people was the Missionary Committee of the various churches which met infrequently about once a year. It was thought to overstate the claim of the Africans. Memory was still fresh as to the atrocities of the Matabele Rebellion. This contact with the African through African Welfare Societies grew throughout Southern Rhodesia and to-day there are some eighteen constituent societies. I am a past President of the Federation of those societies and the present Vice President of the Federation of those societies.

It is interesting to record that the first constitution of an African (then Native) Welfare Society provided that the Society should take no part in political questions and that as far as possible the Society should support the Government of the day as far as conscience permitted. This feature is still contained in the Constitution of to-day.

I have also had experience of our African people as Chairman of the Matabeleland Native Labour Board which fixed rates of wages and other emoluments and which settled labour disputes and whenever necessary I have acted as an arbitrator and for years as Chairman of the National Labour Board.

I should add that apart from having supported the setting up of the Federation of the Rhodesias and Nyasaland I have abstained from taking a part in politics. My chief reason for supporting Federation was the fact that it seemed the only way of ensuring for Northern Rhodesia the same right to govern itself in the same way as Southern Rhodesia has done.
Bulawayo

Supplementary Memorandum

SIR HENRY LOW

The views I have expressed are my own—I do not, for instance speak for the Rhodesian Institute of African Affairs —the federal body embracing the individual societies.

Professor Jack's Commission, which undertook the economic survey of Nyasaland at the request of the Federal and Nyasaland Governments, demonstrates how little has been done as compared with Southern Rhodesia in training agricultural African demonstrators who teach their fellow Africans good husbandry. I venture to think the bauxite deposits might have been opened up long ago if they had happened to be in Southern Rhodesia.

I don't believe in a policy that will last for all time. I believe in doing the right thing from day to day. I believe the political advancement like any other advancement must first be earned by experience, and privileges come when responsibilities are undertaken.

Those who look too far ahead are afraid what will happen if the Africans attain to a majority of voters on the voters' roll. I don't think an insufferable difficulty would inevitably occur. The Europeans as now might not be counted neither might the Africans, and in any case by that time, as in other countries, the Africans would realise as many do today that they cannot do without the European in politics as in other concerns.

Even if the division is on racial lines, safeguards can be embodied in a constitution to protect the rights of a minority and the franchise. (Quote Czech provisions in favour of German minority.) This might well tame to some extent any tyrrany by the majority.

I believe in the middle of the road policy—neither too fast ahead of what the African has earned or what the European would reasonably concede.

There are some things I personally would not object to at the present time, although it might well make the working of the Federal Parliament more trying. I would like to see the African members coming from Southern Rhodesia elected by the African voters on the Common Roll and the European members to represent native interests by the voters on the Common Roll as at present that is European and African. I think this change might result in more Africans who have the qualifications of a voter to apply, as I am convinced that quite a number of Africans have no interest in the matter. I believe that the number of Africans so elected should in time be reduced as time goes on and they manage to elect representatives themselves.

I do not think that in our Territory the representatives should be nominated by any political party or body.

12th April 1960

Oral Evidence

SIR HENRY LOW

Sir Henry Low stated that he was only expressing his own views and that he had no association with any political party. He then read out his main memorandum and followed this by speaking from a supplementary statement which is reproduced

above. In doing this he stated emphatically that the report of Professor Jack on the Economy of Nyasaland was the best evidence before the Commission on that subject.

In reply to questions Sir Henry Low made the following points:—

(1) On federalising the Police Force. Even though there was lack of confidence in the northern Territories in the Federal Government, he believed that it would be timely to do this. There was a general contempt of the Federation, aggravated by the Emergency, out of which they had not yet passed. If it were known that there was a single Police Force ready it would be a warning to evil-doers.

(2) On the composition of the Federal Assembly, he thought it would be contentious to give equal representation to the Territories. Taking in particular Nyasaland, it was not economically equal to the other Territories, nor in respect of the number of civilised Africans. He himself was a regular reader of Federal and Territorial Hansards, and he thought that the African representatives behaved in a manner such as to exhaust the patience of the European Members of Parliament and in particular the Speaker, who had frequently to reprove them for senseless interruptions.

(3) On the present Federal franchise he was inclined to think that the income qualification had been placed rather too high, although the previous level of the Southern Rhodesian income qualification had to be taken into account, together with monetary devaluations. Nevertheless he thought the Federal franchise qualifications should be higher than the Territorial franchise, which had been recently reduced. When it came to voting the African was doing something outside his own boundaries. He thought that something in the nature of an aristocracy should be the aim, and believed that the system of government nomination had tended to produce the best people, on the other hand, there was the inclination to call such people just "stooges".

(4) He realised that although there were income advantages for Nyasaland in remaining in the Federation, there were African objctions there to political associations. He thought that these objections existed now, but had not been there from the beginning. But he also thought that the Colonial Office officials had not put the case properly to the Nyasaland Africans, indeed that they had not even explained the scheme. He thought that if only the British Government would for once take a strong line (viz. as to keeping Nyasaland in the Federation) it would be best for all. If Nyasaland were given a government of its own, it would prove an easy prey to Communism, because they would have to seek for money. The British people talked much of their trusteeship, but why did they not exercise it? They had done nothing in Nyasaland over a long period, for example they had done little in agricultural development.

(5) He did not think that Africans even today knew what freedom meant. The expression "fight for freedom" meant for them literally picking up weapons and fighting. Development should come to the extent that Africans themselves earned it. He did not think they had yet earned their political development in Nyasaland. Education there had been lacking before the federal purse had been opened to them. The Africans there were like children growing up, who would take their places in the future.

(6) It was put to Sir Henry Low that in Northern Rhodesia the Police Force was associated with the Government, which was in turn associated with the Queen; and that that might prove an objection to federalising the Police. He replied that divided control had occasioned much of the trouble in the Federation. He admitted that the conception of the Queen, a figure six thousand miles away, was a wonderful one, and that the Africans might think that it was better than anything that could be produced locally. But it was the existence of this right of appeal which made the man on the spot always appear to be wrong. It was natural for undeveloped people to cherish this rather false idea of the Queen.

(7) With reference to the last paragraph of his main memorandum, he thought definitely that Northern Rhodesia ought to govern itself in the same way as Southern Rhodesia. But that when the time came, the door should be left open for Nyasaland to be linked with Northern Rhodesia and Southern Rhodesia. It was still premature for Nyasaland to attempt to stand on its own feet. For Nyasaland there should be an halting period. It would be a very momentous decision for Nyasaland if the Commission would recommend its secession. He was sure they would rue it. But he would not like to see Northern Rhodesia delayed in getting to the same stage of self-government as Southern Rhodesia. He agreed that in Northern Rhodesia Europeans would be largely in power at first, but on a common roll with Africans. There was today a bigger population of civilised Europeans in Northern Rhodesia, than there had been in Southern Rhodesia in 1923. He referred to the fact that Southern Rhodesia's record had been unbeaten in the Empire.

(8) He thought that Africans who elected their own Members to the Federal Parliament should do this on the existing (A Roll) franchise. He realised that this would constitute a very small electorate. Even so there was quite a considerable group of Africans with considerable incomes, some paying income tax, but some not. He would not be appalled if the electorate was very small.

(9) Questioned again on his proposals for a Federal Police Force, he agreed that a modification in the form of having an Inspector General at the Federal level over the Territorial Police, would be better than nothing; but training should be on a uniform basis. Police were trained carefully to regard shooting as the very last resort. It was wrong if the Police had to give way to the Military, and created a very difficult position and terrible responsibility for young men, as had been seen in the operations in Nyasaland. If such young men could have been trained as Police, they would have been able to employ other tactics.

(10) He did not believe in the attitude that there could not be a black majority for two thousand years. But on the other hand the Africans were not going to advance immediately. The Africans would suffer immediately if the Europeans were to withdraw, both in the industrial sphere and in other ways. But by the time the African achieved legislative control, he would have learned sense.

(11) The Bill of Rights was a treasured possession in America, and with it, the Africans would learn respect for the Constitution if they themselves had to work it. He objected to the rush to promote Africans unduly quickly.

(12) Nyasaland should be governed as an African State, and if the Imperial Government would not take it on, Southern Rhodesia should do so. He admitted that this might lead the country into the dangers of the South African position, but he hoped not for the same reasons. Southern Rhodesia had kept its tradition from the old liberal Cape Colony. There were two native policies in South Africa, that of the Voortrekkers and that of the Cape Colony. The Voortrekkers had had to fight for their lives; they were a primitive Christian people, to whom the Old Testament was law, and who regarded the Africans as the children of Ham. This clash of opinion existed to the present day. He referred to his own personal experience of the old strong liberal trend towards the coloured man. This tolerant policy had also been followed in Southern Rhodesia. If in the end it led to a black majority, and the Africans did not learn how to use it, then the Europeans must suffer as well as the Africans. In racial relations, people had to do right as they saw it from day to day.

L. A. LEVY

The witness was a Lithuanian by birth. He had lived in Rhodesia since 28th February, 1924, and had started life as a Government Clerk, and had now become Chairman of the Portland Cement Company. He also had large rural interests in ranching, and interests in Nyasaland. He was a Commissioner in the Cold Storage Commission and also in the Nyasaland Government Loan and Development Committee.

Mr. Levy was aware of the terms of reference of the Commission, but thought that the political matters had to be considered from the economic point of view. They had to deal in the Federation with a very fine type of people, particularly the Africans. He knew them well, having been twice nominated to carry out drought relief and famine relief, in the course of which he had dealt with 40,000 African families in all parts of Southern Rhodesia. He was acquainted with many different tribes. He had never had a law suit with an African. His own trend of thought was in the direction of simple legislation, and towards the development of transportation.

He urged the Commission to visit his establishment where 2,000 people were employed and where there was good sanitation and medical attention for the workers.

He claimed to have established several industries in the Federation, particularly ones of benefit to Africans in the sphere of animal husbandry. He had initiated the supply of meat to the United Kingdom in 1928.

He thought that Southern Rhodesia had gained sufficient responsibility to be allowed to administer itself, just as much as any other mature nation. The Southern Rhodesian Government had never exercised powers in an unacceptable manner.

He spoke of his experience in Nyasaland where some years ago he had realised the extreme malnutrition of the African labourers, and their inability in consequence to do a full day's work. He had resolved to remedy this, and flown in meat

and better food to the country, and helped to organise the cold storage in Nyasaland. He had also been influenced in this endeavour by the filthy and inhumane conditions which he had found in the abattoirs.

He had realised the existence of many difficulties in Nyasaland. He did not think that rulers 6,000 miles away could fully appreciate them. Reservations in the Constitution were of no value. If people wanted to treat their neighbours aright it was necessary first to look at the economy. It was also necessary to look at the interpretation of partnership. He reckoned that he himself had 9,000 partners, to whom he had given good service and honest accounting. He realised that the Africans had helped him to get to his present position. He had raised Africans on the average from 15/- a month to £40 a month. He had helped them to take over European positions. Perhaps the fact that he came from a persecuted country had helped him to take a sympathetic attitude. He had also been an original investor in the copper mines in Northern Rhodesia.

In reply to questions, Mr. Levy made the following points:—

(1) Referring to the attitude to Federation in the north, 98% of the people did not know anything at all about Federation.

(2) He had travelled extensively in Nyasaland, and his candid opinion was that it was necessary to start there economically and to forget the neglected past. If the people could see a good economical future they would be reassured on the political side.

(3) During the riots in Nyasaland he had controlled his own work people simply by asking them what they wanted. He would not object to going into the middle of a riot in Blantyre with his own workpeople and simply listen to them talk to the other people.

(4) He spoke of the excellent conditions in the Liebegs factory in Southern Rhodesia, adjacent to one of his own businesses.

(5) He spoke of the excellent record of all Southern Rhodesian Governments, especially that of Sir G. Huggins whom he regarded as a genius.

(6) Mr. Levy said that in his view Nyasaland was really a wealthy country: it was like an infant left in its cradle without a layette. He described the variety of its scenery and climate, and depth of its soil, and the potentiality of its Lake. The present position was not the fault of the Africans, but of neglect by the Administration relying on 2½ years' work in the country with six months' leave. This was a disaster. Nyasaland had never really been governed, but had just been managed on a caretaker basis. He considered that there were opportunities for industry, canning, timber, and other things. But it was first necessary to get rid of two monopolies—that in the electricity supply, and that of the Railway. There were also unnecessary restrictions on the purchase of land. The whole difficulty was due to the bad policy of the Imperial Government even to the extent of permitting congested and empty areas side by side. If the same opportunities could be given to Europeans in Nyasaland as had been given in Southern Rhodesia, the same situation as in Southern Rhodesia would be produced.

(7) He considered the reservations in the Southern Rhodesian Constitution as redundant and too old. He spoke of Southern Rhodesia because he was best acquainted with it.

(8) He employed directly or indirectly 2,500 employees. Only 2% of them would qualify for the present franchise. He gave particulars of the wages which he paid in Southern Rhodesia and Nyasaland. He considered that he "went with the times". He would agree to the lowering of the franchise, but with reservations: but at any rate there should be a start in doing so.

(9) He definitely considered that control and direction by Government in Nyasaland was seriously lacking.

(10) On the economy of Nyasaland he considered that the best evidence was the Jack Report.

(11) Nyasaland had just been left behind in development, and he considered it to be 50 years behind the times.

(12) Although he paid only £5 per month on the average to his Nyasaland employees he agreed that it would be economically possible to pay more.

G. W. D. KIDD

Mr. Kidd stated that he had come to Southern Rhodesia in 1911 and that he had been here ever since. At any early stage he had recruited labour for the old Rhodesia Native Labour Bureau and had gone to Wankie in 1920 where he had been Compound Manager for thirty years. For the last eight years he had been the Labour Adviser to the Chamber of Mines and he had also been a member of seven or eight Native Labour Boards. His whole career had been bound up with African affairs.

In Mr. Kidd's view the problem of Africa was almost entirely an economic one. He thought that the development of Southern Rhodesia was proceeding along the right lines because it was inducing a sense of responsibility on the part of emergent Africans. These people needed a stake in the country in order to develop their roots, and this was being given to them through the medium of the Land Apportionment and Native Land Husbandry Acts and through the home ownership schemes that were being developed in various townships throughout the country. Hitherto the African's stake had been a communal one; it was essential that it should be individual.

The Africans' demand for leadership and political rights was also basically economic. Indeed, the Malawi Congress Party's own policy statement had strongly emphasised this very point. In his dealings with Africans over many years, but more particularly in recent years he had endeavoured to increase their wages. He thought that this was necessary even before productivity was increased. Later after a certain stage had been reached it would be necessary for this process to be reversed; in other words, it could only be increased productivity that would merit an increased wage. In his view the African wage was far too low to support himself and the increased wage to which he referred would give results only in the productivity of labour. He thought that malnutrition which flowed from these low wages was a very serious factor.

Politically Mr. Kidd was inclined to think that the African was not ready for full participation in politics and indeed there was nothing in the past or in the present to justify his taking over the government of the country. The African was a person who had traditionally opposed any change in land culture and husbandry, and it was obvious that before being given the fullest political rights he must show much greater enlightenment. Certain of these difficulties were being overcome demonstrably by the application of the Land Husbandry Act. He thought that in the short time this legislation had been in operation a tremendous amount had been achieved. Before this Act had been brought into force much of the native areas was in a terrible state. As he had said earlier the aim of the Government was to give the African an essential stake in the country, and this would enable him to participate in politics to a greater degree but the witness was satisfied that at this point of time the African was not ready to take over control. On the other hand, any who were ready should have all the necessary political opportunities. The witness's own basic and deep conviction was that Christianity and democracy were ideals which were not suited to the African.

On the question of land Mr. Kidd said he was doubtful if all the surplus indigenous population could be absorbed in industry. The African population was increasing at the rate of 3 per cent. per annum, which meant it would double itself in twenty-three years. In consequence a tremendous land problem was facing the country. He himself was in favour of intense propaganda among the Africans for planned families. Mr. Kidd went further and said that it would perhaps be necessary to repatriate the non-Southern Rhodesia African; even now non-Federation Africans were being kept out of the urban areas where previously they had come to seek work.

The witness said that in 1953 he personally opposed Federation because he thought that the impact of Colonial Office rule on the new Federation might tend to make the African run before he could walk, and one sensed evidence of this in adjoining countries at this stage. Now, however, on economic grounds at least, he fully supported the concept of Federation, particularly from the point of view of Nyasaland. He considered it would be political suicide for Nyasaland to break away from the Federation because the country could not always rely on external financial assistance.

Mr. Kidd also referred to racial segregation which he said derived primarily from the European in face of the fear of numbers and also on social grounds. As far as the Europeans were concerned there was a general lack of affinity; but the development of the African middle-class was allowing a greater coming together on grounds of common interest. He thought that the University of Rhodesia and Nyasaland was an excellent, albeit limited, example of this.

In regard to the pass laws the witness stated that in urban areas these were in reality falling away because they could neither be administered nor enforced. He much preferred the idea that identity certificates which would be something like a passport should be issued to everyone, although it was not so necessary for a European to have these. Nevertheless as with driving licences, for example, there should be no dis-

crimination. He certainly objected to the complete abolition of any registration or identification certificates, because some sort of control was still necessary as there were so many people who could neither read nor write. He did not think that the tax receipt which he understood was utilised as a means of identification in Nyasaland was sufficient. The carrying of an identity certificate, preferably one bearing a photograph, created no hardship on anyone, and he personally was quite prepared to be obliged to carry such a certificate.

Mr. Kidd invited the attention of members of the Commission to a Commission for Technical Co-operation in Africa South of the Sahara (C.C.T.A.) publication entitled "The Home Factors of Productivity in Africa". He added that unfortunately the publication did not seem to give the answer!

A. MAZIBISA

Mr. Mazibisa said that he was born near Bulawayo and had come to live in the town in 1928. He was now a general dealer and an urbanised African. Previously he had been a commercial traveller. Mr. Mazibisa said he was satisfied that Federation was something worthwhile, but at the same time he thought it was perhaps unfortunate for the Africans in the north who were in protectorate countries. On the other hand he considered that if the two northern Territories obtained self-government Federation would unquestionably be a most satisfactory form of government for all three Territories.

Mr. Mazibisa said that during the last six or seven years he had seen no great changes, and for example, Africans were still required to carry town and travelling passes. When Federation was brought in many Africans, he said, thought they would be free from this sort of thing, but perhaps this end had not been achieved because Federation had still to be "confirmed". What was rather remarkable, however, was that even the Federal M.P.s did not know whether the restrictions will be removed if and when that stage in the life of the Federation is reached.

The witness complained about the lack of information as to what the Federal Government was doing although generally the people were in the picture as far as the Federal Government's actions were concernd. Many functions of Government had gone Federal, but he and others were at a loss to know why African Affairs and African Education, for example, should have remained Territorial. The witness also objected that when compared with the position of Europeans, Asians and Coloureds, one found that Africans were not being compulsorily trained as soldiers. His people had certainly never refused to go into training; but equally they had never been asked or required to do so. This was not a trivial matter for defence training was something essentially in the interests of the Commonwealth as a whole.

On the question of education Mr. Mazibisa considered that most Africans thought that Native Education should be a Federal function just as European Education was. It was important, however, that the syllabus should not be of lower standard than that applying to European children. This appeared to him to be the practice now, and he asked how could the Africans be the equal of the Europeans if this sort of thing were allowed to continue. He stated that although he was probably not badly educated he would have the greatest difficulty in obtaining a proper appreciation of many of the matters that were discussed in Parliament were he asked to stand as a candidate. How then could the country progress if the same standards were not applied to European and African children in the educational sphere? At the same time Mr. Mazibisa said that he did not want to see multi-racial education introduced.

When asked about partnership the witness stated that there might be a good deal in this if the Commission, for example, got to the bottom of the meaning of the very word partnership. He stated that when in 1953 it was first introduced to the Africans it had meant much to them, but unfortunately up till now they had not seen it brought to fruition. As an analogy Mr. Mazibisa said that he and his people were happy under the rule of Britain because previously the Africans could not voice any sort of criticism when they were ruled by their own King Lobengula. Similarly his own father had owned four slaves. Although these slaves were quite possibly superior in many ways to him, they certainly could not take any action against him, although he was a child, if he offended them. In his view the same position obtained in the country today where you found even small boys of 10 years regarding all Africans as second class citizens. This sort of thing he laid at the door of the Government.

Although it was possibly to the detriment of the northern Territories Mr. Mazibisa stated that he had voted for and had encouraged others to vote for Federation. It was something worthwhile and because of this it should not be scrapped. Nevertheless he thought there were many improvements that still had to be effected.

The witness criticised the franchise law and said that years ago the Territorial franchise was better than it was today when it was very low. The Territorial qualifications had been raised, and subsequent to Federation the qualifications needed to get on the Federal roll were higher still. The witness stated that he did not think that as many as 50 Africans in Southern Rhodesia were getting £40 a month and that the average wage was no more than £20 a month. He thought that if all adults got the franchise things would begin to sort themselves out with the Europeans starting to recognise the Africans as citizens and counting on their votes. He thought that quite sufficient qualifications were an ability to complete the application form and to have an income of not less than £180 per annum. Candidates for election need not necessarily have any better qualifications, but what was important was that the standard of African education should be raised very quickly..

Finally, on the question of wages Mr. Mazibisa complained that Europeans and Africans with the same qualifications never got the same emoluments. The reason for this was not even necessarily related to the difference of colour; rather the wage differential was related to the assumed standards of living of the white and the black worker.

A. ZWAMBILA

Introducing himself Mr. Zwambila said that he was an ordinary man in the street who had passed his Cambridge Examination, and his occupation was that of a book-keeper. He had been in Bulawayo for the last nine years, and he had no political affiliations.

Mr. Zwambila began his evidence by deprecating the discriminatory practices that were exercised against Africans, and he instanced that at one stage in his career he had been working for an employer at a salary of £22.10.0 a month, yet when he left he was replaced by two European girls who between them drew no less than £85 a month. On another occasion he was employed as a book-keeper to a firm at a salary of £30 a month. He was given an assistant in the shape of a European girl whose salary was no less than £50 a month. To him these examples were abundantly illustrative of the type of discrimination between black and white that was practised in the country.

Another and perhaps even more important illustration was that of the ban on nationalist associations. Certain of the European associations or parties were quite as nationalistic in their outlook as were the avowedly nationalist associations; but what he could not fathom was why such European associations or parties were not frowned upon when those organised by the Africans were. To him the obvious course of action was that both should be stopped. Here he referred to the Beadle Tribunal which as far as he could judge had been set up to justify the Government's actions in prescribing certain parties and detaining nationalists. It would obviously have been of much greater value if the Tribunal's task had been to probe the causes of nationalism.

Mr. Zwambila said he felt that the franchise in Southern Rhodesia should be based primarily on a literacy test, and for this Standard VIII would represent a fair although arbitrary dividing line. With a franchise based as broadly as this members of Parliament or prospective members would be made to realise that they were representing both sections of the community, and not only the European because they would then be dependent on the African vote as well as that of the European.

Mr. Zwambila went on to say that the African people in Nyasaland were afraid of what they termed the Southern Rhodesian racial policies. If these policies could be eliminated, or shown to have been eliminated, the fear he referred to could be avoided, and the witness said he felt that the Nyasaland African would think again before demanding the dismemberment of the Federation. What was important was that practical steps should be taken now to convince the Africans in the north that they had nothing to fear from Southern Rhodesian policies, but these practical steps would entail not only that of removing all signs of discrimination here, but also the getting across to the northern Africans by means of true propaganda the Federal case. He made the point that no real effort had so far been made to put partnership into operation even as between the three Territories, Southern Rhodesia having for all practical purposes taken the lion's share of everything.

On being questioned about the discriminatory practices in Southern Rhodesia Mr. Zwambila said that these were not ending. Indeed, evidence that they were increasing and likely to increase further lay in the fact that 48% of the electorate

which was primarily white had voted for the nationalistic Dominion Party in the General Election in 1958. He thought that the chance of Southern Rhodesia abandoning its racial policies was remote but he was aware of relaxations in both the Territorial and Federal spheres. The Governments were perhaps trying to do something about these matters but their actions were not voluntary but rather the result of outside pressures.

On being questioned about the Land Apportionment Act the witness suggested that the European business and commercial areas should be opened up immediately to all races. He thought, however, that it would be unwise to open up the business stands, which were leasehold, in the African areas. As far as the present European residential areas were concerned, these again should be opened up and if this were done, it was obvious that any African taking over a property in such an area would have to be made to retain proper civilized standards. Mr. Zwambila said that he had not thought of the idea of stripping the Federation down to largely economic functions. Were this done the Federation would lose important ties. The country must have time for a change in heart on the part of the European to take place. The African in the community was not recognised as a brother or a friend, and this was the very antithesis of partnership. He thought that the chances against Southern Rhodesia's abandoning its racial policy were rather high.

The Central Africa Party might be able to realise the ambitions of the Africans; but he doubted if it would ever come to power. The witness thought that the policy of the United Federal Party in theory at any rate was not bad, but as far as many Africans were concerned, there would have to be a practical implementation of this policy if the Government Party was to retain support.

M. MKASE

accompanied by Mr. Zulu

Mr. Mkase said that both he and Mr. Zulu lived in Bulawayo. He was a bookkeeper and Mr. Zulu was a clerk.

Their view was that Federation would never work and that any pretensions that it could do so would make the British Government a laughing stock of the world.

The whole future of Southern Rhodesia and the Federation depended on a change of heart taking place among the people who ran the country and whose present tendencies were entirely in line with the Union of South Africa. Before the Union was formed, Africans had not been represented at the Treaty of Vereeniging between Britain and the Boers. Consequently the Union Government did not represent the majority of the people of South Africa.

In 1953 the British Government had imposed Federation for a trial period of seven years, even though Africans were against it. These seven years were now passed, and efforts were being made to keep Federation in being at the wishes of the European minority. The policy of partnership had never been put into operation, nor was it likely to be. It was a beautiful-sounding theory but impracticable because of the different social background between the races. Consequently the present Federation must be broken up; when the independent Governments had been given a chance to think about their future, they might decide to come together voluntarily.

Africans were not satisfied with the Government of Southern Rhodesia, but even if Africans in Southern Rhodesia were lost as a result, it was better that two-thirds of the Africans of the Federation should move out of Federation.

What had happened in the Federation was the result of normal human behaviour. If one person had advantages he wanted to keep them and to take everything for himself. The past seven years should have been long enough to show whether Europeans were willing to give up their advantages. Admittedly partnership involved something of a revolution, but more progress should have been made in the time available.

In the circumstances, Africans should be allowed to form a government since this alone could maintain a government just to all; Europeans could not maintain such a Government. The only way to achieve this within the Federation would be by lowering the franchise. This would bring an African government into power but would never be permitted by the Federal Government.

Memorandum

THE ACTION GROUP

Federation

Should the Federation continue? Yes, in some form or other.

Reasons:

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(*a*) Federations elsewhere have been a success—there is no inherent reason why the same should not apply to Central Africa. So every effort should be made to continue it until experience shows it really cannot work. It should be borne in mind that the formation of an organisation such as a Federation always has teething troubles which may last for a considerable time, e.g. the United States where opposition to the Federation cropped up from time to time for nearly 100 years, ultimately culminating in the Civil War; in Nigeria considerable efforts have been necessary and will be needed to keep the three regions together in a Federal unity, so the present opposition to Federation in some areas after only seven years is not necessarily evidence that the idea is unworkable.

(*b*) The secession of Nyasaland would almost certainly accentuate demands for the secession of Northern Rhodesia. This would be a disastrous s tback for the concept of multi-racialism, and would provoke a reaction among the Europeans of Southern Rhodesia, perhaps even to the point of joining the Union of South Africa. Far more reactionary policies could be expected to the detriment of the African population of Southern Rhodesia. It is probable, too, that in Northern Rhodesia there would be an African reaction against European inhabitants of that Territory. It is, therefore, in the interests of all inhabitants of Central Africa that Federation should prove successful.

(*c*) Unification between small territories is desirable for the sake of economic development, creation of markets, etc. This applies strongly to the Territories of Central Africa as in other parts. All the arguments in favour of Federations elsewhere apply equally well here.

(*d*) A Federation offers a flexible form of association which opens the way to other areas joining it. A successful Central African Federation could form the nucleus of a yet wider grouping, which would include neighbouring territories such as Bechuanaland, Tanganyika and possibly other East African Territories.

(*e*) On the assumption that the creation of a multi-racial state is desirable, a Federation offers the best means of achieving this as the division of sovereignty or power between the Central Government and the Territories can in itself be a factor operating against the domination of the one race by the other.

The Factor

The Federation's life of seven years is far too short a period to judge its potentialities, and the possibilities of its ultimate success. The present opposition to it is due to many factors. Every effort should, therefore, be made to deal with these and to give it a further substantial period of trial.

Reasons for Lack of General Acceptance of the Federation

(1) Many Africans, particularly in the Northern Territories, did not want Federation originally as they feared:—

(*a*) European domination;

(*b*) Delay in their own political advancement.

These fears appear to some to have been realised by the attempts of the Federal Government to interfere with and water down constitutional changes in Northern Rhodesia and Nyasaland, by the prescription of various African National Congresses, and detention of African leaders, and the promulgation of stricter laws than existed before Federation.

(2) Insufficient effort has been made to overcome the foregoing objections, and to win Africans' acceptance, and create a Central African loyalty.

(3) Many Europeans in both Northern Rhodesia and Southern Rhodesia have been opposed to African advancement and, in the opinion of many Africans, Federal structure has been used to oppose it.

(4) The pooling of resources of the various Territories has meant that the richer have contributed to the poorer and so have not had as much money to spend on their own development as they might have had if they had remained alone. This factor was worsened by the copper slump. This applies particularly to Northern Rhodesia.

(5) Many Europeans have not yet adjusted their thinking to the elimination of white privilege that is being brought about by African advancement that is taking place throughout Africa, and by the growing world impatience with racist practices. Nor have they fully come to accept the need for multiracialism or the removal of racial discrimination. They tend to blame Federation for creating this new situation.

(6) Many Europeans, particularly Civil Servants, in the Northern Territories, have personal antipathies to Southern Rhodesia and to the Federation based on several factors.

They have not attempted to hide their attitude and this has not been without its effect on African attitudes.

(7) Central Africa has not been free to work out its problems in seclusion and without external interference as was given to earlier Federations. Instead, it has been subjected to a wide range of outside influence which has, directly or indirectly, aggravated anti-Federal forces and dissident elements, or has increased the tempo of change, far beyond what it was in other countries and almost beyond the human capacity of those who have to change to make the change.

(8) Many African leaders are opposed to Federation because it thwarts their personal political ambitions.

Advantages of Federation

Federation has already had tangible advantages:

(1) There has been some release of liberalism among Europeans of Southern Rhodesia and elsewhere, this is shown in the present trend of legislation, the removal of discriminatory legislation, and in the advance of Africans in many spheres, particularly economic and political.

(2) Injection of capital. This was particularly noticeable in the years immediately following Federation, until the credit squeeze, the slump in copper and perhaps the 1959 Emergencies.

(3) Active development of the infra-structure of the three Territories, e.g. improvement of roads and communications, and the construction of capital projects such as the Kariba Hydro Electric Scheme, and the creation of the Federal Bank.

(4) There has been some experience in multiracialism, e.g. in the Federal House, improved contacts between the races and in creating awareness of the need for removal of many racial barriers, and of the possibilities of partnership.

Future Policy

If the mistakes of the past can be avoided, the future development of the Federation should be satisfactory. The most important single change needed is a change of attitude among many African and European leaders, for unless people accept Federation and intend to make it work, nothing else will make it succeed. The need is perhaps greatest on the European side, not so much in respect of support of the Federation as in understanding that it can only succeed if Africans also support it and that they cannot be expected to do so unless they can see it is to their advantage. Every effort must be made to ensure that genuine African leadership has a recognised and honourable place in the Federal structure, but extremist minority opinion should not be permitted to dictate decisions. The needed change in attitude presupposes a real acceptance of the concept of partnership and a conscious determined effort to bring the races together and to create a feeling of oneness and of a warmer loyalty to Central Africa. This change can only be made by individuals themselves.

But it might be facilitated by (*a*) providing better safeguards than exist at present against racial discrimination and domination, so that tensions are reduced; (*b*) modifying the present constitutional machine so that the consequences of ill-advised action by individuals can be reduced.

With this end in view the following proposals are made:

1. Withholding of full Federal Independence

The British Government should not grant independence to the Federal Government until all its constituent Territories have full internal self government, and their Governments are agreeable Federal independence. This should help reduce present African fears and tensions.

This proposal means that the United Kingdom Government (1) should not withdraw its right of veto—for though unlikely now to be used, this right does create a brake on ill-considered legislation and its presence is a sort of symbol which is probably important to the Northern Territories, (2) should not relinquish its right to be consulted on, and to approve of, any constitutional change.

2. Political Advancement of Northern Rhodesia and Nyasaland

It should be made clear that a truly independent Federation cannot be achieved until all its constituents are autonomous.

The progressive political evolution of the two Northern Territories should be programmed. In each area the Government should become increasingly representative, i.e. the numbers of elected members should be increased and the number of nominated members reduced. This would lead on to responsible self-government. This means the gradual withdrawal of metropolitan government power over Northern Rhodesia and Nyasaland until the same position is reached as in Southern Rhodesia. It is inevitable that Africans will ultimately have complete control of the Nyasaland Government and predominant, if not entire, control of the Northern Rhodesia Government. The Federal Government should be meticulous in not interfering with this development.

3. Decentralisation

One of the principle objects of the Federation is economic, i.e. the creation of the widest possible common market, all facilities for economic expansion, development of industry, etc., etc. At the same time the aspirations of all the Territories to govern themselves in as full and complete a manner as possible are recognised. When the Federation was brought into being, efforts were made to produce as close a union as possible; in other words, to take as much power as possible out of the hands of the Territorial Governments. What many people had in mind was an evolution of this constitution to the point where all functions of Government became vested in the Central Government and a unitary state achieved.

Since the Federation has been in existence, it has become abundantly clear that the unitary system of Government is unsuitable as well as unacceptable to a large proportion of its inhabitants. The process of increasing the powers of the Federal Government at the expense of the Territories must be arrested, and to some extent even reversed. The concept of the concurrent list should be abandoned, and any further transfer to the Federal Government of Territorial powers, except with the Territories' unanimous consent, should be prevented. Those powers which the Federal Government has already assumed from the concurrent list should be allowed to remain except in regard to health. Here, health services, including hospitals and clinics, should revert to Territorial Governments.

At the same time certain functions should be restored to the Territories. The reasons for this course are:—

(*a*) That the Territorial Governments would be given more to do and would therefore gain prestige;

(*b*) That the more overpowering influence of the Central Government would be reduced;

(*c*) That the Southern Rhodesian Government would be given more varied functions than it has at present and would thus be able to avoid its present pre-occupation with African affairs which has had unfortunate political consequences.

Three functions which should be re-allocated to the Territories are Health, as indicated above, Agriculture and Education. Apart from the foregoing, a reason for recommending that agriculture and education should return to the Territories is that these subjects should not be divided on a racial basis, as is required by the present Constitution, and the way should be opened for them to become integrated services.

Special safeguards may be needed in Northern Rhodesia to overcome European fears that their educational and agricultural interests might be neglected or adversely affected if and when, as is probable, Northern Rhodesia has a predominantly African Government. This need should be borne in mind when consideration is given to the protection of the minority interests, such as set out in Section 5 and in a separate paper on the revision of Territorial boundaries.

At the same time, control of certain operations should cease to be vested solely in the Federal Government, e.g. Railways, the Power Board, Agricultural and Dairy Marketing Boards, and should be allocated to Statutory Boards or Commissions whose composition should be determined either conjointly by the Federal and Territorial Governments or by the Senate if composed of nominees of Territorial Governments as suggested in Section 5(a).

In order to avoid the expense and confusion that would be created if the defederalisation of the above services were regarded as constituting 'abolition of office', the existing employees of such services should continue to enjoy Federal service conditions, and should be seconded to the Territories for service.

The existing financial formula (Section 80) would have to be revised.

4. Siting of Capitals

The question of having both the Southern Rhodesia and Federal Capital in Salisbury should be reviewed. Their juxtaposition has helped develop the myth that Southern Rhodesia and the Whites are dominating Federal Government. The Federal Government should be removed out of Southern Rhodesia.

5. Safeguarding Minority Rights

Almost every section of the Federal community is afraid that its rights may at some time be ignored or abused by some other section. Hitherto these fears have been mainly expressed by Africans in the Northern Territories vis-a-vis White Rhodesians. Europeans have not been so worried because they have been in the dominant position, but now that this is being challenged some of them too are becoming fearful.

The position is the same with other groups, e.g. Asians in Nyasaland.

The African Affairs Board, in spite of doing some good work, has been ineffective in preventing discriminatory legislation, which is scarcely surprising as it was powerless to enforce its decision. It should be abolished and replaced by something which:

(*a*) can enforce its decisions, or bring effective pressure to bear on the legislature;

(*b*) will protect any and every minority group;

(*c*) is effective in each Territory, as well as in the Federal sphere;

(*d*) will not be thwarted by unilateral action of those who happen to have political power.

The following devices working in unison may meet this need:

(*a*) Federal Senate;

(*b*) Bill of Rights;

(*c*) Control over the Federal Government's power to appoint the Federal judiciary.

(a) Federal Senate

The basic purpose of the Senate should be (1) to counterbalance the Federal Government and the Legislative Assembly or Lower House. This means it must not be a creature of the Federal Government or of the same electorate as returns that Government; (2) to act as a brake on discriminatory legislation; (3) to represent Territorial points of view or other points of view that are not represented in the Federal Lower House.

Its functions should, therefore, be:

(1) To consider all Federal legislation and have the power to veto discriminatory legislation and any change in the constitution;

(2) to approve the appointment of judges to the Federal Courts;

(3) to approve the creation of, and appointments to, statutory bodies affecting more than one Territory, e.g. Power Board, Railway Board, Marketing Control Board, Federal Reserve Bank;

(4) to approve the allocation of loan monies, and the periodic revision of the financial formula for apportionment of funds between the Federal and Territorial Governments.

To achieve this purpose:

(*a*) The composition of the Senate must be such that it balances the Lower House—i.e., if there is a European majority in the Lower House, the Senate must have a non-European majority, and vice versa;

(*b*) There should be equal representation of the three Territories;

(*c*) The number of members should be kept small and entrenched (shortage of manpower and funds).

There are various ways of achieving this object.

One simple one would be for each Territorial Government to nominate two or three members. One or more of them could be members of the Territorial Governments: this arrangement would contribute considerably towards the effective carrying out of the 3rd and 4th functions referred to above. If provision was made for the Cabinet members to have alternates, a degree of flexibility would be introduced which would enhance the value of this arrangement.

A more complex way of creating the Senate would be the following:

(i) The number of senators shall be 15.

(ii) Six shall be African, six shall be non-African, and the remaining three shall be African or non-African, according to whether the majority in the Lower House is African or non-African respectively;

(iii) Of the six non-African, three shall be from Southern Rhodesia, two from Northern Rhodesia and one from Nyasaland. Of the six African, one from Southern Rhodesia, two from Northern Rhodesia and three from Nyasaland. On the remaining three (all being either African or non-African as the case may be) one from each Territory.

(iv) All senators to be elected on the basis of the respective Territorial Franchise, but non-African Senators would be elected only by African voters and African Senators elected only by non-African voters. (Elections, of course, would have to take place after the Lower House Election, because only then would the composition be known.)

Eligibility for nomination for the Senate would be subject to all existing conditions for nomination to the Federal House, but in addition would require five years continuous residence in the Federation.

(b) Bill of Rights

A Bill of Rights needs no elaboration. Where it forms a constitutional safeguard for minorities in other parts of the Commonwealth it has apparently been found desirable that any amendment to such a Bill be made only by a special majority. In the case of the Federation an amendment of this type might be passed only with the consent of a two thirds majority of all three Territorial Houses and of the Federal House, sitting separately. Even if consent by all Legislative Assemblies were not considered necessary, it would certainly have to be a Constitutional Amendment requiring the approval of the Senate. A Bill of Rights of this kind would safeguard the Civil Rights of *all* the inhabitants of the Federation, regardless of race, colour or creed.

It is urged that the "Bill of Rights" should not consist of pious resolutions that clutter up so many modern constitutions or are included in the Universal Declaration of Human Rights, e.g. "All beings are endowed with reason and conscience, and should act towards one another in a spirit of brotherhood". "No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks". "Everyone, without any discrimination, has the right to equal pay for equal work". Such provisions are difficult to enforce and this difficulty may cause them to suffer the same fate as the African Affairs Board with consequent disillusionment and frustration.

A better formula to guard against discrimination is that adopted by the United States which quite briefly and definitely prohibits certain things. For instance, the 14th Amendment of the United States Constitution provides inter alia that "no State shall make or enforce any law which shall abridge the privilege or immunities of citizens of the United States"—a provision which has enabled the Courts to check a wide field of discriminatory practices. So, too, many American States have introduced anti-discriminatory legislation of different kinds. Such as the New York law against discrimination in employment (March 12th, 1945), e.g.:—

". . . It shall be an unlawful employment practice: 1. For an employer, because of the race, creed, colour or national origin of any individual, to refuse to hire or employ or to bar or to discharge from employment such individual or to discriminate against such individual in compensation or in terms, conditions or privileges of employment . . ."

(c) Federal Courts

Confidence and loyalty to the Federation would be fostered almost in proportion to the degree to which the belief can be substantiated that the political, social and economic advance can be secured by constitutional means. This will be encouraged by substituting judicial action for political as much as possible, partly because of the generally high prestige of the judiciary and partly because issues are handled less emotionally and more calmly, rationally and soundly in court than in Parliament.

As questions of racial discrimination are the most explosive in a multi-racial country, a great deal depends upon the impartial and effective application of the non-discrimination provisions of the constitution recommended above. This, in turn, depends upon a strong impartial Judiciary. It is, therefore, essential that the appointment of judges should be as far removed as possible from politics. It should not be left to the unfettered hands of the Federal Government.

In addition to the usual safeguards dealing with tenure, removal from office and salary, an additional way of meeting this requirement would be to subject any appointment to the approval of the Senate as defined in Section (a) above, or of the three Territorial Governments. Either would ensure that the proposed judge would command a wide measure of support and respect.

An effort should be made to appoint some African judges as soon as possible, probably from outside the Federation, in the absence of any suitably senior Federal African candidates. Such judges, as in the case of European judges, should be chosen only from those at the top of their profession.

Bulawayo.

Appendix I

Franchise:

The franchise has been one of the most disturbing problems

in the Federation and the creation of the present Federal franchise has been a major cause of hostility in the Federation. It would be an enormous advantage if this issue were removed from the Federal sphere. This could be done by simply accepting for Federal election the franchise laws applicable to each Territory—Federal members from Northern Rhodesia would be returned on the Northern Rhodesia Franchise, from Southern Rhodesia on the Southern Rhodesia laws, and from Nyasaland on the Nyasaland ones.

This has several advantages, besides removing the acrimony of this issue from the Federal sphere to the Territorial:

(1) Territorial differences can be retained and reconciled with the need to return Federal representatives;

(2) Invidious comparisons between Federal and Territorial are avoided;

(3) Duplication between Territorial and Federal will be avoided.

The lack of uniformity in the Federal field need be no disadvantage, nor need the discrepancies between certain Territories matter very much in the case of individuals moving from one Territory to another.

The allocation of Federal seats should be made *not* on Territorial population but on financial or economic grounds such as taxable income or volume of production.

It may be suggested that this loss of control of the Federal franchise would be unacceptable to the Federal Parliament. This need not necessarily be so if it is considered that it is not necessarily the qualification level of the franchise which determines the standard of Government, but rather the standard of those elected to Parliament. It is believed that a more rigorous qualification for Parliamentary candidates would be the best possible safeguard that "civilised standards" are maintained.

Under a system such as that proposed above, that the Federal Franchise be based upon the three Territorial Franchises, the Federal House would retain the power to legislate upon the qualifications of candidates in the Federal sphere.

If such a far reaching change cannot be made acceptable to the parties concerned it is still recommended that some attention must be given to broadening the Federal Franchise.

Because of the great importance which African leadership places upon political advancement, there is little doubt that the existing dual roll franchise is regarded as a hindrance, and the feature which it possesses of providing a steady increase in the numbers of those winning the franchise thus producing elected African parliamentarians who will replace the present nominated ones, is held in suspicion. At best they do not believe that it will produce the results they desire within the foreseeable future.

The removal of the African Affairs Board will deprive those specially elected Africans of their special responsibilities and detract to a large extent from their intended usefulness. Although it could be held that the same safeguard would then be provided by the Senate there would be many who would interpret the remaining role of those nominated or elected to the Federal House to serve African interests as mere "stooges" to the predominantly European Federal electorate. The inevitability of electing the Senate on a racial basis should provide the opportunity to discontinue special representation for African interests in the Federal House. Despite the creation of the Senate, African leadership would no doubt translate this discontinuance as an attempt to whittle away their political representation. Whilst this may not be so there is every justification for exchanging this loss of representation in one direction (which they have constantly maintained to be ineffectual) for a greater degree of representation in another manner.

This, it is proposed, could be achieved by a broadening of the Federal franchise on similar lines to Southern Rhodesia.

If specially elected members were withdrawn from the Federal House there would be nothing upon which the "B" Roll Voters could exercise their votes. The loss of the dual Roll could only simplify the franchise although the adherence to a qualitative franchise is considered essential.

The broadening is suggested on the basis of deliberately enfranchising a controlled number of those who would not ordinarily qualify for the "A" Roll.

(*a*) as a frank compensation to the African community for the loss of its Special Representatives and

(*b*) to bring on the roll those whose age or position, attained in circumstances bearing little relationship to present day conditions, warranted their consideration as responsible voters despite their non-compliance with the franchise qualification in respect of income;

(*c*) to retain as voters those already on the "B" Roll at the time of the change, so that no one be disenfranchised.

The same safeguard could exist in Southern Rhodesia, providing for the extraordinary enfranchisement to end when a certain number or proportion of voters had been reached. Some redelimitation might be justified in order to provide an early opportunity for African candidates to be elected, but it is not the intention to create constituencies which are wholly African or European.

Appendix II

Revision of Territorial Boundaries

On the assumption that homogeneity makes for stability, consideration should be given to the question of revising some of the Territorial boundaries to make such Territories more homogeneous from both social and economic points of view. Nyasaland has acquired a certain unity so far as its African population is concerned, and has so small a European population that any revision would be both impracticable and unnecessary. Southern Rhodesia has also acquired some Territorial coherence, but though its European population is comparatively large, its dispersal throughout the country makes any division on a social basis impracticable. The Territory's economic development, including lines of communication also favour its continuance as a unit.

Northern Rhodesia is, however, differently situated. Barotseland on the West and Bembaland on the East form compact groups from social, economic and political points of view. They are separable from the central line-of-rail area which is more cosmopolitan, contains most of the white population and forms a fairly clearly demarcated economic unit.

The division of Northern Rhodesia into these three regions would have considerable advantages:

(*a*) European fear of African domination would be considerably reduced as the disparity in numbers would be lessened with the separation of the East and West areas;

(*b*) The Government of the Central area would have a better chance of being really multi-racial whereas that of the East and West areas would naturally be entirely African without any possible hurt to any non-African interests;

(*c*) each area would be able to experiment with a franchise and type of Government best suited to its needs;

(*d*) if the kind of Senate suggested earlier, composed of representatives of each Territory is accepted, the protection of African interests would be further assured as three of five States would be completely African. This would reduce pressure for undue African representation in the two other Territories and on the Federal Government.

This proposal might lead to some additional expense through the overheads of Government, but this would be a small price to pay for the additional stability it might give.

There might also be some complexity in the allocation of funds, but this would be soluble if this subject comes within the purview of the Senate as suggested earlier.

Oral Evidence

THE ACTION GROUP

Representatives: Mr. P. H. Agar
Mr. A. J. L. Lewis

Mr. Lewis said that the Action Group had been formed about 20 years previously by a number of business and professional men who were interested in the future of their country. Subsequently the Group had joined the United Federal Party, but two years ago they had cut themselves away and become fully independent. Their views were usually of a liberal nature varying from the centre to the left, and their meetings were usually attended by 12 to 20 people.

The Action Group encouraged their members to go into active politics, but the experience of the Group was that when they arrived in Parliament they usually lost touch with the Group.

Mr. Agar said that from the time of the Southern Rhodesia referendum on Federation it was generally believed that Federation would retard African advancement in the Northern Territories. Federation had pleased Europeans but had had the opposite effect on Africans. This had led to extreme courses of action in Northern Rhodesia. In the last few months, Europeans as well as Africans had felt disillusioned. Misunderstandings of terms in current use had led each com-

munity to misunderstand its own position and that of the other. He hoped that the Monckton Commission would enable an unambiguous statement to be made on matters such as "partnership", so that no one should be misled in future. It was essential to introduce an atmosphere of realism.

In answer to questions, the witnesses made the following further points:—

(a) Federation had led to overcentralisation. Many Europeans hoped that it was a step towards a unitary government. It must be made clear that it was no such thing, even though by amalgamation some economy of government would be achieved.

(b) Much illwill was generated by the failure to implement partnership. The extreme African felt that partnership meant full equality tomorrow; the extreme European intended that it should never mean equality.

(c) The necessary change of heart could come only from close contact between the races. So long as people were misled about the intentions of the other race, there was no inducement for such contact to be made. It was a normal human reaction to find that things which were believed to be unpalatable were really perfectly tolerable in the light of experience.

(d) The stage was not set in Southern Rhodesia to allow Africans to play a part in political life, but to achieve this they must be encouraged to register as voters.

(e) It was essential that the Commission should give an unambiguous interpretation of the phrase "when those inhabitants so desire" in the Preamble to the Constitution. Any grant of immediate self-government to the Federation would violently increase the fears of the Africans.

(f) It was desirable that Federal elections should be held on the franchises applicable in each of the three Territories. At present Southern Rhodesia was hogging too much of the Federal Government; this applied, for example, in relation to the distribution of seats in the Assembly and the siting of the Federal capital. So far as the latter was concerned, the expenditure of moving to Warren Hills would be almost as great as going to Northern Rhodesia.

(g) The programme of constitutional advancement in the two Northern Territories should be made clear. Progress should depend on the availability of suitable people to form Governments, but it was reasonable to assume that independence would be achieved earlier in Nyasaland than in Northern Rhodesia.

(h) Secession would have very unfortunate effects for the Federation as a whole and also for Nyasaland. The present overriding need was for a period of stable government in which capital could be attracted to the Federation.

(j) It was difficult to insist on parity of representation for Europeans and Africans in the Federal Assembly or in the Federal Cabinet. The first requirement for Cabinet Ministers was high quality. The emphasis should not be on colour, though the number of Africans in the Assembly should be increased without delay. The sooner the Assembly departed from the idea of racial representation, the better.

(k) It was impossible to abolish the social colour bar by legislation; the background against which it existed could, however, be removed, if the Government made clear that this was their aim. Meanwhile the Government should legislate to eliminate the statutory colour bar wherever it occured.

(l) It was desirable to set up a senate to act as a watchdog against discrimination. It was likely that a similar party distribution would exist in the senate as in the upper house, though the racial bias should be in the opposite direction.

(m) There had been a recent swing of opinion against Federation in Southern Rhodesia due to worries about the trend of events. There were fears of all kinds of possibilities many of which were not likely to be realised, but this led to an atmosphere of nervousness and uncertainty.

Salisbury

Memorandum

REVEREND O. SOMKENCE

For several reasons, it would appear as though the Federal Government Constitution is a complicated one and the 1960 Review Conference will be expected to make some modifications.

For our own and our children's future, Federation should be made to work. For the African people in Southern Rhodesia Federation has brought political and economic benefits.

Among many other things; the position of the three territories which form the Federation. There will always be some difficulties on the working of the Federation, since the three territories are at different stages of constitutional development. A man from Self-Governing Colony of Southern Rhodesia going to the two Protectorates of the North, he finds that there is vast difference from what he is accustomed to, those from the northern Protectorates find the same when they come to Southern Rhodesia. It woud help if the Conference Review should get some ways to solve such problems.

Cabinet

This bound to create suspicion in the minds of the African people, and will always be unacceptable to the majority of the Africans, that a Cabinet of 10 Ministers who are all Europeans, and that could not be taken as a Cabinet in a multiracial state. If the Cabinet could be increased let us say to 20 and quarter of that should be African Ministers, so that alone shows that the difference is between the territories and such a thing gives people more ground to complain. Furthermore, it is very difficult to start anything from the top instead of starting from the bottom. Before anything was done to try to get Africans into the Territorial Parliament, an opportunity was made into the Federal Parliament which was a step high. For quite a long time before the Federation came into existence in both Nyasaland and Northern Rhodesia they had African members in their Legislative Councils, while Southern Rhodesia had none.

In the Federal Assembly: we take the 7 million Africans who are represented by 15 men and yet 300,000 Europeans are represented by 44 men. Under these circumstances, Africans will always view Federation with suspicion.

Election of Members of Parliament

It is not clear in the minds of the people as to how these members are chosen, because at present African members are endorsed by the parties which means if the Party is satisfied about that particular candidate he goes to Parliament as long as the Party has endorsed him. When it comes to vote, they are elected by more Europeans than Africans, some cases these members do not have the confidence of the Africans. If such things are reviewed, that would put the Federation in a better footing.

Franchise

The franchise should be broadened and liberal enough so that many Africans get on the voters roll. It is a fact that there are Africans who would qualify for the franchise but do not bother about registering themselves. No trouble has been taken to find out the reason why these people are not interested.

Are the present Africans capable of explaining to non-voters why is it necessary to become a voter. Although I have been a voter since 1928 I cannot be in a position to explain to others the necessity of becoming a voter, because the only time when one knows that he is a voter, is during the time of the election, after that everybody is on the same level.

(1) You might exempted by a certain act of Parliament from carrying numerous passes.

(2) You might be in possession of an Identity Card.

(3) You might be a voter, but when certain legislations are passed by the House of Assembly to apply to Africans the very Government you took the trouble of putting it into power, it forgets you as soon as it gets into power. If a non-voter says to a voter what advantages do you have which I do not have there is no answer. These might appear to be minor matters, but they have a great effect in the life of the people, because it is where one feels very strongly that discrimination is at its high level.

Qualifications

There are two problems involved (a) academic standard with low income (b) high income with no academic standard. A man with high standard of education cannot be a voter because of his low income. A man with high income who cannot write and read cannot qualify as a voter, because it is stated that he should fill the application forms unassisted. If the Federation is to be of any value to the African people of this country, the Africans are expecting to see that all these complications based on colour should be removed.

Federal and Territorial Governments

This is another puzzling point, because at present all what concerns Africans is in hands of the Territorial Government and therefore one finds himself unable to see what is in the Federal because all what belongs to him is Territorial. Let us take *Education*. The European Education is Federal, whereas the African Education is Territorial. If the Federation has come to stay, for how long is the country going to keep on having all these divisions. When the Federation came we expected to see some new changes in the whole system, but as long as we still have so many Governments, it appears as

though it will take a long time before we could have the changes we expected.

What is the point of having what is known as the African Education from Sub A to Standard II. We might say there is a bit which might call it African: but from Standard III-VI the children are preparing for Secondary work where they will be writing the same examination as the children of the other races. If the Education becomes Federal, there will be more benefits.

It is true that the Territorial Government votes for large sums of money for African Education, but it should be remembered that again large sums of that money is spent on the Administration as the Department of African Education has a big European staff if the African Education becomes Federal, the Africans could point at some thing done by the Federation.

Avenues of Employment

Where things are Territorial, the chances of an African are very narrow, as it is now, there is no African in the offices of the Education Department. Since the Postal Services have become Federal the progress of the Africans is seen there, and for that Branch the Federal Government should be complimented, and more chances are also beginning to come in the Health and Medical Department.

The Differences

The three territories are governed in three different ways: in the northern territories there are African Courts, known as the Native Authority Courts, where as in the South you do not see anything like that, so all these differences bring some problem in the minds of the African people, and due to those differences some people are still at a loss to see as to what the Federation is aiming at, and it is still needed to show that the Federation is to the good of everybody.

To make the Federation for the good of all races racial discrimination should be moved and all men be taken according to the standard of their culture, with no racial bar. The Federation should go very deeply on the questions of racial bar, and yet other people enjoy every privilege even if their standard of living is low, but since their colour happen to be light, everything is made easy for them. As citizens, African people should also be given their share.

Bulawayo

Oral Evidence

REVEREND O. SOMKENCE

Mr. Somkence said that he had nothing to add to his written memorandum, but that he would be pleased to answer questions from the members of the Commission.

In reply to questions he made the following points:—

(a) The lack of African representation in the Federal Assembly and more particularly in the Southern Rhodesia Parliament was a matter of concern to all Africans. So far as the Territorial part of it was concerned, it might be acceptable to start with say ten African seats.

(b) At the present time Africans for the Federal Parliament were elected mainly by Europeans. This meant that they did not always have the confidence of Africans.

(c) The present system whereby African members had to be endorsed by the political parties represented discrimination. African members should be free to be nominated in the same way as European member who did not have to have any special endorsement.

(d) With regard to the franchise, any persons who paid income tax should be qualified for the vote even if he could not fill in his form unaided. Property and education should be alternative qualifications and not combined qualifications for the vote.

(e) Education should be unified under the Federal Government. At the present time Europeans were singled out to be given special free education by the Federal Government.

(f) In Southern Rhodesia, matters like education which affect the daily lives of the African people should not be left to the Territorial Government, since the Southern Rhodesia Government was less liberal in its attitude than the Federal Government. For this reason Labour should become a Federal subject. By keeping such matters under the Territorial Governments, African advancement was limited. An example of this was the employment of Africans in the Federal Civil Service, whereas they could not yet be employed in the Southern Rhodesia Civil Service.

W. DALYS

Mr. Dalys said that he was a Canadian citizen, and until 1956 had been serving in the NATO Northern Group. He had no connection with any political party, and had been brought up in the liberal tradition in Canada. His work had taken him to Southern Rhodesia, Northern Rhodesia and Nyasaland where he had friends among all races.

The attitude of the European in the Federation was widely resented by members of the other races. Partnership, which had been held out as an inducement to Federation, had not been offered on terms of full equality; it was a partnership in which the caucasian tended to remain the senior partner, leaving the African, for the time being at least, as the hewer of wood and drawer of water. Coloured girls were often forced to engage in prostitution; most of them had had children by Europeans who had avoided the obligation to look after them, and they were themselves the result of illicit unions between African women and European men. It was inevitable that women who were only able to earn £2.10s. to £3 a week by legitimate means should to supplement their earnings by prostitution.

The Indian community suffered from similar disabilities. Often they found Portugese or Italian immigrants of exactly the same shade of colour as themselves being offered jobs at far better wages. In spite of the Indian tradition of army service, Indians were unable to rise to commissioned rank in the Federal armed forces.

In reply to questions, Mr. Dalys made the following further points:—

(a) He had had experience of labourers working for the same firm in very similar jobs, one of whom was drawing 32s. 6d. a week and the other £39 a week. This difference was almost wholly attributable to the colour of their skins. Although the expenses of the European were somewhat greater, they were in fact very comparable with that of the African or Coloured worker. Such treatment was designed to make Africans feel inferior.

(b) He himself would not advocate "one man, one vote". Even in the United States, he thought that negroes should have been given longer to achieve full voting rights. There was a tendency for Africans to vote on the opposite side from the white man as a matter of principle.

(c) Communism had made little impact in the Federation. Africans might be conscious of events in Hungary, Poland or Tibet, but they were more deeply concerned with the conditions in their own towns and on their own buses and railways.

(d) Africans from the Northern Territories did not want any form of association with Southern Rhodesia, which they tended to equate with the Union of South Africa.

(e) Africans had no quarrel with the Commonwealth connection, even though they did not want the Federation to go forward to full Dominion status.

(f) He hoped that the Commission would be able to recommend payment of the rate for the job, and at the same time ensure that a proportion of African labourers were employed in any jobs for which they could qualify themselves. It was significant that when the rate for the job was paid, as to African doctors, Europeans seemed willing to accept them.

Addendum to oral evidence

W. DALYS

Further to my oral evidence given before the aforementioned commission on Tuesday, 12th of April, 1960, I wish you to place before your members of the commission, the attached document of further proposals for their kind consideration. (See Annexure below).

With reference to proposal number six in the abovementioned document, I would like to point out that this School of Democracy could be run on the same lines of the School of Democracy which was established by the British Government at Wilton Park in Great Britain to instruct and *re-educate* German prisoners of war before their repatriation to Germany.

From personal experience and observations, this was a great success. The number of prisoners who undertook this course of study are to-day, leaders in public life in Western Germany.

Further, I would like to stress the fact that, in my oral evidence, I mentioned that, those Africans with whom I came into contact through my residence in the three territories of the Federation, I found an overwhelmingly number of them in favour of independence for Northern Rhodesia and Nyasaland should the Federation breakup. This should also apply equally to Southern Rhodesia. By granting independence to these three territories of the Federation, there will be no need or valid reason for the British Government to retain any power of veto on legislations enacted in the respective legislative assemblies of the three territories. The Bill of Rights (see proposal number one) will protect the minority as well as the majority groups equally.

Nevertheless, the proposed Bill of Rights will have to be laid down in a definite form because, one has merely to recollect as to what happened to the *Entrenched Clauses* in the South African Constitution, which were abolished by "packing" the Senate with the *Governments special nominees.*

Trusting your fullest considerations will be given to the attached proposals as well as the contents of this letter.

Bulawayo
3rd May 1960.

Annexure

CONSTITUTIONAL PROPOSALS

Constitutional Proposals

1. A *Bill of Rights* should be passed wherein *all* discriminatory practices against a person or persons on account of race, colour or creed should be abolished.
2. All *Educational Establishments* should be open to all races on a multi-racial basis with equal opportunity for all races.
3. *Compulsory* and free primary education for all races of children who are in a minimum age group category.
4. A *School of Democracy* be established wherein instructions will be given to citizens on democratic procedure and legislations.
5. *Franchise*: There should be *One Federal Voters Roll Only*, i.e. *A Common Voters Roll*, irrespective of race, the qualifications being:—
   (a) Over twenty-one years of age.
   (b) Standard six education.
   (c) Federal Citizens.
   (d) British Subjects (Commonwealth Nationals).
   (e) Persons on roll to be gainfully employed.

Oral Evidence

DR. E. M. B. WEST

Dr. West said that he was a member of the Rhodesian Institute of African Affairs but that he would be expressing no opinions but his own. He had been a medical officer under the Government of Southern Rhodesia and subsequently for the Rhodesia Railways.

Dr. West drew attention to the following published books and papers :—

(i) "His Own Oppressor" by B. J. Paver (1959) on the development of the African press.

(ii) "The Report of the Southern Rhodesia Franchise Commission 1957" lines 96 to 222.

(iii) Lord Milverton's statement in the House of Lords in July 1955 on the Colonial Territories 1954-55. (Cmd.9489).

(iv) Lord Milverton's article in "Optima" October 1955.

Dr. West gave a resumé of the history of the Federation since the two British South Africa Company Charters of 1890 and 1893. All development in the Federal area had resulted from British policy and The Queen's jurisdiction had run in Northern Rhodesia since the treaty with Lewanika in 1893 long before the boundaries of the present Territory had been defined. Nevertheless, developments had taken place entirely as a result of the efforts of the local settlers who were beginning to feel that the French were not so wrong when they referred to "Albion perfide". When Colonial Office officials took over from the Charter Company, they tended to regard themselves as tourists with no roots in the country. He did not wish to be derogatory to individuals, but he was very critical of Colonial Office policy. There were limitations on the idea of Government by remote control at a distance of 6,000 miles. The conditions of public servants in Southern Rhodesia were totally different. Individuals in Southern Rhodesia were there for the whole of their lives.

He had the impression that Northern Rhodesia officials had been against any form of association from the start. At the time of the Bledisloe Royal Commission on amalgamation, Northern Rhodesian officials had been opposed to the idea of amalgamation and they had been equally opposed in 1953. Unfortunately, the Federal Constitution was very difficult to understand and this had led to the Federal Government being blamed for many of the things done since 1953 which in many cases were not within their field of responsibilty.

The situation was further complicated by two Departments in London—the Commonwealth Relations Office and the Colonial Office—both operating in that part of the world. The whole of the Federation should come under one Department—the Commonwealth Relations Office. This did not imply that H.M.G. should withdraw from control over the two Northern Territories.

The events of 1960 had had a most disturbing effect on the Federation. The Prime Minister's tour, followed by visits from Lord Home and Mr. Macleod, had led to doubts in the minds of all communities.

Aristotle had said that philosophy and politics were not for children. Mr. West appreciated that Africans had to be brought more and more into the political, economic and social life of the country and he supported the principle of government by and for the people. Nevertheless, this did not mean that people who were still equivalent to children should be given full power and control over their own affairs immediately. Universal franchise in the United Kingdom had not initially been applicable to women and the position in the Federation was very similar to that in the United Kingdom in 1910.

Turning to the franchise, Dr. West said that a great deal more information was required about what had already been and what should be done. The spoken word was still the most important means of communication to the Africans. At the present time ignorance about Government measures was abysmal among both Africans and Europeans. Africans needed personal contact to explain what was being done about housing, security, etc.

In reply to questions Dr. West made the following further points :—

(a) In recruiting Civil Servants from the Northern Territories there was no need to limit recruitment to the area of the Federation. But if Civil Servants were recruited from overseas they should make their homes in the country.

(b) The present division of powers led to great confusion. For example, Labour was a Territorial subject but Railways were Federal. Thus there were two unions with a single National Advisory Council dealing with two Territorial Departments both with separate Labour laws. Similar conditions applied to agriculture, education, etc., and in these fields it would be wiser to increase the authority and skill of the Territorial Governments. Justice was Territorial, but Prisons were Federal. The Federal Government had no power to recruit and train police forces: these should perhaps be Federal.

(c) There was a great need for better work to be done by the press and politicians, who should give a lead to the people. Anything new tended to be abhorrent until it was fully understood.

(d) The future of Federation depended on the continuod inflow of capital from the United Kingdom and elsewhere. This depended on confidence and confidence could not be achieved without some degree of certainty for the future. People were looking to the Review Conference to provide this.

BULAWAYO

13TH APRIL 1960

THE UNITED FEDERAL PARTY—SOUTHERN RHODESIA DIVISION.

Memorandum

1. Independence in the Federal Sphere

This Memorandum is founded on the following views, namely:—

(a) That there is being established in Central Africa a community comprising Europeans, Asians, Coloureds, Eurafricans and Africans all of whom belong to Central Africa, are rightly determined to remain there and must be permitted to do so, free from fear.

(b) That it is essential to devise safeguards in the Federal Sphere of Government to ensure that no voting minority will suffer as the result of the enactment of unfair legislation on racial grounds. It is this understandable mutual fear which constitutes the chief bar to the confident and fruitful cooperation of races that all reasonable people wish to see.

(c) That it is necessary, in order to further the interests of the whole of the community of Central Africa, that the Federation be built free from outside interference, particularly with a view to removing the understandable fears in the minds of the African people and of the European people, to which reference is made above.

(d) That it is in the interests of all the people living in Central Africa that Federation shall remain; it must be permitted to go forward and continue the undoubted progress and development so far in its short life achieved; it cannot stand still—it must either go forward or go backward; to go forward it must have independence within its own sphere of government.

(e) That, whether or not the territories move a step further towards full responsible government within the Federation as a result of the 1960 talks, there is every reason why limitations on the sovereignty of the Federal Government within its own Sphere of Government would be removed. The Federation has made remarkable progress under sound and stable government and the limitations on the Federal Government should now be removed to create the conditions in which further progress can take place.

(f) That, in the opinion of this Division, it is not within the terms of reference of the Commission to consider the break up of the Federation. In support of this contention we mention that the Constitution of the Federation clearly does not contemplate that the Federation shall be broken up; furthermore that at the time the Constitution was agreed, the possibility of the Federation being broken up was not contemplated; indeed such action was specifically not intended and in this connection attention is drawn to the remarks of the then Colonial Secretary (Mr. Oliver Lyttleton) in the House of Commons during the debate in that House on the proposed Constitution.

"House of Commons Hansard—24th June, 1953

It all comes back to whether there is a right of secession under the present scheme. My advice is that there is not. There is no federation of which I as a layman and my advisers with expert knowledge can think in which there is a right of secession as such . . . . . There is no right of secession under the scheme; indeed if there were, I think that it would be thoroughly retrograde because for example the Federation would be unable to raise money if it could be broken up by the one sided action of any of the 3 states which comprise it. I think that it is correct to say that in theory the House of Commons could dissolve the Federation but when we have subscribed to a scheme in which the powers of the Federal Government are laid down such an action would be highly improper, so though in theory the right exists it is impracticable in this case".

"Col. 669. Volume 153 of Hansard 1953

Mr. Lyttleton said:

At the last conference we found that the view was widely held that there should be another conference of all 5 Governments . . . . . and review the working of the Constitution not earlier than the seventh or later than the tenth year from when it comes into force. We have acted accordingly and incorporated these ideas in the scheme. I emphasise that this conference is not to decide whether Federation has succeeded or failed or whether it should be abolished or discontinued. Nothing of the sort; it is a conference to make such alterations in the detailed working of the Constitution as experience of its work has shown to be necessary during this decade, the first decade of its life".

(g) That it would be unrealistic for this Division of the Party to submit any proposal which is likely to be unacceptable to the electorate of Southern Rhodesia.

(h) That it is the clear and unequivocal intention of the United Federal Party to continue to pursue its policy of partnership and of seeking to remove anomalies and unnecessary discriminations.

2 Record of Achievement

(a) In Southern Rhodesia

As this evidence is being submitted by the Southern Rhodesia Division of the United Federal Party, it is appropriate to draw attention to the progress that has been achieved in Southern Rhodesia on behalf of all its inhabitants but particularly the non-Europeans. It must be borne in mind that this progress has been brought about by a responsible Government of Europeans elected mainly by Europeans who have over a period encouraged the development of the non-European community and, virtually, entirely and alone, have financed such development from their own pockets in one way and another. All this has been achieved without any such restrictive and limiting device as an African Affairs Board. The only limitation upon the Southern Rhodesian Government is the Governor's power to reserve legislation and there is no recorded instance of the United Kingdom Government objecting to Legislation passed by the Southern Rhodesia House.

It is submitted that the progress that has been made in regard to the development of the non-European communities of Southern Rhodesia is substantial when it is remembered that the financial resources available to Southern Rhodesia have been extremely limited. The fact is that there is not now, and there has not been in the past, adequate finance available to undertake all that the Party would like to achieve for the advancement of the African people. To illustrate the point, we draw attention to the fact that in order to provide education for the African people to the same standards as is provided for the European people of the Colony, would cost approximately £20,000,000 per annum which equals the total present annual revenue of the Colony. Likewise, there is available in the Zambesi valley an excellent site for the construction of a dam from which it would be possible to irrigate 400,000 acres of good arable land upon which Africans could be permanently settled. The estimate cost of such a scheme is £80,000,000, which is quite beyond the financial resources of the Colony at the present time.

Turning now to the progress that has been achieved in Southern Rhodesia, at the outset we remark that in 1901 the African population of Southern Rhodesia was rising towards half a million—by 1959 it was estimated to be 2,670,000. This is a noteworthy indication of the benefit of the civilising influences that have been brought to this part of Africa. The cessation of tribal warfare, the relief of famine, the institution of health services and the improved conditions of living of the majority of the African people in the Colony have been mainly responsible for this great increase in the numbers of the indigenous African inhabitants. Set out below is further information relative to certain aspects only, showing the extent to which the interests of the indigenous people have been advanced.

(i) African Education: African education is entirely a Territorial responsibility. It is suggested that the record of the self-governing colony of Southern Rhodesia in this regard is not surpassed by the record of any other state in Africa.

The first Education Ordinance of Southern Rhodesia was enacted in 1897; this provided for financial assistance to Mission Schools subject to the Schools complying with certain conditions. The progressive amount of this assistance together with the increasing number of schools and pupils is shown in the following table:

Year	Government Grant — £	Number of Grant Earning Schools	Number of Pupils
1901	133	3	265
1920	9,467	750	43,094
1940	72,655	1,393	111,686
1950	527,088	2,232	232,689
1953	636,964	2,348	269,958
1956	1,265,565	2,604	360,641
1958	1,657,068	2,746	417,594
1959	1,901,313	2,836	429,539
1960	2,061,347	—	—

It must be borne in mind that up to 20 years ago Africans were not interested in education. The big problem was to induce parents to allow their children to attend school, parents preferring to keep the children at home to help with the household work, herding the cattle or hoeing the lands. It is only since the war that the African has shown any real and substantial interest in education.

The Colony is endeavouring to provide every child with the opportunity of some education as a basis for possible further training. A comparison of the numbers and distribution of the pupils by classes in African schools for the years 1947, 1957 and 1959 is given below:

Class	Year 1947 Number of Pupils	Year 1957 Number of Pupils	Year 1959 Number of Pupils
Sub "A"	81,821	124,954	114,571
Sub "B"	44,813	91,283	103,860
Std. I	31,260	69,391	85,714
Std. II	19,693	48,851	61,246
Std. III	13,313	38,495	46,048
Std. IV	7,109	15,926	21,280
Std. V	3,952	11,576	15,607
Std. VI	2,211	7,051	11,203
Form I (Post Primary)	618	3,216	1,506
Form II	428	1,889	1,163
Form III	19	894	318
Form IV	—	107	278
Form V	—	69	17
Form VI	—	13	18

The present position in Southern Rhodesia is that 80% of the African children are getting a basic primary education, and concurrently with this, a small but increasing number are able to progress to secondary, technical and industrial schools.

At the beginning of this year (1960) there opened in Bulawayo an African Technical Teacher Training School to train African teachers in technical subjects so as to provide staff for new African technical schools to be opened up in the future.

The Federation came into being at the end of 1953. Since then the financial vote of the Southern Rhodesia Government for Native Education has increased more than three-fold, the enrolment of pupils nearly doubled and the number of teachers increased by more than a half. The increased tempo of development of African Education in Southern Rhodesia since Federation is the direct result of increased finance being available in consequence of the establishment of Federation. The overall progress for the 30 years 1929 - 1959 is shown in the following table:

Year	Total Sum Voted £	Grants-in-Aid £	Schools Gov.	Schools Mission	Enrolment	Teachers
1929	70,890	44,590	2	1,446	109,141	2,477
1939	102,106	70,000	2	1,333	106,755	2,420
1946	208,441	158,000	8	1,885	178,739	4,845
1950	589,662	450,000	12	2,232	237,960	7,235
1953	837,069	636,964	19	2,348	269,964	8,087
1955	1,385,370	1,113,991	35	2,546	342,403	9,889
1957	1,761,788	1,355,525	48	2,665	413,860	11,205
1958	2,161,683	1,657,068	57	2,746	449,177	12,025
1959	2,504,000	1,901,313	68	2,836	467,567	12,287
1960 (est)	2,807,170	2,061,347	—	—	482,255	13,440

We in turn now, because we consider it to be relevant, to some comparison between Southern Rhodesia and the two other Territories of the Federation, African Education in the latter being the responsibility of the British Government. The following tables show the comparison between Nyasaland and Southern Rhodesia on a percentage basis of African children enrolled at school in relation to the total African population of the two territories.

	Nyasaland A	Nyasaland B		Southern Rhodesia C	Southern Rhodesia D	
	Total African Population	No. of African children enrolled at school	B as a percentage of A	Total African population	No. of African children enrolled at school	D as a percentage of C
1953	2,420,000	220,119	9.1%	2,210,000	269,964	12.2%
1954	2,470,000	239,918	9.7%	2,270,000	313,403	13.8%
1955	2,530,000	246,153	9.7%	2,340,000	342,403	14.6%
1956	2,580,000	261,116	10.1%	2,420,000	382,484	15.8%
1957	2,630,000	265,678	10.1%	2,480,000	412,860	16.7%
1958				2,550,000	449,177	17.6%
1959				2,630,000	467,567	17.8%

If Nyasaland had made the progress of Southern Rhodesia in this subject the number of African children enrolled at schools in that territory in 1957 would have been greater by 173,216.

The increase since Federation and the proportion of African children enrolled at school shown as a percentage of the children of schoolgoing age are:

	1953	1958	Est. Percentage
Southern Rhodesia	269,964	449,177	80
Northern Rhodesia	154,000	232,000	60
Nyasaland	220,119	270,882	50
Federation	664,083	952,059	64

The Southern Rhodesian figure of 80% of African children of school age actually at school is greater than that of any other country in Africa, including Ghana.

The percentage increases in the enrolment of African school pupils since Federation is:

Southern Rhodesia	66.5%
Northern Rhodesia	50.6%
Nyasaland	23.1%
Federation	47.9%

(ii) Land: The African has for centuries lived under a tribal subsistence economy and has a deep attachment to the land. There had always been an area of land for each family although not necessarily a permanent site. When lands became worked out and infertile, whole villages or kraals would move. This system could only continue while the population was small and the figure remained more or less constant. One of the difficulties facing authority today is how Africans can be brought to realise that land does not increase in size as may a population.

At the time of arrival of Europeans in 1890 the Africans were grouped in isolated tribal areas but there were vast tracts of uninhabited land. The first step to protect tribal areas was taken in 1895 when certain two Reserves were set aside. In 1902, 21 million acres of land were assigned for native reserves. By 1920 it was estimated that the African population was 762,000 and that the land then available was approximately 132 acres per family. Within two years of becoming a self-governing colony, the government appointed a commission in 1925 to investigate the question of availability of land and this commission recommended that sufficient land for the forseeable future should be set aside for the sole use of the African indigenous population. Following this recommendation in 1930 the then government introduced the Land Apportionment Act of 1930 and therein the principle of dividing the land between the Africans and Europeans became law. The Land Apportionment Act of 1941 added a further 21,000,000 acres to the area allocated to Africans including Native Purchase Areas.

The Land Apportionment Act was introduced to protect the interests of the African as it was realised at that time that no single African had sufficient money then to purchase land and that if the indigenous African population were not protected, all land in the Colony outside the Native Reserves would soon fall into European hands through purchase. Had the Land Apportionment Acts not been passed there is little doubt that today (in fact many years ago) there would not have been any land available for the African people, it all being in the hands of the Europeans. These Acts were aimed originally to meet the situation in the rural areas. With the passing of the years and the growth and development of the urban areas, they have been amended from time to time to meet these changed conditions. Certain anomalies still remain and it is the intention of the Party to press for their removal. An example is the recent proposal to grant freehold title to Africans in certain urban areas.

(iii) Native Agriculture: Native Agriculture is a territorial matter and the responsibility of the Territorial Government. The nature of the climate in Southern Rhodesia with its long drawn out dry season lasting some seven months, baking sun, high winds, and then heavy tropical rain storms provides all the conditions for erosion of the soil. Any land which is not protected and covered by vegetation is exceedingly liable to be eroded by wind and rain. Where there is a degree of slope this is greatly accentuated. The denuding of forests on hills and slopes speeds the process.

At the time Europeans first entered Southern Rhodesia, African agriculture was still following its immemorial practice of half clearing a patch of land, cutting down or burning the trees, leaving the stumps in the ground, scratching the surface of the land with a hoe, planting and using the area year after year for crops until the fertility of the soil became exhausted. When crops failed the people moved to a new area leaving the old area to be cured by Nature.

The pressure on the land has now become so great that it is not possible for every African living and those yet to be born to have his own piece of land. The fact became apparent to the Government some years ago and resulted in the promulgation of the Native Land Husbandry Act of 1951. Broadly the object of this Statute is to introduce a system of tenure of arable land thus departing from the traditional communal system and enabling real land husbandry to be installed and developed. Attention is drawn to the fact that under the communal system, half the male population at any one time was away from the Native Reserves leaving the wives and children to attend a few cattle and scratch a subsistence from the tribal plot.

In 1947 the Native Reserves and Native areas totalled just on 30,000,000 acres of land. Those Africans who had adopted these methods of farming over a number of years were given certificates as Master Farmers which became highly prized awards. By the end of 1950 there were 1665 Master Farmers and 3,287 plot holders who had increased their yields from an average of 1.5 bags of maize per acre to 7.9 bags per acre (a bag of shelled maize weighs 203 lbs. gross). Today there are 6,500 Master Farmers.

In 1955 the Southern Rhodesia Government decided to speed up the implementation of the Act under a five year plan and the work is now well under way. The amount spent dur-

ing the years 1956 to 1959 on this is approximately £6,600,000. Of the over 30,000,000 acres comprising the Native Reserves and special Native areas, it is planned to complete the implementation of the Act in respect of 26,019,362 acres by the end of the current year (1960).

When the work is completed and the Act fully implemented the effect on the African rural economy will be profound. It is expected that crop outputs will increase by 50% within five years and that the total cash value of annual African agricultural output will increase from £10,000,000 to £17,400,000 within eight years. The actual cash income from the sale of surplus produce is expected to increase from £3,500,000 to £11,000,000 after eight years.

(iv) African Employment: The estimated total indigenous population of the Colony in 1901 was 467,000. By 1921 this had grown to 778,000 and in the 1956 Census it was estimated at 2,219997. With the five-fold increase in the population in just over 50 years, a sufficiency of land no longer exists and the way of life of the African is changing. His growing contacts with civilisation together with education are creating in him a greater desire for those things which can only be obtained in a money economy. In addition, the implementing of the Native Land Husbandry Act will greatly extend the money economy throughout the rural areas. It will augment the flow of indigenous Africans to the urban areas which may make the stream of non-indigenous workers an embarrassment. The following table indicates the number of employed Africans in Southern Rhodesia over the last 35 years and indirectly illustrates the progressive development of the Colony:

Africans in Employment

Year	Indigenous	Non-Indigenous	Total
1936	107,581	144,901	252,482
1941	131,404	168,106	299,510
1946	160,932	202,412	363,344
1951	271,302	258,901	530,203
1956	300,178	309,775	609,953

The African will be found in a wide variety of manufacturing industries, e.g. textile and clothing, plastics, agricultural implements, brushwork, metalwork, furniture and radio. He has shown his ability to acquire skill of a specialised nature. In heavy engineering industry he can be seen operating machines, including heavy earth moving machinery. In the motor trade he undertakes all varieties of work except the highly skilled. He drives the heaviest of transport vehicles. Government and Municipalities employ Africans in an expanding range of work—as policemen, postmen, postal clerks and telephone operators and linesmen, microscopists, meteorological observers, teachers and welfare probation officers, agricultural demonstrators and in other spheres. He is being given opportunities to participate more fully in the commercial and industrial life of the country. An apprenticeship Act has been introduced to permit a non-racial apprenticeship and a new non-racial Workmen's Compensation Act has been adopted. The re-organisation of employer/labour relationship on a non-racial basis and the creation of non-racial trade unions have been provided for in the new Industrial Conciliation Act. The response of commercial and industrial firms to evolution of the African in these fields has been substantial and, for example, there are Africans in some Southern Rhodesian engineering firms who are already able to earn the same wage as Europeans. We set out below a comparative table of Africans in employment in the three territories comprising the Federation:

	European Population	African Population	Africans in employment 1956 (latest figures available)	Wages earned by Africans in 1956 £ms.	Wages earned by Africans in 1958 £ms.
S. Rhodesia	207,000	2,550,000	609,953	38.8	49.5
N. Rhodesia	72,000	2,220,000	263,132	24.5	26.4
Nyasaland	8,300	2,690,000	+ 164,258	6.3	8.0

+ About 210,000 additional Nyasaland Africans are in employment outside Nyasaland.

The aforegoing record of achievement in Southern Rhodesia is put forward with all due modesty in the realisation that the progress made has undoubtedly been to the advantage of the community as a whole. The significance of the record of Southern Rhodesia, as has been stated earlier in this Memorandum, is that it has been achieved by a responsible Government elected by a predominantly European electorate without virtually any constitutional limitations such as are presently imposed upon the Federal Government in its sphere of government. It is the sincere belief of this Division of the United Federal Party that given the same opportunity free of restrictions the Federal Government will achieve for the whole of its community a rate of progress in excess of that achieved in Southern Rhodesia by virtue of the fact that the resources—mineral, agricultural, labour, financial—available to that Government are so very much greater than the resources available to the Southern Rhodesian Government.

The Division is also firmly of the view that the Government of the people of the Federation must reside in Central Africa and must be carried out by people who know conditions applicable to the country.

(b) In the Federation

Since Federation

(i) The Federal Government has shown itself to be responsible and stable.

(ii) A locally-based public service has been successfully established similar to the locally-based public service of Southern Rhodesia where the nature of that service has contributed so greatly to stability and to progress. There is every reason therefore to anticipate from the Federal public service as now constituted a contribution similar to the contribution made by the public service of Southern Rhodesia which by all standards has been remarkable.

(iii) The financial stability of the Federation has been demonstrated and a sophisticated money market has been developed to attract and employ long and short-term capital. The creation of this market, in effect a microcosm of the London money market, in the space of a few years is all the more remarkable in that it places the Federation ahead of some older overseas countries in this respect. The financing of the Kariba scheme was made possible by Federation as was much of the major development which has attracted overseas capital.

(iv) Advances in the constitutional status of the two Northern territories have been made since 1953; these in themselves reflect favourably the progress of the Federation.

(v) The interests of Africans and other non-Europeans have been safeguarded and advanced not because of the actions of pressure groups of one sort and another but because it has been the policy of the Government to do so.

3. Federation — Future Development

Having regard to this record of achievement both in Southern Rhodesia and in the Federation it is desirable to consider again the reasons for the establishment of the Federation in 1953.

In the report made by the Conference on Federation held in London in January, 1953, the following passage appears:—

"Closer political association between the three Central African Territories is essential if they are to develop their resources to the full and reach their proper stature in the world. Individually, the Territories are vulnerable. Their individual economies are ill-balanced and ill-equipped to withstand the strong economic pressures of a changing world. Of the three Territories only Southern Rhodesia has any significant secondary industries. Northern Rhodesia is very largely dependent on her copper industry, which provides over four-fifths of her exports. Nyasaland, an agricultural community, has to rely too much on a few primary products such as tobacco, tea and cotton and cannot develop herself unaided. The economies of the three Territories are largely complementary; their closer association is essential if they are to achieve the economic and social development of which they are together capable. All this is common knowledge and common ground. How is it to be achieved? It has been suggested that this could be done by consultative machinery; but the hard experience of the last few years, acquired through the working of the Central African Council, has conclusively disproved this. With the greatest goodwill between the Territories it has been found impossible by such methods alone to secure a harmonious and effective programme of economic development of the whole area. No one of these Territories can be expected to surbordinate its own interests to those of another Territory for which it has no responsibility and with which it is not politically associated. Competing local demands for labour and scarce materials hamper the wider development of the Central African economy. Enterprises which would serve each and all the Territories cannot be undertaken because common policy cannot be made effective in action.

Development of the largely untapped resources of this potentially wealthy area demands the combined efforts of the three Territories acting together. The right thing must be done in the right place. There are railways to be built; there are rivers to be harnessed; power must be developed to meet the needs of industry; food production must be expanded to meet the ever-growing needs of a steadily in-

creasing population. Such development requires expenditure of capital and material resources on a large scale. Only a well-balanced and co-ordinated economic unit would be able to attract development capital from outside on a scale necessary to realise the full potentialities of all three Territories. All the inhabitants of the three Territories would benefit if an effective central authority could take major economic decisions in the interests of the whole area."

What has become quite clear since Federation to those who had the responsibility of carrying on the Government is the need for extremely vigorous economic development and industrialisation to take care of the rapid increase in population which is occurring. During the first five years of Federation 264,000 additional Africans entered the money economy but more than 400,000 (which is still the great majority of the African people) had to be absorbed into the subsistence economy. The subsistence economy is tolerable only when there is adequate land and the people have not yet started to appreciate modern civilisation; but this is no longer true of Nyasaland where the available land is all taken up with very minor exceptions nor is it true of Southern Rhodesia where pressure on the land is making itself felt. It is quite clear that in the next five years it would be intolerable for over 400,000 people to be added again to the subsistence economy, and therefore there is a clear problem of so speeding up development that at least 600,000 persons within the Federation can be absorbed into the money economy in the next five years with an increasing tempo thereafter. If this is not done the effect would inevitably be a steadily falling standard of life as the subsistence available becomes less adequate, amounting in some cases to definite undernourishment and near starvation. Very much worse would be the case if some of the opponents of Federation had their way and were able to break up the Federation, because then inevitably the tempo of industrial development would be slowed down. Southern Rhodesia as the largest employer of workers from Nyasaland and to a lesser extent from Northern Rhodesia would inevitably be compelled to give the first priority to their own workers and very large numbers of Nyasas and Northern Rhodesians would have to be returned across the Zambesi to search for a place in the subsistence economy of those two territories.

Looking ahead for as short a period as 20 years complete disaster would without doubt fall on the people of Nyasaland, and there would be very little hope of rapid progress for the people of any of the three territories. Southern Rhodesia would be the best placed as half her current labour force comes from outside her borders and by discriminating against those who are not Southern Rhodesians there would be more chance for a steady advance for her own people. But both the northern territories would suffer heavily; Nyasaland much more than Northern Rhodesia.

The material resources of the three territories are certainly complementary. The very valuable copper mines of Northern Rhodesia are the greatest single economic asset of the present time in the Federation, but development in other directions has not been overlooked. Southern Rhodesia has the most diversified economy and is the most advanced industrially. With the increasing purchasing power of the African people there is every reason to hope that further progress will be made at a rapid pace; especially now that the shortage of transport facilities on the Railways has been overcome and an adequate supply of electricity has been guaranteed by the Kariba scheme. The natural resources are so great that, but for racial strife, it is quite clear that marrying with ample supply of African labour (which is anxious to advance and improve itself) and with the further development of the African into skilled workers and owners of businesses, that there is every prospect that a country can be built up comparable with the industrialised nations of Western Europe or North America. This can be done without any requirement lacking other than the ability of the people of the Federation to work together in amity for a common cause.

The United Federal Party have therefore set themselves the task of endeavouring to build up such a society to provide the facilities for training the African to higher levels and admitting him as he reaches the necessary standard to all the advantages that the European has built for himself over the last 70 years in Central Africa.

4. The Limitations on the Sovereignty of the Federal Government.

The constitutional status of the Federation is lagging behind the economic and material advances it has made under sound and stable Government. The grant of further constitutional advance for the Federation will increase confidence and create the ability to make even greater progress. The limitations on the sovereignty of the Federal Government will be well known to the Commission and it is therefore not proposed to tabulate them here. It is the submission of this Division of the Party that all those restrictions should be removed in the interests of the whole of the people of the Federation.

It is fully appreciated that some other form of safeguard to those safeguards presently existing and in the hands of people outside the Federation, namely the British Government, must be devised. The limitations which at present exist are aimed to safeguard in effect the African people of the Federation and there are various provisions listed in the Constitution as to how these safeguards shall be implemented. As has been stated earlier in this Memorandum the safeguards that must now be devised are such as will give confidence to all sections of the community for the future and must be safeguards not directed to the interests of one section only. They must therefore be limitations which are exercised and implemented by controls operated in the Federation and they must be such as will operate fairly and reasonably for all sections of the community.

The safeguards now to be designed must be such that they do not derogate from the sovereignty of the Federal Government but nevertheless ensure that they are genuine and real safeguards. Furthermore they must also be firmly entrenched and if possible free from party political pressure. In the eyes of all the inhabitants of the Federation and particularly in the eyes of the less advanced inhabitants, the safeguards must be seen to be effective and to this end they must not fail simply because they are not capable of operation in a country which has relatively few people of the calibre which any such safeguards will require.

5 Proposed Constitutional Safeguards to be substituted for Present restrictions.

We have considered in great detail the problem of alternative constitutional safeguards to be established and there appear to us to be various constitutional ways of achieving what is required including a Bill of Rights, a Council of State and a Senate or Second Chamber as is contemplated in Article 97(5) of the present Constitution.

The establishment of a Senate appears to us to be the most satisfactory of these methods. But there are a number of alternative forms of Senate or Second Chamber. For this reason we feel it preferable to state the considerations we regard as important without attempting to give precise shape to the Senate.

(a) It is essential that the body should be an elected one. We believe there might be advantage in using an electoral college (or colleges) rather than the ordinary voters roll.

(b) The Senate should comprise representatives of all races in the Federation but the number of non-Europeans should not exceed that of Europeans. We believe that the Senate should be frankly racial in concept as the concentration of racial representation in the safeguarding body allows for the rest of the legislature desirably to be non-racial.

(c) Each Territory should return an equal number of senators.

(d) Members of the Senate should have high qualifications; we suggest the qualifications for membership of the Federal Assembly; in addition a Senator shall be 35 years of age or more and have resided in the Federation for a continuous period of not less than 5 years preceding nomination.

(e) Elections for the Senate should take place simultaneously with General Elections for the Federal Assembly.

(f) The number of Senators should be laid down in the Constitution and not easily capable of change. The numbers returned by each Territory and the ratio of Europeans to non-Europeans should likewise be written into the Constitution and those provisions made even more difficult to change.

(g) The Senate should be a reviewing Chamber for all legislation, other than money bills.

(h) In respect of non-discriminatory measures it should have the power to refer back for amendment and if need be to delay such legislation.

(i) In respect of discriminatory measures it should have the further power to hold back legislation until the next General Election, so as to give the electorate the opportunity of expressing its wishes.

(j) Subsidiary legislation of a discriminatory nature also should be reviewed by the Senate.

(k) Determination whether discriminatory or not should be carried out by a Select Committee composed of equal numbers of the two Houses, and of an equal number of Europeans and non-Europeans.

(l) A special majority of the Senate might be necessary to approve any change to the Constitution.

(m) The number of Senators should be kept low say 18 or 24.

6 The Federal Franchise

We uphold the present franchise system and in particular the present qualitative principle which underlies it. We reject adult suffrage or one man, one vote" as being inimical to the creation of a stable multi-racial democracy in the Federation however appropriate it may seem in other African territories which are homogeneous.

We believe it important to restate the arguments in favour of a qualitative franchise to demonstrate its essential application to the needs of the Federation.

Great play is made of some of the modern shibboleths—terms such as democracy, self-determination and adult suffrage. These are often discussed in the abstract and justified as eternal and immutable truths. Once accepted as inviolable principles, they are then deemed to be not merely desirable but essential in themselves without any regard for the circumstances in which they are to operate or the purpose which they are designed to attain. The truth is, of course, that these are not ends in themselves—they are means; means towards ensuring just, incorruptible, responsible government so that those who are governed are governed fairly. The theory is that nothing could be fairer than all of the governed having a say in the choice of government, but that theory rests upon the assumption that the voters would have the capacity to weigh up the relative merits not merely of candidates but also of political policies and, having formed a conclusion by rational process, to exercise the vote with reason, judgment and public spirit in the best interest of themselves and the community as a whole, including future generations.

In a homogeneous Society it is easy to see that the franchise should not pass to certain people unable to exercise their votes in the manner indicated—young persons below whatever is deemed to be a suitable age of discernment, the mentally retarded, certain criminals and so on. Such people are excluded solely because of their lack of capacity to exercise the vote with reason, judgment and public spirit. Here in the Federation, even the most ardent advocate of adult suffrage would boggle at a proposal that all African women should be entitled to vote, because of their especially backward state. It becomes clear then that universal adult suffrage is not an immutable principle: the vote is not a right which may be claimed indiscriminately, but a skill available to those who are capable of using with care what could otherwise be a dangerous instrument.

To argue by analogy that, because adult suffrage has been introduced or is about to be introduced to certain other states in Africa, it could and should be introduced in the Federation is dangerous, for the circumstances are quite different. Those other states are more homogeneous in their population. In those states there are virtually no Europeans with any roots in or any real attachment to the country. It is not their home. But here in the Federation we have a fairly large body of Europeans who are not here on a tour of duty as part of their careers but who are born here, who live and work here, who, having no other, regard it as home. They have built up the existing standards of Western civilisation, and they and their standards would be imperilled if government were not retained in civilised and responsible hands. No one can yet say with certainty that the granting of full adult franchise in other parts of Africa (and even in some parts of Asia) has been successful. Those experiments may succeed, of course, but so far the signs have almost invariably pointed away from democracy, towards oligarchy.

Universal adult suffrage has succeeded in the United Kingdom because it was achieved after some centuries of political evolution during which democratic ideals were assimilated. Here the indigenous people have no such background. In Northern Rhodesia they were denied the vote because they were British Protected Persons instead of British Subjects, whilst in Nyasaland there had been no elections at all until Federation. To endanger the structure which is being built in the Federation towards democracy by departing from the present qualitative franchise, or by lowering the qualifications, would be the gravest folly.

One of the chief purposes of Government in the Federation is to maintain the standards of Western Civilisation. There should be no question of lowering any standards to a mean level nor would it be in the interests of any section of the population to do so. Without doubt the best path for all races including the Africans is a continual upward progression until full democratic institutions are enjoyed in harmony by a single community which would consist only incidentally of persons of different races and colour.

For these reasons the franchise in the Federation is on a qualitative basis, the qualifications being designed to ensure that those who vote whatever their race are likely to be able to do so with responsibility. This should lead to Party divisions according to political and economic policies and not according to race. Universal suffrage or a significant lowering of franchise qualifications would lead speedily and inevitably to a form of despotism; the present franchise system will lead more slowly but more certainly to democracy.

7. Redistribution of Functions

We have not concerned ourselves with the possibility of functions being redistributed as between the Federal and Territorial governments as any proposals are dependent upon the constitutional changes which may arise from the 1960 talks. We trust that we shall have the opportunity in due course to put forward our views in this respect but, in relation to the present case, we submit that any basic change in the distribution of functions or any different approach to the question of functions could so alter the conditions upon which Southern Rhodesia, by referendum, agreed to Federation that a further referendum would be required.

8. Conclusion

The people of this country have been led to believe that a substantial constitutional advance can be expected in 1960.

The underlying reasons for the federation of the three territories were mainly of an economic and material nature. That these reasons were valid has been proved by the progress achieved since Federation. But economic development cannot flourish in an atmosphere of uncertainty and the Federation cannot afford a further twilight period before it attains independence. We have committed ourselves to Federation and believe that for all the inhabitants of the Federation it has proved to be the right course. The further development of our multi-racial community requires that the promises of constitutional advance upon which Federation was accepted, should now be fulfilled.

The considerations which pertained in 1953 and which resulted in the establishment of the Federation still apply, and more strongly now than before. It has generally been believed that the Federation was set up in 1953 as a permanent institution. On this clear and distinct understanding investors both within and without the Federation, have invested substantial sums of money; at this stage to disregard those sincere and fully justified beliefs will in our view be a betrayal of the trust placed in the Federation.

There is one further point which this Division of the United Federal Party considers must be strongly emphasised. Whatever decision is to be made in regard to the review of the Federal Constitution must be final.

There is at the present time a lack of confidence in the future of the Federation; people in the country are uneasy and restless and are wondering what their futures here are; numbers are considering whether to give up their homes and their interests here and move to other parts of the Commonwealth. Investors from outside the Federation are withholding their decisions to invest their capital in the immense potential of the Federation. It is vital in our view in the interests of all the people of the Country that the maximum amount of capital should be invested here backed by the knowledge, skill, experience, ability and energy of great numbers of Europeans. It is the European and his capital which, with the labour provided by the indigenous people, has developed Southern Rhodesia and enabled the people in Southern Rhodesia to progress and improve the standard of living and the conditions of the indigenous People. In our view this same approach can and will develop the whole of the Federation to the great benefit of all the people living there.

As the result of uncertainty confidence is lacking both within and outside the Country. Never again must the Federation be subjected to the stresses and strains presently being experienced; whatever decision is taken as to the future of the Federation and of the three territories comprising it, must be final.

Oral Evidence

SOUTHERN RHODESIA STANDING COMMITTEE OF THE UNITED FEDERAL PARTY

Represented by: J. A. Clark, M.P.
D. R. Etheridge
Blair Ewing, M.P.
M. E. Currie, M.P.
A. J. Pillay
R. Patel
M. Hove, M.P.

As you know, we represent the Southern Rhodesia Division of the United Federal Party and our purpose is to support the

case for independence in the Federal sphere that has been submitted by the Federal Standing Committee of the Party.

The United Federal Party is a liberal and progressive party: it is the majority party in the four legislative assemblies in the Federation, and we believe that shows the electorate here to be also liberal and progressive. The preamble to the Constitution contains three objectives: first to conduce to the security and advancement of all the inhabitants. Secondly, to foster partnership and co-operation: and thirdly to achieve a state in which the Federation could go forward as a full member of the Commonwealth. They all find place in the principles and policies of the Party, although we believe by far the most important is that relating to partnership and co-operation. The most obvious fact concerning Central Africa is that it is a multi-racial state; and our purpose must be to achieve a condition in which all can live here in harmony and with human dignity.

We believe the purpose of government is to achieve a good life, for all and not just for some. We utterly reject the extreme views of apartheid and white domination, and equally the extremist African nationalist views, which might lead to black domination. Because of that we must reject any suggestion of dividing the Federation into areas of domination, either white or black; and though our method of achieving a state in which all can live together in amity is perhaps a little slower than some others, it is undoubtedly the soundest.

Because of the differences in the cultural levels and traditional backgrounds of the nations, we must admit in frankness that full partnership has not yet been achieved, but we regard it as something which is capable of progressive attainment the whole time. We believe the country is advancing along that path. When one looks back, one sees that quite rapid progress has been achieved in quite a short time. We believe that speed will mount as progress continues. It would be tragic if the tempo was made too rapid; it would outstrip not only European opinion but perhaps African capacity, and that would be a grave setback, in our view, to the whole people of the country. It would be equally tragic if progress was too slow. We believe it is fundamental to life here that we should achieve a proper multi-racial state at the earliest possible time. In fact, the object is not really to achieve a multi-racial state so much as a non-racial state.

In doing this we believe that high standards must be maintained and that it would not be in the true interests of any of the races if, by speeding up the progress too much, standards were lowered. It is best to build upwards rather than come down to a mean—for all people, including the African people. This is demonstrated in our attitude towards the franchise. We have a system of qualitative franchise. It is our conviction that the maintenance of fairly high standards in the franchise is a thorough safeguard for all inhabitants in their progress towards a civilised and responsible state.

The biggest barrier we face is the constitutional reservations and the Colonial Office influence, which exists particularly in the northern Territories. It is one of the unhappy features of this country that there has been—originally perhaps not deliberately—an enticement to the indigenous people to look to governments and even to political parties outside our boundaries for protection. That is the word commonly used, and it connotes protection against something, some eventuality or some persons; and that has a gravely deleterious effect on local government and on the attitude of the indigenous people towards it. It is an invitation not to recognise or trust local governments and local inhabitants.

We believe that militates greatly against the success of government, against our ideal of partnership, and in fact against the success of the Federation as a whole. It is a cause of division amongst us and one of the main reasons why we believe it is necessary to achieve a greater constitutional independence in the Federation.

We hold the view, in contrast, that our record here demonstrates amply that there is capacity for government here, in the best of parliamentary traditions—good government in the interests of all, and government that will lead to peace and harmony and to the progress which we so desperately need in an undeveloped country.

The terms of reference of the Commission speak of considering a constitutional programme and framework best suited to promote those objects in the Constitution ,including the preamble. Perhaps a word here about the framework and programme might be appropriate. Although we of the Southern Rhodesian Division have studiously refrained from interference in the position of the northern Territories, they are part of the framework, and I will touch briefly on that, if I may.

We see the immediate constitutional future in this fashion: there should be in Northern Rhodesia a major step forward towards responsible self-government along the lines of the 1923 constitutional position in Southern Rhodesia. In Nyasaland there is also the necessity to make a major step forward; but there is there a very much greater difficulty because there are all too few people from whom to draw the necessary political leaders and administrators. So we see there a somewhat unique type of constitution which would permit of an elected assembly, also on a fairly high franchise qualification, but of such a fashion that the elected assembly would almost undoubtedly have an African majority; and correctly so. In our submission there would be an executive body, nominated, consisting partly of officials, partly of African members and partly of non-African members: it would be the executive council which would introduce legislation to be debated by the assembly. We think something on those lines would permit a constitutional step forward to be taken by Nyasaland.

As regards Southern Rhodesia, the Southern Rhodesia Prime Minister is going to the United Kingdom in the next few days to discuss the constitutional position of Southern Rhodesia; but in any case it is already a largely self-governing Territory, and if the three Territories were to achieve in the near future something on the lines we indicate, we believe the Federal state could go forward to independence within the Federal sphere. That falls short of full membership of the Commonwealth, but it would be a major step forward. We believe it is necessary that step should take place now and there must be safeguards. There can be no surrender of Colonial Office or United Kingdom powers other than to some recognised and worthwhile form of safeguard here. They would vary with each Territory. We in Southern Rhodesia like the idea of a Senate.

In the Federal sphere, three proposals have been put forward: a Senate or Constitutional Council or a Bill of Rights. We think this step should be achieved almost immediately—early in 1961, we hope—and that within a very few years there may be such further constitutional advances in the northern Territories that it would enable the Federation to achieve the status of full membership of the Commonwealth. It is essential these things be achieved now.

It is not merely that as far as Southern Rhodesia is concerned there is a long and, we think, noble history of self-government; it is not merely that the removal of restrictions has been long accepted and there would be frustration if that were not achieved; it is not merely that the people here would be bitterly disappointed to see self-government granted to other territories in Africa deemed here to be less worthy of self-determination and yet that state being withheld from us here. It is not even that these things militate against our material progress. Material progress is important if we are to have a happy and contented population—there must be income and employment for all—but it is even more important than that. Unless the forward step is taken soon we cannot see the possibility of a great improvement in race relations.

That is the main reason. We believe with the utmost earnestness that a true state of racial harmony here means partnership and progressive advancement of all races, but that cannot be achieved as long as there is the enticement to people to look elsewhere for some functions of government or some form of protection.

We think it is important that once this period is over there should not be set down another date for a further review. Obviously there will have to be further reviews, as we achieve continual constitutional progress, but to set down a specific review or a date is unsettling because countries like ours need capital and development, and there is a natural reluctance on the part of investors, who have perhaps the whole world at their disposal, to make investments in a country in which the constitutional future is uncertain. The African population is growing at an enormous rate. We must be able to plan for their future now.

Also where there is a period of review set down, that is preceded by a period of political uncertainty. It is the ideal climate for those who are disgruntled or ambitious, or for any other reason, valid or otherwise, to start up clamour and agitation. So prior to any review, as now prior to the 1960 Review, we have great uncertainty in human affairs, great political machinations, great shouting and clamour: so we plead that after this we might enter a settled period, if at all possible.

We have spoken of constitutional positions, and put in memoranda, but we would like to say one final thing—that although these safeguards are necessary, and indeed we welcome them, in the ultimate analysis the operation of any constitution depends on the character of the people involved. The British constitution is something that is so amorphous

that if it were not for the character of the people involved it could hardly exist, and could not be transplanted to some different background. Here, what will be important in the end will be not only the type of constitution but the character of the people.

In all sincerity, we believe there is a record in this country to show that there is a character here—and not merely character but the will and the desire and intention—to make this a happy country for all concerned. We submit there is the character and the potential here to achieve that.

SIR LIONEL HEALD: You say youd second objective is the most essential, that is fostering partnership and co-operation and you wish to follow the democratic traditions of parliamentary government. I am sure you will agree that is essentially dependent on popular support: that must be the basis of the system. Therefore it follows that the ideals and benefits of Federation must be got across to the people and they must feel confidence in them. That involves a psychological factor to a very great degree. It is not enough to speak of the economic benefits: you must also be able to feel that the people have confidence in the political aspect. Would it be unfair to say that, so far as your party is concerned, so far it has not really done anything effective to achieve the psychological climate that is required, and that there is nothing in your memorandum which deals with that, so that it may be said you have adopted an attitude of complacency towards that subject? — A. I had hoped that my introductory remarks would have shown that we are very much alive to that. Race relations are the most important of our objectives, and I think it is correct to say that the fuller memorandum submitted by our Federal Standing Committee deals extensively with this very point. It is not correct to say the Party has not made strides to achieve acceptance of the Federal ideal or acceptance of partnership. We face a difficulty in that the main objection to these ideals lies in the northern Territories. The reason for that difference between Southern Rhodesia and the northern Territories is the very thing I touched upon—in Southern Rhodesia there has been responsible government for many years, and it is looked upon with respect as the Government of the country. Respect has been gained because it has a good record of achievement and because it is held in that regard there has been no tendency on the part of people in Southern Rhodesia to be enticed to look to governments outside our borders. But the people in the north have been subjected to that pressure, and as long as they are virtually told—though not in these words —"You need an external government to act as your protectors" it naturally causes people to think they must be protected against the local government and local inhabitants. I do not wish to go into political controversy; but one could say that view has been voiced by some of the political people in Britain in both parties, and it is very difficult for us to combat. Given freedom from that, we believe we can slowly retrieve that position. You must have heard elsewhere that when Federation was about to be introduced there was a sudden cessation of advice from government officials in Nyasaland and people there, which created initial suspicion. That, coupled with other factors of that kind, has helped to make the situation difficult. — (MR. CURRIE): There is a further point. We have reason to believe that there has been active sabotage on the part of certain Colonial servants in the north: whether that belief is justified or not, it appears to be based on sound fact. The criticism made a moment ago is true to a certain extent: perhaps the Party has not done all it might, but it has tried to do quite a lot. It should be borne in mind that the Party faces great difficulty when the people who are administering the African people in the north are persuading those same African people, who believe in their Colonial servants, against Federation. The onus placed upon us here is considerable. I am wondering whether the point which has been made, and accepted, applies to the same extent to Southern Rhodesia.

Q. The difficulty about that is that you are proceeding with Federal policy on the basis that you are going to deal with all the Territories, so you cannot very well say, "No it is all right in Southern Rhodesia". — A. No, I do not say that. It is probably better in Southern Rhodesia.

Q. You have, quite justifiably, referred to the difficulties sometimes created by utterances of people in other places, though they are anxious to help; but do you not think they are not always helped by what is said by leading politicians here? — A. I agree.

— A. (MR. HOVE): One important fact regarding the question of whether the Party has done the best it could have done to win the Africans on to its side, is that we believe that British democracy is a model we must live up to: we will not use force: we will not intimidate anybody into accepting our viewpoint. But we are dealing with forces who do not uphold the principles of British democracy, and they use intimidation. I suppose the average person knows in his heart of hearts that this Federation is the very best thing we could have in this country and in the other Territories, but is not always able to say so. The Commission must have come across such views or such instances in the northern Territories. How does an outside observer, who does not know intimately what is happening here, get the right impression that there are in fact the majority of people in the Federation who agree that Federation, in its present model, is the best we can hope for?

MR. CRAWLEY: It is remarkable to me that in this memorandum which claims an extension of Federal powers, there is no mention at all of the opposition to Federation. Does that in fact mean that you consider the opposition negligible? — (MR. CLARKE): No, Sir. One must remember it was written for and on behalf of the Southern Rhodesian wing of the Party, and the opposition to Federation comes mainly from the other Territories, and we had no desire to impinge on their field. In the Federal memorandum you will find there is a whole section on African opposition. There is no desire on the part of the Party to avoid the subject of opposition at all.

Q. Yet your memorandum in fact asks for considerable extensions of Federal power. Are you assuming from Southern Rhodesia that you would have the co-operation of the African people in the north in your demands? — A. No, we have made no attempt whatsoever to conceal the fact that there is this opposition in the north. Our task, as we see it having acquired the means of doing it, is to win over that opinion. We believe that cannot be done whilst we are hamstrung as we are at present.

MR. MENZIES: When this proposal for the Constitutional Review in the future is put over, are we to understand it is merely a Southern Rhodesian idea, or do you speak for the Federal body? You surely have some common policy with regard to constitutional amendment. — A. Indeed, Sir. We are in entire harmony with the Parties (U.F.P.) in the north.

Q. You propose that the protectorate status should continue in Nyasaland because of the particular circumstances there, I take it? And you propose responsible government for Northern Rhodesia on the model of what was adopted in 1923 here. In Nyasaland you propose there should be the type of legislature which does not represent responsible government or Cabinet responsibility? — A. No.

Q. So is it to be still worked on a protectorate basis, maturing into representative government? — A. We think there should be a constitutional council there which would act in regard to discriminatory legislation, if any; and should also render advice to the Governor in certain directions, for instance in regard to the executive council. We saw this as a transient step from the present position to true representative government. To go from one to the other without an intermediate step is too much. We have tried to put to the Commission what we regard as a reasonable intermediate step—it is not regarded as ideal.

Q. Does it postulate complete severance from the Colonial Office? — A. Not entirely, because there would still be a Colonial Office government. The Executive Council would consist partly of officials. It is a hybrid scheme.

Q. So that the House of Commons would still have a field of attack within the Federation—that is more than a possibility? — A. Much would depend on how the thing was written: I have only given the broadest outline. If possible, we should like to see a greater removal from that influence but we recognise we cannot take too radical a step all at once. We would prefer the Constitutional Council, the Governor and the Executive Council to be as far from the House of Commons or Colonial Office interference as is possible to achieve in the intermediate stage.

Q. You say "free from restrictions in the Federal sphere". What are these effective restrictions you suffer from? How in fact have these operated against the Federation? — A. In reality, because of the Convention which exists, and the declaration of 1957, there have been no instances of United Kingdom veto or of United Kingdom initiating legislation, but as long as those reservations remain there is no doubt that the Federation as a whole has a subordinate status. We see that status being removed elsewhere, and we naturally hope that what is said in the Preamble, which envisages that the Federation can go forward to full membership of the Commonwealth, will be achieved.

Q. It is essentially a matter of prestige? — A. Not essentially, because as long as those reservations are there they can be exercised.

Q. But in fact they would not be, and never are? — A. But they could be, and there could be a change of govern-

ment. It was openly stated by the opposition party in Britain that if they won the election they would revoke that declaration of 1957, with the intention of being able to utilise those powers if they wished. We do not find that acceptable. In short, we cannot have the future of this country and all that goes with it dependent upon an election in the United Kingdom. — (MR. CURRIE): Perhaps the very fact that those restriction exist creates, particularly in the minds of African people in the Northern Territories, the thought that the British Government is behind them, shall we say. and they can appeal to them to look after them. Unless and until we can establish independence here and build a nation, we will never really make much progress. I recently had the great good fortune to visit Australia and was greatly impressed with what I saw —more than anything else by the great loyalty of all the people to Australia. Whether people were Hollanders, Hungarians or Germans, they were now Australians first and foremost. Australia is completely independent and utterly loyal to the Queen, but with the first loyalty to Australia. I believe we could do the same thing here. The fact that some are white and some are not does not affect the issue.

MR. MOLSON: Sir Edgar Whitehead, in addition to being Prime Minister, is your leader. Can we take it this memorandum does represent his views as leader of your Party? — A. Yes.

Q. In that case, how do you reconcile with your memorandum what he said at his press conference on January 29th—in answer to a question you will remember he said, "I am very anxious to avoid such a break-up (of the Federation) but there is a length beyond which I am not prepared to go. I was fighting all this year to continue the Federation because I believe it is right, but there are certain lengths beyond which I am not prepared to go". One of the grounds on which he was not prepared to remain in the Federation was if the Governments of the northern Territories were operated on a nationalist basis by African nationalists. If the United Federation Party in Southern Rhodesia claim the right of Southern Rhodesia no longer to remain within the Federation if advances were made in the two northern Territories, how does that accord with your view, expressed in paragraph (4) of your Memorandum, that the Constitution of the Federation clearly does not contemplate that the Federation shall be broken up, and the view expressed by the leader of your Party that in the general Review of the Constitution this year the question of loosening or breaking up the Federation is not to be included? — A.

MR. CLARK: Two things arise out of that. Firstly there is a slight difference between what Sir Edgar said and the question Mr. Molson asked. Sir Edgar said he could not accept the situation in which there was an African nationalist government in both northern Territories. Mr. Molson asked how we could square Southern Rhodesia's position of secession if advances were made in the northern Territories. Those are two quite different things. We want to see constitutional advance in the northern Territories, but we do not believe that nationalist governments there would be an advance at all: in fact there would be a deplorable situation for everyone, and we would like to take this opportunity of expressing our attitude towards nationalist governments. We believe nationalist African governments in the northern Territories would lead inevitably and speedily to a situation of complete anarchy: whatever moderation there might be in beginning would be swept aside by the extreme elements, and the African people would not then achieve a state of democracy, the right to vote and to elect their government, the right to anything; they would achieve a state of abject subjection. That is our attitude and that is why Sir Edgar Whitehead stated the position so firmly. We fully recognise that the Federal concept does not envisage the break-up of the Federation. We want Federation retained, so that it can go forward, but we believe that if there were African nationalist groups controlling the northern Territories, that would in fact end Federation. For one thing, they would not stay in it, and they would conduct affairs in a manner quite unacceptable to the Southern Rhodesian Division, and Sir Edgar Whitehead felt compelled to underline that point.

CHAIRMAN: Could I put it this way—there are certain circumstances, as I understand that speech, in which the Southern Rhodesian Government would feel able to leave Federation: there are no circumstances in which they contemplate that the other two Territories should take the same action? — A. It might be expressed that way. We want to see Federation succeed.

MR. MOLSON: The point is that the whole argument that was put forward in the first section of the Memorandum submitted by your national organisation and the argument put forward in the first part paragraph *(f)* of your memorandum is that there is no power to do so. Surely you would agree what is sauce for the goose is sauce for the gander? You are saying that if the proposals that are adopted for constitutional advance in the two northern Territories are not acceptable to you in Southern Rhodesia, that gives you the right to go out. If you claim that right, if the advances sought by you are not acceptable to the two northern Territories, they are equally entitled to go out. — A. No, it was not that. Sir Edgar Whitehead did not speak of advances but of nationalist governments in the northern Territories; and to paraphrase what he was saying was that if there were African nationalist governments in the northern Territories, in fact Federation would not exist. The African nationalists have themselves given all the evidence that anyone could wish for that.

CHAIRMAN: But that is not what he said. He said there were circumstances under which Southern Rhodesia would say, "We want to go out of Federation". Now is it right to say that this is a solution which is not available to the other Territories? — A. (MR. CURRIE): I think Sir Edgar was being realistic. He believes wholeheartedly in the maintenance of Federation; but it is also a fact, regardless of what this Party or the present Government thinks, that the voter of Southern Rhodesia may have the final say in this. If there are nationalist governments in the northern Territories, the voter of Southern Rhodesia may remove the existing Government and substitute another one.

MR. HABANYAMA: Have they the right to do this? — A. I do not think there is any question of having a right.

MR. CRAWLEY: Supposing the Dominion Party won the next election down here, would it not be likely for the northern Territories to consider that, as there was an extremist Government down here, they could secede? — A. I think that would be reasonable. We consider that Federation should continue in the interest of all the people, but there are circumstances both in the northern Territories and in the southern Territory which may ultimately bring about a break-up. — A. (MR. CLARKE): I do not know that we should too facilely accept the view that the Dominion Party in Southern Rhodesia would be an extremist party. We have to remember they are an opposition party.

Q. You seem, if I may say so, to be putting yourself as arbiters as to what is or is not extremist; but if, in the view of the northern Territories, an extremist Government came to power down here, they would have the right to secede—you concede that? — A. I would rather not deal with it on the basis of the Dominion Party, but that obviously must apply.

MR. ROBINSON: Great importance is being attached to this statement of Sir Edgar Whitehead, for obvious reasons; and I would like to know what you mean by nationalist government. We are playing with a lot of terms in this discussion and not getting complete clarity. By nationalist government do you mean a complete hand-over to a form of dictatorship, without any restrictions or safeguards or constitutional arrangements for the future, or do you mean that the African National Congress might fairly win the government of the country on a constitutional basis laid down? — A. We mean the former of those, because most of the statements that have been made so far by the leaders of those organisations have been extremist statements. We have not seen coming from those bodies anything that reasonably resembles a proper party policy for the administration of the country or any of the multifarious responsibilities of government. So we can only conclude that the intention is much more closely allied to a sort of anarchy than a form of democratic government.

Q. And have you in mind that if the United Kingdom do permit such a rapid hand-over it is possible that Sir Edgar Whitehead, in making that speech, contemplated that it would be an acceptance of the extremist demands for secession and thereby might have caused him to sound a warning in the other direction. — A. That is exactly what he meant.

Q. And do you think that speech in any way affects the overall policy of your Party to maintain the Federation in being along the lines you have told us, of bringing those other Territories up to responsible government? — A. Not in the least. Sir Edgar himself (and Sir Roy Welensky) has since that time publicly and repeatedly spoken of his desire for the Federation to continue.

MR. MOLSON: That is why he said the other day that if African nationalists took over the northern Territories he thought it would be almost impossible for you to remain in the Federation. In view of what you have just said about the unreasonable attitude of the African politicians in Northern Rhodesia, how is it you are recommending that a constitution should be introduced in Northern Rhodesia similar to

that which was introduced in Southern Rhodesia in 1923? — A. (MR. HOVE): I think it is important to recognise that when Sir Edgar Whitehead made that statement he had in mind certain suggestions that were very common in the United Kingdom and in the Federation: there was a very strong outcry for one man, one vote. As a party, we feel that this means only one thing, that with intimidation and unscrupulous methods, e.g. committing arson on innocent people, they could force the masses very much against their will, so that people would not be allowed to exercise their own free will. It is under those circumstances that Sir Edgar Whitehead said what he did. The position is quite clear to a person who lives in the Federation. The leaders of most of our articulate African organisations have said there is not a good word to say in favour of the Europeans, nor have they recognised a single thing the Europeans have done. Is the European to remain in this country once they are installed in power? They say "No", judging them by everything they have said from time to time. As we see it, if the United Kingdom Government said, "Have it your own way: one man, one vote", they would say tomorrow, "Out with the Europeans!" Even then, we feel that Europeans would not suffer as much as the Africans would if the Europeans left this country. — A. (MR. CLARK): I would just like to add that there are thousands of Africans within the Federation in the Northern Territories who are desperately keen that there should be no nationalist governments there. When Sir Edgar was speaking, he had all this in mind and also that it is, in our view, not even in the interests of the African people that there should be this nationalist government. Mr. Molson mentioned the 1923 Southern Rhodesia Constitution being given to Northern Rhodesia. This is not what we suggest: it is a 1923-type Southern Rhodesia Constitution, but the exact details of what was the situation in 1923 transplanted. We use the term "1923-type constitution" as a short colloquial reference: in other words, we would like to see in Northern Rhodesia responsible government based on traditional parliamentary lines, with a Government and an Opposition, Cabinet and Prime Minister, and responsible to the electorate. But of course there has been a certain change over the years and we believe that should be based on the type of franchise qualification which now exists. I want to make that clear. We see no inconsistency in it at all.

PROFESSOR CREIGHTON: I should like to ask Mr. Clark one or two questions about the proposals which are made in Section 5 for the establishment of a Senate. As I understand it this Senate is formed for the purpose purely, I think, of preventing discriminatory legislation, is that correct? — A. Yes, that is correct.

Q. I am sure we are all interested in possible alternative safeguards for those you propose to do away with but I cannot help wondering whether this body will serve the purpose you have in mind for it. That is why I want to ask certain questions. There are, of course, other Upper Houses or Senates in other countries in the world which have in part as their original purpose the defence of minority or territorial rights, and I think on the whole one could say that those second chambers are not conspicuously successful in defence of those minority or territorial rights, and I think although there would be inevitably a difference of opinion about this, that one of the reasons for this failure is the pressures which are characteristic of Parliamentary Government on the Westminster idea, that is to say, the pressures of Government and party organisation to ensure the passage of legislation, and I am wondering how you think your new senate or Upper House would be immune from those political pressures, particularly when as in Section (a) you say quite definitely that you want it to be an elected house? — A. The Federal Standing Committee of the United Federal Party does not take quite the same rigid view about the Senate as the Southern Rhodesian wing does. It is only fair to let it be known that the Federal Standing Committee has put forward three alternative proposals and is prepared to discuss all three of them. We in Southern Rhodesia have indicated that we favour the Senate but we recognise very consciously the dangers about which Professor Creighton has spoken. We do want to have the Senate free from those political pressures. Firstly we believe that the body should be elected really to obviate the situation where a nominated body had some form of authority or restriction over an elected body. If we are working our way steadily towards democracy that is perhaps a side step or a step in the wrong direction, and we do not want to have a nominated body exercising those pressures over an elected body. But we did want to remove the election of the Senate from the realm of party politics and that is why we have suggested that there would be advantage in using an electoral college or colleges. We do not come forward with a cut and dried plan but we suggest this, that there be established an electoral college or colleges and they would elect the Senate from persons who put forward their names as willing to be considered. Those persons themselves, we would like to introduce an element of elder statesmen about them, and we suggest their qualifications should be somewhat more stringent than the qualifications for ordinary Members of Parliament, but the bodies who would serve as electoral colleges would not in any sense be political bodies. There are a range of bodies representing all races, Chambers of Commerce and African organisations of different kinds who could be incorporated into an electoral college scheme and these are in no sense political bodies. They would in this scheme here elect the Senate. It might not be entirely free from political pressure. One recognises that there might be but it is an honest and sincere attempt to get away from political fervour.

Q. The electoral colleges would be appointed? — A. Yes. They would have to be appointed again as far as possible in some impartial manner to ensure that they were, and safeguards to this extent would have to be written into the Constitution, of course, to ensure that the bodies chosen to make up the electoral colleges were truly representative. That is, representative of the people in their various fields of endeavour and their various activities, not political parties.

Q. They would have to be appointed by the Governor-General in Council but not with free discretion? — A. (MR. CURRIE): No, Sir. What we had in mind was appointment by a body similar to the Delimitation Commission presided over by a Judge of the Supreme Court.

Q. That is not clear in your Memorandum. — A. No, it is not, Sir. — (MR. CLARK): We had not gone into detail. We had thought of that sort of safeguard.

Q. In (g) in Section 5: "The Senate should be a reviewing Chamber for all legislation, other than money bills". That in itself would constitute quite a serious limitation on the Senate's capacity to safeguard against discriminatory legislation, would it not? — A. We do not think so, Sir. I think there is constitutional precedent for excluding money bills. I take it the point is exclusion of money matters?

Q. Yes. — A. I think there is precedent for exclusion of financial matters.

Q. There is a lot of precedent for that but it is a question how far that would weaken the safeguard against discriminatory legislation? — A. (MR. HOVE): The point here is that no details have been finalised. This Commission after assessing the pros and cons of every one of the proposals put forward to act as a constitutional safeguard, it was thought, would recommend one that is best suited to them, but we did go into various types. Bills of Rights, for instance. We found it is weaker than the Senate of the type we recommend here. After all, you take a country like the United States: you learn of this week that they passed a Bill of Rights. Actually history would show that they had the first Bill of Rights 100 years ago, it has not achieved very much.

Q. We are interested in your proposals and all I am doing is just attempting to discuss them and their merits and see if there are weaknesses and perhaps they can be corrected. — A. (MR. EWING): We do not claim in any sense that this is a perfect scheme. I do not think it is likely that discriminatory legislation would be affected by any financial measures. I imagine the thought in your mind is that there might be a tax imposed on Africans but not on Europeans. All we can say in this particular regard is the trend in every case in regard to legislation in this part of the world is away in every case from discriminatory legislation. People have become conscious of the undesirability of discriminatory legislation and I think it is agreed so far as examples in other parts of the world are concerned that where a second chamber has a right to veto or turn down financial legislation it has caused tremendous trouble with the Lower House. It may not be a racial or discriminatory issue at all. I think the experience of other countries has shown it can be an extremely difficult power to grant to the upper chamber. I merely say that in general outline but I think it is important to stress we do not regard this as a cut and dried scheme. We are perfectly flexible in our approach to it and in many ways we look to the Commission, with some of the wealth and experience and interests here, to try and find a solution for it.

Q. I am not picking holes, I am inviting you to make the best defence you can. In relation to Section 5 (k) "Determination whether discriminatory or not should be carried out by a Select Committee composed of equal numbers of the two Houses, and of an equal number of Europeans and non-Europeans". That is to say the Senate or Upper House could not act in rejecting discriminatory legislation until it had been agreed to be discriminatory legislation by a committee of

two Houses, is that correct? — A. (MR. CLARK): We thought that some machinery should be provided where all legislation would go to the Senate. Some machinery should be provided to determine in the event of dispute whether it was discriminatory or not. That could be referred to the Courts or there could be some other machinery. We thought that a simple and reasonable first step would be to provide that it could be referred to a Select Committee consisting of equal numbers of both Houses and equal numbers of the races so that there could be no complaint. We felt that would be an easy way of determining whether a measure was discriminatory or not. However, as Mr. Ewing has said, none of this is firm and final. We had hoped that the Commission might be able to put out suggestions which would be superior to this. We do not stick rigidly to this. It was put in to round it off, to show we recognise there might be a necessity for somebody to say this is discriminatory or not.

Q. I do suggest this might be another way in which, in fact, partly pressure might be exercised to ensure the passage without consideration of certain measures. — A. I think in that event some other thing should be tried. It is not the intention that this proposal of this Select Committee should form a wrong means of entry of party political pressure at all and I think the point made is a sound one.

MR. MENZIES: I would like to say my colleague has raised questions that have been uppermost in my mind on this proposal but there is one, I think, that should be pointed out. It is only to direct your attention to it, that your proposal makes this a reviewing chamber for all legislation and then you have on the different franchise different choice, you have a senate which has all the power of a reviewing chamber and it seems to me that you are just inviting trouble there unless you have, which you have not got here, what you find in Section 57 of the Australian Constitution, that is a provision that where there is a conflict between the Houses a certain procedure has to be followed otherwise you will stultify most of your legislation when it gets into a differently chosen second chamber of a different complexion. — A. I think that is absolutely right.

MR. JUSTICE BEADLE: You seem to suggest in your Memorandum a Bill of Rights as a possible alternative to a second chamber. Have you considered the possibility of having both? It seems to me you can define certain matters within your Bill of Rights which would be proper matters for the Court to decide and you could put in your Bill of Rights many things that might remove fears. For instance, there is a very definite fear in the north that land tenure in the northern Territories might be interfered with by the Federal Government. Could you not put in your Bill of Rights that the Federal Government will have no power whatever to interfere with land tenure and if legislation was passed which would interfere with land tenure that would be a matter for the Courts to decide, and it is a matter the Courts could well decide and they could act in the same way as the Federal Supreme Court does in the United States and simply rule the legislation to be *ultra vires* the Constitution. Would you consider it possible to have a Bill of Rights incorporated into the Constitution which was including money matters which might allay fears on both sides but matters which could be left to the Courts to decide and leave matters such as where a Bill discriminates to the disadvantage of a race, which is a political rather than a legal matter, to be decided by the Upper Chamber? — A. Yes. The answer to that question is yes. Our approach to these safeguards is this. We do not mind how rigid the safeguards are to prevent discriminatory legislation. We have no intention of going ahead on discriminatory legislation other than—and I must say here so as not to overplay the thing—we do believe that certain discriminatory legislation is still necessary. Discriminatory legislation, that is, which discriminates in favour of the African people, but apart from that in general terms we do not mind how rigid the safeguards may be to prevent discriminatory legislation, we are not afraid of rigid safeguards of that kind because we have no intention whatever of this country proceeding along the lines that there will be enacted discriminatory legislation and so I would find, I am sure we would all find, Mr. Justice Beadle's suggestion highly acceptable. We did not think ourselves that a Bill of Rights in itself without anything else was an adequate safeguard and if it is desired we could elaborate why we did not think so. There are valid reasons why we feel it was not an adequate safeguard in itself. But a combination of the two might be ideal.

Q. One further point. You have suggested that money bills should not go to the Second Chamber at all but the difficult point is money bills might discriminate. Could you not provide if the money bill does discriminate it comes outside the ordinary run of money bills, then it would go to the Senate just the same as any other discriminatory measures? Is there any reason why you should not do that and your Select Committee should review money bills as it would review other Bills and decide whether a money bill does discriminate, to make it quite clear that there would be no discrimination in money bills which would not go through the normal procedure in the Senate? You would agree, with that? — A. Yes, Sir. Obviously what one wants to avoid is the possibility of a budget being introduced which would be upset by what Mr. Justice Beadle has outlined just now. That would be perfectly acceptable.

MR. CHIRWA: From what I have gathered from Mr. Clark it is quite obvious, I think, to many of us that what the Southern Rhodesia Branch of the United Federal Party intends that the people in Southern Rhodesia should have is the right to determine their own future, that is to say, if as long as Federation is acceptable, as long as the terms of Federation are acceptable to Southern Rhodesia, Federation must continue, but if the terms of Federation are not acceptable to them, they must break it up. On the other hand, the U.F.P. do not want to give to Africans in the Northern Territories the same right as they themselves have. Do you not think then that the Africans are right in thinking that what the Europeans want in Southern Rhodesia is to have the power and the African in the Northern Territories must not have power? How is it that if you are democratic as you profess to be you can decide yourselves as to the type of government which you must have and at the same time deny the Africans in the Northern Territories the right to decide for themselves? Can you explain that? — A. I do not see that there is the denial. We have mentioned that we believe that in Northern Rhodesia there should be a representative form of government with an elected Parliament, Governing party and Opposition. I do not see there is any denial of access of the African people to full participation in that. We do believe in a qualitative franchise for reasons which we can advance if necessary but the purpose of the qualification is not in any sense to exclude Africans or any race at all; and so we see right away that the African people in the northern Territories can play an absolutely full role in the situation. We envisage, and you may remember, Sir, that when I spoke of the situation in Nyasaland I spoke of an elected assembly in which the African population have a majority, so I cannot accept the suggestion that we wish to exclude the Africans in the northern Territories from having any political rights.

Q. Would you say that if the Africans in the northern Territories do not want Federation they would have the right to leave it as much as if the people of Southern Rhodesia did not want Federation they would have the same right? — A. (MR. CURRIE): I think there may be a misunderstanding here. We, the Southern Rhodesia branch of the Party, do not claim any rights at all. We say and we believe absolutely sincerely that it is in the interests of all the people of the Federation that Federation shall continue. We may be wrong in that view but that is our sincere belief. I can well understand when Mr. Chirwa says that the Africans in the Northern Territories think that the Europeans in Southern Rhodesia want it all their own way. I can understand that, but the point I am trying to make is this: so far as we here are concerned that is not so. Having said that I come back to what I said earlier. I think one must be realistic. Just as if there was a nationalistic government in one of the northern Teritories a nationalistic government would inevitably opt out of the Federation. The fact is that the same applies to Southern Rhodesia. With all the goodwill in the world the voter in Southern Rhodesia has a considerable say. Our representations here are sincerely in the belief that Federation is in the interests of everyone.

SIR. LIONEL HEALD: Supposing there was a proposal made that the Constitution should contain provision for a future right to secede. Would you think that that should be put in or not put in or if it was put in should it be limited to any one of the three or should it apply to them all? — A. Sir, I think that would break Federation from the start.

Q. I am not suggesting it is a good thing or a bad thing but if it was in would you want it limited to Southern Rhodesia? — A. No, if it was put in it must obviously apply to everyone but I would like to make the point which I am sure you will appreciate that investment-wise . . .

Q. I was not on that. — A. Quite.

MR. TAYLOR: Do Mr. Clark and his colleagues still maintain the views expressed in Section 1 (f) of their memorandum? Has anything been said in the course of this morning's deliberations which have caused them to change their minds about the validity of what they say there and what they quote there? You quote Mr. Oliver Lyttelton saying "My

advice is that there is not". Do you accept that advice? — A. (MR. CLARK): Yes.

Q. Would you go from that point one stage further? Would you agree that when Sir Edgar Whitehead made his threat of secession in January last in point of fact he was threatening to do something which he had no right or ability to do? — A. (MR. EWING): I think there has been a lot of questioning on Sir Edgar Whitehead's statement. I think one must recognise and be frank that there are certain circumstances in which whether there is a right to secede or not, the Federation could not possibly survive and I think that was the underlying basis behind Sir Edgar's statement. I think, being frank, we must accept that circumstances could arise in which there were two hostile African Nationalistic Governments who were determined at all costs to secede or break up Federation. I do not think it is fair for us to say you can hold Federation together by force of arms. I do not think that is anybody's function. I think one must view Sir Edgar's statement in that light, that there could arise certain circumstances, not that Southern Rhodesia might wish to secede, but circumstances were such that it was impossible to continue Federation.

CHAIRMAN: The question was if he was threatening to secede, he had no right to do it. — A. I agree entirely with that.

SIR DONALD MACGILLIVRAY: You have not concerned yourself in the memorandum with re-distribution of functions between Territorial and Federal Governments except to say you submit any basic change in the distribution of functions or any different approach to the question of functions could so alter the conditions upon which Southern Rhodesia, by referendum, agreed to Federation that a further referendum would be required. Would that be a further referendum on the question of whether there should be Federation or not or simply a referendum on the matter of re-distribution of functions? — A. (MR. CLARK): Just the latter, Sir.

Q. Would you then contemplate that in such circumstances there would also be a referendum in each of the other Territories? — A. Yes, certainly. May I just say, Sir, I would look upon this as unfortunate if there were. I think that basically we agree with the present distribution of functions with certain changes that we might want to suggest. We have not brought it into the argument here because functions are likely to be related to what emerges as a Constitutional set up after all this is over. But we have no violent or radical changes that we would like to suggest. By and large we are happy with them and it would be necessary to go to the lengths that have been described only if the changes were violent or radical and only if they were coupled with some sort of constitutional framework that caused us anxiety about that transfer of functions. I think it is highly unlikely. I think it is a hypothetical thing more than reality.

Q. But you contemplate the possibility? — A. There might be the circumstance.

Q. If there were a referendum in the other Territories who would participate in that referendum? — A. The voters.

Q. In Nyasaland this new lot of voters who might put in a majority of Africans in the Legislature? — A. Yes.

Q. You would not like to guess what might be the outcome of a referendum? — A. Seeing it is a hypothetical thing I would not like to guess the answer.

MR. MOLSON: Are you seriously suggesting in regard to Northern Rhodesia in the case of a referendum or in the case of the new Constitution which you have been suggesting for Northern Rhodesia that there should be no alteration in the franchise and that 68 per cent of the voters should continue to be European? Should such a small minority have an influence? — A. I think the fact that 68 per cent of the voters are European is really coincidental. This highlights our attitude towards the franchise.

Q. I think it does and perhaps we should deal with that. — A. We look at it from two points of view. Firstly, we do not hold the view that franchise is an inalienable human right, that it is an end in itself. We believe in all countries there is some qualification to the franchise, even if it is an age qualification, but there is some qualification and the reason for that is this: that the vote is a most potent thing. We regard it as being something that should be exercised by those persons who are capable of doing so with a great deal of discernment. They should be able not merely to judge between rival candidates. They should see the Parties behind the candidates, the policies that are in those Parties and where they are likely to lead. They should have some conception of all that. The vote is not really so much an individual matter as virtually a public trust because it affects not merely the voter himself directly and individually, but it affects his compatriots and it affects the years that are to come and the generations that are still to follow, so that it must not be exercised lightly. It must be exercised with proper discernment and with public spirit and we believe therefore, that there must be some qualification to ensure that it is not used other than in that fashion. At the present moment there are many people who, lacking the education and other foundation, are prey to pressures of all kinds and in reality would not be free to exercise a vote without duress, who are unable to perhaps resist duress, are unable to assess accurately the issues that are involved. They are much more likely to exercise the vote either under duress or for tribal reasons or for all sorts of reasons other than the correct ones. We can divorce the exercise of the vote from the effects of its exercise, and we have seen so many parts of the world where there has been a broadening of the franchise to embrace people who are not yet ready for it, most deplorable situations result. We have seen, in fact, they have lost the right to vote, they have not acquired democracy, they have lost it. That has been going on, that has been the progression all over the place. I think if we take the Sudan as an example where there was a cry of 'one man, one vote,' it did not extend to women, there was a qualification right away, where there was the cry of 'one man, one vote,' there is now a military dictatorship, the people do not have a vote at all. So we cannot divorce the consequences of voting from the right to vote. For these reasons we believe that the qualifications should be high. They should try to retain the voting right in the hands of people who can do so with responsibility. That is not—and we must emphasise this—racial argument, it is not racial discrimination at all. We think it is essential in the interest of all races, including the African, that it should be so because if it is otherwise then there will be dire consequences. In this method of ours the African people and the country as a whole will go forward under a proper democratic system and true democracy is pretty rare in the world as it is. It does not flourish everywhere, it is a very perishable plant, it is very fragile, and we are progressing towards it, true, a little bit more slowly than in the Sudan and other territories, but we shall get there and all the races shall get there and they will all, as they come to be fully responsible, acquire the vote and that, Sir, we submit in absolute sincerity is an essential precaution of the African; and if it were otherwise they would not achieve democracy, they would achieve a state of suppression. That is our attitude to the franchise.

LORD CRATHORNE: Mr. Clark, I wondered if you would agree that one of the major factors which has resulted in such a large measure of lack of confidence in Federation is race discrimination in Southern Rhodesia? Do your colleagues agree with that? — A. (MR. CURRIE): As a fact I would agree that is correct.

Q. I think it would be very helpful to us if you could tell us what are your views, the Southern Rhodesia Branch of the United Federal Party, what your policy is to deal with that particular point? — A. (MR. EWING): This is a very complex subject and with your permission I would like to deal with this fairly fully because it does require a brief analysis of the Land Apportionment Act and our general attitude towards it.

I shall try to deal with the Land Apportionment Act in so far as that is one criticism that is levelled in this part of the world as an example of discrimination and perhaps give you the background. I think perhaps I should deal with some of the statements that are made and some of them have some justification, we admit, but some of them suffer from certain misconceptions.

First of all, we have the frequently expressed opinion that it is not fair for the Europeans to have 48 million acres while the Africans only have 42 million acres. If one embarks on an arithmetical exercise, relating to the total acreage of the country and the total population, then I would agree that it is not fair for Europeans to have 48 million acres and Africans to have 42 million acres. But nevertheless one cannot possibly ignore the tremendous economic contribution that is made to the country by European agriculture. I would first of all point out that, generally speaking, all European land is paid for and bought by Europeans whereas most African land is given free with the exception of course, of the Native Purchase Areas. Secondly, there has been tremendous private capital investment in European farms and the Prime Minister of Southern Rhodesia, speaking at the University College last month, estimated this at upwards of £200m. The annual contribution to the gross domestic production of Southern Rhodesia from European agriculture last year was £52.8m. and of that, of course, tobacco has produced nearly £28m. of vital exports. Finally I would mention with regard to the

essential need to keep European farms going that they do create employment for some 230,000 African people. I think when one analyses the Land Apportionment Act is is essential to emphasise that since the early days of the Colony's history the African's land rights have always been respected and protected. But also it is important to point out that since 1914 it has been recognised that not every single unborn African has an indefeasible right to occupy land. One of the arguments that is used against the Land Apportionment Act is that in the early days of the Colony an African was permitted to buy land anywhere. This is perfectly true and it was the advent of the Morris Carter Commission and the Land Apportionment Act which followed the Report of that Commission which removed the African's right to purchase land in any part of the country. But whether or not this right was a valuable one is somewhat disputable when one considers the circumstances of the time. At the time that the Morris Carter Commission sat the position was that Europeans had purchased 31 million acres of this country whereas the African population for obvious reasons because of their poor standard of living had purchased only 45,000 acres. Whether or not the Morris Carter Commission was correct in its suggested apportionment of the land between the races I do not think is the major issue. At that time it was felt that the proper attitude should be to reserve land for both races to make sure that at any rate the African side would not be completely purchased by Europeans. Morris Carter suggested that the European area should be 49.1 million acres and the African area should be 28.6 million acres. The balance of the land was reserved for future determination. At that time there was some uncertainty as to whether the African would need more land or whether there might be a huge amount of European immigration, and that land was reserved for decision at a future date. The position is now since 1959 that all this remaining unassigned land has been now completely assigned to one race or the other. It is interesting to note the steady trend in land assigned for native occupation since the Land Apportionment Act of 1930. The European area has decreased in size from 49.1 million acres in 1930 to 47.9 million in 1959. In 1930 African land totalled only 28.6 million acres. By 1953 it had increased to 30.6 million and by 1959 the final assessment was made of 42 million acres to African people.

I would like to just make the point that on no occasion have the European people attempted to diminish or reduce the amount of land held by Africans. In fact it is clear that the trend is in exactly the reverse direction. As population pressures have been felt more and more land has been allocated to the African population. I would also like to point out that this is by no means regarded as a final settlement in as much as I myself have been serving on a Parliamentary Select Committee since 1958, and one of the main aspects of our terms of reference is to make recommendations as to the further land requirements of Africans living in certain areas of this colony. It would be, of course, quite improper for me to attempt to prejudge the decision of that Committee, but I merely point this out as a matter of general interest.

There is little doubt about it that the major bone of contention in so far as the Land Apportionment Act is concerned in the rural areas is the fact that there are 8 or 10 million acres of land reserved for the European population which is unalienated and unoccupied. Quite naturally the African population looks to those areas. "Why is it that this land is being reserved for Europeans and we have land hunger and land starvation ?" I will be the first to admit there is a great deal of merit in this argument, but before I examine this in some detail I would like to try and give some outline picture of the conditions in African areas before the advent of the Act.

The position of the shifting cultivation was quite adequate for subsistence while the population numbers were small. When an area become eroded or denuded of its fertility then the population would move on and nature would restore the balance. But as thinks advanced and as population numbers grew, there were quite a number of unpleasant aspects of the communal system, one of which I think I should point out, and that was the impact on the social life of the African. More and more one found the development that the husband would leave his wife and children in the reserves and go to seek part-time urban employment or work on a European farm. This, of course, led to complete failure to advance in either native agriculture or in industry because nobody was a permanent worker in either field. The Land Husbandry Act which is perhaps the main effort of the Southern Rhodesia Government with regard to the native areas at the moment aims specifically at giving security of tenure to the African on the land. This, of course, must have a powerful social and economic impact on the African population because now for the first time there is security of tenure and incentive to improve a particular piece of land.

To go back to the contentious 8 or 10 million acres, the main difficulty in general facing the Government in regard to development of the native areas is the delicate question of priorities of the limited capital funds that are available to Government on this account.

First of all I must point out that the implementation of the Land Husbandry Act which we think is extremely important is taking the majority of our funds. Secondly, I wish to stress that already far too high a proportion of our capital funds is being spent on reclamation work, reclaiming some of the eroded soils due to the communal system of the past. But it seems vital to us now that we have to shift emphasis from the welfare of the land to the welfare of the people living on the land. It is an old statement, but worth repeating, that people are more important than land. I think it is fair to say that this is fully recognised by the Southern Rhodesia Government. It seems, therefore, infinitely preferable at this moment to divert major portions of our limited capital funds into channels which can be expected to bring immediate and tangible benefits to the African in rural areas in regard specifically to the need to enable technical services to extend and improve technical efficiency to increase crop yields. In fact put more cash into the rural African's pockets; loans for fencing, etc.; to complete the Husbandry Act we have to find money for loans for fertilisers.

It seems to me when you talk in terms of 8 or 10 million acres although I fully recognise the attitude of the African's particular regard, it is very debatable whether we should not rather put our available funds into developing the potential of the existing areas rather than dissipating on a new area of land and merely creating some of the troubles of the past.

I would like just to be a little more specific on that because I do not think I have made it clear. This 8 or 10 million acres is, generally speaking, very poor land. I think that is certain otherwise it would have been fully occupied many years ago. A great deal of it is in devastated, flat country, quite a lot in marginal rainfall areas and generally speaking it is of doubtful agricultural value. That does not mean if we did have the capital we could not make it pay and could not settle a lot of people in that part of the country. But it does seem to me that we cannot seriously suggest we should spend £10 or £20 million developing 8 or 10 million acres of new land when the net result of that is that we will move people who are living on subsistence economy. All we will have achieved is the doubtful security of moving people who are already poor to a new area where they can merely enjoy poverty in different surroundings. I want to stress the fact that we do not look on this in any other sense but that it is a problem of what is the best possible way in which we can spend our capital in the native areas.

So it would seem important with regard to the contentious 8 or 10 million acres, if we can achieve it, that this land should be left for future population expansion until such time as we have the capital funds to make proper development in this particular area.

In the meantime our major purpose must be to increase productivity, in fact to get cash into the African's pocket. There is very little doubt about it, that the African potential is there. Already master farmers have had the advantage of some instruction in agriculture and are producing three or four times the yield of the average farmer. For several years the demonstration boys in the reserves have been producing from seven or eight times the average yield of the ordinary farmer.

I would like to conclude by making one or two general observations about the Land Apportionment Act, not only from the rural aspect but also from the urban aspect because I may have created certain impressions in my remarks that I would like to clarify.

First of all I think I am quite correct in saying that there is an ever decreasing number of people in Southern Rhodesia who believe there is any intrinsic merit whatsoever in creating artificial divisions of land according to the races of the people concerned.

The original reasons for that aspect of the Land Apportionment Act in the rural areas have largely fallen away. The reasons given by the Morris Carter Commission were that European farmers resented the idea of adjacent African farmers because of the dangers of cattle disease being spread, crop disease and matters of stock theft. This has largely disappeared today. Nevertheless although we must recognise that the Land Apportionment Act has served an invaluable

purpose in one sense at any rate and that is to protect the African's land against European purchase, without the Land Apportionment Act or some similar device there is little doubt about it that by today the African would probably own perhaps 10 per cent of the land in this country.

Until such time as we can really satisfy ourselves that the African will not be the loser I think the Land Apportionment Act, in so far as it appertains to the rural areas, will have to remain, because in my respectful submission I would suggest, even though today we want to throw land purchase open to people of all races, I think the African would be the major loser. It is therefore clear, I imagine, why we intend to devote the major portion of our efforts to increasing the cash economy of the African in the rural areas because if we can do that you can then put the African into a financial position where he can and will wish to buy land on equal terms with everybody else thoughout the country, and as and when we reach that position we fully recognise that these artificial barriers will have to disappear.

With regard to the urban aspect of the Land Apportionment Act we fully recognise that this affords the greatest source of frustration to the African people with particular regard to matters such as restaurants, cinemas and the like. There are also other difficulties with regard to the urban areas. It is not uncommon to hear African businessmen in Salisbury asking why is it that they cannot trade in the centre of Salisbury. I have a lot of sympathy with this view but it is extremely difficult to break down the Land Apportionment Act in one direction alone. By its very nature it precludes Africans from trading in the European area and, of course, Europeans from trading in the African area. It would seem to me illogical in the extreme to suggest that the African businessman must have protection in his own suburbs but at the same time he should be allowed to freely compete in the European areas. I am quite certain that, rightly or wrongly, one would have tremendous pressure from the European traders who would immediately ask for the right to open up businesses in the African areas and, of course, the Asian community as well.

It is one of the most important things which we have got to achieve in this country—the establishment of a solid middle-class. While certain of the protective aspects of the Land Apportionment Act remain there is little doubt about it that the middle-class African is rapidly emerging at any rate in the urban areas. I would suggest if we throw him into the open field of free and open competition in the field of trade and business then I think we might well stultify our efforts in this regard in one fell swoop, and hold back African progress in this regard for perhaps ten or twenty years.

I think the Land Apportionment Act has been described by some people, and I do not think generally speaking many people believe that this is something which will remain for ever, as the cornerstone of our existence. I think it is very important to stress the trend of amendments to the Land Apportionment Act especially since it was consolidated. Since 1941, I think I am correct in saying, it has been amended on twelve occasions. I do not propose to outline all the amendments because I do not have them here, but I would like to indicate the general things which have been done in amendment.

The first one is the amendment to permit the multi-racial University College of Rhodesia and Nyasaland, that has such an important part to play in race relations, to establish multi-racial hotels, such as the hotel in which you are staying in at the moment, and of course, there is another one in Salisbury. Again on the same trend, last year during the same session of this Southern Rhodesia Parliament a Select Committee published a report with regard to the tenure of Africans in the urban areas. This Select Committee unanimously suggested and proposed that Africans should have the right to freehold tenure in the urban areas. Now it is important to point out that this Select Committee is naturally composed of members of the Dominion Party as well as the United Federal Party. I think it must be recognised that this is a full recognition of the fact that the African in the future will become and has become a permanent urban dweller, and as such must have the right to purchase land freehold in the country just as any other person, and I would suggest that this represents a major breakthrough against reactionary thinking with regard to the Land Apportionment Act in so far as it obtains in the urban areas.

We can only point the trend in this regard. We admit freely and frankly that a great deal remains to be done. But we submit that the trend of legislation with regard to the Land Apportionment Act is as clear as can be expected. I would further state that even if we had the disaster of a reactionary government in Southern Rhodesia these trends have gone so far that it would be extremely difficult, if not impossible, for anyone else to reverse these trends at this stage of our development.

We realise, as I have said before, that much remains to be done but we believe it can and will be done stage by stage and if possible without friction between races, so that we can remove these artificial barriers that exist and so ultimately we can reach a stage where every man in this country is judged entirely on his merit; his ability, his character and not on the colour of his skin. That, of course, is what we mean by partnership, and every single trend in Southern Rhodesia in the field of legislation is pointing towards this goal, which I think we are likely to achieve rather quicker than some people expect.

CHAIRMAN: Thank you very much. The question which has been left unanswered is to tell us something about the two Acts. — A. The other question—how Southern Rhodesia is facing up to the question of discriminatory legislation. It will take some time but I would like just briefly to outline measures that have recently been taken by the Southern Rhodesia Government to remove discrimination, is that the point?

Q. Yes. — A. I will run through the list fairly quickly. Of course there has been the outstanding advance in African education. That again is a recognition of the fact that people have every desire to advance the African, and bring him on to his full capabilities. The recent series of industrial legislation, I refer to the Apprenticeship Act, Industrial Conciliation Act and Workmen's Compensation Act, again represent a major break through with regard to those two sections to the aspect of race where friction is most likely to occur; it is in the lower strata of European society that friction against the African workman does come up.

Q. I appreciate those Acts have been passed, but are there African apprentices who have been able to take advantage of the Apprenticeship Act? — A. I think it is correct to say these measures have only recently been promulgated, and the Government is having a tremendous drive now to establish technical education and facilities for apprentices to enter into all fields of industry. I think Mr. Currie may be able to help on this one. I think it is true to say already there are several African apprentices in different industries at this moment.

Other minor details, but they were nevertheless matters which required attention, is the decision to permit Africans to bet in lotteries and horse races ,I have already referred to the establishment of multi-racial hotels, freehold tenure in the urban areas is again a major break through and finally, although this has not yet been implemented, though I understand the exercise has been under way for at least a year now, there has been a decision of the Southern Rhodesia Parliament which incidentally included one or two Opposition Members voting for the Government, that we must admit non-Europeans to the Civil Service.

Finally with regard to discrimination against people who are not Africans, and we must face the fact that this exists, there has been the position that the Southern Rhodesia Government repealed the inter-Territorial Movement of Persons Act which applied particularly against the Asian community from the Northern Territories coming down to Southern Rhodesia.

Apart from legislation I think it is important to recognise that the general trend today is in every way towards a recognition of multi-racial society, but quite naturally there are reactionary people, there always will be in any society, who will resist to the last this sort of thing, but it is our opinion that they are in the minority and an ever diminishing minority.

We have examples such as the Repertory Theatre in Salisbury, suggesting they should have multi-racial audiences, although Salisbury City Council has rather confused the issue in that regard. We have university freedom, multi-racial discussion groups today, none of which I would suggest were even thought of as being possible some ten years ago. We do not wish to try to give a false impression in this regard; but wherever you go in this country you will find Europeans inviting Africans into their homes. We can only indicate a general trend, and the trend is away from separate development and the recognition of the fact that two races in this country have got to and in fact will learn to get on together.

(MR. CURRIE): I wonder if I might just add to that. One other aspect of our problems last year was the unanimous vote of the Southern Rhodesia Select Committee which was set up to enquire into the disabilities of the EuroAfrican,

Coloured and Asian people; it was, I repeat, a unanimous vote of the House to enquire into and recommend how their disabilities could be removed. That Select Committee has not reported, it is still sitting; it confirms Mr. Ewing's points.

MR. GONDWE: On the subject of political advancement in the northern Territories, especially Nyasaland, you seem to envisage in your memorandum that you would like to see an advanced Constitution in Nyasaland whereby more Africans would be brought into the Legislature. Do you envisage a representative Legislature which would be mainly nominated? — A. (MR. CLARKE): For the Executive Council we did envisage a nominated body including some officials.

Q. What about the Legislature? — A. The Assembly, we had thought, should be an elected body. We are not in a very happy position to give you detailed recommendations in regard to Nyasaland which is another Territory. We of Southern Rhodesia are, strictly speaking, minding our own business in Territorial affairs; but as it is part of the country we have, of course, given a little thought to it, and we envisage an elected Assembly but a nominated Executive, the Executive to consist of officials and non-officials of the two major races, Africans and Europeans, and the legislation would be initiated by the Executive Council. We thought, admittedly, as I said earlier on, it was a hybrid scheme, an intermediate step but a considerable advance on the present. We must remember that there is really no tradition for elections and that sort of thing in Nyasaland. Until Federation, which was really only a few years ago, there had never been any elections in Nyasaland of any kind, and it is for reasons of that sort that we believe the intermediate step has a place in the framework, in the scheme of things.

Q. I think, Mr. Chairman, Mr. Clark is aware that the Africans in Nyasaland would like to see an elected body? — A. Yes.

Q. And for that matter I would go back to the point, his fear that eventually there might be what they call a nationalistic government. My question was, if it is going to be an elected body what would be there to prevent nationalists standing for election and thereby bring about a nationalistic government? — A. Nothing, Sir. They would be quite entitled to stand for election, the same as anyone else. We would hope to see, for reasons which I have given, a franchise with some fairly reasonably high qualifications in it, and we hope also that we could achieve this system of an elected Assembly and the nominated Executive body. We think that that would be the means of bringing the African people into the elaborate machinery of democracy, and it would serve as the training and the tiding over step to the time when they could be further advanced; and as evidence of the goodwill there we instance that if they participate fully in a rather more advanced democratic system in Northern Rhodesia, then Nyasaland would take a step towards that day which would bring an ability to conduct elections, to have Africans as voters and elected members; and yet it would retain some element of safeguard against complete run away to a form of extremism that we believe would not be in the interests of the African people.

Q. You would like to see a nominated Executive Council. Do you envisage members of the Executive Council coming from outside the legislature or from within it? — A. From outside the Assembly. We are not in a very good position to deal with the case of Nyasaland: we have brought it in more or less incidentally. We had envisaged the Executive being nominated by the Governor, acting on advice of a constitutional council.

MR. HABANYAMA: In relation to the Land Apportionment Act we have been told that if there was no such Act the Africans would possibly remain with about 10% — A. Yes.

Q. I cannot understand why that should be, when there are still eight to ten million acres which belong to Europeans and are not used. — A. (MR. EWING): That is an interesting point which is often put to me. I have had the opportunity of checking this one for myself. The suggestion is also made that African land, apart from being less than the European land, comprises the worst land in the country. It is far from being the case that Africans would own perhaps 10% less than what they own today. It should be understood that the land which was originally settled on by Africans is the sand veldt type of soil, because it was easier for the Africans to till with their primitive agricultural implements; but I will challenge anyone to tell me that the African has nothing but the poorest sand veldt in the country. As a practical farmer myself, farming on just that type of soil, I would indicate there are tremendous advantages in that soil over the heavier contact soils that are admired by people from overseas. In times of drought the sand veldt has a far greater potential of recovery than any of these heavier clay soils. Equally, it is true that in times of excessive rainfall your crops are better. You have the advantage of extreme versatility in that you can grow food crops as well as the important cash crops like Turkish tobacco. There are also some magnficent black basalt soils in the whole of the native purchase area. Near the Portuguese border is some of the only soil in the country which can grow coffee, tea and various spices. This can only be a matter of personal opinion, but if the Land Apportionment Act were revoked tomorrow you would have a lot of land-hungry Europeans going up to the reserves, and I think a lot of African farmers would be prepared to sell to them. That is not in their interests; but had that limit not been placed by the Act, whatever its merits may be today, there is little doubt that many finance companies, apart from individual Europeans, would have bought the greatest proportion of this country as an investment only for the future.

Q. Is it not true, though, that cash crops have been introduced only recently, and when an African complains of shortage of land he means land which can grow maize? And he would not be blamed for that complaint. — A. I entirely agree with that suggestion. One of the difficulties we have in the Land Husbandry Act itself is that only 10% of the land is actually being put out to individual title. People will tell you they only have 8 acres, and it is perfectly true that a man may have an individual right to graze 5-6 cattle, which may take some 80-100 further acres. So if we had the money to consolidate farms the smallest African holding would be about 80-90 acres in the high rainfall areas, and in the low rainfall areas there are already holdings of 1,000 acres. We are not in any sense unsympathetic to that point of view.

Q. Are the United Federal Party aware that their attack on the United Kingdom Government, and also the political parties of that country is actually threatening not only the Africans of the Northern Territories but the Africans of this country? — A. (MR. CLARK): That is a matter of political opinion. I do not hold that view.

Q. I understand in this country there are some reserve powers which the United Kingdom could use if it wanted to protect the Africans, and I am told these powers have not been used since this colony gained a responsible government; but nevertheless the United Federal Party advocate at the moment that those should be removed; and the Africans are disturbed because of that move. Is the Party aware of that? — A. (MR. HOVE): Very much so; but they are also aware that those Africans who feel the removal of those powers is against their interests hold that view because they are ignorant of the true facts. African progress over a number of years now has been slowed down to a certain extent by the existence of those powers and reservations. If a close study is made of why they should be removed it will be found that it is the African who is going to benefit more. For example in May, 1956, the Congress of the governing Party of the day in Southern Rhodesia in recognition of a request from their African members, passed a resolution that the definition of the indigenous people of Southern Rhodesia should be changed from *"native"* to *"African"*. In talking of the Land Apportionment Act, Mr. Ewing said "native" several times. Talking legally and officially, we are natives here, because the Constitution says so. That resolution was accepted by Government: in fact I think it was passed unanimously in 1956. It has not been put into the Act, I understand, because the initiative must be taken by the United Kingdom Government; and where the Land Apportionment Act has been amended there has been some slowing down of progress. The Government here has not moved forward as quickly as they desired because the United Kingdom Government must take the initiative, and the negotiations prior to the introduction of a Bill in the House have been interfered with by this power of veto. — (MR. ETHERIDGE): It is important to think not merely of the removal of these restrictions, but to couple with them the fact that there is every intention, as shown in both the Southern Rhodesian document and the Federal document, to replace those by safeguards. Here we come back to Sir Lionel Heald's point about psychology. Mr. Menzies called it a question of prestige. It is much more than that— the belief we have that once there is a feeling on the part both of Europeans and Africans that government is centred in this country, with safeguards built into the constitution, and there is no question of outside control, we shall be able to go ahead much more firmly and speedily. I do not think there is any need for the African people in the Federation to be disturbed if they appreciate that no safeguard is going to be removed from one side that will not be replaced in another form by some form of internal restriction.

Q. The Constitution you would like to see in Northern Rhodesia, which would be similar to that of 1923 here — do you expect something like parity in the legislature of Northern Rhodesia, or a majority of one race or the other? — A. (MR. CLARK): We want to see an entire legislative assembly consisting of elected members, elected by responsible people: we say nothing about race or colour.

MR. KATILUNGU: Much has been said about the Africans in the Northern Territories looking to the United Kingdom for protection. Is it your present intention that you would wish to see a constitutional move that would completely cut these Africans off from that? — A. (MR. PILLAY): I think there is too much stress here, both in the country and in the Federation, on Africans and Europeans. People are inclined to forget that there are other minority groups. We would like to see a stable government in this country, dominated neither by Europeans nor Africans, but one that will ensure that all races are satisfactorily living here.

Q. I appreciate that, but we are bound to mention Africans and Europeans because of the situation we are in. Why do you advocate complete independence for the Federation? Do you not realise it would be dangerous at this stage of political development to cut off completely, as a result of that independence, the protected people from a normal method of approach to their protectors? — A. (MR. CLARK): Our ultimate objective is the attainment by the Federation of full membership of the Commonwealth, which indicates an entire, or very large, removal from United Kingdom influence; but it is not our suggestion that there should be an immediate or total removal. The 1923-type Constitution for Southern Rhodesia had reservations and restrictions. We think that should apply to Northern Rhodesia. Though it is not ideal, it is even possible to consider a constitutional arrangement in which the Federation will be a full member of the Commonwealth, but with the United Kingdom retaining some interest in the two Northern Territories, and even, perhaps, some interest in the Federal Constitution. Canada is an example of a country where there is retention by the United Kingdom Government of some measure of interest in its Constitution. We understand for instance, in Canada that constitutional amendments do not lie entirely within the prerogative of the Government of Canada. We are not proposing the utter and immediate severence, but the first steps towards full membership of the Commonwealth will certainly be a diminution of Colonial Office influence in these Territories and the creation here of safeguards, operated by all the people here, in place of that.

CHAIRMAN: Is it not a question of timing to some extent? — A. Yes, we believe the timing should be fairly speedy.

Q. But you have not overlooked the words in the Preamble—"When the inhabitants so desire"? — A. No, Sir, we have not overlooked that.

MR. HABANYAMA: Surely you are asking the British Government to handle an impossible situation, in that you want them not to interfere or to talk about the northern Territories; yet at the same time you would ask for a Constiution in which they would have an interest? How could that be? — A. Just the same as it has had an interest in Southern Rhodesia since 1923.

Q. But surely it could interfere with it ? — A. We are confident that it would never be necessary, just as it has never been necessary in Southern Rhodesia.

MR. CHIRWA: When you say the Federation should have dominion status within the Commonwealth and the control must be in the hands of the people here, are you envisaging a Federal Government which has to be a majority, with say, at present the twelve African members; or are you thinking of a Federal Government in which you will have an African majority? Also, what is the provision for Africans to participate in the Constitution of Southern Rhodesia?—A. Taking the first point, we have not approached this from the standpoint of race at all. We are hoping to achieve here a non-racial community, and so the Federal Parliament, as we see it, will be elected by those people who qualify for admission to the voters' roll. It is likely that in the immediate future the people on the roll will result in the election to the Federal Assembly on a majority of Europeans; but it is inevitable that the situation will change. As people qualify for the franchise, there is no doubt whatsoever that the day will come when the majority will not be Europeans; but that can take place with no constitutional change at all. The potential is already there. When we talk of safeguards for racial groups in Senates, or whatever they are called, the safeguards set up must be such as to safeguard the groups which are today the political minorities, but in future those minorities may become of different races. There is an almost inevitable change of emphasis; but our approach is on the ground not of race but of quality and merit.

Q. But do you seriously believe, if you are talking to people who have any sense at all, that they could trust you when in Southern Rhodesia during the last six years you have never admitted a single African into your own Parliament?—A. There is no question of trust about it at all. There it is. They can qualify for admission to the voters' roll. I believe the African people will progress to that state. I believe in their progress: I do not know whether Mr. Chirwa shares this view.

MR. KATILUNGU: The educational qualifications of Africans in this country are higher as compared with the two northern Territories. Another snag is the economic qualification, because the economic standard of living of the African generally is very low. Would you agree that it was time the Government reviewed the question of minimum wage structure of the people, which is under the control of the legislature? — A. Undoubtedly this touches a major problem. Material matters are all-important, though we tend to talk here of racial and constitutional matters. One of the enormous problems of the Federation is the general standard of poverty. The people of this country are poor: this is an undeveloped region. We desperately need development and the capital for it. That is one reason why we want a settled constitutional future. Equally we need a situation in which the African comes more and more into playing a proper role as an employee at proper rates of pay, and so on. I entirely agree with the questioner. It is not a thing which can just be done easily as all that by legislation, unfortunately, because it is not possible to say whether you shall employ so-and-so whether you want to or not; but the whole trend of legislation, certainly in Southern Rhodesia, is in that direction. The recent amendment to the industrial Conciliation Act was for that very purpose. Without wanting to go into details, some of which are at present under discussion, there is an attempt now on the Railways for a proper advance for the African people. I think there is every evidence of goodwill on the part of the United Federal Party Government to achieve the very thing Mr. Katilungu wants.

Q. My last question, in your memorandum section 1(*a*)—(*h*) much has been said in regard to what must and what must not be done in the Constitutional Review, 1960. I would like to ask this question. Was Federation not established in 1953 as a matter of going through an experiment, and subject to review in any form whatsoever after seven or ten years? — A. (MR. CLARK): No, Sir, there was no experiment about it and the several utterances of Mr. Oliver Lyttelton make it absolutely clear that it was not at that time. Federation was based on several things. It is an conomic unit. It is also, it is hoped, a human entity. In no sense is it an experiment, a temporary expedient that had been entered into with any suggestion that it should be a temporary expedient.

MR. CHIRWA: When you say you would like to have dominion status would you agree that before you get that the Africans, at least the majority of the people must give their consent, or, on the other hand, you do not mind whether the Africans agree to it or not, would you seek their consent or not? In other words, would you respect the Preamble to the Constitution? — A. Mr. Chairman, of course, our immediate request is not for what used to be called dominion status. Our immediate request is for independence in the Federal sphere and there is a difference. I do agree that we are obliged to respect the requirements of the Constitution.

Q. Is not that what you call technical independence which in other words would mean exactly the same as dominion status apart from prestige? — A. No, Sir, because if for no other reason the two northern Territories would not yet be at the stage of development that would enable the Federation to go forward to full membership of the Commonwealth. — (MR. CURRIE): One further point, I am not quite certain whether Mr. Chirwa is aware of the fact from a remark he made earlier that there is a common voters' roll in Southern Rhodesia and regardless of the colour of one's skin, if one has the qualifications you are entitled to go on that voters' roll. I accept entirely the point that hitherto no African has a voice in the Southern Rhodesian Parliament because the fact is, as yet, there have not been sufficient numbers of Africans on the voters' roll. I think it is fair to say in the not too distant future we will welcome the African in the Southern Rhodesian Parliament. There is a common voters' roll.

Q. What about the 20% limit? — A. (MR. CLARK): No,

there is a common voters' roll and you might be interested to know that it is quite a feasible possibility right now without any Constitutional changes that there could be Africans elected to the Southern Rhodesian Parliament as ordinary Members of Parliament..

SIR DONALD MACGILLIVRAY: Has the United Federal Party put forward an African candidate? — A. No, not in the Southern Rhodesian sphere and not as an ordinary Member of Parliament, but we do have African Members of Parliament of the United Federal Party in the Federal House, especially elected African members. — (MR. ETHERIDGE): On the other hand there is a point that it is not worthwhile putting forward a candidate to lose a seat. There comes a time when one expects to win that seat. I think that time is coming. — (MR. HOVE): I think the question from Mr. Chirwa about the doubts arising in his mind is because there has been no African elected to the Southern Rhodesian House, that is not the responsibility of the European or of the United Federal Party only. It is known that for many years there have been far more Africans qualified to exercise the vote who have never bothered to ask for it. That position still exists today. There is no doubt that because of the siting of African townships here in the past and in the present an African could be returned to the Southern Rhodesia House without any doubt even though there might be three, four or five candidates standing. You get the area of Salisbury, Highfields and so on, predominantly African. No Delimitation Commission could avoid making that a constituency, but the Africans have not bothered to ask for the vote. I may say that in this particular area I have referred to, prior to the 1958 election, a number of Africans got together and said "Let us get everybody who is qualified and who is able to get on the voters' roll", and in two or three months they raised as many as 300 or 400. If that process had been going on for a long time there is no doubt during the last election an African would have been returned to the Southern Rhodesia Parliament.

CHAIRMAN: The fact remains that out of 68, 239 who are on the Southern Rhodesia roll, 64,453 are European. — A. What I am saying, Mr. Chairman, it is no use laying the blame on the doorstep of the European, the African is just as responsible for that state of affairs.

MR. KATILUNGU: We do understand perhaps up to a point that Africans have not come forward, those who have qualified who, in fact are very few. We do understand that in the northern Territories those people do not come forward because of their resentment against the constitution of the franchise. Would you tell us in your experience as an African Member of Parliament what is the main reason in Southern Rhodesia why Africans do not come forward regardless of being on the common voters' roll? — A. I think the answer is quite simple. Whilst it is true that there are many Africans who should be on the roll who are not there, this is not peculiar to them, there are many Europeans in this town and everywhere who are not on the voters' roll. In fact, I have been astounded to find the standing in the European society of some of those people not on the roll, but with the African you have an added reason that the election of Members of Parliament is not generally in his mind related to his welfare. That situation has changed now.

Q. Exactly. — A. I have no doubt myself that with the greater availability of education, which is not necessarily school education only, there will be very many more Africans on the voters' roll but the thing is the African has not been interested in civics. He has not related his 'pin pricks' to election of Members of Parliament. — (MR. CLARK): May I observe on this subject what is perhaps of interest, that is that in the Territories in which there was self-government here there has been a common voters' roll. In Northern Rhodesia up to the time of Federation there was a Colonial Office administered Territory. In fact, the African was excluded from the voters' roll. He was excluded because the qualifications provided that the only persons who could have access to the roll were British subjects and all the Africans were British protected persons. It is true they could apply to be British subjects under a certain formality and part of the formality was the payment of £5 and that was an effective deterrent. It was Federation that did away with that sort of thing and opened the voters' roll.

SIR DONALD MACGILLIVRAY: There are two common voters' rolls, the ordinary and the lower? — A. Correct.

Q. We have been told by Africans that the reason why many Africans have not registered is because they qualify only for the lower roll and they do not want to be on the second class roll. — A. (MR. HOVE): Yes, Sir, but surely that can be regarded as partly a good reason and partly as a mere excuse. If that is the reason today what was the reason for his not registering for the vote prior to 1958 when these two rolls became law? He has always had the right to vote in Southern Rhodesia and yet he did not come forward.

Q. You do not thing this is a true reason? — A. It is an excuse. — (MR. CURRIE): I think I should make the point too that the same applies to the European, the Asiatic and the coloured person who equally does or does not go on the lower roll if his qualifications take him. It is not a thing that is confined to the Africans.

CHAIRMAN: You would agree with me in this that the distinction between the incomes of the African and the European is at least one element causing the roll to contain so many Europeans? — A. Yes, without any shadow of doubt that is so. — (MR. CLARKE): Do you want justification for it, Sir? We have explained why we believe that the vote should be retained in the hands of persons capable of exercising it. The next step is to find a method of determining that: a great many alternatives were thought of. It was suggested, for instance, that there should be an examining board. What we want to do roughly, as we all know, is to keep the vote in the hands of people who can exercise that discretion, public spirit and so on. But there are grave disadvantages with an examining board. I am not speaking with any authority about what happens in the Southern States of the United States of America; but common talk has it that where there is an examining board there they asked the candidate questions which, if he is a white man, will get him on, which if he is a negro will keep him off. There are those disadvantages. Whatever kind of approach there is some disadvantage. We do not suggest that our qualifications are ideal; but we finally adopted a thing which is absolutely automatic and therefore not subject to political manoeuvre. That was one point. The second point is as an automatic judgment of what a man has achieved in life you can find if you make a happy amalgamation of where he has got in his schooling and where he has got in his attainments in life, and the rough measure of where he has got in his life is the salary which he earns. It is not ideal, we do not suggest it is, but it does obviate some other disadvantages, and it does form something of a means of adjustment and it will remain such, and there will be greater and greater advantage to the indigenous people as they make progress.

HIS GRACE, THE ARCHBISHOP OF CENTRAL AFRICA THE MOST REVEREND W. J. HUGHES

CHAIRMAN: You were good enough to write to me earlier on in our deliberations in February sending me a copy of a letter you had sent to Mr. Macmillan. He has also given me a copy and some of us have seen that letter and your chart of Thursday, 9th April last year which accompanied it. First of all, would you tell us how long you have been in Central Africa? — A. I have only been Archbishop for 3 years. I have been here seven years.

Q. You are also Bishop of the Diocese? — A. Yes, Matabeleland.

Q. Then you had experience, had you not, in the West Indies where Federation is also under way? — A. Yes, I was in some of the early discussions when Federation was being mooted there.

Q. You make in your letter to me two points which I would be grateful if you would make again to my colleagues. The first was in relation to what you said we ought to consider, what was said and done in 1953 as to the protected status of Nyasaland and Northern Rhodesia and to be satisfied that the normal aspirations of self-government which existed under protectorate management were in no way impaired by the Federal Constitution. Would you develop that? — A. May I say first of all I am not a politician nor am I an economist and I do not really know that I have anything specially useful to contribute. But I do go about a great deal and come into contact with large numbers of people and the impression I got both in Nyasaland and Northern Rhodesia after two or three quite fairish visits—three weeks, a month, and so on—was that rightly or wrongly they were under the impression that with the advent of Federation their normal aspirations would somehow just go by the board. It is a very real fear. The Prime Minister acknowledged the letter that I sent to him, and made it perfectly plain that that was not so, but what bothers me is that once ideas of this kind get in the mind of the people it is difficult to get them out. That was the first thing. I found it very strong and I did mention the point that I assumed that when the Federal Constitution was framed in 1953 all this was taken into account.

Q. Then you said you had a second and much more serious

ground of objection—that Federation in the north, particularly Nyasaland, had a real fear that discriminatory legislation existing in Southern Rhodesia will by some means become applicable to Northern Rhodesia and Nyasaland in due course. — A. My impression there is that that is much more deep seated than the other one. I think they are wrong unless there is any idea of making a unitary state, which I do not think is entertained for a moment.

Q. You did in the course of your letter draw attention to a number of pieces of what you regarded as discriminatory legislation. What had you in mind—the Land Apportionment Act? — A. Yes, that is only one.

Q. Is there anything you would like to say about that? — A. When I got here in 1953, having spent 20 years in the West Indies, the whole approach seemed to me to be so different and I could see no reason for it. As you know, in the West Indies it is not a question of only two races. Initially they start with six, and during the whole time I was there there was never, as far as I recollect, any legislation which was particularly applicable to a special group. The various component parts of the population were regarded as belonging to one community, and all the legislation applied to everybody alike. The one exception goes back to about 1902 when compulsory education was first introduced. It was in British Guiana, where I worked for 13 years. There was a large Indian population and they asked that the education legislation should not be applied to their girls. The Governor of the Colony, then Sir Frank Swettenham, issued a circular, which was known at the time as the Swettenham circular, which suspended the application of that piece of legislation to Indian girls. Oddly enough I was on a Commission in 1932 when the Indians themselves came and asked that that circular should be repealed, but that is the only thing that I can recall where something was done specifically only to one particular group.

The impression I get here is that there is certain legislation which seems to be more applicable to Africans than anybody else. We have a Native Education Department, Native Affairs Department and Native this and that, and to me that throws one section of the community into relief and assumes there is no other problem in relation to the other three. There is a native problem, so it is implied there is not an Indian one, there is not a coloured one, there is not a European one. I would say in fact the real problem is the European one.

Q. Would you develop that? — A. I think the root of all the trouble is fear, and that is very difficult to cope with. There is this tremendous fear that the European population and the coloured population and the Asian population will be swamped. There is fear on the other side that any chance of normal development or a proper share in the life of the community is going to be denied them and I think those fears are real.

Q. In the course of your letter you set out not only one but a great number of Acts which you know about here which in your view are discriminatory against the Africans? — A. Yes, I think so.

Q. You, of course, have experience of their reactions? — A. In my view it is much more marked in the townships than in the reserves. I go into the reserves a lot, we have large missions all over the place, and I am bound to say that in the whole seven years there, talking to people, I heard hardly anything said about Federation or Acts or anything at all. But a lot is said in the townships.

Q. Have you been conscious of any improvement over the last seven years in the discrimination? — A. Yes, I should say in the last eighteen months.

Q. What are the elements of discrimination of which you are most conscious now? — A. I think it is having to carry some sort of identification. I think that is the main one. If we all had to have an identification card it would not lead to bother.

CHAIRMAN: I am sure my colleagues would like to ask you some questions.

MR. WOODROW CROSS: In regard to the identification card regarded as being the greatest discrimination, in the Northern Territories it was not mentioned, as far as I can remember. Discrimination took more the form of allowing Africans into hotels and restaurants and railway train dining cars, that seemed to be more the problem there. The only difference I can see in the identity certificate is that—I am speaking of Northern Rhodesia—you have the name, village and so on, to identify the African concerned. You have on the inside an employment register, just stating period of employment, date of engagement, signature and date discharged. There is no mention of wages in it. In Southern Rhodesia that seems to be the only difference I can see, that wages are put in, to which people here object. They objected in Northern Rhodesia, but it was taken out and seemed a very simple thing to meet the wishes of the people. — A. I do not know that it is the mention of wages so much as the fact that because they belong to a particular group they must carry these things. Whereas the European can go about and does not have them. I think that is the fundamental thing.

MR. MENZIES: Would Your Grace indicate why the improvement you refer to has come about in the last eighteen months, and in what directions has it come? — A. I think myself that when the State of Emergency was declared it caused a tremendous shock. It certainly caused a shock here in Southern Rhodesia. For example, down in the big township no one had the slightest suspicion that anything was afoot and on the day after the Emergency was declared I was down there. The whole place was stunned. For instance, on Saturday afternoons you find men milling about in hundreds but they all seemed to be indoors. They were very shocked. I think that was true also in the minds of a good many European people. Certainly I got the shock of my life. But I did notice a very marked change in the shops. It is very difficult to pinpoint it, but I do myself feel that the atmosphere has changed.

Q. You feel on the European side the mood has become more liberal? — A. Yes.

Q. Has there been anything done to indicate that? — A. Notices have come down in post offices and on railway trains but let me say here that that had nothing whatever to do with the Emergency. I had a long conversation with the Prime Minister in January last year before the trouble started, and he told me that he intended removing these notices in post offices and in railway trains and he intended appointing Mr. Savanhu a junior minister. He proposed to do it when he had the results of the election in Northern Rhodesia. He finished the conversation by reminding me that a politician had to win an election. After the Emergency occurred, the feeling was that these things happened because of the trouble. It was a colossal blunder in timing. It is very difficult to pinpoint but I do believe there has been a change. I would go further. I am quite sure that there is a real and genuine abundance of goodwill and fair-mindedness in Southern Rhodesia. I am quite certain of that. I shall be very surprised indeed if good, sound, commonsense did not prevail. I am not a pessimist, far from it. I think on both wings you get a completely ex parte approach.

MR. CRAWLEY: Might I return to the pass laws and ask whether there is any good practical reason why passes should be carried? — A. I do not know. That is a thing I have never been able to discover. Trying to go back to the time of the occupation I suppose it was absolutely essential to try and have some means of identification, and I dare say while we have this system of migrant labour there must still be some need. But the thing that rather bothers me is that there seems to be an enormous reluctance to do anything about it. I know it has changed since I came here, but some of my clergy from time to time were stopped and asked for their passes. I do not see why they should be, but it is that sort of thing that causes ill-feeling.

Q. Do you find that the Africans here are generally in favour of Federation, or is there strong opposition? — A. I do not know at all. My own guess would be that compared with Northern Rhodesia and Nyasaland the discussion here is almost negligible. I have got the impression that in Southern Rhodesia—Southern Rhodesian members will be able to correct me—since Federation came that the change has been so little except perhaps with regard to elections or something of that kind, that I think, by and large, nobody bothered very much about it.

SIR. DONALD MACGILLIVRAY: In the list of legislative Acts which you cited in your letter as discriminatory measures you included the Native Land Husbandry Act. — A. I only included that because that is the impression the Africans have got. I am bound to say I am not so sure myself whether that is discriminatory; I should have thought it was much more protective, to prevent erosion and an endeavour to do good. Where I think the trouble may arise is in the application of it, because I do know it is a ground of very serious criticism on the part of Africans.

Q. Although it was designed specifically in their interests? — A. There is a good deal more behind that. Most of the land was over-stocked and there was a tremendous amount of difficulty created when they began to de-stock under Government powers. I do not know how long it has taken, but it has taken a long time to get into the minds of Africans that although they have fewer cattle numerically they now have better cattle than they had before. It is that kind of difficulty, as far as I can see, that any piece of legislation that deals with land or agriculture is at once viewed with suspicion.

MR. ROBINSON: Your Grace, we have heard from members of your church in Nyasaland that, in view of the expressed opposition by large numbers of Africans there to Federation,

the doctrine of consent as far as the large mass of the people are concerned should apply. Do you feel with your responsibilities in that country that we should be guided by those numbers? Do you think there are sufficient people in Nyasaland who fully understand the implications of secession or of remaining in the Federation? What is your view of that with your experience? — A. As a principle, I do not believe you can ever retain people against their will. I think that is the principle, but I think it has to be an informed will, and I doubt whether it is. Personally I should be very sorry to see Federation going out. I am not an economist, but as I said I cannot myself see how on the economic side alone Nyasaland would be able to stand on its own feet without very heavy subsidy from someone. I should have thought it very much better it should be done here than that they should all the time have to go outside. I think it is a much more respectable thing to pay your own way from your own produce than to live on the dole from somebody else. The point you make is not a particularly easy one to answer.

MR. ELLMAN BROWN: Your Grace, would you say in Southern Rhodesia particularly that the development towards a more liberal attitude of all the races is moving fast enough? — A. I do not think it is. But there again that is another delicate subject. Quite frankly, I do not think it is, but on the other hand I am quite certain you cannot gallop.

Q. Would you recommend that we should bring in legislation against some of these discriminatory laws, particularly the colour bar, or would you feel that evolution would be the better way? — A. I can only take the line that we take in Church. We say definitely that every Church is open to everybody. We have no legislation of that kind. Indeed, in principle, we could not. What I am so afraid is that if you begin to legislate you throw the thing into relief and you raise hornet's nests. I should much prefer we should try and get at the fundamental common sense of people. I am sure legislation to say, for example, that every hotel is to be open to everybody would not work. You will always get the proprietors who say, "I have to reserve the right of admission no matter who it is". What is the legislation going to do? Is it going to take that away from him? Is it really wise to say by law we are going to make it impossible for you to exclude an Asiatic or a coloured person or an African. You may find you have to exclude him for some reason or other. I should hesitate myself about trying to legislate.

Q. Following on that, I gather that any suggestion of a Bill of Rights will really give no fundamental improvement in the attitude in trying to eliminate that fear? — A. I am not so sure. What I think is not made sufficiently plain is that it must be recognised that there are certain things which really should belong to human beings because they are human beings. Whether you are going to get that over in a Bill of Rights, I do not know. I came across a lady the other day very het up because she was paying her cook £10 a month. I told her she would not get one for £10 a month in England. She said she had not thought of that.

SIR LIONEL HEALD: Your Grace, a number of Africans have told us that when Federation came in they were told that there was to be such a thing as partnership. They found the word very difficult to understand, but when they made some enquiries about it it seemed to be a very attractive statement. They tell us that they do not think it has, in fact, come about. Have you heard that point of view? — A. I have, yes, because nobody has ever been able to say what is meant by partnership. I think it is a most stupid word, it has done more harm than good.

Q. Would you agree it follows from that that what you would like to see would be some practical measures taken to produce the reality of the thing rather than the word? — A. What I would like to see myself is all the people in the Federation regarded as one community, admittedly at different levels of development (which you get in any country, anyhow) and legislation which tried to put that right. I should like to see an end of the Native Affairs Department, an end of the Native Education Department, and instead of the Native Affairs Department develop some really sound, sensible local government. It means that in the reserves your population would be roughly a hundred per cent. African. It does not matter, it is part of the population. Why single it out to have a particular department looking after this and that particular group of people?

When I had been here eleven months I made a speech at a school. Federation had just come. I said now that Federation has come is it not time that we begin to think of all the people within the Federation as composing one community, at different levels of development admittedly, but nevertheless one community, and that the legislation applies to them as a community. This would mean certain things. It would mean the end of a Native Affairs Department and a Native Education Department. So long as that remained, one section is thrown into relief and it is assumed there is nothing of any importance concerning the other three. The one that is thrown into relief is always referred to as either "the native question" or "the native problem", which I think is a scandalous piece of terminology. You then make three assumptions. There is not an Asiatic problem, a coloured problem, or a European problem. Every one of those assumptions I challenge. In my view, the needs and potential of the coloured community here are out of all proportion to its numbers. I do not think it gets anything like the attention which it ought to get, and it will not if you are going to deal with the whole thing in a series of groups. Then I went on to illustrate what I meant by referring to the West Indies, where I had worked for twenty years, and that we had these different races, but never at any time was there an Indian Department, an African Department, a Chinese Department, a Portuguese Department. (I wish there had been a Portuguese Department because they really did want fixing. In the classification of population they were not even nominated as Europeans—it said "Europeans excluding Portuguese".) There was nothing of this kind, and it really has paid good dividends. The only snag was that initially in the West Indies the relations between the white and black folk started off as a slave relationship, owner and slave. Here it was something quite different; it was the result of conquest. But there is not much doubt in my mind that in the early years out here the people who came from West Africa were just as raw as the Africans in the bush who had known nothing but the bush for centuries.

MR. KATILUNGU: Your Grace, I would like to know what is your opinion regarding the expressed views by the Africans of the Northern Territories in regard to the association of Southern Rhodesia with the policy of discrimination that many of the policies applying in Southern Rhodesia will be extended to Northern Rhodesia. Whether these fears are unfounded or are based on gained experience and practical knowledge? — A. I cannot understand how they have got that notion. So long as the Territorial Governments govern, the Federal Government is prohibited from this sort of thing. For instance the legislation here in Southern Rhodesia, as far as I can see, could not by an Act of the Federal Government be made applicable to Northern Rhodesia or Nyasaland. But how you are going to get this fear out of their minds I do not know. I am just as puzzled as you are. I believe that fundamentally the thing is groundless, but I do not know how you are going to get it out of the minds of the people except by making an end to that kind of legislation in Southern Rhodesia.

SIR LIONEL HEALD: If the people in the Northern Territories hear people say that they want to have the independent powers of the Northern Territorial Governments removed, then that might be rather a different thing? — A. Oh, yes.

Q. And sometimes such statements have appeared in the Press and elsewhere. — A. That is so. But one point I tried to stress from time to time is that, if you are going to have a federation at all, then the constituent states must have their own powers. You federate, you do not set up a unitary government.

Q. Would it be unfair to say that very little attempt has been made to get that across? — A. You put your finger on the spot. One of my complaints is that I do think there has been a change lately. But by and large the members of Parliament, as far as I can see, have done little or nothing to get amongst the African and help the African to find his political feet.

LORD CRATHORNE: Do you find that, where the problem of Federation has been considered by the thinking Africans, very often they really look upon it as amalgamation, and that amalgamation brings in all other questions? Have you any advice you could give us as to how we could get that wrong interpretation of Federation removed from their minds? — A. I just do not know.

Q. It is definitely there? — A. I think there is a confusion even with some of the better informed Africans that Federation means amalgamation and means the loss of identity.

Q. That brings us on to Union, and Union brings us to South Africa; that is a real fear? — A. That is what I think.

MR. CHIRWA: I think you have said that you have been to Northern Rhodesia and Nyasaland and then you had brief contacts with Africans; could you say that it is possible to retain Nyasaland within the Federation without causing much disturbance in that country? — A. That is not a question I could answer at all. On the face of it I think it is doubtful. But that, I think, depends on gentlemen like yourself.

Q. The leaders in Nyasaland have expressed their view quite clearly that they are not going to have Federation. Dr. Banda says if Federation goes on he would rather go to jail again. Certainly that is sufficient expression of opinion, is it not? — A. We have heard plenty of people speak like that in the past.

Q. But in the past it led to disturbances? — A. Of course.

Q. Do you not think that the motive of the Europeans in Southern Rhodesia is not really the Federation, but to dominate the Northern Territories? — A. I should say definitely no.

Q. Would you explain the reason why then, if the answer is no to that question, the Federal Prime Minister has insisted on getting dominion status? — A. Has he insisted?

Q. He did insist in the past, and in the paper this morning Mr. Julian Greenfield says there must be constitutional advance to get independence in those functions which are Federal which means the same thing as dominion status in another way. — A. I cannot see that dominion status would necessarily mean domination. Australia for example, or Canada, they are dominions, and there are states within the dominions. But I should be very surprised to hear an Australian say that the Federal Government of Australia dominates the Government of New South Wales or Victoria.

MR. MENZIES: If I am invited to reply I could say that as a consequence there is a constant source of conflict between the two. Whenever there is an invasion of state rights, the Commonwealth Parliament knows all about it. — A. There will be here. Unless I misunderstand Mr. Chirwa he says he thinks that the whole object of one day having a dominion here is that it can then dominate, it being dominated by Southern Rhodesia. But surely the Federal Parliament, if it is a proper Parliament, is a Federal Parliament; it is not Southern Rhodesian.

MR. CHIRWA: Perhaps I have over-simplified my question. — A. Not at all. I think you have shown to me what is in the mind of a good many Africans—that Federation to them means Southern Rhodesia. It does not mean anything of the sort.

Q. But is it not the fact that Southern Rhodesia has more members in the Federal Parliament and that it is Southern Rhodesia which does influence that Parliament and therefore that means domination of that country over the others? — A. That is true, you can argue that way if you like. The only way to deal with the situation is to see that the representation in the Federal Parliament is a fair representation relative to the populations of the constituent places.

MR. KATILUNGU: But would you be surprised to learn that even amongst Europeans the same opinions are held that the Federation means domination by Southern Rhodesia? — A. I am not surprised; I know it to be so. I have heard some of the less informed and wild Europeans, as I call them, say to me quite openly, "We want dominion status and when we have got it then we will do as we like". But I regard that as a very, very small fraction of people not worth bothering about.

Q. But is it necessary that such kind of opinion should prevail at this moment when the constitutional developments are being examined? — A. It should not. I do not think it does prevail. Is it not true that when you get this sort of situation, people who have got an intense idea one way or the other always tend to be much more vocal than anybody else.

SIR LIONEL HEALD: And the newspapers report them more than anybody else.

SIR VICTOR ROBINSON: I should just like to revert to the past. You mentioned the certificate of identity. But, of course, we know that there are four or five other passes, depending on whether a native is working or living in an area, he has to carry. You cannot live in a native township or location without some document from the superintendent of the location, that is right, is it not? — A. Yes.

Q. If you abolish that pass, might that not lead to an influx of Africans into the townships which would result in over-crowding, general nuisance? — A. They are getting an influx in spite of it. One of the acute problems is the whole question of education. A much more solid attempt is being made now to increase facilities beyond Standard III, but at the moment, in Southern Rhodesia as a whole, there are very few spots where a school goes up to Standard VI. They try all sorts of devices to get children to Bulawayo, Gwelo, all places where there is Standard VI and the overflow is accentuated very largely by children coming in in order to go to school.

Q. You have discussed matters with the Prime Minister? — A. Yes.

Q. That was, of course, Sir Roy Welensky? — A. Yes.

Q. I suppose you have also spoken to Sir Edgar Whitehead? — A. I have tried to. He is the mystery man of the piece. If you can get at him you will achieve something.

Q. You have never had an opportunity of discussing the necessity for the policy? — A. No. I think there is something much more fundamental. I noticed the other day a circular from the Native Education Office. They are getting very bothered about the age of children in school, and they will continue to be bothered until they introduce compulsory registration of births. Why you have not got it, I do not know. A boy comes along and you ask how old he is, and he says, "fourteen". He almost has a beard. You have no real means of checking the age. Even on the situpas I think the whole thing is very largely chaotic. While you have this constant industrialisation, constant demand for labour, you are going to have an influx. I would like to add on that point that the sooner it is possible for Africans in the townships to have freehold the better it is going to be. They own a house, but they can only lease the land.

MR. CRAWLEY: May I return to the hotels question. Is it not possible that it would be a good thing that hotel managers should have to justify an exclusion or be liable to be sued? — A. You really come back to the same point. I would be rather inclined to agree with you, but I do not quite see how you are going to do it.

Q. If there was a law and if they exclude someone unjustly they could be sued. — A. It would be a lovely time for the lawyers.

MR. JUSTICE BEADLE: Have you any views on the present franchise qualifications for either the Territorial or the Federal Assemblies? — A. I do not know. I do not know whether I have really given much thought to that at all. I am very dubious myself whether one man, one vote all over the world is the panacea. I suppose it has come to a point where it is quite impossible ever to go back, but I have a sneaking regard for the old Greek conception of the aristocracy of the intellect. Whatever standard you have I think it has to be applicable all round. What I think is not appreciated, certainly amongst some of the Africans, is that what we call a democratic system is quite the most difficult system to run because it does demand some real sense of responsibility on the part of the individual. I should be inclined offhand to leave the franchise qualifications as they are for the time being, but really push on with some educational advance.

MR. CHIRWA: May we get some views about multi-racial schools, whether the Church would support such a move? — A. I have got a girls' school in Bulawayo which has already admitted some Chinese, and is admitting an Indian girl this term. We have no regulation except that every application will be considered on its merit, namely the background of the child, the ability of the child to profit by the education given, and so on. I have got a meeting in a few minutes with the Rusape School Board which takes Peterhouse and so on. We have the same rule there. The only thing I would say is that you cannot force it, because you have another factor to consider. That is that children very often can be absolute beasts. We have to consider the particular child who comes in, boy or girl. In the West Indies, for example, in the schools there you find everybody. But it has taken a long time.

CHAIRMAN: Your Grace, we are extremely grateful to you for coming and seeing us this morning and helping us with your views. — A. Thank you.

Addendum to Oral Evidence

HIS GRACE THE ARCHBISHOP OF CENTRAL AFRICA

You very kindly said that you would permit me to write to you again in amplification of certain points which arose from my visit to the Commission.

I am grateful for the opportunity you have given to me, and there are two matters in particular, on which I would like to say something more.

1. Mr. Justice Beadle, you may remember, asked me had I any views on the question of the franchise, and in reply to that said that it was a subject to which I had given very little thought. That is true, odd as it may seem, but I believe there is a prior question, which if not dealt with soundly, will only make all questions of franchise seem "off beam", if not useless. I think it needs to be brought home to most people here that the whole Democratic system is quite the most difficult system of government to run, simply because it demands so high a sense of personal responsibility on the part of every member of the state. "Personal responsibility" does not just drop into human laps, it needs to be cultivated, and implies a good understanding of the claim which the individual makes upon society, and also of the claim which society makes upon him. In my view, therefore, much more serious attention must be paid to the question of African education, if the franchise question is ever to be satisfactorily settled. This does not mean that nothing can be done about the franchise until the education question has been disposed of. Rather, I am concerned to emphasise that to try to deal with the one *without* dealing with the other, will only increase confusion. At present, so far as

I know, the franchise qualifications are somewhat complicated, and perhaps the best immediate step would be to try to simplify them. The education question is of the utmost importance. In Southern Rhodesia, the Government is doing its best, I have no doubt, but I get the impression that instead of working for a sound and long term policy, its first and constant question is, How much can we afford? The result is that the present effort is designed to get as many African children as possible through school up to Standard III. The number of schools which go beyond that standard are far too few, with a resultant scramble for places: a scramble which intensifies the overcrowding problem in the townships. There is no compulsory education act, and all planning seems to me to be doomed to failure from the first, since there is no compulsory registration of African births. How can any Government plan the probable cost of education when it has no real knowledge of what the school intake is likely to be in any one year? I am not therefore surprised that its financial provisions are largely a question of hit and miss! I have a very real fear that unless the whole question of African education is taken in hand, the Government will find that it has, not an illiterate community, but an ignorant community on its hands which will always be a potential source of danger. Having begun a process of educating the African, it cannot stop now, and ought to press on with a well thought out scheme. Further, the longer it is delayed the more certain will it be that, all unwittingly no doubt, the Government will find that it has been pursuing a policy of "Bantu education", little different from that which obtains in the Union of South Africa under the recent legislation there. I believe that all this bears a very close relation to the franchise question, and it seems to me that the vital question for the Commission is how to deal with franchise among a community so poorly educated. Without knowing all the details, I would venture the suggestion that perhaps the best way is to make the present provisions as simple as possible, leave them as they are for a fixed period of years—though not too long—and deal with the educational problem. Does this sound fantastic? Or is it a fact that things have gone too far and too fast to apply anything which may be construed as a brake? I don't know.

2. One member of the Commission, whose name I cannot recall, asked me a question bearing on the principle of Government by consent. As a principle I accept it without reservation, for I am sure that in the long run a Government which does not so rest, is doomed to end. I think, for example, that the South African Government is fast reaching that position. But there is the question "what is meant by consent"? It is an important question. I suspect that in Nyasaland there is a "consensus" rather than a "consent" against Federation, which is not based on anything like adequate knowledge of what is involved. There are reasons for that state of affairs, and not least the really bad way in which the whole thing was handled at the start. I would say, and I think pretty confidently, that the consent needed is an "informed consent", and here my criticism of the politicians here is reinforced. They have lost seven years, during which they might have done untold good, had they got in among the Africans and lent a hand to enable him to find his political feet, and to sort out both fears and prejudices. They have done nothing of this, with the result that in Nyasaland we are up against an opposition the mass of which seems to me to be without any real "clue" what it is all about. I am not at all sure whether it is just here that the Commission runs up against one of its most difficult problems, i.e. how is Nyasaland to be brought back on to the right "beam", so that there can be some sensible discussion of the pros and cons of a Federal Constitution? In a less degree the same thing applies here in Southern Rhodesia. Bearing on what I have said, and about which I feel strongly, i.e. the failure of the local politicians to do anything to educate the Africans, it might be worth while making some enquiries whether it was a fact that political parties here had a private arrangement whereby they would not "go after" African support. If that is so, it reveals in startling clearness their total lack of political sense.

I am sorry to add to your labours, or by writing so much give a further handle to "Parkinson's Law" that paper breeds paper, but I do think that the matter of education in relation to the franchise is one of first importance, and also that it ought to be brought home to the Europeans that if the Africans refuse to "consent" to Federation it is largely because they are activated by fear, which the Europeans have done nothing to remove.

Bulawayo
10th April 1960

Oral Evidence

REV. M. WILLIAMS

The witness had spent fourteen years in Southern Rhodesia (Matabeleland). For six years he was Minister at the David Livingstone Memorial Mission at Ntabasinduna. For eight years he was the European Presbyterian Minister in Bulawayo —the Presbyterian Church of South Africa, a multi-racial Church.

The Rev. M. Williams invited questions and in reply made the following points.

(1) He was in favour of Federation and of the very wonderful idea of partnership which went with it. He considered that the idea of partnership had been implemented to a large extent since 1953.

(2) His own congregation was on the whole pretty liberal. They understood Federation and partnership and what they involved. There were, of course, some extremists, some anti-African and some pro-African.

(3) There was also an African church in the Bulawayo location. But whenever an African came to his own Church he was warmly welcomed. Africans frequently came to funerals, baptisms, weddings and for special services. The Africans in the town ran their own Church for preference, and held their services in the vernacular. He himself did the European work in Bulawayo, but he often took services in the African Church.

(4) He considered that race relations had improved considerably during his period in Southern Rhodesia. There had been very great changes, and in particular a vast improvement in the education of Africans.

(5) He considered that the franchise qualifications should be made easier, and that increased numbers should be brought on to the rolls, both Federal and Territorial; but he admitted that he had not studied the details of the franchises.

(6) As to the colour bar, on the African viewpoint things had not moved fast enough, but on the other hand many Europeans thought they had moved too fast. He himself thought that things were moving along in a natural way. Africans were now asked to municipal receptions, received at Government House, and also received private invitations. Relaxations had been implemented in the Post Offices and in the Banks.

(7) He knew of the attitude of the Africans in the north to the Southern Rhodesian restrictive practices; but he thought that that attitude might be exaggerated. When he had first come to Southern Rhodesia a number of things had offended him as a Christian Minister, but now he had found things had improved and were certainly going the right way. There was the problem case of extremists on both sides. There were for example some pretty hopeless Europeans. Many of them came from the Union of South Africa, a low type of Afrikaner. Others had come from some poorer areas in the West, including Scotland. He thought that the attitude of these people was due to desire for self-protection. They had no idea of how to behave. On the other hand there were also extremist Africans. But generally, from his own experience; he would say that the Africans were very happy in Southern Rhodesia. He himself had spent eight happy years working in Bulawayo, with much co-operation. The Africans certainly appreciated that what was done was done for them, and that the missionaries were not merely the tools of the white people.

(8) The main reason for not having a single Church for Europeans and Africans in Bulawayo was the language problem, also to a great extent the accommodation problem. But the form of service and the form of Church government was identical; and at the higher levels of Church government, there were African and European Commissioners at the Presbyterians' General Assembly and so on, all on the same level. He personally would agree to a single Church in Bulawayo if the language difficulty could be overcome.

(9) The past law of the Land Apportionment Act did not cause special difficulties in respect of Church going and mutual visits. Fortunately the enforcement of these rules was not too strict. They did not constitute a major problem at the present time. But if the practices of the Union of South Africa were followed, in respect of these laws, it could lead to trouble. At present there was no difficulty, and he and his wife also found themselves able in perfect safety and freedom to visit the location. But he agreed technically that everyone was breaking the law.

(10) He would agree that legislation might help to quicken the pace of the removal of discrimination. But he did not consider legislation to be the real answer. What had happened had been a natural process of evolution, and he believed that things would continue to evolve in the right direction. Europeans generally, above the artisan class, now had liberal views. But European artisans were a problem, wherever they came from.

(11) He would not support Federation without partnership, and thought that the two were indubitably linked together. If

partnership failed the Federation also failed. That did not mean to say that he thought there were not great advantages from the technical and cultural view in Federation provided that partnership were carried out.

(12) The Africans found it convenient to have their own Church in the location. They had their own African Minister. He certainly got less salary than an equivalent European but he got an adequate stipend and a free manse.

(13) He reiterated his belief in the evolution processes, and in the fact that Europeans were now adjusting themselves to the emerging Africans. When a man became educated and on the same cultural level the colour of his skin became a secondary consideration.

Memorandum

RHODESIAN ACADEMY OF MUSIC

A. R. Sibson—Chairman.

African and European Musical Culture in the Federation of Rhodesia and Nyasaland

As a result of the emergence of Africa from its long isolation from the rest of the world and of the growing impact of Western Civilization on the indigenous inhabitants of this continent, a considerable body of enlightened opinion is concerning itself with efforts to ensure that the worthwhile elements of African culture are not submerged in a flood of "culture", manufactured — often for purely commercial reasons — in other parts of the world.

In those countries of Africa where the white man, if present at all, is a temporary resident, there is much to be said for encouraging Africans to develop their music along purely indigenous lines, avoiding, as far as possible, any external influences that might be foreign to a society of their own making.

In countries like the Federation of Rhodesia and Nyasaland and, particularly, in Southern Rhodesia, the permanent presence of a large white population makes it virtually impossible to keep the cultures in water-tight compartments and efforts to do so are likely to be doomed to failure. Indeed, it is questionable whether such efforts should be made, even if there was any hope of success, since the whole motive underlying the enormous political and sociological experiment which is beginning to gain momentum in the Federation, is one that visualises rapprochement between the races rather than the maintenance of rigid separation.

On the other hand, if the situation is left to solve itself, it seems inevitable that the poorer and simpler elements of Western music will gain the upper hand in the minds of Africans, since the serious pursuit of music-study is regarded as an expensive luxury even amongst Europeans, and it is unlikely that Africans, for many years to come, will be in an economic position to contemplate such study on their own initiative.

We believe that there is much that is fundamentally worthwhile in African indigenous music and that the study and practice of its particular idiom will open new avenues to European exponents and audiences. We believe, also, that there is much that is fundamentally worthwhile in Western music which will open new avenues for Africans and there is no more likely place in the world than the Federation for a truly new and significant art form to arise, deriving its inspiration from two diverse cultures and, at the same time, serving to provide another bridge between peoples whose experiment of living together is one of the most far-reaching and vital adventures of the present century.

In nearly all the branches of knowledge which have contributed to the building up of Western Civilisation, the African peoples are at the receiving end of the educational process and it would not be surprising if psychic tensions in both races resulted from this situation. In the art of music, however, Africans have something vital and original to contribute to the common pool, and the opportunity of doing so may well provide the substance for a lasting mutual respect and give Africans a greater confidence in their own inherent qualities.

The Rhodesian Academy of Music, in launching the project based on the foregoing considerations, is deeply conscious of the dimensions of the task. By itself, without financial backing and the advice and assistance of knowledgeable people who have made a special study of African music and without the support of Africans themselves, it will be able to achieve very little, but we have every reason to believe that all these will be forthcoming.

The purpose of this Memorandum is to acquaint those interested with the Scheme and seek such financial assistance for its achievement as they may be able to give, or such comments and criticisms that they may be able to offer, which will help to ensure that the work is carried out in the soundest possible manner.

Two appendices are attached, which elaborate respectively the main principles and a suggested programme of activity. The work would begin initially in the Bulawayo African Townships, where negotiations are afoot for the necessary facilities. It is hoped that it will soon be possible for an advance to be made on a much wider front but there is much to be said for concentrating effort at the outset until experience has been gained which will stand in good stead for the future.

Bulawayo,
March 1960.

Rhodesia Academy of Music
Members of the Academy Council

A. R. Sibson, A.M.I.Mech.E., A.M.I.E.E., M.Rhod.I.E., M. (S.A.) I.E.E. (Chairman)
W. H. G. Newham, B.A., B.C.L.(Oxon.) (Vice-Chairman)
F. W. Baldock, B.A.(Hons.)
(Representing the Federal Ministry of Education)
Councillor M. E. Brett, M.B.E., B.A., Deputy Mayor Bulawayo
(Representing the Bulawayo City Council)
H. B. Dugmore, M.A. (Oxon.)
W. Howe
R. Z. Kaufman
(Representing the Bulawayo Chamber of Commerce)
A. D. H. Lloyd, M.A. (Hons.), LL.B.
(Representing the University College of Rhodesia & Nyasaland)
C. H. Targett, M.(S.A.)I.Mech.E., M.I.Prod.E.
J. J. Wrathall, A.S.A.A., C.A.(S.R.).
Appendix (I) The Approach to Music in the Federation.
Appendix (II) Draft programme for the development of Music in the Federation.

The Approach to Music in the Federation

The future of Music in Rhodesia poses the following questions, in respect of the widely differing cultures that the two principal races in the country have so far evolved:—

(1) Are the two cultures, as they exist at the moment, to be individually fostered and developed to the exclusion of each other ?

(2) Is the more generally acceptable culture to be allowed to supersede the less acceptable one, so that the latter disappears ?

(3) Is an attempt to be made for each race to study the culture of the other, so that a sort of parallel development goes on, each respecting the other and — as far as possible — understanding, appreciating and practising the other ?

(4) Is the attempt referred to in (3) to be aimed, instead, at evolving a composite culture in which the best elements of both survive in an essentially Rhodesian art form ?

We believe that (4) should be the ultimate aim, if a multi-racial community is going to be successful. Clearly demarcated differences of culture maintained racially have, we think, always led to a sharpening of the divisions between men. The numerous examples in recent years of failure in maintaining harmonius relations between different races in various parts of the world may well have been largely due to the failure to evolve — or even to contemplate — a common culture. Positive religious differences have frequently been an insurmountable barrier which has prevented progress being made but, in this respect, it is fortunate that extreme religious attachments are not so predominant in this part of the world.

Difference in culural *levels* amongst people of the same race is, on the other hand, an understandable and probably inevitable circumstance and one that would be far less likely to create divisions.

In a highly organised art, like Music, the large mass of people are unlikely to be able to express themselves other than in the simplest forms — and these should be related to the living realities of their lives, if they are to have any validity. With changing environment, there are bound to arise new forms of artistic expression and these, to be genuine and significant, must grow from indigenous soil. Exponents of existing idioms must be encouraged to develop these idioms in the context of the new society in which they live, for otherwise something else will take their place; something which does not come spontaneously from the spirit and is, therefore, to some extent spurious. This is true of Europeans and Africans alike and the new environment in which they find themselves should lead to a mutual appreciation of each other's art and the assimilation of such new ideas as are thereby seen to be appropriate and worthwhile, until something in the nature of common idioms has been found.

The employment of new idioms may well have the effect of releasing a flood of creative energy and of spurring advanced composers to develop a style apparently removed in spirit and beyond the immediate appreciation of the general mass of the population. While this is not necessarily a bad thing in itself, the prime concern of the educational project that is envisaged is not with such advanced workers. It must have as its object the informing of ordinary people; and those composers will

serve the project best who, while leading, keep close contact with those whose awareness they would stimulate.

African music depends a great deal upon rhythmic sophistication for its complexity. Harmonic erudition is not as significant as it is with Western music and absence of any notation has restricted the building up process which is common to all major cultures. Generally speaking, Africans have, if anything, a greater sense of intonation and rhythm within the confines of their own music than Europeans have within theirs and, if an appreciation of the subtleties of chromatic tone relations can be acquired by the former, while the latter are having their imaginations stirred by wider rhythmic possibilites, we may produce something in the Federation that will open the eyes of world.

But music must be written down. Recording is all very well but other people want to play new music before they will regard it as anything other than a novelty programme on the radio. The African must write it down himself in the international language of music. He must, also, be acquainted — just as musicians elsewhere are acquainted — with the work of others, if he is to enter a world community on equal terms and not remain merely a museum piece for the objective study of the musicologist and the sporadic curiosity of others. And it is not only the future leaders of artistic expression that require to become coherent and knowledgeable in musical matters. There must be a large body of performers and an even larger body of appreciative listeners, who have been schooled in the technique of music, to provide the necessary ground in which a culture can take hold, grow and, through critical evaluation, reach a significant maturity.

In any event, Africans should become increasingly competent in the practice of the arts, particularly if they are to lead others to an appreciation of their own forms of expression. A singer, for example, will not make much progress without intensive voice-production training. Nature has given people varying talents but none of them is adequate without nurture and development by well-proved methods that have grown up over the centuries in Western countries. The goal of Federal partnership is the acceptance of competence as the standard of the measurement of a man and this competence must cover all fields of human activity.

It is a simple fact of history that, through the ability to place ideas on permanent record, most of the world outside Africa south of the Sahara has for thousands of years been building up an enormous wealth of knowledge in the application of thought to matters of physical and aesthetic experience. This knowledge is already being made available to Africans in many other fields of activity. The adoption of techniques that have long proved their validity in the enhancement of competence will not stifle the essential creative spirit of the individual but, rather, will bring it to full flower and enable it to be expressed coherently for all the world to appreciate.

Above all, the competent use of a common musical medium —whatver thoughts are expressed through it—will do much to earn the mutual respect of peoples for each other, just as a similar undertaking in all the highest activities of man will sweep away barriers that purely material equality alone is likely to emphasise.

This is a gigantic undertaking. It is one that has frequently failed, even between peoples of the same colour. But it has got to succeed in this country, if there is to be any lasting happiness for its peoples. The proverbial good nature of the African and the increasing desire of the European to accept competence as the yardstick, are factors that entitle us to believe that, provided rapprochement is sought on *all* fronts of human activity, we may succeed in this vital experiment where others have failed.

Appendix II

Draft Programme for the Development of Music in the Federation

(1) At the outset, it is felt that the diatonic scale and its associated chromatic scale should be the basis of the music of the Federation. The point is of so fundamental a character that the reasons for advancing this view are dealt with as follows at some length :—

(i) Although truly indigenous African music employs other intervals than those of the diatonic scale, Africans themselves are already becoming more familiar with the latter as a result of the mass of imported records they listen to and of the Radio programmes and the various European performances that they hear. In addition, the activities of the Mission stations and African schools have, over the years, rightly or wrongly, implanted the diatonic scale in their minds. It is suggested that the majority of Africans, in Southern Rhodesia at any rate, now tend to sing in intervals that approach more closely to the diatonic than to any other scale.

(ii) The chromatic scale offers greater possibilities of harmonic development than truly indigenous African scales, of which the most advanced is heptatonic, with no leading note in the usual meaning of that expression.

(iii) Limiting Africans to indigenous scales, which many of them have largely forgotten and, in some cases, never known, might be resented by Africans who are anxious to express themselves fully and effectively. It might be regarded as a segregating measure, as indeed similar attempts in some parts of Africa have, it is believed, been regarded.

(iv) The promotion and enshrinement of indigenous African scales will keep African music in a watertight compartment and prevent the development of a composite musical culture; for it is exteremely unlikely that Europeans living in the country would accept a scale that they would regard as imposing limitations on aesthetic development.

(v) There is nothing to stop the continuance, if it is desired, of particular instruments tuned to an indigenous scale for particular reasons, as in the case of the bagpipes in Scotland. No one, however, would suggest that Scotsmen should have all their music limited to the scale of the bagpipes.

(vi) The existence of indigenous scales peculiar to the peasantry of a country or region is not uncommon but it does not normally become the basis for published national music. In Hungary, for example, Bartok has based much of his music on folk-song and drawn attention to the existence of non-diatonic scales. But his music is not written in the indigenous scales. Nor is it any less Hungarian on this account. It is also fairly certain that no Conservatoire or Academy of Music in Hungary teaches students in indigenous scales.

(vii) The use of *additional* tones to the existing chromatic scale is another matter altogether and one that it would certainly not be wise to be dogmatic about. If musicians feel the need of even further complexity, then they are certainly entitled to obtain it.

(viii) Music played on an indigenous scale would be unlikely to be played to any appreciable extent elsewhere and, whatever its quality, it would lose out in world appeal.

(2) Subject to the foregoing, it is then proposed that transcriptions into staff notation of the best extent recordings of appropriate African music should be made. By far the more important feature of this music is its rhythmic quality and the bending of the tones here and there to fit them to the diatonic scale will, it is felt, have less effect upon the essential idiom of the music than some may fear.

(3) Africans would be trained in the Theory of Music as applicable to staff notation and would be given aural training, together with instruction in vocal and instrumental technique, using as far as possible transcriptions of African music as the teaching material. They would not, however, be denied access to music of other parts of the world, although great care would be taken to ensure that a full knowledge of African music was obtained and a genuine respect for it encouraged.

(4) In particular, efforts would be made to encourage those already possessing a knowledge of the drums or the Marimba (xylophone) or similar instruments, to obtain a wider knowledge of music, so that their performance could be further enhanced and intelligently integrated with other instruments. The building of Marimbas tuned to the diatonic scale would be experimented with.

(5) As soon as a significant quantity of good African transcriptions was available, the European students of the Academy would be encouraged to include this music in their study. The use of the Marimba as an instrument in its own right, in percussion bands and in the orchestra, would be encouraged.

(6) African School bands based on the Drums, the Mbira and the Marimba, together with, say, flutes or recorders and singing would be encouraged. This work would largely be the responsibility of the African Schools themselves but courses for teachers would be provided by the Academy to ensure that their work was competently handled.

(7) Competent musicians of all races would be encouraged to transcribe or compose works for the foregoing combinations.

(8) Finally, the goal would be to develop, in as many students of all races as possible, the highest degree of musicianship, together with the emergence of a school of composition that will produce major works, in which the use of such African instruments as are original and worthwhile, in association with appropriate European instruments, will be encouraged.

The flute for example, is an instrument which is indigenous to Africa in a crude form. The advantages of the more highly developed European instrument would enable far greater opportunities for expression in the African idiom to be obtained.

There is, in the limit, no real reason in the long run why

any instrument which an African musician wishes to use should not be available to him, if it helps him to express himself, and he should certainly not be denied access to it. Care, however, will be exercised to ensure that, in the whole process of musical education of Africans, the significant and worthwhile elements of African culture are maintained.

(9) A problem, for which there is at the moment no ready-made solution, will be the establishment of standards of measurement of competence in musical knowledge and performance. Up to the present time, music students in the Federation have had their work assessed by external examinations conducted by acknowledged authorities in Britain. While it is extremely wise for a young country to subject itself to an objective evaluation based on mature world standards, such a procedure would be obviously inappropriate in the present case. An acceptable level of scholarship is something which will have to evolve naturally and leading African musicians will be encouraged to play the principal part in bringing this about.

(10) The language problem is another difficulty. There is so many diverse tongues in use that it would be impracticable to do other than employ English as the principal medium for tuition, at least as far as the focal point of study is concerned. It is desirable for students to have attained already a reasonable standard of general education and many of them will, in fact, be teachers, so a knowledge of English can be taken for granted. Language is so much an integral part of singing, however, that as long as African languages continue to be generally employed, so long will serious account have to be taken of them. It will be essential for leading African musicians, as they emerge, to give their attention to this important matter. In the course of time, no doubt, the problem will solve itself, for it seems unlikely that a real partnership can be evolved if twenty or so different languages are going to persist throughout the country indefinitely.

Oral evidence

THE RHODESIAN ACADEMY OF MUSIC

Representative: A. R. Sibson

Mr. Sibson said that he had come to Southern Rhodesia in 1936, and that he was the Bulawayo City Electrical Engineer. Apart from his profession he had always been connected with music, and it was his main interest. The Rhodesian Academy of Music which he was representing was an institution which was associated with the Royal Academy of Music and the Royal College of Music in London. It was recognised by the Federal Government who made grants to it, and it received other public support.

He had come forward to give evidence because he felt that much could be done between the races through the influence of music. He said that the Academy had non-European students, although only a few of them; but more recently it had recognised the need to go to the African and develop his musical education, combining this with the distinctive musical culture and musical idiom that the African had. The Academy realised that the work might have a considerable contribution to make to the social advantage of all the people, and they felt that in music the African probably had as much to contribute as the European. At the moment there was a cultural gap between the races; and in their view a cultural bridge was quite as necessary as the economic or political bridges.

The Academy had found that there was a need to get Africans to understand the fundamental elements of music, and of course other arts; and from there they thought that it was possible that something very great might develop. The Rhodesian Academy of Music was providing the vehicle for a rapprochement. At the moment they had 18 African students all of whom were from Southern Rhodesia, but with experience gained they hoped to expand to Northern Rhodesia and Nyasaland in due course. They also had Asian students, but the project was intended to develop the African idiom in the main. There was of course a preponderance of European students who numbered about 350, but the African students joined in the lectures and classes without any distinction at all. In addition members of the Academy taught music in the African High Schools. The project had really only just started, and at this stage they were unable to say how the building of the cultural bridge through music would progress. Mr. Sibson mentioned that the inspiration for this scheme had come to him through personal experience a few years ago when he met an African after a concert performance by the Hallé Orchestra which had come out to Rhodesia.

Mr. Sibson mentioned that similar experiments had been tried in other cultural fields, but it seemed to him that the efforts made had tended to be somewhat sporadic. Art and sculpture had been encouraged particularly by the Mission at Cyrene.

BULAWAYO

14TH APRIL 1960

Memorandum

Mrs. M. B. HAYWARD

The women of the Federation are as closely concerned with the past, and future, of this their homeland as are the men. From the time of the pioneers to to-day, women have literally shared the hardships, the dangers, the work, as well as the joys of achievement, with the men. To-day the women are worried, not because they have lost confidence in their leaders or the economic potentiality of the Federation, but because they have lost confidence in the restrictive powers of the Colonial Office and the United Kingdom Government.

The short history of the Federation gives ample proof that much more has been done in Nyasaland and Northern Rhodesia for the benefit of the African than was done by the Colonial Office. The African can virtually be said to require protection from the neglect of the Colonial Office, and not from the Federal authorities, as can clearly be seen on a train journey from the Union of South Africa. In the Union and in the Federation, Africans do not come to the train begging the passengers for food, etc., as they do in the Bechuanaland Protectorate. However, it will take some time for the Federal Government to make up the leeway of the many years of neglect by the Colonial Office and, in the meantime, it is particularly galling to know that 6,000 miles away people who have done nothing for the Federation, may never have entered it or only paid it a fleeting visit, can overrule what we are doing.

The advance in prosperity, education, health and every aspect of life of every section of the community, is proof that the Federal Government is working on the right lines and should be sufficient guarantee that we are to be trusted to manage our own affairs.

No word infuriates the women of the Federation as much as the word "settler". There are many families in the Federation of the fourth generation, who surely cannot be called "settlers". Women are vitally interested in the future of the Federation because they look for stability for the coming generation. Many have helped to make the Federation what it is and want to be sure they are in a land where government is in the hands of responsible people; thanks largely to neglect by the Colonial Office, the bulk of the African people will not be competent to judge what is to their ultimate benefit for many years. They are an emerging people who are being helped in every possible way, but why should the destiny of the Federation wait for the generations which must pass before they are sufficiently capable of responsibly deciding what is best for them. When a firm of the standing of Dunlops states that investment in the Federation is being delayed because of political insecurity, can it be wondered at that the women are worried?

It is distressing to hear European women persuading their husbands to leave the Federation, not because they are afraid of the material, physical, or educational advancement of the African, but because they are afraid of the attitude of the United Kingdom Government in insisting that the African should be given authority, for which he is not ready, before the Federation gains independence.

Bulawayo

25th January 1960

Oral Evidence

Mrs. M. B. HAYWARD

Mrs. Hayward said that she had lived in Southern Rhodesia for nearly forty years. The main point that she wanted to raise with the Commission was the present restrictive powers of the United Kingdom Government.

When the African Affairs Board was incorporated in the Federal Parliament at the beginning of Federation in 1953, it

was obvious that it could only work if it had the confidence of the Africans. The Africans had never been much in favour of the Board, and it was clear that the first time the Imperial Government turned down one of its recommendations the best way of establishing a body to look after African interests which would have the full confidence of the Africans was to set up a Second House or Senate with Africans as full members. The present feeling that they could appeal to the Imperial Government over the head of the Local Government was highly unsatisfactory. Speaking as an old stager in Southern Rhodesia, she felt that responsible government must be in the hands of the people living there.

There was a big distinction between the Executive Councils of the two Northern Territories and the members of parliament in Southern Rhodesia; the former had only obstructed what the Federal Government was trying to do. Most of the Africans were against Federation for selfish, personal reasons. She personally believed that Africans did not want either education or progress. Otherwise, why should they be destroying the schools? Their main aim seemed to be to keep their own people down. She personally was not anti-African; she was a member of the National Council of Women, an organisation which had many African branches, and which was doing very Board itself would be useless. In the view of the witness the good work to which African women were responding splendidly. Her only concern was for the future stability of the country. Many Europeans felt that everything they had worked for could be destroyed if Government were handed over prematurely to irresponsible people. The fact that most Africans were at present irresponsible was not due to a racial difference but to a difference in their history. It was impossible to take people from the bottom of the social scale and put them at the top without any intermediate training.

In answer to questions, the witness said that she had complete confidence in the leaders of the country, but that they were leading with their hands tied. She thought that the present franchise was satisfactory. The Federation should be divorced, not from the United Kingdom Government, but from the present policy of the Colonial Office which exercised a stranglehold on the two Northern Territories. What was needed were steps leading to responsible Government in the two Northern Territories.

WANKIE

16TH APRIL 1960

Memorandum

R. A. BEATON

1. My name is Robert Alexander Beaton, and I am Chief Officer of African Affairs to the Municipality of Livingstone, where I have been in charge of the Department for nineteen years. I have passed both Lower and Higher Language examinations set by the Northern Rhodesia Government, in two of the four Official African languages spoken in Northern Rhodesia.

2. I should like to submit my evidence to the Commission because of the experience I have gained as an Administrator of African Affairs; evidence which may be of use to the Members of the Commission, to show why it is considered that the Africans are not yet ready to form a Government of their own.

3. Only about 60 years ago the Europeans first established settlements in the Territory, and, on their arrival, they found that the indigenous people had contributed nothing by way of tradition, culture or history to the country. Indeed, it was these early settlers and those who continued to follow, who put an end to the appalling conditions under which Africans then lived, suffering, as they did, from famine, disease, intertribal strife, superstition and extreme poverty.

4. Today, many of these people are becoming entirely urbanised and in the town one finds them living secure and peaceful lives now, enjoying all the mass of benefits brought to them by the whites. They live in permanent houses, complete with all modern services, and with efforts constantly being maintained to improve their conditions.

5. However, the very large mass of the population is not yet so advanced, and the numbers who have had the advantage of some education are not by any means in the majority and, those who can be classed as well educated, are very few indeed.

6. In my view few residents have the slightest knowledge of what is going on round about them, and care a great deal less.

7. So much talk, so common today, emanates from the self-seeking, so-called leaders of African political parties. Too frequently these men are unemployed agitators, hoping that one day they may individually gain power and wealth for themselves; and, I think, having listened to many such, that it is an honest statement when I claim they have not the real interest at heart of the people they harangue.

8. For the past three years elections have been held to find leaders among the residents in townships, as members of the Area Housing Boards, but so far the response has, at no time, been greater than a 10% poll, and even then the people claiming voting rights, have so obviously been put up to it. So far, about three women to one man have voted, and since the women are very much less educated, on the whole, than the men, it is quite obvious that, had they not been sent to vote, the poll would have been utterly farcical.

9. Africans, even those living in the towns and in constant contact with European influences, are still subject to strong beliefs in witchcraft, and few have learned to value the many benefits they have derived directly from the whites.

10. The veneer of civilisation is very thin still, and the behaviour of African men towards their women, the rough way they have with each other in using public transport, the stupid and wanton damage so often done to public buildings and amenities, are all an indication of the long way the masses still have to travel before they can be deemed civilised.

11. A few advanced Africans are undoubtedly carrying responsible work admirably, but, almost without exception, these men still lean heavily on the support afforded them, by their immediate superior white officers. They have not yet been tested under conditions where the decisions have to be made by themselves alone, and so implemented, especially where such decisions might clash with public opinion.

12. I feel it is not true to assume that the vocal few truly represent the masses or that the views they express are truly those of the ordinary man in the street. In some respects, I believe that there is a tendency amongst the educated to draw away from, and ahead of, their less fortunate fellows. Certainly, rarely will an advanced African reply in the vernacular if addressed in his own language.

13. The turn over in labour indicates serious instability and, this characteristic, coupled to the normal periodic return to rural areas, is another aspect not to be ignored.

14. The opinions expressed publicly by African Political Leaders are misleading, and, in my view, none of these have any knowledge of the huge responsibilities and work which would devolve on them were they given the opportunity to govern.

15. An interesting point is that in the towns is being evolved a completely new type of African, one born in the townships, and, as a result, one whose ties with the rural areas are being completely severed. There are persons who are vague as to their tribe and completely disinterested therein—persons who are accustomed from birth to the city lights and there can be no doubt that from this new product will be drawn the African leaders of tomorrow.

16. In conclusion I am sincerely convinced that the Africans in Northern Rhodesia are not yet, by any means, ready for self-government.

Livingstone
16th April 1960

Oral Evidence

R. A. BEATON

Mr. Beaton came from Livingstone, Northern Rhodesia. He explained that he would have given evidence in Livingstone when the Commission was there, but there had been some doubt at that time whether he could do so as an employee of the Municipality. He had lived in Livingstone since 1906 since his father had been one of the first immigrants there. He had been in charge of African Affairs in the Livingstone Munici-

pality for a considerable time. He produced a brief memorandum, which was read by the Secretary.

In answer to questions, Mr. Beaton made the following points:—

(1) On local government elections (African), the contrasting situation in Bulawayo was pointed out. He replied that his evidence dealt simply with the small town of Livingstone, and his opinions were based on people he had met. Livingstone was perhaps a backwater of 28,000. But there was certainly no doubt of the lack of interest among Africans in municipal affairs. He knew this from his own position as Returning Officer. He had noticed that more women voted than men because they were sent to do so by the political leaders. Even at the third elections the poll had only been 10%.

(2) He agreed that events in the Belgian Congo and Tanganyika must have an effect on African political thought. The fact that an African was an African made no difference to his views. The Africans were given the opportunity to participate in municipal affairs, but did not avail themselves of it. He thought that the basic necessity lay in the education of Africans which they had not yet got.

(3) Mr. Beaton was referred to the agitation among Europeans in Northern Rhodesia for self-government. He thought that they meant self-government for all the people. He admitted that this would mean at present self-government for Europeans with a sprinkling of Africans, and this was because there were not at present enough Africans ready for government.

(4) He thought Federation had brought partnership, but it still constituted a great problem.

(5) Mr. Beaton was again referred to the contrast of experience in African Municipal Locations in Bulawayo. He said that in the original Locations in Livingstone, for lack of suitable men, they had had to have nominations. This was the proportion of swing from two elected and one nominated in each ward; at the earliest opportunity all three would be elected. But he agreed however that there was at present little responsibility in the posts. He pointed out that there were not many advanced people in Livingstone.

(6) He agreed that there were now a number of young Africans with no contact at all with the land, just as his own children were entirely ignorant of England.

(7) He thought that the African interest in the Area Advisory Boards was growing, and personally agreed that there should be an increase in the responsibility given to them, and that it might attract more interest if the Boards were given more power. His idea was that when there was a greater demand for that power by Africans they would get it; but there were not at present many advanced Africans to take a hand in it.

Memorandum

T. A. J. BRAITHWAITE*

1. True political advancement in the Federation must ultimately depend upon economic development. To this extent, political stability within the Federation hinges upon a continued industrial expansion. It is, therefore, necessary now to set a definite and stable course in the political field which will enable industrial and economic development to proceed and so to create the material background against which it will be possible to implement the policy of partnership.

2. It would be in the interest of further industrialisation in Southern Rhodesia, if there were some realignment of responsibility insofar as Power was concerned, from the Federal to the Territorial Government.

3. Large employers of labour have a genuine sense of responsibility towards their African employees, which is demonstrated by their progressive attitude towards the advancement of Africans.

4. The labour force employed at Wankie is dissimilar to any other labour force in the Federation, but the trends at Wankie insofar as the administration of Africans is concerned probably compare with those of other large employers elsewhere in Southern Rhodesia.

5. African employees have demonstrated progressively, a more responsible approach to their employment during the past 10 years.

6. Considerable progress has been made by African employees towards more responsible employment during the past 10 years.

7. The development of a sense of responsibility by African employees has been disappointing when compared with their improved technical aptitude.

8. There are definite prospects for an increasing number of more advanced openings for Africans in industry but some degree of resistance to this trend will be experienced from European employees.

9. There has been a marked advance in the standard of living of Africans employed in industry during the past 10 years, with particular reference, at Wankie, to:—

Housing
Feeding
Medical and Health
Family Welfare
Education
Recreation
Trading
Youth
Religion
Tradition
Pensions.

10. There has been a marked advance in the wage levels of Africans in the past 10 years.

Wankie
16th April 1960

Oral Evidence

T. A. J. BRAITHWAITE

Mr. Braithwaite was General Manager of the Wankie Colliery. He presented a short memorandum.

Mr. Braithwaite stated that the Colliery employed 490 Europeans and 6,700 Africans at present. He had been General Manager for the last ten years. Previously he had made a study of the coal-mining industry in South Africa for 2½ years with Johannesburg as his centre. Before that he had spent nine months in making a study for improvements in the colliery at Enugu, Nigeria. He had been employed by Powell, Duffryn and Co. before and after World War II. He had started in that Company as a pupil and gone on to be a junior official. He had had experience in all British coalfields, and had spent nearly one year in Germany.

He said that he did not propose to attempt to substantiate the points in his paper, but instead invited questions, in reply to which he made the following points:—

(1) On point 8. He said there were only two trade unions in the mining industry in Southern Rhodesia, and both were represented at Wankie. Both were European; one represented the staff, while the other represented the daily paid employees as opposed to those on monthly salaries. From these two trade unions he expected to get resistance to the usurpation of European occupations by Africans. But that would be the consequence of the implementation of the new Apprenticeship Act. Occupations now European likely to be taken over by Africans might represent 100-150 jobs, and this represented 20% to 30% usurpation of the field.

(2) Mr. Braithwaite was also the President of the Chamber of Mines, and in that capacity was now working out a Grading Scheme for the mining industry. In that respect he would say that the approach of the trade unions was very reasonable. They seemed to recognise that the time had come for Africans to come into full indentures, and so into the trade. Resistance was therefore likely to come from individuals. Both the trade unions of which he spoke were entirely confined to Southern Rhodesia.

(3) The types of occupation likely to be taken over by Africans were junior supervisory positions, and in this regard he thought that even the post of European Miner might cease to exist. He also had in mind more senior clerical posts, and junior technical posts as, for example, in nursing and laboratory work. There would also be posts for junior chemists and in the artisan trades.

(4) Africans did already occupy supervisory posts underground. To illustrate this, he described generally the systems of underground working and control.

(5) On point 7. He included in the expression "sense of responsibility", honesty, diligence, ability to command respect and obedience from subordinates, loyalty to employers, and reliability with dependability. Africans had kept pace in all these qualities except the last—reliability with dependability. When junior European employees lapsed in these respects it would be for some considered reason. But if an African did something irrational it was very hard to find out why. This lack might prove to be a serious handicap. Asked to what he attributed this he said that six or seven years ago he would have put it down to lack of training. He would not now say that, and it was very difficult to understand the reason. There were of course exceptions. What he had said did not diminish the force of point 5 of the memorandum, that the Africans had in fact demonstrated progressively a more responsible

* This witness also gave evidence for the Chamber of Music of Rhodesia at Salisbury on the 3rd May, 1960.

approach. This was shown by the fact that today it was only necessary to move from initial employment or discharge 10% as compared with those who had to be moved or discharged ten years ago. Training had certainly helped in this process.

(6) On point 7—lack of development of a sense of responsibility among Africans affecting particularly those in the more advanced positions, where responsibility for other people came in. It was found that Africans would behave rationally for two or three years on end, and that then there would be a lapse with no logical reason given. This did not only apply to supervisory work, but to all Africans in more advanced positions.

(7) On point 2—responsibility for Power. Electricity was at present under the control of the Federal Electricity Board, which was in turn under the Federal Ministry of Power. Territorial Governments might want to boost power in certain areas. He would agree to generation and generation policy belonging to a central authority, but it should delegate to territorial authorities. Those territorial authorities would in turn carry out the policy and distribute the power entirely as the territory itself thought fit; in other words, the territory should have complete control of distribution and tariffs. He would like this system of delegation to be carried out more closely on the lines of commercial practice.

(8) On point 3. The minimum wage in the Colliery was £3.0.8 per month, to which must be added hidden emoluments which had been evaluated at £8.13.4 per month per head. These included food, valued at £3.5.0 per month (nearly half), supplementary feeding for children, hospitalisation, medical services both for workers and dependants as well, free quarters, recreation and welfare. The highest basic cash wage paid was £23.16.5 per month to senior driving instructors. He agreed that there were no Africans drawing the same wages as Europeans, and that the European minimum wage was £35 per month, to which also had to be added hidden emoluments; therefore the highest African wage was lower than the lowest European minimum. He would also mention the non-contributory pension scheme, or rather a scheme for gratuities, which was nevertheless paid periodically. He would also give a figure of £17.6.8 per month as the average of the highest wages paid per month during the current year. This derived from a fairly elaborate grading scheme dealing with earnings, and dependent on efficiency barriers. He envisaged in future the same rate of pay for doing the same job.

(9) He was then asked if, in that situation, such Africans would be able to join the European Mineworkers Club. He replied that this problem had not yet had to be faced, and he was not sure if it would be the wish of the Africans themselves. He was sure that there would be resistance from the Europeans; there might in fact be resistance from both sides. As employers, the Management would have at any rate to see that equally good facilities were made available. It might be possible, *in time,* to overcome the prejudice. He agreed that it was important to permit this to happen, but he foresaw difficulties.

(10) Asked how long it would take Africans to reach *senior* supervisory jobs, and on what qualifications, he said that previously he would have thought from seven to ten years. He could now see no reason why in time Africans should not come to the Shift Boss Grade. After that, the question of qualifications would arise. Asked in this connection if all Europeans had had prior training in their trades, he said that they had not, and that the Mine therefore ran a series of training schemes in the indentureship trades at their own technical training centre. Europeans also had to take correspondence courses and were assisted to get their necessary qualifications. The disabilities of Africans were mainly due to their low basic standard of education.

(11) The Colliery did not find it necessary to recruit Africans. They came to the Mine of their own accord. Thus, the Colliery had one of the most unsophisticated labour forces in the country. For example, the Africans at Wankie did not want to have anything to do with trade unions. On 1st January, 1960, the new Industrial Conciliation Act had come into force. In the Colliery there were six committees of Europeans and Africans constituted to discuss industrial problems. He had prepared and circulated an address to these committees on the operation of the new Act, and had sent to each observers from the European trade unions. But all but one of the committees had said that they wanted to have no participation. There was no demand at all for trade unionism. He attributed this to a lack of sophistication. The Africans said that they had seen the Copperbelt, and did not want to have the troubles they had there. He agreed that the attitude could be the result of fear of domination by the European trade union.

(12) Mr. Braithwaite was then questioned about the strike at the Wankie Colliery in 1954. He said that it had been organised by about ten Africans. The demand had been for £35 a month. The strike was 100% effective. There had been intimidation, and he was sure that its origin was political and not industrial: in fact it had taken place on the day of the first sitting of the Federal Parliament. The fact that troops had been moved to Wankie at that time was certainly not the reason for the indifference to trade unionism. Nor did the fact that 70% of the labour force came from north of the Zambesi have any bearing on this question.

(13) A few Africans in the Colliery had passed their general certificate matriculation examinations, but it was doubtful whether these included any one other than African schoolteachers. The highest qualified clerks in employment were of Standard VI.

(14) On point 1, on the necessity "to set a definite and stable course in the political field", Mr. Braithwaite said he did not feel competent to answer the question "What course?" He thought there was need of a ten year plan to enable the country to get on with industrial development. Uncertain conditions politically were adverse to political development.

(15) If Federation were to be replaced by a looser association, there would be no great economic effects on an undertaking such as the Wankie Colliery. But he would not like to see any suggestion for a further review of the Constitution in any short period of time: that would only make capitalists continue to sit on the fence.

(16) Again on point 2, asked if he would like any other changes in the structure of functions, he said that he would like a review of the fiscal arrangements, but the Chamber of Mines would be giving evidence on this in Salisbury. He would definitely not wish Labour and Mines to become Federal subjects.

(17) With reference to the list of facilities for Africans in point 9, in the sphere of recreation the Management was trying to interest Africans in two forms of development; firstly, in their own cultures including such things as beadwork, basket work, modelling, painting on African lines; and secondly, in European-type recreational facilities such as soccer, tennis, similar games, ballroom dancing, athletics, and boxing. In the religious sphere, the Management tried to see that there were proper facilities; buildings were made available, and accommodation provided for Ministers of Religion.

(18) On education, he said that there was not at present adequate provision for all the children. Out of a total child population of about 4,000 they had provision for about 2,000 in the primary schools. The provision was however not so short as it appeared, because of a definite migration of labour. Even married people might not stay for more than five years. He thought that the demand was being met up to Standard III, and there were facilities for about 1,000 up to Standard VI. Education was organised under the Wankie Undenominational Schools Board, who controlled all education with the assistance of the Missions.

(19) As to feeding, the Colliery provided a fully balanced diet for all employees, male or female, of 60 dry ounces per diem. Women and children also got a basic ration with supplementary feeding for children.

(20) He considered that of the African labour force, not half of 1 per cent. were detribalised, although a higher proportion were " urbanised ". He had found tribal allegiances to be very strong.

A. J. PALMER and
B. V. THOMAS

Mr. Palmer was a rigger in the Colliery and Mr. Thomas was an electrician. The former had come from Birmingham to the Federation in 1948; the latter had come from the Union of South Africa in 1950, and had now become a Rhodesian citizen. The former was not a member of a trade union; the latter was a member of the European Mineworkers Trade Union. These witnesses, whose general views agreed, made points in turn in answer to questions.

(1) Mr. Palmer had had his first contract in Northern Rhodesia in the Rhodesian Railways. He had at once been faced with the language difficulty. He had found people in the country who were not British, which he could not understand; some were definitely anti-British. This was at Broken Hill. He found that these people came from the Union of South Africa. He had been taught by them to look on the Africans as they did, but he could not approve of the methods which they used. He asserted that 90% of the white people in Northern Rhodesia came from South Africa. He had come to Wankie in 1950 to take up a job as Underground Handyman. He had then learnt the mine language, Chilapa lapa, and had begun to get some contact with Africans. He had found the same conditions as at Broken Hill with a large

number of South Africans employed. But he did not feel the way they did. He thought Africans deserved to be treated as human beings. He had had no trouble with Africans himself, because he treated them respectfully.

(2) Mr. Thomas said that he had now accepted the Federation as his place of residence, Since leaving South Africa he had altered his ideas drastically. He definitely wanted the Federation to be upheld.

(3) For the vote, there should be an educational standard, regardless of means.

(4) It was essential that there should be co-operation between the races. It was the Europeans who would have to adjust their ideas. It was essential that the black man should have some influence on affairs.

(5) As to wages, if a man had the same qualifications he should have the same wages. There should be equal rights in this respect. Although the "rate for the job" should apply, the African should share in the high wages structure.

(6) Both agreed that the attitude towards Africans of Europeans had changed for the better.

(7) Questioned as to the Africans' attitude at Wankie towards trade unions, they said that they did not know if the Africans wanted a trade union or not. They thought that the Africans at Wankie were very well treated and happy.

(8) Both agreed that they themselves would agree to a suitable African being allowed to join the Wankie Mineworkers Club. But they agreed that if there was a ballot it would not succeed in favour of the African. There was still a strong prejudice. This prejudice was shared by both Englishmen and South Africans. They themselves were in the minority on this point. It was definitely a colour prejudice and it went back for 300 years.

(9) They agreed that much depended on the Europeans in the development of the country, and they still felt that the Africans needed to be guided; but at the same time the Europeans must be prepared to relinquish their prerogatives. There had already been concessions by Europeans to Africans in the sphere of government in the last five years. Southern Rhodesia at the moment was a little dormant in this respect.

(10) While they agreed that the gap in the wages structure needed to be bridged, it was only fair to point out that it might take three or four Africans to do the same job as one European could do, that this fact must have its effect on wages.

QUE QUE

19TH APRIL 1960

Memorandum

A. B. GREEN

(Administrator of Africans, Rhodesian Iron & Steel Company Limited, Redcliff)

Experience:

Having been intimately connected with the administering of Africans for over half a century I feel I have the qualifications necessary to express my views. I have come in personal contact with Africans in concerns—Mining and Industrial—which have employed from as few as 400 to a formidable 24,000. I have looked upon the very long experience as a life interest rather than just a job.

My experience of handling Africans covers all types, from the near primitive to the so-called sophisticated, and the significant fact that I have never had any disturbance nor any difficulty in obtaining an abundance of free and voluntary labour compels me to assume that I must have acquired the necessary qualifications—tolerance, respect and understanding as well as experience to justify submission of evidence.

African Character:

Certain characteristics, details of which follow, have manifested themselves, and in my opinion, are common to all tribes and types. The same characteristics are so deep-rooted that even when the African becomes detribalised, the same traits prevail. He is partisan to the extreme, will invariably keep to his own ethnic group, is ignorant, gullible, childishly cunning, anxious to learn, lacks initiative which restricts his usefulness to work that is repetitive and mechanical. His sense of responsibility is extremely low, and he has an utter disregard for the status of his women. These are attributed to many factors:—

His history and tradition;
His kraal environment and upbringing;
His awe of his Chief;
Inhibition, because of inherent occultism, witchcraft and custom.

Attitude to Women and its Consequences:

From time immemorial the African woman has been, and is still looked upon as, the breeder and brewer, the fetcher and carrier—a mere nonentity. The significance of this issue is not generally appreciated. Its very existence has, nevertheless, contributed in such a marked degree to *irresponsibility, immorality, idleness* and *poverty,* and has been aggravated by the system known as *Lobola.*

Characteristics Elaborated:

Ignorant. This is exemplified by the African rarely knowing his age, and in any case, does not possess a *birth certificate.*

Partisan. Essentially of a tribal nature and origin. It is very rare for a member of a tribe to give evidence in a dispute against a fellow tribesman. It has taken many years of patient effort to influence this.

Gullible. Is easy prey, and will cheerfully submit to being ensnared by any "smart Alec". Despite inevitable losses in a scheme known as *Holosana* he persists in carrying on with the practice. Being "bitten" once does not necessarily mean the "twice shy" sequel. He will, to quote a colloquialism, "fall for anything". His being charitable by nature encourages abuse.

Anxious to Learn. He will travel long distances in order to attend school. This is partly due to his desire to learn because he is beginning to appreciate the necessity for his own surival, and also because being away at school relieves the parent of any responsibilities during his absence. There are, of course, noted exceptions to this, and details can be supplied. The tendency however, is for a lad to reach the point when, in his mind, the ability to address an envelope is sufficient to qualify him to be a clerk.

Initiative. This is a quality practically non-existent, and is attributed to kraal environment and immaturity.

Morality. Particularly low by any standards and is not likely to improve so long as women are not emancipated, and the *Lobola* system thoroughly overhauled. This, in it wake, introduces the vice known as the mpota wife, illegitimacy and countless unwanted and neglected children.

Excitability. Africans are demonstrative to excess. No logical explanation of this is known to the writer. Unless curbed, they will work themselves into a frenzy. This suggests the close proximity to the primitive, and as such is perhaps a natural trait.

Responsibility. He is gradually acquiring the idea, but the process is remarkably slow. The same comment applies consequentially to thrift, aptitude and integrity, senses of values and dependence on superiors.

African Fitness for Government:

From my experience I believe that it will take a long time and much tolerance and patience, etc. before the African will be fit and able to administer his affairs generally, or participate in Government to any appreciable extent. The view that a person who is able to dig a cable trench is necessarily qualified to be classified as an Electrician, is farcical. The isolated few, who, by virtue of their being lionised and lauded by people not qualified to understand and appreciate thoroughly the position, however well meant, will bring about absolute chaos. From this outline, it is certain that until the gullible and ignorant mass have acquired the characteristics of civilised and educated people, their premature participation in democratic government at all levels will inevitably lead to their exploitation or enslavement.

Conclusion:

In the interests of the African himself, it is essential that the power of government and administration be maintained in civilised hands until the African mass can be brought out of its primitive system of living, outlook and character. In the

constitutional framework and programme for the future this stage of the African should be taken into account as a fundamental factor.

Que Que

23rd March 1960

Oral Evidence

A. B. GREEN

In amplifying his memorandum, Mr. Green briefly cited his experience: he started on the Rand in 1908 and had always been responsible for a large number of African employees. He wished to emphasise that his evidence was essentially his own and had nothing to do with the Rhodesian Iron and Steel Company, Ltd.

In elaborating his memorandum he referred to morality and the lobola system which is an amount of money that is paid by the son-in-law to the parent of the intended wife. His experience was that it caused a great deal of trouble and a tremendous amount of abuse. He thought it should be overhauled. He instanced a case where a man was called upon to pay £25; he had paid £20 and the balance was to be paid by the end of last year. The father-in-law said he did not want the balance although it had been tendered in December. The father-in-law preferred to have a bag of meal or something of that sort. Instead of paying £5, the man probably paid about £15 in excess of the £25 by bits and pieces. Until the lobola is complete, a woman is not the entire property of the husband. At the Steel Works under Mr. Green's jurisdiction there were about 850 Africans who were genuinely married and he thought about 80 per cent. of them had not completely paid their lobola, and in a number of cases they had as many as seven or eight children.

There was another point on the same subject, the fact that it is possible, though perhaps not common, for a person to pay so much for a woman he had never met. Under African customary law this woman had to marry this man whether she liked it or not. Mr. Green did not think this was conducive to happiness. At the Rhodesian Iron & Steel Company Ltd. there were married quarters which were given to married people who were required to furnish evidence to prove they were bona fide married; but he had a married couple there who had come from Angola where they do not worry about getting legally married. This person came to the mine fifteen years ago with this woman by whom he has had four children and they have lived there since. The woman cannot speak any other language but her own and there is little chance of her intermingling with others. Under the mpota system there were on the property 740 contracting boys; between them there were eighty "liaisoned" couples who had what is known as "mpota" wives. The "husbands" of these wives might be legitimately married elsewhere; their wives were not with them and they took upon themselves these women who were also there to cook. The result was that they had in this particular location about 260 children of whom not more than sixty were legitimate. In Mr. Green's opinion this mpota custom which was rife throughout the country was due to the non-emancipation of the women, and there was a tremendous amount to be done before the African was allowed to realise his responsibilities. It led on to a lack of morality, and the woman was just regarded as a nonentity and a chattel.

In answering a question of the practical problem of what the franchise should be, Mr. Green mentioned the institution in this country which looked after natural resources, that is rivers, forestry, minerals and the like. He considered that the African should come under that particular Board because economically at least the African was the most useful natural resource available. The witness referred to Professor Cowett who used the word "gradualism". He thought it very apt because in a matter of time the African would become more capable, but at the moment, probably no more than one in 100,000 was really capable of accepting the highest responsibility. The witness did not think he would advocate any radical change in either the Territorial or the Federal franchise, but he thought they might be more liberal. He did not think a change was necessary in the Territorial educational and financial qualifications, although he thought they might be eased as far as the Federal franchise was concerned.

The witness had no suggestions to offer for any changes in the Federal structure as a whole.

Mr. Green said he made a practice of having discussions with the more intelligent of his men, and they had recently had discussions on trade unionism and insurance. At the moment his African employees were not interested in a joint non-racial union. They were not capable of governing the country but they would be in time. In the witness's opinion the African was not inferior; he was merely immature.

Mr. Green did not consider that many Africans had reached a stage of political maturity that would make them capable of taking part in the government of the country. Even the very few who had reached that stage were not yet ready to play their part in the administration of the country. He did not consider that the Africans in the northern Territories were more mature than the Africans in this country, nor did he think those Africans in the northern Territories taking part in the government of the country were doing so successfully.

Memorandum

DR. M. I. HIRSCH, M.P.

Method of Presentation

A. Sets out the writer's interpretation of the objects contained in the Federal Constitution of 1953

B. Analyses the desirability of these objects in relation to the Central African problem and rejects the attacks upon them

C. Proposes a Constitutional Framework and Programme necessary to achieve the objects in the following recommendations

- I. To entrench the politico-economic association of the Territories on a Federal basis
- II. To grant independence in the Federal and Southern Rhodesian spheres now and in the Northern Territories at the earliest possible stage
- III. To establish safeguards in place of United Kingdom powers and the African Affairs Board
  - A. Federal Constitutional Amendment to be subject to Territorial Agreement
  - B. Constitutional principles of individual rights and restrictions and the broad basis of government throughout the Federation to be entrenched and subject to judicial interpretation
  - C. A Council of State to check discrimination in Federal legislation. (A Federal Upper House for legislative review is rejected)
- IV. To achieve a non-racial qualified franchise throughout the Federation and progressively to eliminate special racial representatives
- V. To establish a division of legislative functions which provides for entrenchments and methods of change
- VI. To provide for African land protection and development
- VII. To permit a joint Civil Service
- VIII. To require the Federal Legislature and Government to be located away from any Territorial seat of Government

A number of assertions of fact are not supported by chapter and verse or statistical proof for the sake of brevity. If any such statements are queried supporting data is willingly offered, either by written or verbal evidence.

A. The Objects Contained in the Constitution of 1953

1. The primary and overall object was to establish an economic and development union of the three territories, through a Federation immediately enjoying responsible government and leading to the attainment of full membership of the Commonwealth, as the best means of creating the prosperity upon which the advancement and welfare of all its people fundamentally depends and which is a necessary basis for the achievement of partnership and co-operation of races.

2. The second object was to meet initial difficulties and the many problems which would continue for some time. In the main these were dealt with by:—

(*a*) Retaining control of the every day life of the African, his special rights, protections and local political progress in territorial hands as an assurance and safeguard and eliminating the stresses which would arise from uniformity where wide territorial differences obtain. (The notable exception is health which in Federal hands would better meet the low standards in the Northern Territories.)

(*b*) Preventing Federal differentiating legislation which would subject Africans to disabilities not imposed on other races.

(*c*) Placing control of some basic European services in Federal hands to eliminate European fears of lowering standards with the early or premature advent of African Territorial control in the Northern Territories and thereby to reduce European resistance to African political advancement.

3. The Third object was to provide a preliminary working period to assess the operation of government within the

Federation under the allocation of functions set out and the safeguards provided.

B. Desirability of these Objects

The terms of reference indicate that the objects contained in the Constitution of 1953 are unchanged and not under review by the Commission. Discussion on the merit of these objects should not be necessary. Comment is included, however, in case the Commission gives consideration to the argument of some groups who seek to alter them and to counter these approaches to the problems facing the Federation.

The most serious attack on the objects of the Constitution of 1953 aims at ending the Federation as such by territorial secession (or at least conceding the right to secede) or realignment of different portions of it into separate racially dominated states.

Such arguments state or imply:—

(*a*) That race security or progress must be sought in regional racial control and paramountcy.

(*b*) A multiracial state fostering partnership and co-operation of the races is not practical and/or desirable.

(*c*) Racial consideration should override the economic and development advantages of the Federal union of the Territories.

(It is significant to note that the economic and development advantages of a multiracial Federation are not seriously denied. Their importance is decried or ignored.)

(*d*) African political emergence now to the extent of government by Africans is the decisive issue and is synonymous with freedom, democracy and progress.

Critical analysis show these assertions to be false. Any proposal which results in reducing the Federal entity as an economic unit should be rejected for the following basic reasons:—

(*a*) "Closer political association between the Central African Territories is essential if they are to develop their resources to the full and reach the proper stature in the world. Individually the Territories are vulnerable. Their individual economies are ill-balanced and ill-equipped to withstand the strong economic pressures of a changing world. Development of the largely untapped resources of this potentially wealthy area demands the combined efforts of the three territories acting together. The right thing must be done in the right place. There are railways to be built; there are rivers to be harnessed; power must be developed to meet the needs of industry; food production must be expanded to meet the ever growing needs of a steadily rising population. Such development requires expenditure of capital and material resources on a large scale. Only a well balanced and co-ordinated economic unit would be able to attract development capital from outside on a scale necessary to realise the full potentialities of all these three Territories. All the inhabitants of the three Territories would benefit if an effectual central authority could make economic decisions in the interests of the whole area".

This conclusion of the report by the Conference on Federation in January 1953 is as true today. The Kariba project apart from the general economic and industrial development of the Federation is vindication of it.

(*b*) The core of the Central African problem is the dual need of raising living standards of the existing inhabitants and providing for the rapidly increasing population. The only answer lies in exploitation of the country's resources and on a large and rapid enough scale.

Historical example and universally accepted economic principles dictate that the three territories going it alone could not industrialise as effectively as they could jointly.

Having sponsored industrial development on the attraction of the broader security, market and financial stability of the Federation (and achieved an impressive result) scaling down the Federal entity in one form or another could well prove disastrous by the adverse effect on existing industry, investment and employment and by slowing or halting further industrialisation. Sacrificing industrial and economic progress in part or whole by "Balkanising" the Federation must therefore mean proportionate sacrifice of living standards, education and opportunity from the mass of people. This particularly applies to Nyasaland. Further the slower this social progress, the greater are the stresses on government and as the post war history of Africa and Asia has confirmed, democratic processes and promised freedom give way to increasing control and dictatorship in all spheres.

Adequate industrial and economic development must therefore be the prime consideration in reviewing the Constitution.

(*c*) Accepting permanent Territorial realignments because of race politics is a blow to the Federal concept of building a multiracial society based on civilisation and merit instead of race. It in no way solves the problem of interracial association in areas where the different races are inevitably associated and to which they have each a rightful claim.

The demands and threats of colour nationalism should not determine the course to be followed because appeasement of these movements can only be met by total capitulation to its dictatorship.

If the significance of success of partnership as opposed to colour nationalism is continental, if not wider, then this departure from the 1953 constitutional ideal so early on, will be a serious far-reaching retrogression.

(*d*) The Constitution of 1953 envisaged a permanent political association of the territories with review to modify detail for efficiency and decide stages of constitutional advance in the light of progress. It does not entertain dissolution, and this was endorsed by the Secretary of State at the time.

The preamble defines only one goal.

Conclusion

Dismemberment of the Federation in any form will not "conduce to the security, advancement and welfare of all their inhabitants", would not "foster partnership and co-operation between the inhabitants" and retracts from the recognition of the right to domicile of all lawful inhabitants.

The solution of the difficulties confronting the Federation must therefore be found within the framework of the Federal System established by the Constitution of 1953.

C. Constitutional Programme and Framework Best Suited to the Achievement of the Objects Contained in the Constitution of 1953 including the Preamble

The Constitutional programme and framework must:

(*a*) primarily conduce to an increasing pace of industrial development and economic investment, because (as elaborated earlier) upon this fundamental factor the welfare, opportunity and progress of all the inhabitants depends; without it race harmony, co-operation and partnership would be impossible and extending the processes of democracy would be in danger.

(*b*) They must provide an effective permanent guarantee to the African and non-European minority groups of basic rights and a growing opportunity to advance in all spheres commensurate with the economic progress of the country.

(*c*) The confidence of the European must be retained in that his standards will not be lowered in that government will always be maintained in civilised hands.

(*d*) It must establish the right of permanent domicile of all races and aim at a multiracial state where merit and not race or colour will be the yardstick.

(*e*) It must allow for territorial differences of way of life, outlook and stage of development.

The Proposals to meet these requirements are:—

1. To entrench the politico-economic association of the Territories on a Federal basis.
2. To grant independence in the Federal and Southern Rhodesian spheres now and in the Northern Territories at the earliest possible stage.
3. To establish safeguards in place of United Kingdom powers and the African Affairs Board:—
   (*a*) Federal Constitutional Amendment to be subject to Territorial Agreement.
   (*b*) Constitutional principles of individual rights and restrictions and the broad basis of government throughout the Federation to be entrenched and subject to judicial interpretation.
   (*c*) A Council of State to check racial discrimination in Federal Legislation. (A Federal Upper House for legislative review is rejected.)
4. To achieve a non-racial qualified franchise throughout the Federation and progressively to eliminate special racial representatives.
5. To establish a division of legislative functions which provides for entrenchments and methods of change.
6. To provide for African land protection and development.
7. To permit a joint Civil Service.
8. To require the Federal Legislature and Government to be located away from any Territorial seat of government.

I. Entrenching the Politico-economic Association of the Territories in a Federal System:

It is essential to put the Federation's existence beyond doubt because uncertainty of the measure of financial security, of the extent of the internal market, of government financial ability to secure stable progress and provide development needs, must inevitably retard capital investment and industrial enterprise. The pre-federation period of doubt as well as the present period of political uncertainty are reflected in slowing down of the investment rate. The process will be accentuated and be far more serious as the period of uncertainty is drawn out.

Amalgamation is neither feasible or desirable and has few protagonists, if any. A decision to revert to smaller territorial units or acknowledging or providing for the possibility, would undermine completely the essential confidence of the existing or potential investor and Central Africa would lose the industrial promise built up since 1953.

If the vital role of adequate material development of the territories is accepted by the Commission, then the absolute necessity of placing the permanence of the Federation beyond doubt constitutionally, must surely be met.

II. Independence in the Federal and Southern Rhodesia fields now and in the Protectorates as early as possible:

Historically it is the rule that greater and speedier development results from local control of affairs provided the national unit is economically viable. This is also the experience within the Federation itself—the contrast of Southern Rhodesia's development with that of the Northern Territories and the comparison of progress in all territories before and after the Federation. Limitation of local powers should not therefore be retained without serious cause.

It is accepted that these limitations exist for two reasons—inexperience or lack of tradition may result in unstable, inefficient or corrupt government or dictatorship and secondly, in a multiracial state the interests of various race groups may require protection.

The record of the Southern Rhodesian Government over 37 years and the Federal Government over the last 7 years disposes entirely of the need for outside control on the score of efficiency and ability, particularly when one considers the extent of experience and standards accepted elsewhere in Africa in granting self government. Racial safeguards are still necessary, perhaps for a long time, until nationhood and Federal tradition are a reality and racial fears dispelled.

Southern Rhodesia's status should influence the constitutional progress of the Federation as much as the Northern Territories. This thought is submerged by the problems of the latter. The alternative to Federation in 1953 for Southern Rhodesia was full self-government. After this additional period it is reasonable for Southern Rhodesia to expect local control of all matters of government affecting it. This entails unfettered Federal control of Southern Rhodesian affairs which fall within its scope as well as removal of the reservations in its own Constitution.

The remaining reservations on Federal sovereignty are therefore examined to ascertain to what extent they serve this purpose and what effective alternatives are available.

(*a*) United Kingdom specific power of veto over *all* Federal legislation and the now theoretical reservation in the Colonial Laws Validity Act are therefore superfluous and the only valid veto is in respect of racially discriminatory legislation and for which alternate safeguards are proposed.

(*b*) The United Kingdom's power to legislate for the Federation relinquished in April 1957 agreement should now be confirmed by statute.

(*c*) United Kingdom control over *all* amendments to the Federal constitution is also superfluous, and only valid in respect of racial discrimination for which alternative devices are proposed.

(*d*) The United Kingdom power to appoint a Governor-General is unnecessary.

(*e*) The United Kingdom control over foreign affairs and the Federation's inability to appoint Ambassadors fall away.

(*f*) If the foregoing restrictions in the Constitution are removed the African Affairs Board as presently constituted is redundant, and which in the concensus of opinion has proved to be an unsuitable body.

(*g*) The use of the Privy Council as an appeal court should be subject to determination by the Federal Legislature only, except in so far as it may be necessary as long as the protectorate status of the Northern Territories continues.

Relinquishing External Control is therefore dependent on devising realistic race safeguards within the Federal framework.

III. Federal Safeguards Replacing United Kingdom's Powers and the African Board

The extent to which safeguards are required at the Federal level is much reduced by two factors.

The Federal Government being in the main confined to the overall economic control and development of the territories, its defence and external relations, has few responsibilities for or control over African rights, restrictions, protections or privileges, which power rests with the territories themselves. Therefore, the importance of African safeguards in the Federal sphere is small.

The record of government here, especially since Federation shows appreciable African progress. This applies particularly to education and health. In Southern Rhodesia advance has been greater than in the Colonial territories and other African states. Race discrimination has been eliminated progressively in sharp contrast to the policy of our Southern neighbour, although much remains to be done. (1) These trends do not preclude reaction but they have gone so far that reversal of policy would be extremely difficult, if not impossible.

(Note: (1) e.g. Since 1958 the Southern Rhodesia Legislature has replaced discrimination by non-racial legislation in respect of Workman's Compensation, Industrial Conciliation, Apprenticeship, Gambling and Lotteries, provided for Multiracial Hotels, modified control of liquor and agreed to admit non-Europeans into the Public Service and to freehold title for Africans in European areas.)

The considerations upon which the proposed safeguards are based are as follows:

(i) A Federal Association of States in itself provides a considerable constitutional protection as compared to the weakness in this respect of a unitary form of government where all power is singly controlled. The ease with which the coloured voters were disenfranchised in the Union of South Africa has undermined faith in constitutional safeguards. But, division of sovereignty in the Federal system entrenches safeguards effectively, change in these matters being conditional on agreement of all territorial legislatures.

(ii) Protection of the individual and preservation of the desired form of Government can be enhanced by entrenched constitutional principles which are subject to judicial interpretation.

(iii) Discrimination between the races however cannot be controlled by this means. It is also considered impracticable to lay down that change in discriminatory laws or regulations will be invalid unless the degree of the discrimination is thereby reduced. While the wide differences in culture, tradition, language and education, way of life and habitat exist differentiating on the grounds of race will inevitably continue and be necessary. How long this will be so in particular respects is the matter of opinion. The Territorial governments together provide a convenient and appropriate watch over discrimination between the races in Federal law and a check on its wisdoms and need. Proposals for this are elaborated below. Discrimination has a much greater application in Territorial law but this subject is not dealt with in this evidence as it is a Territorial constitutional problem.

It is therefore proposed that:

A. Amendments to the Federal Constitution should be subject to agreement of all Territorial Legislatures, but with additional special provisos in certain aspects (discussed in section v. para. (*c*) of the recommendations) except:

(i) Those amendments which relate wholly to procedure in the Federal Assembly.

(ii) Transfer of non-entrenched functions between the Federal Government and Territorial Governments (discussed in section v. para. (*b*)).

(iii) Changes to the Federal Electoral Act except as it may effect the relative representation between the territories and if discrimination arises.

B. Constitutional Principles of Individual Rights and the Broad Basis of Government in the Federation be Entrenched:

Those proposals attempt to reflect realistically the present

wide racial and cultural differences as well as the multiracial goal to which the Federation is committed.

(i) The purpose of government shall be to secure national defence and domestic tranquility, to promote national prosperity and opportunity for all its people, to safeguard justice, to preserve and broaden the enjoyment of liberty and to seek racial harmony and international goodwill.

(ii) Government shall be based upon a Legislature whose principal body shall be elected by civilised people, irrespective of race, origin or religion, a cabinet executive subject to the will of the Legislature, a civil service free from political control and selected only on competence, experience and suitability, and an independent judiciary. The application of this principle shall be limited only in so far and for so long as it is incompatible with protectorate status of any territory.

(iii) No person shall be deprived of his life, personal liberty or property or punished save in accordance with the law. No citizen or protected person may be banished from the Federation.

(iv) Every person shall enjoy freedom of movement, of speech, peaceful association and publication, of worship, occupation and the pursuit of knowledge, subject only to the requirements of national security; the punishment of offenders; the limitation of libel, intimidation, boycott or nuisance according to the law; and legal, private, communal, land apportionment or territorial restriction of entry.

(v) Any law which summarily restricts any individual's rights or liberties on the grounds of national security or the maintenance of public order shall also provide for some form of judicial review, independent of the executive, of his or her complicity.

(vi) Freedom to acquire, own or occupy property may be subject to existing land apportionment, or private title deed restriction only for so long as, in the opinion of the Territorial Governments, these serve a necessary protection of legitimate individual or group interests and in particular those of the African people; contribute to harmony; and do not impede national economic development. Expropriation or loss sustained by legal change in these matters shall be compensated.

(vii) The boundaries of the Federation may be extended to include additional land or territories whose governments subscribe to the principle of this Constitution. No land may be ceded and no Territory of the Federation may cede from it.

(viii) These principles may be modified only by agreement of the Legislatures of all the constituent Territories of the Federation and the confirmation of 75% of the members of the Federal Legislature.

(ix) Interpretation of the Constitution shall be vested in the Judiciary.

(x) These principles shall not invalidate or prohibit any law or instrument which has the force of law which has been operative immediately before the adoption of this Constitution or which has not been declared ultra-vires within one year of its enactment or promulgation.

Except in respect of Principle (ii) which specifically excludes differentiation on the grounds of race and religion, no instrument which has the force of law may be invalidated or prohibited for the sole reason that it differentiates on the grounds of race or religion provided that it has passed the special constitutional processes laid down in the Legislature concerned.

Objections to the proposals are answered briefly:

The impossibility of having a simple non-discriminatory clause in our circumstances is true, but this does not seriously detract from the value of the entrenched principles widely drawn up to meet our circumstances.

Limiting the period of objection to legislation will obviate the serious interference with government and the abuse which has occurred elsewhere.

It is alleged that providing Government with essential emergency powers to meet external threat or to prevent internal disorder renders an entrenched statement of liberties valueless. But, in contradiction, this may well be a compelling reason to define the limit to which government may go, the responsibility of the individual and the roles of the judiciary as has been incorporated in the Constitution of Malaya.

It is submitted that in spite of limitations this method has an important role in securing the rights of the individual and the proper conduct of government. Apart from contributing to African assurance in the immediate future, it is of greater importance in the long term protection and confidence of race minority groups when predominantly African Governments appear within the Federation.

C. A suitable body to check discriminatory legislation in the Federal field would be a Council of State consisting of the Executive Heads of the Territorial and Federal Governments or their deputies and the Chief Justice or his deputy acting as non-voting Chairman and adviser on legal matters.

Any Federal legislation or instrument which has the force of law considered discriminating by any Government within the Federation, may be referred to the "Council of State" provided this is done within six weeks after the Bill has been approved by the Federal Legislature.

Discrimination shall be defined as the imposition of liabilities and duties, rights and privileges unequally as between members of different races and religions in so far as the Legislature concerned is empowered to legislate for all races and which imposition would be detrimental to the interest of the members of one or other race or religion.

In the event of all Territorial members of the Council declaring a measure discriminatory, it shall be vetoed unless the Federal Legislature amends it as required by the Council.

In the event of equal disagreement in the Council the Bill shall be returned to the Federal Legislature for re-consideration and if not amended in the terms required, a 75% vote in favour shall be necessary before it has the force of law.

In the event of one member of the council recording dissent which in the opinion of the Chief Justice is not frivolous or irrelevant the Bill shall be returned to the Federal Legislature for reconsideration and if not amended to meet the objection a 60% vote in favour shall be necessary before it has the force of law.

A law or instrument which has the force of law which has been passed by the Council of State as non-discriminatory (as defined) or has been re-enacted by the required majority of the Federal Legislature may not be challenged in the Courts on the grounds of discrimination except in respect of the Principle (ii) of the Constitution.

The advantages of the proposals are:—

(i) Full use is taken of the opportunity for safeguard provided by the Federal system.

(ii) The Territorial Government concerned with the day-to-day affairs of the individual, particularly the African, is the appropriate and responsible body to watch over Federal legislation which differentiates between the races within its territory. This is an extension of the principles of territorial check on Federal power to amend the Constitution under Section 97 of the 1956 Constitution.

(iii) This system will invoke an attitude of care on the part of the Federal Government and Legislature.

(iv) Providing for consultation at the highest level in this manner it offers the opportunity to resolve any problem on the most responsible plane.

(v) It avoids the serious disadvantages of a Federal Upper House enumerated below.

The proposal of a Federal Upper House whether it be a full Senate or smaller constitutional council as the alternative is rejected for the following reasons:—

(*a*) The composition of a Senate provides serious difficulties. A Senate with representation based on race, elected or nominated, cuts across the whole basic concept of progressively eliminating the division of legislators on racial grounds which inevitably leads to an intense racial approach, in favour of merit and national policy being the measure. This view is clearly the motive in the Federal Constitutional Amendment and Electoral Acts of 1957. The experience of the Federal Parliament (including that of the African Affairs Board) already confirms the wisdom of this decision. The long term repercussions of departure from this principle outweigh any immediate advantage or convenience.

(*b*) A Senate elected by electoral colleges will of necessity mainly consist of racial representation.

(*c*) A Senate elected by the general electorate or Legislature may have an outlook approximating that of the

Lower House and in practice becomes divided on the same political lines (as has occurred in Australia). Theoretically its protectionist role is suspect.

(*d*) A nominated Senate, apart from becoming detached from the realities of politics thus losing its vitality presents the problem of who nominates it. Nomination by the Prime Minister or even the Legislature makes its race protectionist roll suspect. Nominated by the Governors or Governor-General may bring those personages into serious political controversy.

(*e*) The composition and the powers of a Senate may be satisfactorily designed for present circumstances but obsolete even in the near future with the rapidity of change and adjustment between the races. This presents the problem of the constitutional power to alter or abolish it. This aspect makes it suspect as a constitutional instrument of race protection following the experience in the Union of South Africa where simple enlargement of the Senate in 1958 enabled the Government to abolish the coloured vote.

(*f*) If the power of a senate is limited to the extent that it cannot seriously impede goverment, its value as a racial safeguard may be more nominal than real.

(*g*) While delay and review is beneficial with much legislation it would least apply to the main Federal functions where racial matters are not concerned and where speed would be an advantage.

(*h*) The prospect of eight legislative bodies in the Federation (six in the immediate future, two in the Federal field and two in Southern Rhodesia) seems out of all proportion to its population, development and size. The problem of finding individuals of high enough calibre from a small civilised population and the expense is not to be ignored. The electorate will take this view as they have widely questioned the need and cost of three Governors and one Governor-General.

Protection will be more realistically served by the composite arrangement of constitutional principles effectively entrenched in the Federal System, the procedure by which functions may be transferred between Governments and the Constitution changed and the use of a Council of State already outlined.

IV. A Non-Racial qualified Franchise throughout the Federation:

The control of franchise conditions should be vested in the Government to whom the particular franchise refers. However, all governments within the Federation must be constitutionally bound to provide for a qualified non-racial franchise where the standard of education and degree of interest will ensure elections free of force, intimidation and misrepresentation, government in responsible and civilised hands and the rights of opposition respected. The present special African representation in the Federal Legislature may be accepted as a maximum temporary provision as envisaged in the Federal Act.

This submission is made for the following reasons:

(*a*) Unqualified adult suffrage in countries whose economy is unable to raise standards above a subsistence level, creates extreme pressures on government which result in a corresponding withering away of liberty and democratic processes, leading even to complete dictatorship. Parliamentary ritual may be retained but in reality it become a facade and the individual's influence in government disappears. This has been the experience of newly acquired independence in post-war Asia and Africa with rare exception. It is a fact which cannot be overstressed.

The success of Parliamentary democracy in Britain may well have been dependent on its franchise widening *pari passu* with its economic growth, in contrast to the history of European continental dictatorships.

(*b*) In uncivilised and illiterate communities, gross misrepresentation, intimidation, fear and lack of appreciation of the issues at stake in a modern state make universal franchise not only a mockery but a dangerous weapon. The record of African nationalist movements in Central Africa is unfortunately bad in this respect and a clear warning of the danger. (e.g vide "Devlin" Report July 1959 Paras. 40, 41 and 162 and Page 145 "Beadle" Report 1959 pages 15, 16 and 17.)

The African's tradition is one of witchcraft, superstition and absolutism in rule and obedience. Parliamentary democracy is a radical innovation and the traits necessary for its success quite foreign to him. The subtle importance of accepting majority decision, tolerance of other views, community responsibility and ability to surrender authority voluntarily, have not been bred in him.

The vast majority of the African population have no conception of the involved framework of government and therefore lack political consciousness. The majority of detribalised Africans who could qualify for the vote and are urged to do so, remain aloof.

These deficiencies can only be filled by education, civilisation, example and tradition and these take time. The road to democracy must be kept open while these develop. It cannot be achieved by immediate universal suffrage which will be the first step to dictatorship thereby shutting the door completely.

(*c*) Most Europeans consider that rapid extention of the Franchise by lowering or abolishing qualifications will be exploited to establish an African Nationalist Government which will destroy European standards in a levelling down process without benefit to the African masses. In fact the economic consequences of making domicile untenable for the majority of Europeans will cause a severe setback to African welfare and progress, unless bolstered by outside capital and other assistance.

The European's claim to safeguard his standards are as valid as the African claim to opportunity. Government by Africans in the modern sense is essentially untried and their history does not inspire any confidence. The outcome is so basic to European survival that the European is not prepared, nor can he be expected, to gamble wildly that an African Government under present circumstances will secure his interests.

The European has however clearly indicated in the Southern Rhodesian referendum of 1953 on Federation and subsequent general elections that he is fully prepared to accept civilised and responsible Africans into national political life on equal qualifications to himself. The tradition of multiracial democratic government will thus be built, going hand in hand with the national economic progress, the extension of education to all and the growth of an African middle class all to ensure a levelling up of standards and a non-racial political outlook.

There is no prospect of success in a harmonious multiracial state if the European case is ignored, and if there is a rapid transfer of power divorced from the rate of African progress in the other spheres.

(*d*) The theoretical plea that unless the African has considerably more say in government his progress will be stultified and his opportunity limited is not an issue in the Federal sphere and holds little ground under our circumstances. In the main African opportunity lies in Territorial hands in its control of African education. In this essential respect Southern Rhodesia with its "European" Government has done more than the Colonial Territories or independent African States. Industrial development essentially the result of European enterprise and initiative, has provided employment opportunity for the African, also to a greater extent in Southern Rhodesia which is significantly now committed in law to a non-racial policy in the sphere of labour.

The Federal Government's direct control of African opportunity is limited to employment in its own civil service and undertakings. Indirectly by promoting the economic development of the Federation, the Federal Government has the key to opportunity for all races but this function is not dependent on the degree of African participation in government but the calibre of its administrators.

(*e*) Distinction between the emergent African and the African mass. The problem of meeting the legitimate needs of the minority group of "emergent" African is quite different to that facing the mass of the African population. The intellectual faces the colour bar. The urban worker faces employment, housing and wage problems. The rural mass is hampered by ignorance, relative land shortage, communalism and a subsistence economy. It is a false assumption that the interests of these groups and the solutions of their problems are identical. In some important respects they clash. The nationalist emergent African automatically identifies his class with the majority groups politically by virtue of common racial origin. By this implication,

we are led to assume that his class will be more inclined and able to solve the difficulties of the mass of people than a government based on a qualified franchise, which means European control for some time to come. But past experience here and recent events elsewhere in Africa suggest the contrary to be true.

(*f*) The pattern of Franchise in the two Protectorate Territories has not yet been set on a non-racial civilised basis as it has in the Federal and Southern Rhodesian spheres. The great pressure from the small group of politically educated local Africans added by powerful forces elsewhere in Africa and overseas especially the United Kingdom could result for all practical purposes in a universal suffrage. Apart from the dangers of such a policy already outlined, the stresses within the Federation that would stem from extreme contrast of systems may be serious and should therefore be avoided. Continued indecision of what franchise system is to be followed in Northern Rhodesia and Nyasaland is undermining their stability and progress. Settling this matter is fundamental to the success of the Federation.

V. A system of Division of Legislative and Executive Functions providing for Entrenchments and Methods of Change:

In devising a permanent arrangement to meet the problems of the division of powers the following aspects should be taken into account:

(*a*) As Federal independence in its own sphere is advocated the review should take full account of long term requirements.

(*b*) Constitutional provisions are necessary to ensure that certain functions remain in particular spheres to secure the fullest economic development of the Federation or as racial group assurances or safeguards.

(*c*) On the other hand reallocations of functions or adjustments in many subjects will be required from time to time to meet change of internal or world circumstances. For this purpose an easy procedure is necessary to overcome the resistance to change which is an adverse feature inherent in a Federal framework.

(*d*) Federal functions should be restricted, apart from a few exceptions meeting overriding race consideration to those functions which serve the joint need. This will alleviate the fears that the pattern of life of one territory will be imposed on another. Even if this fear is groundless it is the prop for secession. It will also facilitate the entrance of new territories into it, a probability arising from the inevitable realignment and fragmentation of neighbouring areas in the rapid political evolution of Southern Africa.

(*e*) Reallocation of a number of functions at this stage is necessary to bring about greater efficiency and smoother government. Some division of powers have not been in the best interests of administering services. Where there is different control of allied functions, conflict of policy and the extent of liaison necessary has made for unwieldy and retarded administration. This aspect is not pursued in detail as it primarily requires a comprehensive study by those who have administered the departments concerned.

On the basis of these factors the following general recommendations are submitted:—

(*a*) Federal and Territorial exclusive lists are required covering only essential subjects which should be entrenched, i.e. where the possibility of transfer of a function exists it may not be transferred from one government to another without unanimous agreement between all four Legislatures including a two-thirds vote in favour in the Legislature yielding the responsibility.

Broadly the Federal entrenched list should include:

(1) External Affairs in its entirety

(2) Defence

(3) Population Control, e.g. Immigration and Emigration into the Federation. Extradition and Federal Citizenship

(4) Finance Control, Banking, Currency and Coinage. Capital Issues. Loans and their guarantees. Tax on Income, Profits and Goods Duties of Customs & Excise.

(5) Trade Control—Imports and Exports into the Federation. Price of Goods. Weights & Measures and Standards. Copyrights and Patents.

(6) Communications, Railways, Airways, Posts and Telegraphs.

(7) The Judiciary in the Federal Sphere.

Broadly the Territorial entrenched list should include:

(i) Justice, Crime and Order—Police, C.I.D. Courts, Prisons and Reformatories. Interterritorial movement of persons.

(ii) Local Government and Licencing.

(iii) Labour, Apprenticeship & Industrial Conciliation.

(iv) Social Welfare.

(v) Land and Land Apportionment.

(vi) African Affairs except where specifically stipulated.

(*b*) The remainder of Federal and Territorial exclusive subjects as well as the concurrent list, all determined after early review of the Federation's experience to date, should be freely interchangeable from one list to another by direct agreement between the Federal and Territorial Governments concerned.

(*c*) Exceptions to this which require special consideration are non-African education, curative health services and agriculture. Those important services have been divided on racial lines or allotted because of race considerations. Education and curative health services are essentially regional or local in scope and are generally accepted as local, regional or provincial. Federal control of purely territorial or regional services is top heavy with superimposed superfluous Federal administration and accordingly is costly and unwieldy, remote and less efficient. It is for this reason that while their return to territorial hands must be possible, because of the racial group interests it should not take place without the concurrence of the communities affected by a referendum or should take place if the communities so petition the government concerned. Agriculture and its allied subjects are presently divided on a racial basis without territorial uniformity. Its final place is in the balance and is therefore included in this category of change and also subject to the desire or agreement of the communities affected.

(*d*) If change is desired by a government in respect of a non-entrenched subject but no agreement is reached between the governments concerned the status quo should remain except that where all three territories are affected and their Legislatures endorse the request their joint decision should prevail over Federal objection.

(*e*) Transfer of function from one government to another must entail financial adjustment of revenue allocation and loan debt responsibility on the basis of the average cost of administering it over a prescribed number of years and the value of the assets respectively. Details of those should be determined by agreement between the government concerned or failing agreement by an arbitrator appointed by the Federal Chief Justice or a Financial Review Body.

(*f*) Transfer of a subject should be permissive from the Federal to the territorial sphere or vice versa to affect one or two territories only. Except in the case of entrenched subjects and provided the fiscal readjustment is carried out the negotiation and arrangements for the transfer should only be the concern of the government involved.

(*g*) The provisions contained in Chapter 3 of the 1953 Constitution should continue as follows:—

Section 29(6) Regional application and variation of Federal Laws: Section 32(1) and 32(2) (*a*), (3) and (4) —delegation of power between governments to make laws; Section 34—application of certain Federal laws to the Territories subject to territorial declaration; Section 35(1), (2), (3), (4), (5)—Regulating the effect of Federal and Territorial laws on one another.

(*h*) The processes for delegation and co-ordination of executive authority of the Federation and Territories contained in Chapters 41 and 42 should continue.

(*i*) The system of taxation, revenue distribution and control of loans as provided for in the Constitution of 1953, which closely links the finances of the Federal and Territorial Governments should continue although detail adjustments are required. Periodic

review of revenue allocations should continue as per Section 96 of the Constitution of 1953.

VI. African Land Protection and Development:

The combined effect of Territorial Land Laws, the restriction on the Federal Government through the division of legislative and executive powers and by Section 33 of the 1953 Constitution as well as the general fears of encroaching on African lands, perpetuates their primitive state.

Protection of African land against non-African exploitation will be necessary for indeterminate periods. But restrictions over such vast areas permanently entrenched will hamper development more and more as the population pressure grows and the need to utilise resources to the full will become more pressing. Primitive subsistence methods will need to give way to skill, efficiency and modern techniques if we are to raise national productivity and living standards. This change cannot be effective behind strict races barriers. In the African areas of Nyasaland and Southern Rhodesia the stage has been reached where over population is forcing the breakdown of rural communalism and surplus population can only find an outlet in European industrial areas. In European areas the pressure of urban and industrial need is forcing land apportionment amendments to allow African ownership of property.

A "permanent" constitution which acknowledging the status quo protection must also provide for orderly change whereby race reservations can be modified to facilitate enterprise and investment.

Land control will remain a Territorial responsibility and giving effect to these principles is a Territorial constitutional problem. But unless development of African areas is given a place in finance planning at a Federal level and impediments are removed substantial progress will not be made.

It is therefore suggested that consideration be given to constitute an African Lands Development Council consisting of Federal and Territorial Ministerial representatives. Its function will be to consider territorial plans for a special development scheme in African Areas, decide priorities and make recommendations to the Loans Council for special capital funds as well as the amendment of restrictions necessary for the success of any scheme. The Loans Council should be required to consider these recommendations in the manner set out in Section 89 of the 1953 Constitution. African safeguard lies in the territorial control of any scheme and trustee or local community agreement to alienation of land and its compensation.

VII. A Joint Civil Service Permissive:

A Civil Service common to the four governments with uniform conditions and freely interchangeable is eminently desirable in the long term. Enforcing such a system at this stage will however fan the fear of Federal or inter-territorial interference. It is suggested that provision be made in the Constitution for any number of the governments to establish a joint Civil Service when they so wish and for any government standing aloof to join at any time.

Pending this eventuality it is important in the Northern Territories to replace the Colonial Service by a local Civil Service, thereby creating an entirely local outlook, interest and loyalty. The absence of this (inevitable in the present system) has aggravated the stress to which Federation has been subjected since its inauguration.

VIII. Requiring the Federal Legislature and Government to be located away from the Territorial Seat of Government:

The Constitution should stipulate that the Federal Government and Legislature may not be sited in the same urban centre as a Territorial Government and Legislature. The present situation of Salisbury's dual capital status should be terminated.

The principle reasons are summarised:—

(*a*) Siting the Federal Capital in Salisbury creates the impression of over-emphasis of Southern Rhodesia's influence on Federal affairs, primarily because of juxtaposition of the two governments. Northern resentment and suspicion would fall away on separation of the two capitals. Removing the grounds for this feeling is important at this early formative stage in the life of the Federation.

(*b*) Concentrating Federal and Southern Rhodesian central administration in Salisbury has set in train extreme centralisation of national activity in this area leading to unhealthy and ill-balance development and regional political power. Not the least of the many adverse consequences is the unmanagebale rate of influx of African population (vide analysis and conclusions of the Federal Parliament's Select Committee on Decentralisation 1956 and Southern Rhodesia Parliament's Select Committee on Industrial Development and Distribution 1959).

The Territorial Government no doubt has priority of choice of its location. If it desires to remain in Salisbury, the Federal Government must move its domicile to another centre in Southern Rhodesia or in the Northern Territories.

Que Que

March 1960

Oral Evidence

Dr. M. I. HIRSCH, M.P.

In amplifying his memorandum, Dr. Hirsch said that he was Union born, qualified before the war, served in the South African Forces in a medical capacity and came to Southern Rhodesia immediately after 1946. He had practised in Que Que since and had spent twelve years in local government, three of which he was Mayor, and at that stage he fought unsuccessfully a Federal by-election, but was subsequently elected to the Southern Rhodesia Assembly in 1958.

Dr. Hirsch said he had made a special point of proposing a Senate for the Federation and, as it was an unusual proposal, he wished to bring one point to the notice of the Commission, which was the great difference in the number of voters for parliamentary seats in Southern Rhodesia as compared with Nyasaland. If a Senate was envisaged there would no doubt be equal representation territorially. In Nyasaland there were 400 voters per seat; in Salisbury about 4,000. The gap was too big.

Another device which might overcome some of the difficulties as to how the Senate would be made up would be perhaps to adopt the racial partnership idea of the Senate whereby certain legislation in going through the Senate, affecting a particular race group, would have to have the agreement by that race before it became law. Unless the African members agreed, certain things would have to be referred back until, say, the next election. But the items affected would have to be specifically laid down otherwise on every subject you would find indirect reference to certain races affected and they would apply a veto. For example, on health, an African member in the Senate might say the rations in the hospitals were different for Africans and Europeans, and therefore they thought their position was prejudiced and must be changed.

On the question of money Bills, the witness said that the main concern of the Federal Government should be the economic development of the Federation. He did not consider it would be a serious objection to the Senate principle if it were used as a means of controlling possible discrimination, as the money provisions would not apply so largely in the Federal sphere, but they certainly would apply to a very great extent in the Territorial sphere.

Dr. Hirsch wished to stress that one could not get away from the gradual sorting out of the problems between the races in the day-to-day life of the Territories. There would be no need to carry that into the Federal sphere if one looked at the Federal Government as something developing into merely a controlling body which could not directly influence the day-to-day life of the people. In his opinion, the great idea behind Federation was to be able to take out all the non-controversial development as between the three Territories and put it under one head. If any racial issues were introduced into the Federal sphere as a permanent thing, even unwittingly, the witness was certain that they would be looked at only from the widest point of view as the Senate would only be concerned with broad development. There were other objections. Being a Federal set-up, arrangements had already been made for a division of sovereignty and it was quite different from the situation in the Union where all sovereignty was really vested in one government.

Another point on the Senate idea the witness favoured was the creation of an electoral college for elections to the Senate, in order to reduce any tendencies to race politics in the Senate.

The witness also wished to stress the need for changes in the division of functions. He emphasised that certain functions must be entrenched in the Federal list to make certain that the economic development of the Federation remained in Federal hands; equally on the Territorial side matters which are directly the concern of the individual—and particularly relationships between the races—should be entrenched in a Territorial list.

The witness considered that the Territorial list should include all social welfare matters. There were a lot of anomalies causing stresses between the Governments which should be

removed; as an example, one found the National Parks o. Southern Rhodesia and Tourism were Federal while the Game Reserves, which were intimately concerned with tourism and National Parks, were Territorial. Understandably, different views were held by the Governments and needless disharmony could and did result.

On the subject of interchangeability of functions between the Federal and Territorial Governments, the witness considered the subjects could be interchanged by direct agreement between the Governments concerned. There were certain items now in Federal hands which were put there for safeguards. European education was made Federal specifically to safeguard the European position or to keep the confidence of the Northern Territories. The curative medical services were local concerns, much more closely on a direct level with the people than the remote Federal concern which was top heavy. It was not very efficient because the Ministry was apt to consider something that happened in Southern Rhodesia could not be changed because of what might happen in Nyasaland. Such matters could well be returned to the Territories. The witness considered that if the Governments wished to make a change they should hold a referendum of the people which would create a lot of confidence at this stage to leave the way open to having a more logical division of functions than there was at present, considering it from a purely administrative point of view.

The witness recommended that health and non-African education should be Territorial functions in the long term, not necessarily immediately. There should be agreement by the race groups on a referendum before any change was made. The major section of Dr. Hirsch's recommendations dealt with safeguards which would replace the guarantees now held in U.K. hands because of its reserve authority. The witness understood it was very doubtful whether the powers held by the British Government had really any strength at all, apart from power in respect of Native legislation. It was more to establish a set-up which would give growing confidence to the race groups that their position, opportunities and standards were secure.

The witness said he would like to see included in the Constitution a Bill of Rights, but with one reservation, that the question of non-discrimination should not be included in the Bill of Rights except in respect of the vote. There was a great fear in having a Bill of Rights at all, because the feeling was that you could not have a single non-discriminatory clause in it. In the scheme presented, Dr. Hirsch said he had tried to emphasise that discrimination was an entirely different matter from a Bill of Rights. The Bill of Rights still laid down the fundamental rights of each individual in the Federation. The witness did not consider the Bill of Rights should replace the present African Affairs Board. Once you introduced the question of discrimination into a Bill of Rights, he said, you either made Government untenable or made the Bill of Rights nonsensical. If one went through the whole history of the civilization of Africans and Europeans, their differences were so tremendous that one inevitably must have discrimination until the population as a whole was far more homogeneous, and therefore whether a discrimination was wise or in the interests of one group or another, was a political decision and must remain a political decision; but there should be no discrimination in regard to the franchise.

Referring to his memorandum, section III C, the witness considered a suitable body to check discriminatory legislation in the Federal field would be a Council of State consisting of the Prime Minister of the Federal Government, the Prime Minister of Southern Rhodesia and the two Governors of the two Northern Territories. When they had Prime Ministers in the Northern Territories, they would take the place of the Governors. The witness did not think there need be any objection to a nominated Senate, nominated by the Governors or the Governor-General, nor that this would bring those personages into serious political controversy, particularly as the Governors in the two Northern Territories were virtually prime ministers, having overriding governmental functions as well. The prime ministers would be elected so there could not be any objection in their case. One could assume that the constitutional advance in the Northern Territories would come in reasonable time when they became self-governing colonies like Southern Rhodesia.

The witness thought a proposal, suggested by a member of the Commission, for the setting up of a separate Select Committee by the Federal Legislature would be less acceptable. Once one departed from the Council of State of the heads of Government, one was immediately up against the question of how many representatives there should be. A Council of State was the only system he could think of where the question of how many of each group should sit did not arise.

The witness wished to keep the reservation that if all the Territories should agree that a Bill was discriminatory, it was a political matter, not a judicial one. In the event of equal disagreement in the Council, a Bill would be returned to the Federal Legislature for reconsideration when, if not amended in the terms required, a 75 per cent. vote in favour would be necessary before it became law.

The witness considered that with the present make-up of the voting structure of the three Territories, with the special representatives, 75 per cent. would secure the position. The idea was that there would need to be at least one or two African votes in order to secure the 75 per cent. In the event of one member of the Council recording dissent which, in the opinion of the Chief Justice, was not frivolous or irrelevant, a Bill would be returned to the Federal Legislature for reconsideration. The witness did not take the point as to whether or not it was wise for a judge to rule on that question; but he said there was something like that in the present Constitution where the Governor considered a matter. He thought the judge should decide whether the dissent was frivolous or irrelevant; he was not asking him to make a decision whether the discrimination was wise or not. But he agreed it could be some person other than the Chief Justice.

Concerning the proposal for a Bill of Rights, in effect it would be written into the Bill of Rights that each Government had to have the absolute discretion as to whether it gave its own people a Bill of Rights or not. Any Bill of Rights must be non-racial, but each Government should have the right to qualify the details. The witness did not consider this would alarm the Africans. A government would have the absolute right to prevent persons from having any representation at all if it was a question as to whether they were civilized people. The Government was entitled in each case to say they did not think that anybody was civilized unless that person possessed certain qualifications. The African had nothing to fear because the time would come, whatever franchise rules applied, when more and more Africans must get onto the roll. In the witness's opinion, for a long time the franchise could not be high enough; this was not based on racialism but related to the stage of development.

Changes in the wage structure would occur as the country developed, and until economic development had reached the stage where every person in the Federation could enjoy a standard of living above a marginal level, one must avoid here what was happening in developing countries which had taken the cry of "one man, one vote" as the panacea to all their ills. The speed of the development would be determined by the African himself in the main. The witness agreed that as things were at the moment there was financial discrimination, but it was becoming less and there had been a very notable change since the war. There was in Southern Rhodesia the new Industrial Conciliation Act which, in due course, would have the effect of making the rate for the job apply throughout industry. That Bill had only become law since the 1st January, and there was still a lot of sorting out to be done as to what the rate was to be for each job. It would not involve much change for a long time. The witness agreed that at the moment the European trade unionists had a very large say in industrial policy; they would not all subscribe to having the same standards as the basis of entry into skilled jobs.

The witness agreed that it was a matter for serious consideration whether this would not have a bad psychological effect on the Africans, because although discrimination was not wanted, the franchise would be entrenched and it would take most Africans many years to reach the same standards. Dr. Hirsch said he believed there were many Africans who could be on the voters' roll and thought they did not go on because they lacked a political awareness and consciousness. The witness said he would hate to see a set-up whereunder they must have at least twenty Africans in Government. If, however, there were twenty Africans properly elected to Government, they would be developing their ability and they would represent also the measure of the advance of the general community. He would then be satisfied they must be in it; but once one started to pander to the thought that there should be so many Africans in Government in order to satisfy them now, there was no stopping it.

However, Dr. Hirsch said he attached importance to getting support for Federal principles, but he did not think that should be the overall determining factor. The great mass of the Africans just did not know what it was all about. He wanted to see the Africans progress, and he wanted them to be able to understand what they were doing.

On the subject of pass laws, the witness said they were too numerous and unsatisfactory, but some system of identification was necessary; African identification was far from being a simple matter.

Dr. Hirsch said that he would like to see Africans in the Southern Rhodesia Legislature, but not for the reason that we must simply give the African seats in the House. In the next election, with the numbers now coming on to the roll,

it was likely one or two would be elected. The best way to achieve the election of Africans was to educate them as fast as we possibly could. One could not lay down a time factor for this. One must have economic development going forward together with African education, coupled with understanding of one another on the part of both the African and the European. It was very difficult to understand Federation, and difficult to explain it even to an intelligent African, unless he had basic education, and had witnessed Government in operation. The whole point was that all these things must grow together, namely, the understanding, the knowledge, the economics and the tradition of how the game is played.

Concerning the point in Section IV *(d)* in the memorandum that unless the African had considerably more say in government, his progress would be stultified and his opportunity limited, and that it was not an issue in the Federal sphere and holds little ground under our circumstances, the witness agreed that it did tend to ignore the psychological aspect, and he stated that there was some emotional appeal. He knew quite a number of Africans who would not like to have an African ruling them at this stage because he would not be trusted The witness believed the African would definitely progress and have a greater say in government, but this must come naturally. He was in no sense opposed to this being achieved at once provided it was on a basis of merit. As they got better education, gained more skill, got the higher jobs in industry and in the professions, in the activity of the country in every sphere, so tradition would grow.

Dr. Hirsch did not agree that the idea of the word "partnership" was a sort of psychological dream which meant something to the Africans which they expected but which did not materialise. There had been a lot of racial discrimination which had been done away with since 1958. The witness considered the bigger problem in Southern Rhodesia was that partnership was not a legislative difficulty; it was one of race relations generally. The big problem was in meeting the delay which pursued the educated African and professional man and that group which had no cultural link with the Europeans and therefore felt very frustrated and rejected. The African immediately turned his emotional frustration on to how he considered the Africans elsewhere were treated. There was nothing Government could do about that. The Party did do something about it at the Party congresses, and Africans took a full part in the activities of these congresses.

Dr. Hirsch wished to mention two other points, one of which worried him very much, but which was not within the Federal sphere. It was the effort to entrench African land laws for all time. He believed that was the worst thing that could happen to the African. The land should not be retained as a separate category. At the moment no African land could be alienated to a European or for any other development. This would obviously prevent capital and enterprise of any sort going into that land, and it must hold back the economic development of the country and of the African. He was not making any plea to remove the safeguards on African land entirely, but considered there should be some system laid down whereby African land as a development opportunity was brought into the general sphere of development. Dr. Hirsch was not prepared to comment on the African land situation in the Northern Territories.

The other point was the question of everything being centralized in Salisbury. He believed very strongly that politically and economically it was doing the Federation immense harm, and that this harm would grow.

These were factors which he considered detrimental to the Federation.

Memorandum

A EUROPEAN RESIDENT OF QUE QUE *

Notes for Evidence

His views of Federation. His background. Past history of S. Rhodesia, N. Rhodesia, & Nyasaland. Past history of respective inhabitants. S. Rhodesia taken by force of arms, legitimate at that time. Cecil Rhodes & Chartered Company exploited country. White man was intended to stay. Beit Trustees continued this policy. Whites hold on Southern Rhodesia today. On occupation S. Rhodesia empty of humans. Matabele way of life. Wholesale murder. 1920. My experience of Que Que area; no natives on land now owned by Europeans. Then as now, 5 times less Africans, 60 times less cattle.

Same time as Rhodes in Southern Rhodesia, Sir Harry Johnston in Nyasaland, Mosambique Consulate. Portugal's claims. Johnston's work, resisted Chartered Company & Rhodes. Slave traders. Treaties with chiefs. Johnston a civil servant. Beginning of Nyasaland & N. Rhodesia different from S. Rhodesia. Northern native population different, greater. Mandated territory. Ultimate self-government by Africans, European title in Nyasaland. Development in North behind S. Rhodesia. Function of Monckton Commission re above as one dominion. Federal parliament must represent African majority. Uneducated. Mrs Huxley's figures. Welensky's figures. Lord Malvern. Federal election procedures. Whites to accept legislation made in this way. Important laws. Rabid black nationalist dominion. Quote Lord Salisbury's speech. Fears of Southern Rhodesian Whites. Kenya, Tanganyika. Westminster democracy distorted by Nkrumah & others. Finance. Common sense views. Cut down administration. 3 governors, 3 parliaments. North poor. Promises at time of referendum. Copper Belt wealth. Prosperity versus security and happiness. Education of Africans. Homo Sapiens not yet. Existing differential laws, reason for poligamy, bigamy, sales of farm produce laws. Registration births, payment of wages, wireless. Economic & social categories. Danger of communism. Tempo and rates of progress in each country.

S. Rhodesia compared with Union of S. Africa position re African advancement. Franchise qualifications for Africans in Southern Rhodesia. Future of multi-racialism in Southern Rhodesia with only tenuous economic ties with North as opposed to full Federation.

Oral Evidence

A EUROPEAN RESIDENT OF QUE QUE *

The witness said his family came out here as early as 1901; he arrived in this country forty years ago and had been in Que Que for that time.

The witness made a brief review of the history of Rhodesia, saying the beginnings of Southern Rhodesia and the beginnings of Nyasaland and Northern Rhodesia were so different, one having been taken by force of arms by Cecil Rhodes, who handed out farms and mining concessions to Europeans, proving that it was Rhodes's intention that Europeans should stay in Southern Rhodesia. The Europeans held the freehold title to land and in addition they owned practically the whole of the city property. At the time, that Southern Rhodesia was occupied this country was comparatively empty, and it is absurd to say that the white man took the land from the black men. The European protected the local Bantu from their enemies, he did not take land away from them, but put them in reserves and looked after them.

In the case of Nyasaland, Sir Harry Johnston resisted Cecil Rhodes and his Chartered Company, the country became a protected Territory and it had become a territory where it was expected that the African would take over the government. As a result of the policy there they had no freehold title in Nyasaland and Northern Rhodesia such as there was in Southern Rhodesia. There was a very much larger population in Nyasaland; they were in a more tropical area, and that is one of the reasons why slave trade decimated them to a great extent. Northern Rhodesia was much the same except that beginning in the 1920's, the Copperbelt discoveries complicated things a little. The problem facing the country today arose from the fact that in the North there were two very different types of states which had not politically advanced to the extent Southern Rhodesia had.

If one was going to have a Federation one had to have to have a Federal Government, and also a largely African electorate, said the Witness, who considered that the electorate in Northern Rhodesia and Nyasaland was 99 per cent. illiterate. In answer to a question later in his evidence, on the two types of qualifications for the franchise, he said he did not think that the financial one entered into it at all. He did not consider that there was one per cent. among the African population suitable for voting at the present time. Once there was good education, there would be no danger whatsoever in giving the vote.

It was quite impossible for the British Government to guarantee that an educated minority would be protected and that included educated Africans as well as educated Europeans.

An African electorate could undoubtedly dominate the Federal Parliament within five years, and this Parliament was bound to have very important functions but it would be functioning before the electorate had reached any sufficiently advanced stage of education.

At the moment there were a large number of discriminatory laws which covered a very wide range, and were entirely based on colour. There were agricultural products such as maize, tobacco, milk and grain of all descriptions which were all controlled for the European, but they were not controlled for the African. The African could sell tobacco and milk to each other without coming under the Act. It was a criminal offence not to pay the African his wages, but only a civil offence not to pay the European his.

* Name withheld at the request of the Witness.

There was the danger of the African leader who achieved power by means of the Westminster-type of democracy, which worked very well in England, abusing it. The witness said Africans were used to the power of the Chief, where might was right. They had not got beyond that stage yet, and if the Westminster-type of democracy were introduced they would be at each others' throats. He considered that one of the reasons Federation had come into being was because the African thought he was going to get more money from loans which were promised.

The witness said that in his view education would make all the children the same although it would take time; but that time had not yet arrived. He would like to see Southern Rhodesian African education increased but he did not see why they should have to contribute in any way to the education of the Nyasaland African. He considered that that should be the function of the Colonial Office. Additionally there was the factor of Christian tolerance. In his view the doctrine of Christian tolerance was the only one which was likely to save humanity from extinction, and until you had tolerance as well as education there would be a lot of trouble. There was also the danger of Communism, and there were already black States on the borders of the Federation.

The witness visualised Southern Rhodesia as a country of prosperity and security. The Africans would become voters as soon as they could and when they got to the same stage as Europeans they would want the same things and the Europeans were quite prepared to share the prosperity and wealth with Africans having parity with them in every way. He considered Native reserves should be under special laws for uneducated Africans, and educated Africans should not be allowed into those reserves in exactly the same way as Europeans were not allowed in there; these Africans should not be allowed to exploit the others.

On being asked if he had seen any economic progress in this country since Federation came into being, he said that the progress which had been seen was largely represented by a mushroom growth which had not done any good at all. True prosperity was really non-existent.

The witness said, in common with Dr. Banda, he was in favour of the most tenuous ties between Southern Rhodesia, Northern Rhodesia and Nyasaland, though for completely opposite reasons. The witness said he would like to see the present Federal Parliament broken up altogether, but he commented that that was not within the Commission's terms of reference. He considered the Federal Government would be a big bone of contention but there would need to be some tenuous tie between the three Territories on the economic side and for such things as policing.

MRS. L. MARASHA

Mrs. Marasha said the points she wished to bring up to the Commission concerned African accommodation in the African urban areas. The houses that were available were much too small for the people and these were the houses that were available for purchase by Africans. She said that they should have three bedrooms, a bathroom, a toilet room, garage and a yard because the Africans who had come to the urban areas had decided to make their lives in them and not return to the reserves, and accordingly proper accommodation was essential.

She said that urban Africans were prepared to pay for better housing, but she was unaware that the cost of a house such as the one she mentioned would be as much as £2,500 or a payment of £14 to £18 a month. It was mentioned to the witness by one of the Commissioners that through the building societies the Government was prepared to assist people who could afford the charges, and Mrs. Marasha stated that these were the people to whom she referred; they should be in a position to get a much better quality house than was available to them at the moment.

Another complaint that Mrs. Marasha brought before the Commission concerned the action by employers in dispensing with the services of married men and taking on single men instead. This caused great hardship not only to the head of the family but also to the wives and families as well. This was particularly so with the urbanised African because he had broken his ties with the villages and the reserves, and he had nowhere to go for this reason other than to seek fresh employment. The reason employers adopted this practice was that single men were cheaper to house. She thought it was necessary to make an enquiry into matters such as these.

Mrs. Marasha said that her husband was previously in the British South African Police where he had reached the rank of sergeant. He was now an interpreter in the Magistrates' Court.

CHIEF MALISHA AND HEADMEN SIHLAHLA AND SANENGETA

The Chief and Headmen mentioned were accompanied by 23 Headmen, Kraal heads and followers and they represented the Silobela Native Purchase Area. Opening his evidence, Chief Malisha said that the Africans were somewhat surprised at what was happening, particularly in regard to taxes which were constantly increasing and, as a result, it was difficult to make ends meet. The taxes etc. he referred to were poll tax, dog tax, school fees and dipping fees. Headman Sihlahla complained that there was no sign that the Commission, which they had heard of ages ago, had achieved anything so far. Afterwards it was explained to the Headman that the Commission was still engaged on its enquiries. The witness proceeded by saying that the people were disappointed that schools in the rural areas should cater for education to Standard VI only which in no sense provided a proper education; what they needed were secondary school facilities which would enable their children to go on to higher education.

The Headmen said that they had indeed heard of the Federation, and understood that its purpose was to bring together the two Rhodesias and Nyasaland and ensure a fair deal for all. As Headmen, however, they would say that Federation was not a particularly good thing for the Africans because they were unable to see what good had flowed from Federation for the benefit of Africans.

Headman Sanengeta criticized the application of the Land Husbandry Act, and said that there was not enough room for the grazing and kraaling of cattle because the Europeans had robbed the Africans and taken their lands. Water was another very serious problem in their area. He said that when the poll tax was raised from £1 to £2 they had been informed that the reason for the tax being raised was to provide better schools in the rural areas. They had seen little sign of this. They had a number of schools, some of which they had built themselves, but none had been built since the tax was doubled. He was aware, however, that some had been built in the urban areas and that teachers were being paid by the Government. The school fees that they paid, which amounted to 20/- per annum per child for Standards II and III, were appropriated for the payment of teachers' salaries.

Chief Malisha said that he had not heard of the Southern Rhodesia Government's education policy which was designed to get all children educated. He went on to say that in their area they wanted and had asked for a clinic to be built. This had not been done yet although the people did get medicine free of charge. In response to questions put by members of the Commission, the Chief stated that they had only learnt of the Commission within the last week through a messenger from the Native Affairs Department. Although they read newspapers they had seen no news of the Commission but some people had heard of it several months ago through the Native Commissioner who had told them that they could come to the Commission and give evidence. The Chief added that they had not really been taken by surprise the previous week, but the simple fact was that after the initial information the leaders of the people had not met again to consider their action.

The Chief said the people in his area were living happily and quietly, and they were not bothered by politics and there was no intimidation against their giving evidence to the Commission.

He went on to say that while there was no Native Council in his area, he acted with the advice of his Headmen and they had power to try civil cases such as those concerning seduction and adultery. Most of the other cases were referred to the ordinary courts.

He mentioned that the police were always very helpful.

In regard to the implementation of the Land Husbandry Act, the Chief said that the people were not happy about this legislation because under it they are obliged to make contour ridges and do other work connected with the farms. He said the people realised that these ridges prevented soil erosion but they were not always fully effective, particularly when there were very heavy rains. The agricultural demonstrators indicated to the people the land that should be ploughed each year and this was often not the land the people themselves wished to till and plant.

HEADMEN GWESELA, DUKU AND NTABENI OF THE JOMBE AREA

These Headmen were accompanied by 37 other Headmen, Kraal-heads and followers. [This group from the Jombe area come under the tribal authority of Chief Malisha, whose evidence is recorded above.]

Headman Gwesela stated that he and his people had lived in the Jombe area for the last 39 years and this area was on

Crown Land. Within the past few years there had been a lot of changes which had upset the people, such as the increase in taxes and various fees. They had asked for a Government school to be built, but this had never been attended to. The people were being moved from place to place and put on to poor lands. They found that they got poor prices for their crops and for their cattle with the result that they found it very difficult to come out. In the area they had small kraal schools but they wanted Government schools to Standard VI or Standard VIII. The kraal schools that they had had been built by themselves although the teachers were paid by the Government. They had also asked for a hospital, but none had been provided and the nearest hospital was 21 miles away; that was a mission hospital. If they wished to go to a Government hospital, they had to travel 36 miles to Que Que.

Headman Gwesela complained that there was very little water in the area to which they had been assigned. He said there were small rivers in the area but these dried up and they had to resort to wells. The distances the kraals were separated from water supplies varied from six to as much as ten miles. There were no dams or boreholes in the area. He and his people, that is about 1,200 taxpayers, were very concerned and wished for these things to be improved. Up to now, the Native Land Husbandry Act had not been applied to the area.

The Headmen explained that the duties of the Headmen were very light although they tried simple cases because the Chief was too far away. Their main aim was to help their people. Matters of interest or of dispute were originally referred to Kraal-heads, who, if necessary, would pass them on to the Headmen and, in turn, they would go to the Chief and through him to the Native Commissioner. The Chief in reality had no final authority.

Dealing in detail with the difficulties that had faced them since 1953, Headman Gwesela stated that the poll tax had been raised from £1 to £2, dipping fees from 1/- a year per beast to 2/- a year and dog tax from 5/- to 10/-. Maize was purchased by the Grain Marketing Board for 22/8d. a bag yet to buy a bag of meal cost the consumer something approaching 60/-.

On being questioned as to what bearing Federation had on these matters, Headman Gwesela asked if he could be told when it started. On being told it was in 1953, he said that the Africans had seen no good come from it. Subsequently, in answer to another question, the Headman said that he did not realise that all their complaints were within the Territorial sphere, except the hospitals. If that were the case, then the Territorial Government was not good for the African people, and accordingly they had not much to say about the Federal Government and, as far as they were concerned, it was quite possible that it might be something worth while. It was explained to the Headmen that all matters dealing with African affairs were within the Territorial sphere, and the witnesses indicated that they were unaware that Southern Rhodesia was spending three million pounds on African education or that the native tax element represented but one sixth of the total amount being spent on African education alone. The witnesses added that they would not mind increases in taxes if they were able to see results.

Headmen Duku and Ntabeni said they had little to add to what Headman Gwesela had said save to emphasize the extreme difficulties they were experiencing about getting their people educated.

The witnesses said that many people in their area read the newspapers. For themselves, they did not know where the two Governments sat nor who the leaders of these Governments were. A few of those present thought that both Governments operated from Salisbury, but the majority believed both the Federal and Territorial Governments sat in England.

NAGAMO NKALA

Headman of the Amaveni Township (population = 3,000)

Mr. Nkala said that the Land Apportionment Act created many difficulties for the Africans and particularly for those people who were cut off from the reserves. There was no longer any place for the de-tribalised African in the reserves and, on his retirement, rents to be paid in the townships were too much for him to be able to afford. If, on retirement, a man still had children, as he often did, it might be very difficult for him to give his children a reasonable education.

Out in the rural areas where it was perhaps reasonable for the Land Apportionment Act still to be applied, Mr. Nkala considered that a man should be given sufficient land or communal grazing land which would enable him to increase his holding of cattle to 30 or 40 head. This was very important because in due time sales of these beasts would provide funds so necessary to enable youngsters to proceed to university or enjoy some other form of higher education.

He was convinced that Africans should be able to purchase land in the European area. What one found so often was that when Crown Land on which Africans squatted was handed over to the Europeans, the African squatters were moved to poor areas and, in the result, they obtained very little yield from their crops, and such cattle as they had usually died. The witness instanced that previously there had been 5000 Africans on the Rhodesdale estate. There were now about two Europeans there. This move, which took place between 1953 and 1955, was to a place called Nkana near Gokwe. Mr. Nkala said that, of course, if the Africans were to be allowed to purchase in the European areas, then the Europeans equally should be allowed to purchase in native areas. After all, African and European transport services operated largely on parallel lines in the reserve areas but the African transport operator was restricted from operating in European urban areas. Restrictions of this nature were often the cause of friction. Mr. Nkala said that just as the Land Apportionment Act operated against the African as far as providing the means of education of his children was concerned, so it operated against him in his desire to buy land in the European area. It was essential to have more cattle. The proceeds of these cattle would put the African in funds which would enable him to purchase land in the European area. The witness also complained that although more land was being reserved for the African, it was always poor sandveld. He was not aware that the biggest percentage of European land owned in the country was the so-called "bad" land or sandveld on which the best tobacco crops were grown. Mr. Nkala concluded his evidence by saying that he and all Africans wanted to have greater freedom of movement, not only in the Territory but in the Federation as a whole.

A. L. GWINDI

Mr. Gwindi said that he was a carpenter and had lived in Que Que for twelve years. He thought it was a nice attempt to have had Federation in practice for these years and he had personally seen the changes that had taken place, the privileges and advantages that had been brought about. He instanced health facilities which had been improved and the bigger hospitals which had built up the health services. He considered that Federation had helped his country to be richer than it was before, because overseas people were investing capital and taking a keen interest in the Federation and its aims. He mentioned the advantage of the Kariba Dam.

Mr. Gwindi thought the legislative powers were complicated for the average African to understand. There were some sections of the laws passed by the Territorial Government and other parts of the laws passed by the Federal Government. It was difficult for an ordinary man to find which section was effected by the Federal Government and which section by the Territorial Government. The witness considered that the Land Apportionment Act had prevented multi-racial schools from being built. He would have liked such schools, and university colleges, not only in Salisbury but further out so that all people might have that education. The witness agreed there was too much centralisation. European education was under one minister, whereas African primary education was under the African Affairs Department, while the minister for European education was a different man entirely from the man controlling African education. It made it difficult after primary education on one basis to go on to secondary education on an entirely different basis. Competence would differ according to the institution attended, so it would be better to have one syllabus for all schools of the same grade. Mr. Gwindi considered that a major problem was that there could not be multi-racial schools because African areas were confined by the Land Apportionment Act. He would like to see Education a Federal responsibility.

The witness said he also wished to see all the functions which were in the hands of the Territorial Government in Southern Rhodesia go to the Federal Government because he considered there was probably more confidence in overseas investment, and if all things were under the Federal Government there would be more advantages for the people living within the Federation. He did not know if the people in Nyasaland and Northern Rhodesia would agree about that; it might be very difficult for them to agree because there were certain reserved rights in those countries.

Mr. Gwindi was not happy about the African Affairs Board because it functioned only in an advisory capacity, and he thought something should be substituted for it in the Federal Parliament. Its weakness lay in its being only advisory. He considered that there should be a second chamber with the right to deal with the Board's functions but having a final decision.

Mr. Gwindi said he was interested in politics but was still immature and would like to know more. He was a registered voter although he had not yet decided in which Party he would take an active part. He had an income of £370 per annum and was a common roll voter.

Memorandum

THE NATIONAL COUNCIL OF WOMEN OF SOUTHERN RHODESIA—Mrs. D. Lawrence

As a strictly non-party, non-political organisation, the National Council of Women of Southern Rhodesia wishes to submit the following information, which we feel may be of interest to you.

The work that has been done by the N.C.W.S.R. during recent years is a sincere attempt to implement the policy of partnership. We have helped with the formation of non-European and Coloured Councils affiliated to our various branches with the same right of representation at meetings and the same voting powers at Conference.

Here are a few examples of what we have done in this connection, and we have made investigations into :—

1. The needs of African women and children in the urban areas.
2. The incidence of malnutrition amongst urban African school children.
3. African housing.
4. The working conditions of African domestics.
5. We have encouraged the growing of vegetables, and given classes in needlework, cooking, hygiene and child welfare etc.
6. We have helped found creches and day nurseries for African children.
7. Soup kitchens for under-nourished African children.
8. Organised annual competitions for gardening, needlework, home crafts etc.
9. We have introduced the use of dried milk into the diet of the African.

From the above you will see that we are making a sincere effort to lift the African woman from her backward state to enable her to take her place more fully along with her menfolk in a civilised community.

We have also been able to assist in the formation of Coloured and Indian Councils.

We are very proud of the fact that we are the only adult multi-racial organisation in Southern Rhodesia, and can claim to have the right to represent the opinion of women of all races.

As well as our work with the Coloured, Asian and African communities, we have presented evidence to Government Commissions, and have sent forward recommendations to Government on all matters concerning the welfare of the community with particular regard to women and children.

Gwelo,

27th January 1960.

Appendix

OFFICERS :

National President Mrs. N. Owen John, 12, Eden Road, Gwelo
1st Vice-President Mrs. M. Schmulian, 10, Churchill Ave., Gwelo
2nd Vice-President Mrs. N. O. Berry, P.O. Box 70, Gwelo
National Secretary Mrs. G. Lawrence, P.O. Box 345, Gwelo
National Treasurer Mrs. F. Jakubec, 1, St. Anne's Drive, Gwelo
Immediate Past Mrs. M. Hickman, "St. Keyne", 4, York Ave., Highlands, Salisbury
Hon. Life Vice- President Mrs. B. Gordon.

I.S.C. MEMBERS AND NATIONAL CONVENORS :

African Affairs Mrs. N. Owen John, 12, Eden Road, Gwelo
Agriculture Mrs. I. Gelman, "Voullaire Estate", P.O. Box 1504, Bulawayo
Arts & Letters Mrs. D. Weekes, 35, Kopje Road, Gwelo
Child Welfare Mrs. N. Bartels, 38, Clark Road, Bulawayo
Cinema Mrs. J. Vytopil, P.O. Box 279, Gwelo
Education Miss B. Jourdan, 21, Princess Park Mansions, Selbourne Ave., Bulawayo
Health Mrs. C. R. Cowley, P.O. Box 278, Gwelo
Home Economics Mrs. M. P. Hayward, M.B.E., 46, Chilham Court, Main St., Bulawayo
Housing Mrs. M. Jarvis, M.B.E., 4, Cork Road, Salisbury
International
Relations & Peace Mrs. M. Schmulian, 10, Churchill Ave., Gwelo
Laws & Suffrage Mrs. M .Lloyd, 35, N.E.M. House, Eight Ave., Bulawayo
Press & Publicity Mrs. L. J. S. Oliver, Stenigot Estate, P.O. Box 260, Gwelo
Radio & Television Mrs. J. Schrale, 962, Bradley St., Gwelo.

NUMBER OF INDIVIDUAL MEMBERS : 163

MEMBER ORGANISATIONS :

Baptist Women's Association
Catholic Women's League
Child Protection
Girl Guide Association
Union of Jewish Women
Jewish Women's Communal League
Loyal Women's Guild — Benevolent Work
Matabeleland Cambrian Society
Matabeleland Irish Society
Senior Methodist Women's Assn.
MOTHWAS
Nursery School Teachers' Assn.
Retarded Children's Aid Society
Salvation Army
Presbyterian Women's Assen.
Southern Rhodesia Nurses Assocn.
St. Dunstan Association
Toc H. Women's Section
Women's Voluntary Services Association
Y.W.C.A.
African Welfare Society
British Red Cross
Women's Institute
League of Prof. & Business Women
St. Clare's Home for Unmarried Mothers Families
R.C.V.V. (Dutch Reformed Church)
Rhodesia Children's Home
Congregational Women's Association
Hellenic Community
Diocese of Matabeleland Mothers' Union.

Oral evidence.

THE NATIONAL COUNCIL OF WOMEN OF RHODESIA

Delegation : Mrs. W. Owen John—National President
Mrs. Schmulian—First Vice President
Mrs. D. Lawrence—Secretary

Mrs. Owen John said that she was speaking for the National Council of Women as a whole, the headquarters of which were in Gwelo. She understood that the Salisbury branch of the National Council of Women was submitting a separate memorandum which would represent only the views of the Salisbury members. The National Council of Women was the only adult multi-racial organisation in Southern Rhodesia and consisted of Asian, African and European branches, all having equal status. In the Gwelo area there was a European private membership of forty to fifty, and an African membership of about 105, many of whom lived in the Native Reserves. On a national basis there were a large number of affiliated organisations a list of which is attached in the Appendix to the memorandum (see p. . . .). Although at the present time there were no mixed branches, it was normal for European members to attend meetings of the branches in the Reserve; in addition, African members attended the European branch for special occasions. The Annual National Congress of the Council was entirely multi-racial, and all members of whatever race attended the various functions (such as a sundowner) connected with the Congress.

The witnesses made the following additional points :—

(a) One present difficulty was the fact that African women had been left far behind their male counterparts. More schools for African girls were urgently needed.

(b) Culturally African women were so far behind that they were still thought of by their husbands as chattels. The result was that they were frequently left behind for long periods while their husbands went off to work in the cities, and there had been a great increase in prostitution as a result.

(c) The Council of Women had found African women very keen to learn and most appreciative. When they had opened their branches at Senga village there had

been much malnutrition. But help had been given in infant welfare training and there had been a tremendous visible improvement over a period of years.

(d) The National Council of Women had for some time had the idea of setting up a training college in Bulawayo in which African women could learn child care, welfare, cooking, hygiene, etc., which would qualify them for domestic service. Such training would enable their wages to be raised considerably.

(e) The colour bar must continue to be broken down. This was something which the National Council of Women could not exert direct pressure to achieve, because this would be regarded as political. Nevertheless, they were able to do much by example and a number of African women had come to their houses for meetings of various kinds.

(f) One of the main requirements was an improvement in basic common courtesy, particularly by the less educated Europeans. All the good work done by the Council of Women could be broken down by a few ill-chosen words by, for example, a post office counter clerk.

(g) One practical effect of the colour bar in European shops was the fact that African women could not try on dresses or shoes. It was difficult to see how that they could be expected to buy them without trying them on.

(h) African women were very keen on having the vote, though many had no ideas about politics whatsoever.

Memorandum

C. WILSON

A few ideas I would like to put to the Commission, if you consider it worthwhile, I would be willing to attend to give evidence, I have spent fifteen years as a Policeman and twenty five years small working and on Company mines in Southern Rhodesia. I have only just obtained the address and you will notice that this was written before Chief Manqwendi was moved from Office.

As a working man with over forty years experience working with Rural natives, I should like to put forward a few ideas on their behalf. These natives comprise about 75% of the total Native population of the Federation.

At no time do I believe they have ever been represented to Commissions of enquiry or to persons who claim to be working on their behalf.

Few, if any, know anything about Federation and are not in the least interested; they know nothing of the self-styled African leaders and the majority would never support them. Even Native Affairs Department Officials do not get their confidence, they are interviewed through Native interpreters and these make sure the answers given are in accordance with what that Official wants.

When I came to this country in 1919 I was stationed as a Police Trooper in the Melsetter Chipinga Area and for five years patrolled the Sabi Native Reserves. I vaccinated thousands of them and also at times issued Famine relief rations, I studied the language and had the confidence of the Chiefs and Headmen, I listened to their tales of tribal wars, raids by the Matabele and Gungunzana's Shangaens. These people who had never known security were now happy, free from fear and enjoyed full social security, at first they did not appreciate education for their children, as with the piccanins away at school, herding devolved on the women folk and the men had to cultivate the gardens. I remember in 1923 eleven mission schools being burned down in one night.

These people were happy to be ruled by the Whitemen and although numbers went to work on the mines in Johannesburg one never heard of subversive propaganda. Today, they have come a long way in education, and their outlook has broadened, they are pleased to take up the whiteman's method of agriculture and appreciate the benefits they derive from it, very few of them have ever heard of African Congress or its leaders. When told about them they express uneasiness and fear that should they be handed over to them they will experience the same kind of oppression their fathers were subjected to.

I recently completed two years prospecting and covered most parts of Rhodesia and part of Northern Rhodesia, I found the Rural African as always, quite a decent fellow, there was some grousing in the Mangwendi Reserve about the demands of Chief Mangwendi, he is I believe an educated man and will no doubt be presented to the Commission as a model Chief who has been given a good deal of power. Please try and remember Native civilization in this country does not go back to more than one generation.

The country was only occupied by Europeans 69 years ago and until very recently by only very very few of these. Those few Europeans did more for native advancement than has ever been done by any other Government or body of people anywhere else in the world.

We have a lot to be proud of and nothing to be ashamed of.

There have been no racial riots or uprisings in the Rural Areas. Those that have taken place in Urban Areas have mostly been directed against Welfare and educational centres.

This goes to show (in my opinion) that most native leaders do not want civilization or social advancement for the masses.

Native Pay: The subject of pay to Africans has received a lot of attention from Trade Union and Labour members in Britain how many realise that pay to the average African is just pocket money.

On all our mines and farms and in factories Native Employees draw rations for themselves, their wives and up to three children, the quality, variety and amount is governed by statute, most of the bigger Companies insist on their employees having a properly cooked meal per day.

Quarters are always free, so is fuel and light; clinics with native orderlies are provided and a qualified medical officer is subsidised to attend on call and at least on one day per week.

Recreation, this usually consists of Film shows, football and other games supervised and organised by Europeans, and free. As I have said, the native has come a long way in the past 40 years. The danger is pushing him along too quickly, he still hankers a little for the days when he could slaughter game indiscriminately and cut down trees when and where he fancied. He still has faith in the Europeans he grew up with and will eventually take his place as a full partner with them.

A word for the European. We did not leave all our human characteristics behind when we left the Old Country.

Gwelo,

28th December 1959.

Oral evidence

C. WILSON

Mr. Wilson said that his objective in coming to give evidence to the Commission was to speak up for the native who was not represented in Parliament at the present time. He had known them for many years and had found them thoroughly decent people.

In answer to questions, the witness made the following additional points in amplification of his written memorandum:

(a) Steps had been taken to advance the African in Southern Rhodesia at the rate they could best manage. The present franchise qualification was satisfactory; Africans should be allowed to take part in politics as they reached the required educational standard.

(b) There were at present no leaders who could get the African people together; the result was that they were only united by itinerant agitators.

(c) The Native Affairs Department wasted a lot of time on welfare schemes. It would have been much more useful if they organised courses in political matters—courses on civics, etc.

(d) The British Government, and the Labour Party in particular, had delayed the evolution of the Federation. Southern Rhodesia and the Federation had never been given a square deal by the newspapers in Great Britain; as long ago as 1923, the Juvenile Employment Act, which regulated the conditions of employment of juveniles in industry, was branded by the United Kingdom press as "slavery in Southern Rhodesia".

(e) It was essential for the European to keep his word in dealing with Africans. If, for example, Mr. Macleod had given Dr. Banda a promise with regard to the future of Nyasaland, it must be kept.

Memorandum

W. A. GODLONTON

Index

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IV	The Problem of Repugnances
V	The Significance of Partnership in the Constitution

I. Preliminary

1. The purpose of this memorandum is to give to the Commission the wholly personal viewpoint of one who has been a resident of Southern Rhodesia since June 1910.

2. No one possessing a sense of goodwill would deny the inestimable benefits of a successful outcome of partnership in the Federation. But there are people who oppose it with hate and others who give it no chance at all. It would be unfair to blame the latter, for some of its problems will, for some years to come, seem well nigh impossible. It needs so much time and patience and, like a ship, its structure must be stout enough to weather dangerous storms. The endeavour is an act of faith by those who stay to make it and will go to the bottom with it, should it fail. They are entitled to demand a just but strong constitutional structure and to refuse the endeavour if that is not given to them. But when it is given and the endeavour continues, they are still entitled to expect the confidence and forebearing support of all who wish it well but watch its progress from a safe distance.

II. The Present Situation

3. In this section I give some personal impressions to show the background of the ideas that I offer, but those impressions, so far as they relate to areas north of the Federation, are only surmises.

(i) The African scene

4. Africa can be divided into three parts. The first is North Africa, so strategically important for so long in European affairs. There a very large portion has been returned to Arab control. The next part is between the Sahara and Rhodesia, where stretches are being hastily handed over to African control. The remainder reaching to Cape Agulhas is in European control, but the Federation may emerge from it as a fourth part under joint European and African control.

5. This broad picture, if accepted, suggests interesting problems of global strategy, one of which may well be just how much of Africa should, in the interests of western civilisation, legitimately and clearly retain the stamp of that civilisation. The inclusion of the emerging fourth part would imply the necessity for a constitutional structure directed to that aim.

6. In Africa south of the Sahara political solutions solve very little else. The climate of its equatorial area is too harsh, its deserts, diseases, and insect pests too widespread, its rainfall too heavy or too light, its rivers too rapid or too dry, its harbours and natural communications too few, its distances too great, and its natural resources too scattered, too inaccessible or too short lived. The sum of these obstacles creates abnormal development problems that can be solved only by a great variety of planned and co-ordinated schemes of unusual variety, size technicality and cost. For as far into the future as can be seen, either the western or the communist civilisations will have to supply the huge sums and innumerable technicians and administrative specialists required for the necessary schemes. If western civilisation leaves any vacuums, the controllers of the communist civilisation will hasten to fill them.

(ii) African Nationalism

7. Well-educated Africans, whether they really like democracy or not, do understand it. They are students of nature and fully conscious of the fact that a thousand sheep will follow one goat. When, therefore, they have political ambitions and confidence in their ability to sway the minds of less well-educated people whose mentality is, for them, an open book, they know very well that universal adult suffrage in a constituency where such people predominate is the perfect instrument for the realisation of their ambitions. Some of them, too, will not have failed to notice, admire and perhaps think of imitating the methods and spectacular successes of such people as Hitler, Mussolini, Stalin or Nasser.

8. But, whether dictatorships are imminent or not, the present manifestation of African nationalism is not new. It resembles that of the Ethiopian (so-called) movement in South Africa about the end of last century, which was organised from a base in America and sought, under cover of religion, to spread race hatred and the notion of Africa for Africans. The signs are not of an agreed plan to form a pan-African union but of personality cults having Africa for Africans as their idea but political domination by the cult through its leader as the target. I would be surprised to learn that, in the Federation, African nationalism is a growth with natural roots in the African masses. Many of them still think tribally, some are anti-European, others would like government to go on as usual but few would think nationally. In all circumstances, however, experiments in unbridled democracy will favour not democracy itself but African dictatorship.

(iii) African opinion in Federation

9. My experience (limited because I know none of the many Bantu vernaculars) in judicial matters and in public enquiries into African affairs indicates that the African is by nature evasive and tends to adapt his statements, views and actions to what he deems to be the needs of the occasion. This fickle but seldom vicious circumlocution is a probable inheritance from the recurring menaces of witchcraft, superstition and intrigue in tribal life. The tendency is probably neutralised by higher education, but it limits the value of estimates of the great mass of African opinion. Paradoxically the African is conservative in his manners and customs and has often been distrustful of measures meant for his benefit or protection, but where development is good the worth of so many of these measures has been so clearly proved that his suspicions are rapidly disappearing. A great many Africans are now conscious of and do appreciate the blessings of good government and the need of European guidance to maintain it.

10. Nevertheless extremists everywhere are not only notoriously better able than moderates to excite the masses, but they also can and do add to that advantage by the ruthless use of intimidation and misrepresentation; while moderates have nothing better than self-defence and appeals to reason.

11. I expect many African moderates to conceal their opinions or to dissemble until they know precisely how much protection they can ultimately expect. I have no proofs but I believe that the removal of the present uncertainty and the declaration of a firmly constituted but visibly just government will bring nothing but relief to most Africans.

(iv) Nyasaland

12. Nyasaland, in all its history, has had no unified government, save that supplied by Britain. Under her rule Nyasaland's limited natural resources and politically immature but growing population together provided a unity developing so slowly that, after sixty-five years, it was still in its infancy. Nyasaland's communities and those of parts of Northern Rhodesia are problem communities—assemblages not uncommon in Africa. They are subsistence level peoples with turbulent pasts in which they have treated each other atrociously. Their capacity to pay taxes is very small indeed and their respect for government, whether it be their own or foreign, is measured only by its strength and firmness. The problem of such communities can be faced with confidence when their country offers attraction for industrial development. They can then be absorbed into industry, their standards of living can be steadily raised and their education gradually improved, while their old influences recede and, in time, are forgotten. They cease to be abnormal. But, otherwise, these communities are still the poor at the gate of the richer world.

13. The Nyasalanders however had more than a turbulent past. They became the victims of Arab and European slave traders and themselves shamelessly joined in the trade and bartered the lives of their own kith and kin. They were stopped with difficulty by the British government less than 70 years ago and many thousands of them today will have heard the tales of their parents and grand-parents about those times, and may well still regard slavery as a very real bogey.

14. In 1953 the British government handed these unwanted poor to the Federation to be nurtured but, incredible as it may seem after so many years of care and protection, specially refrained from explaining beforehand the reasons for the change and the good intention of the new relation. The effect on naturally suspicious illiterate people suffering from a covert fear of slavery may be imagined.

III. The cause and effect of two wage structures

15. Africans, in their first contacts with modern industry, were more raw than the rawest recruit in the British army and, as production units in risky embryonic industries, were of very low value. Moreover their production capacity rose very slowly, partly because for many years most of them only worked intermittently, being well content to spend the remainder of their time following their usual pursuits at their homes in their reserves and elsewhere. There is, for what it may be worth, confirmation of the slowness of this rise in production capacity in statistical records showing the

exceptionally low production capacity of Africans per man unit by world standards.

16. The original production structure in the Federal territories was therefore a small skilled and semi-skilled European group using and directing an unskilled African group in which low efficiency was compensated by high numbers. This abnormality was increased by the fact that European workers, by reason of climatic stresses, delegated to Africans routine jobs normally done by themselves or their apprentices. The unavoidable result of these circumstances was the establishment of two independent and widely different structures relating to wages and conditions of service.

17. Those two widely separated wage structures and wide cultural differences simultaneously created equally widely separated social economies. The picture we now have, therefore, is of a well-established European industrial wage and social economy structure widely separated from another equally well-established African industrial wage and social economy structure, upon both of which an industrial economy has been built and has reached in some areas a high stage of development.

18. A consequent aim of partnership is the closing of the gap between the European and African wage structures in a way that will not damage the industrial economy. That is a complicated problem requiring time and patience, but the neglect of one aspect of it is a bad fault in a European contribution to partnership that is otherwise immense. I will discuss this aspect in Section VII.

IV. The Problem of Repugnances

19. I adopt in relation to this subject three suppositions; first, that large communities are composed of or divide naturally into groups having different or conflicting origins, interests, social economies, points of view and affiliations from each and all of which spring repugnances or antipathies that may lead to disorder and from there to anarchy; secondly, that government has the duty to restrict the causes of repugnances, to co-ordinate interests and social economies and to avert and suppress disorder and anarchy; and, thirdly, that over-riding common interests are the most reliable unifying element in a State.

20. In homogeneous civilisations, the members of which have traditional common interests, the stock remedies that are generally successful are patience, toleration, an established common code of behaviour, a balanced economic wage system with a related system of social economies, various forms of voluntary segregation, seclusion and social sufficiency and the services of a competent police force. Members of such civilisation would tend to regard other remedies as unnecessary or even improper.

21. In the Federation the seeds of a sense of common interest, which the recent great progress ought to have fertilised, have been lost because the ground in the northern territories was not prepared beforehand. The preparation has now to be undertaken in the face of greater difficulties and the seeds replanted. Reverses are not an uncommon experience in Africa and are no cause for despair, but recovery from them does need time and patience.

22. In the meantime the stock remedies, while in no way less important, are inadequate, first, because the scope and virulence of repugnances and the risks of disorder are increased, in comparison with those in a homogeneous civilisation, by the physical and cultural differences between Europeans and Africans, by the wide gap between their respective social economies and by the fear which those Europeans, who rely on marginal employment, now have of losing the privilege which their European background has hitherto given them; and, secondly, because some of the stock remedies are apt to be frustrated by innate differences between the races in behaviour, sense of values, reasoning, language and general outlook and by the misunderstandings and misconceptions occasioned thereby. Additional safeguards must therefore be provided.

23. The land reservations made for the special protection of Africans many years ago, giving them exclusive communal use in some areas and right of purchase in others, are most valuable segregation measures that have reduced and will, for a long time, be needed to reduce the effect of the gap between the European and African social economies

24. All governments in the Federation, therefore, should, as a necessary partnership measure, have constitutional discretion within their respective spheres to prescribe and maintain such methods and degrees of social and territorial segregation or exclusion as may, from time to time, by prudent in order to restrict repugnances and avert disorder.

V. The Significance of Partnership in the Constitution

25. The persistent controversy about the meaning of partnership and the abnormal risks of misunderstanding, that arise from a variety of languages, customs and modes of thought, make the clear significance of partnership in the Federation exceptionally important. In the preamble of the Constitution partnership is represented as if it were not a means, which it is, but an end and that fact has increased the confusion.

26. As no definition of purposes is given in the Southern Rhodesia constitution, I have taken the well-tested American definition as a model and submit for the Commission's consideration the following:

> Whereas it is desirable to unite the inhabitants of all races and creeds, in a partnership resolved to promote the goodwill and good manners of the inhabitants each to every other, restrict all causes of repugnance, perfect its civilisation, safeguard the quality of its government by a common quality franchise, establish justice, ensure internal tranquillity and order, provide for the common defence, conserve and improve the soil and sources of water, eradicate insect pests and animal diseases, promote the general welfare and secure the blessings of liberty to the inhabitants and their posterity.

The purposes I have added seem to me fundamental or extremely important.

27. That definition provides a target with goodwill and good behaviour as the bull's eye; for partnership, although it is the contract, will itself be in full operation only when the existence of enough goodwill among the inhabitants is proved by an average pattern of behaviour favourable to the progress however gradual, of all the other purposes of the partnership.

28. Should a definition of this kind be adopted in the Federal constitution, its confirmation by reference in each territorial constitution would complete the conception.

VI. The Franchise

29. My view is that the franchise is a licence to perform a series of important public services and that its conditions should be determined by the application of certain principles to the particular circumstances of the community to be governed. It may, perhaps, be reasonable, in a community where the standards of education and sense of responsibility are generally high and comparatively uniform, to regard an age limit, which has the merit of simplicity and ease of administration, as a due compliance with the principles on which I rely. But I am firmly convinced, for reasons which I hope to make clear, that the use of an age limit only in the Federation would not merely fail to conform to those principles, but would also have disastrous consequences. I shall develop this theme in sub-sections (i) and (iii) of this Section.

(i) Principles of the franchise

30. Among the qualities required for reasonable skill in the art of modern civilised democratic government of a community of several million people are the ability and will, in relation to a wide variety of matters, to observe, analyse, initiate and plan and, in so doing, to co-operate both critically and constructively and with due respect and consideration for the propositions and criticisms of others. I used 136 words in an outline compilation of the wide variety of matters which, being so well known to your Commission, I omit.

31. The individuals who govern determine, by their own qualities, the quality of government and, in a democratic State, the electors select those individuals from among themselves. I believe that the requirements for a trustworthy selection are education, wisdom, honesty and sense of responsibility and, therefore, that the voter has to be a person of some stature to don his mantle of responsibility. Britain's standards of civilisation are as high and as nearly uniform as any in the world, her methods of government are rightly admired and her idol is universal adult suffrage. But do not some of her voters trail their mantles in the mud?

32. Society's basic purposes are stability and progress. Its main instruments for achieving those purposes are, first, government and secondly, the sciences, arts, crafts, industries and innumerable other services of public concern. Its basic purpose in respect of all these instruments is that their quality shall be as adequate for their purposes as is reasonably possible. And, in order to achieve that basic purpose, Society has, for long ages, standardised and improved the instruments by stipulating that the individuals responsible shall have prescribed qualifications. In respect of the application of that principle there is neither a distinction nor any valid reason for a distinction between the persons responsible respectively for public service in the art of government, the sciences, arts, crafts and the like. The neglect of the principle in respect of public services contributing to the art of government would be a neglect by Society of its own basic purpose. Due provision for the voter's competency for his task is therefore a basic principle of the franchise.

33. That principle may emotionally but cannot logically or ethically be supplanted by the notion: government by consent of the majority of the governed. The notion becomes intelligible only when it is paraphrased: government by consent (expressed by a specific public service) of the majority of those of the governed who are able to understand what they are consenting to. That notion restores the principle of competency.

(ii) Sense of responsibility

34. During an equiry in 1944, the establishment of African co-operative societies in Southern Rhodesia was considered and responsible evidence was given of the failure of such societies in the Union of South Africa owing to the incapacity or dishonesty of the Africans in charge. In public enquiries subsequent to 1947 regarding African wages and conditions of service and African advancement in industry much evidence, some by personnel managers and others responsible for the organisation of large groups of African workers, was devoted to proof of alleged inherent African weaknesses which made them less responsible than the average European worker.

35. Some examples are: idling when not under supervision; constantly changing employment; harshness with machinery, ability to understand how but not why; disregard for or inability to foresee the consequences of their actions; as clerks untrustworthy with private information; as supervisors shirking their responsibilities and being influenced by trade union pressure.

36. Education in its lower standards was alleged to make no difference. Some employers declared that it decreased responsibility, proving perhaps that a little knowledge is dangerous. The evidence was generally responsible and does not conflict with probability.

37. For a person may show good sense of responsibility in one matter and none in another, because sense of responsibility in relation to a subject is ultimately controlled by the real extent of the participant's knowledge of and interest in all that concerns the subject.

38. Two features of European environment are competitive modern industry and democratic government, both highly developed. The first naturally arouses in Europeans a sense of vocation and the second a sense of modern political organisation and both arouse a sense of competitive efficiency. In the African environment work is not a blessing and sense of vocation is quite undeveloped. Their patriarchal type of government is rudimentary and has, for many years been subordinated to European government in which they have had little part. The African with little or no education consequently enters modern industry and takes his part in modern government with an imperceptible knowledge of and interest in either. I believe however that the handicap from which he suffers may be overcome by higher education provided it is followed by an appropriate career.

39. The inference is that in the case of a common quality franchise the average African voter will have less sense of responsibility than the average European voter unless the former has had a higher education and is in good employment.

(iii) Intimidation and misrepresentation

40. Of recent threats to justice and good government, the most alarming is the apparent ease and speed with which relatively small but ruthless groups have gained control of government in communities ostensibly following democratic methods. Intimidation, misrepresentation and fraudulent indoctrination run through the pattern of procedure like scarlet threads. Control is gained by them; criticism is made illegal by means of the control; legalised and cunning intimidation is then used and a silent community is too frightened to protest. The communist world's contempt for democracy completes this picture.

41. I draw the inference that, even in homogeneous and highly civilised communities having one common language, democracy is very vulnerable unless the electorate is neither malleable nor gullible nor ignorant. If that be so, then the need, in the Federation, to safeguard the democratic method by a competent electorate is much greater because its communities are unavoidably ill balanced and the African community converses in several vernaculars known to very few Europeans—a fact which provides exceptional opportunities for intimidation and other mischief. Expert evidence on matters of detection and prevention of improper activities would probably disclose other difficulties peculiar to the Federation. The dangers I have outlined are, by themselves, a conclusive reason for the through application of the principle of competency for the franchise.

(iv) The franchise qualifications

42. The franchise qualifications of Southern Rhodesia, being the outcome of a highly responsible and thorough investigation, provide a sound basis of political representation for the whole Federation. But, while agreeing with as many equivalents of an education standard as may be found appropriate, I disagree with more than one standard for one class of voter, because education is in a sphere of its own. Means tests can reasonably be variable in relation to an education test but not the latter in relation to the former.

43. Uniformity and therefore simultaneous constitutional protection of the education tests throughout the Federal and territorial governments is of the utmost importance. A lower test in any one territory of the Federation will weaken the principle of competency which is the cement in the foundation of partnership. A uniform education test should therefore now be agreed upon and constitutionally entrenched by all four legislatures with a provision that it cannot be altered except by the consent of all of them. Uniformity in the means tests is not of equal importance although as much of it as possible is desirable.

(v) Special representation of Africans

44. Special representation is unsound because it obstructs the growth of common interest. It is an expedient, like a baby's comforter, which gains a little present peace at the risk of a lot of wind and irritation later. Although Africa is a land where exceptional reasons are the rule, yet the reasons for watering down a just and sound principle ,which the common quality franchise is, by means of a dubious expedient would have to be very exceptional. There are valuable ways of increasing African political representation in numbers and in quality, which I discuss in the next Section.

VII. Careers for Africans

(i) The Industrial colour bar

45. The widely separated wage structures and social economies referred to in Section III were in existence when the first trade unions were established in Southern Rhodesia. The European workers therefore who formed them were concerned only with their own classes of work and conditions of service. And in some trade unions the work included employment, for which "marginal work" is a convenient term, but for which Africans were not then obvious competitors. This marginal work was not classifiable as a skilled trade because relatively short learner courses were adequate, but in a society with a single wage structure it would provide several rungs in the wage ladder leading from unskilled labour to the skilled trades.

46. But the precise significance of marginal work in combining two wages systems at some future date seems to have been obscured by the use by the trade unions and the acceptance by the employers of a minimum but steadily rising European living standard as the yardstick for measuring the adequacy of all European wages. The ultimate result has been a European trade union privilege protecting those standards and operating as an industrial colour bar. This privilege has been as intractable as trade union privileges usually are.

47. The combination of this intractability with the necessity to balance any sudden rises in African rates of pay by increased production or other means was a problem to puzzle the devil. But in 1954 the European copper miners union did not agree to the principle of graduated African advancement in that industry and universal acceptance of the principle seemed assured. Yet nearly six years later the matter is not generally settled, primarily because of the absence of the necessary wage ladder between unskilled and skilled work. The accepted principle is therefore not being properly implemented.

48. The obstacles to a new but economic wage ladder are trade union's more or less universal principles usually termed "rate for the job", "equal pay for equal work" and "no fragmentation", which for lack of clear definition causes interminable wrangles about such clearly implicated issues of organisation and efficiency as division of work into two or more competency grades, jobs into two or more quality grades and personal operations generally into more economic or efficient units.

49. In the present instance the notion cannot be entirely dismissed that the deadlock is intended to sabotage or delay indefinitely the advancement principle. But if, as I hope, that be untrue the problem confronting your Commission is not the industrial colour bar but in regard to its aftermath means to end such deadlocks before they do irreparable damage.

50. I can think of no permanent solution except constitutional entrenchment in the Federation and in each of the three territories of a uniform provision changeable only with the consent of all four legislatures whereby, in case of failure of negotiation within a fixed time limit, each industry shall be required to accept the final decisions of a Federal Constitutional Board in respect of first, its work and job grading including alterations of work allocation commonly

called fragmentation and secondly, wage margin formulas (but not the wage itself).

(ii) Importance of careers

51. Hitherto most of the responsible careers available for Africans have been among their own people. Responsible careers in a much wider field and extending particularly into the skilled trades now have an extraordinary importance for the success of partnership for many reasons, among which are:

(a) a foundation for sense of vocation and pride in work;

(b) basis for home life and right environment of children;

(c) suitability for positions of higher responsibilty;

(d) the common ground and fraternity of shared skills;

(e) a good standing among Europeans and Africans alike;

(f) a stake in the State as constituted;

(g) recognition of the relationship between work, production and wealth;

(h) recognition of the political significance of the national economy and of the responsibilities of a citizen and voter;

(i) an example to less enlightened compatriots;

(j) to increase the size and improve the quality of the African electorate.

Finally there is a wider significance in the hope that, within a few years, enough Africans will qualify for the skilled trades and other responsible careers to sustain, by their goodwill, the progress of all the partnership purposes. I regard the common quality franchise and careers for Africans as inter-related and indispensible elements in the foundation of partnership.

VIII. The Protectorship Obligation

52. I suggest to your Commission, with respect, that protectorship is an inexact political institution derived from acceptance or assumption by the protector of such measure of the sovereignty of a native authority or group of native authorities as can be determined by examination of what has, subsequent to the acceptance or assumption and in fact, been done by the protector. Restoration of the sovereignty is usually in the discretion of the protector and, in some cases, the remnants or even the identity of the native authority's sovereignty may have been lost. Some protectorships were undoubtedly essential to prevent ruthless tribal warfare. This was so in Nyasaland and in parts of Northern Rhodesia where the slave trade, conducted largely by Africans against Africans was still serious less than seventy years ago. Substantially the protector's duty is to do what, in the current circumstances, is best for the protected population.

53. The British government, having decided in 1953 that its protectorates were "the rightful home of all lawful inhabitants . . . . . whatever their origin" and that association in the Federation was best for them, is now faced with the issue between partnership and Africa for Africans, which might have been prevented had the British government of 1952/3 displayed real enthusiasm for partnership. That issue cannot be compromised because the concepts are mutually destructive.

54. The British government, as protector, therefore now has only three alternatives: first, to declare unreservedly that Federal partnership is in the best interests of all members of the Federation and must be continued on prescribed conditions, or secondly, to take all or part of the protectorates out of the Federation or thirdly, to ask the Federation to carry on as at present and to wait for the Africans to change their minds about Africa for Africans. The last alternative immediately raises a factor, the uncertainty in regard to which has cast an unhappy shadow over the Federation from its inception.

55. That factor is the attitude of the British government to Africa for Africans. As an uninitiated observer of that attitude and of the attitude of a section of the people in Britain I hope I may be forgiven for thinking and, what is far more serious, for believing that most educated Africans are also being led to think that Whitehall has a display of beautifully tailored Westminster cut democratic suits lined with red white and blue UAS silk which, like all beautiful apparel, has a great appeal to beholders, many of whom of course covet one, whether it really suits their daily needs or not; and that Whitehall is supplying anyone, who asks for a suit, if his measurements seem right, although like any tailor Whitehall accepts no responsibility for the subsequent condition of the suit, which owing to its wearer's habits and pursuits may soon be stained with food, drink and dirt, creased, torn and badly patched—in fact unrecognisable.

56. Clothing conscious Africans in the Federation will not want an equally well tailored partnership suit lined with good quality linen while they believe that the UAS suit is still obtainable. They must be told quite plainly that the latter suit is not available and that they must continue to wear the partnership suit which is now being re-fitted. Clearly too the re-fitting should be done thoroughly and quickly. Wear keeps the moths away.

IX. Reactions

57. Your Commission will no doubt want to know what public reactions to expect in certain eventualities, for the effect, on a large scale, of the calling up of loans and the offer for sale of land, houses, stocks, debentures, and equity shares needs no description. I would expect such an occurrence in some eventualities, but people like myself, whose resources are almost entirely invested in the Federation, will not be willing to disclose their own intentions.

58. A most serious eventuality, however, would be a decision to introduce now or to promise to introduce at any future time, into any part of what is in future to be the partnership area, common franchise qualifications lower in any substantial degree than the qualifications of the existing Southern Rhodesia franchise. If the decision is made to give part of the existing partnership area at any time a different and lower qualification, save in moderation in the means test, that part should therefore be now excluded from the Federation. Nevertheless that exclusion would itself be a very unfortunate decision, because it is difficult to see any reason why any portion should be excluded from the Federation if the franchise qualifications are clearly just and it is vital to partnership to establish that justice.

59. In the last fifty years mortgage investment in town and suburban property has consistently been stable and satisfactory and public support of the recently established building societies has been excellent. Should the propriety of Federal and Territorial Government discretion in regard to land segregation measures be officially discredited, I would then expect public support of such forms of investment to be seriously affected.

Gwelo

March 1960

Appendix

W. A. GODLONTON

Biographical Note

1887	Born in London
1896 to 1906	Educated at Dulwich College Preparatory School and at Dulwich College
1906	Went to South Africa for first time in September
1910	Admitted an Attorney and Notary of the Cape of Good Hope Supreme Court in February. Came to Southern Rhodesia in June. Admitted an Attorney, Notary and Conveyancer of High Court of Southern Rhodesia in August. Thereafter practised in Southern Rhodesia on own account and in partnership until retirement. Derived some experience of African affairs as member of the following enquiry bodies:
1944	Native Production and Trade Commission (Chairman). Approximate duration of enquiry—six months.
1948	National Native Labour Board—enquiry following the general strike. Approximate duration—seven months.
1951	African Education Commission. Approximate duration—five months.
1952	National Native Labour Board (Chairman).—enquiry re employment of African women. Approximate duration—ten weeks.
1954	Arbitration tribunal—wages and conditions of service of African employees of the Rhodesia Railways. Approximate duration—seven days.
	Board of Enquiry into advancement of Africans in the Copper Mining industry in Northern Rhodesia. Approximate duration—five weeks.

Oral Evidence

W. A. GODLONTON

The witness made the following points in amplification of his written memorandum.

(a) With regard to the franchise, it was necessary to face the implications of the principle of competency set out in paragraph 43 of the witness's memorandum. This would have the effect, inter alia, of giving lower African representation in Nyasaland in relation to the total size of the population.

(b) The main qualification for the franchise should be education; the means test was added merely as an additional precaution. Unfortunately, there were few responsible leaders who would go out to the electorate to obtain votes by telling the truth. Agitators therefore had a natural advantage. The use of the franchise implied the consent of the governed, but it was difficult to regard the vote as implying consent if the voter did not know what was at stake.

(c) It was true that some uneducated men might have more wisdom than young newly-qualified graduates. If equivalents could be devised to take the place of an educational qualification (e.g. qualification as a journeyman bricklayer), it would be useful to introduce such alternative qualifications.

(d) The main need was for money to enable all that was necessary, including the building of many more schools. It was probably true to say that an extra £50 million a year could be spent most profitably. Southern Rhodesia had done marvels recently, but if more money could not be found the country was heading for anarchy.

(e) With reference to paragraph 50 of the witness's memorandum, it might be necessary to entrench something in the nature of a Bill of Rights in the Constitution. Otherwise established European privileges might be found too hard to break.

(f) On broad practical grounds, the witness said that he would prefer a unitary government to a Federation. He had not advocated this in his memorandum because it had been turned down flat by the United Kingdom Government in 1953. The present system was clumsy, but a special enquiry would have to be held before it could be changed into a unitary system.

(g) Although it was true that there were no Africans in the Southern Rhodesia Parliament at the present time, the position was changing rapidly and it was likely that African M P.s would take their place in the next few years. For many years Africans had not been interested in politics and it was difficult to change things overnight.

Memorandum

THE RHODESIAN BATA SHOE COMPANY LTD.

Dr. K. Fiksl—Managing Director

1. Introduction

The main purpose of this memorandum is to give the Members of the Commission visiting the Bata Shoe Company as full a picture as possible of the working conditions, earnings and social amenities of the Company's African labour force.

The writer, Konstantin Fiksl, D.Sc., Ing., Managing Director of the Company, hopes that the visiting members of the Commission, having been oriented in this way, may utilise the time occupied by their very brief visit to the factory more intensively, in looking for additional information of interest to individual members.

The Company is producing in Gwelo about 12,000 pairs of rubber and canvas shoes and about 5,000 pairs of leather shoes, per working day. All the leather required for this production is manufactured in the Company's own tannery, using hides from all three Federated Territories.

Reclaim rubber from rubber waste, mainly scrap tyres, is also being produced, as also is glue, manufactured from fleshings from the Company's own tannery.

70-75% of the shoes produced are consumed within the Federation, 25-30% are exported, mainly to the Union of South Africa.

On the Federal market about 40% are distributed by the Company's own chain of retail stores, and about 60% through wholesalers and independent retailers. The same retail prices to consumers are fixed throughout all the Company's shops in the whole of the Federation. Prices for wholesalers and retailers are so constructed as to give sufficient profit to those distributors, whilst retailing shoes at prices valid for the Company.

2. General

The Company at the moment employs 1407 Africans, of whom 1,300 work in the factory and 107 are employed in retail stores.

The breakdown in the factory is approximately as follows:

968 are Machine Operators on the production of leather and shoes.

54 are helpers to the European engineers and artisans employed in the maintenance of machinery.

37 are sweepers, lavatory cleaners and police, as well as Canteen employees.

38 are members of the building gang.

54 are employed in the office on clerical and other work.

103 work in the Materials and Ready Stock Rooms.

46 are Supervisors (generally called Boss-boys in this country).

1,300 Total number of Africans employed in the Factory.

107 are assistants and shoe repairers in the Company's 44 retail Stores throughout the Federation.

1,407 Total number of African employees in factory and retail shops.

In the factory the Company employs 115 Europeans and 9 Asians and Coloureds; Machine Operators are solely African.

Production is planned in exact tasks (plans) per day for each producing unit. If the statutory five plans have not been completed by any one unit by Friday evening (as sometimes happens), then the operators of that unit must work on Saturday for a few hours until the unfinished plan is completed. Weekday working hours are from 7-12 Noon and from 1.30-5 p.m.

The main work, that of Machine Operators, is repetitive work covering a very narrow sector of the manufacturing process. Each production unit (workshop) is designed for the daily production of 1,000 pairs of shoes in the Leather Shoe Factory and 2,000 pairs in the Rubber Factory. It is manned by 30 to 50 African operators (depending on the construction and number of operations on an individual line) and headed by one European foreman and two to three African sectional supervisors in the Leather Shoe Factory, but only one European foreman for four workshops in the Rubber Factory.

All our African operators have been engaged unskilled. The majority of them, when commencing work with us, not only had never seen a factory or any shoemaking machinery before, but often had never owned a pair of shoes in their lives. Only the minority can understand English, or read or write. Of the whole African labour force:

86% are Southern Rhodesians

4% are Northern Rhodesians

7% are from Nyasaland

3% are from adjoining territories.

3. Training and Productivity

Each new employee is attached for a month or two to an experienced operator and receives special attention from the sectional supervisor and the European foreman. During that initial period his work is purely a "breaking in" to the factory's routine and discipline and gaining his first experience in work on a certain machine. During that time, of course, he produces little useful work for the factory and spoils some material.

But in all fairness it must be said that new employees are, in the majority of cases, keen to learn and very handy. Very soon, they start delivering useful work to a small degree of productivity and this rises slowly but steadily up to a certain level—which I estimate to be about 60% of the average productivity level of a British operator in the United Kingdom —and there, as a rule, it stops.

There are, however, exceptions. We have perhaps about ten operators who are approaching the British level of productivity, if both are working under an incentive scheme.

In order to achieve this, the operators have to be under intensive control as far as quality and quantity of work is concerned, and this has to be very carefully planned and organised.

4. Initial Earnings and Continuous Service Incentives

When first engaged, the beginner receives an initial fixed wage in accordance with Government regulations (for Gwelo, this is £6 0s. 3d. per month). He is accommodated free of charge in our own African settlement near the factory. He can buy full food cards in our canteen for £1 14s. 6d., or lunch and dinner only for 18/- per month.

One of the greatest difficulties we have experienced with African labour has been its very high rate of fluctuation.

This was mainly due to the fact that men went unskilled from their native villages to seek for work, but only for ad hoc purposes: to buy a cow, a goat, a bicycle or to pay lobola for a new wife. Their roots were in their village, where their families lived, where they had their cattle and their gardens. As soon as they had succeeded in saving the amount they needed, they just went home, completely interrupting their industrial occupation. The small degree of training which they had received, they very soon forgot, and the next time they wanted to work they were just as much unskilled beginners as they had been the first time.

To make things still worse, for reasons which I presume were unknown even to themselves, they never came back to the industry in which they had worked previously, but always somewhere else.

On top of that, as soon as the rainy season began, up to 30% of the factory labour force went home to plough the lands and plant the maize.

Naturally, one could not have expected any workmanship or efficiency from such a labour force. The remedy was obvious:

1. To introduce an incentive scheme under which the African employee could, by means of acquiring skill in a certain occupation, earn more money. This would make a change of occupation a non-paying proposition.
2. To introduce special awards and incentives for long, uninterrupted service.

According to Government regulations, the worker receives:
After 6 months' servance an additional 7/6 per month
After a further 6 months, an additional 7/6 do.
After another 6 months, an additional 7/6 do.

In addition, we introduced our own incentive scheme, namely:

After five years' continuous service, the African employee receives an additional 5/- per month, and after ten years he is presented with a special award—a nice chromium-plated bicycle—plus a further 10/- per month and after fifteen years he receives an increase of 15/- per month.

3. And the most effective remedy of all—*to get them to Gwelo with their families.* As soon as the family is taken away from their village and their fields, then it is dependent on the earner's income and he has to do his best to earn as much as possible. This, however, is a costly business. As a rule, Municipalities can only offer single accommodation, and to materialise this plan we had to build our own family houses. We selected a type of semi-detached house, where each accommodation consists of two rooms, kitchen and verandah. At present we accommodate 380 families in our settlement.

4. Finally, when the operator has been with the Company for six months (or less if he shows particularly promising progress), he is included in the Incentive Bonus Scheme..

5. Incentive Bonus Scheme

In principle, this operates mainly as a collective bonus for each production unit covering all operators working there. Individual operations are divided into groups, each group enjoying a particular bonus, graded according to the importance of the operation and the degree of skill demanded by it.

The administrative and economic life of the Company being divided into fortnights (13 fortnights per half year), both wages and incentive scheme are constructed for a fortnight and paid per fortnight. The structure of the scheme is as follows:

(*a*) There are ten plans (on a daily basis) to be made and delivered to the Selling Department per fortnight.

(*b*) The amount of bonus which it is intended to pay the operators for completing and delivering these ten plans is divided into three parts, due for payment at the completion of the last three plans.

(*c*) Practically speaking, this means that the operator gets no bonus for completion of the first seven plans (which require no effort to complete).

(*d*) Should the workshop complete only eight plans (in ten working days) then the operator will get only one-third of the bonus allotted. If nine plans are delivered, he will get two-thirds of his bonus (for the 8th and 9th plans). If ten plans are delivered (as actually happens in about 97% fortnights) he gets the full bonus. If the workshop delivers *eleven* plans (on rare occasions this happens as well), then the operator gets four-thirds of his intended bonus.

(*e*) So far the bonus achieved by individuals has been only the result of the *collective* efforts of the whole workshop manpower. This effort, however, is not produced by every member of that workshop in the same degree—some operators are better so far as quality and quantity of their work is concerned, some are worse and only dragged up to the mean average by the efforts of the better operators.

(*f*) We therefore felt it advisable to try and encourage individual effort, and in this connection introduced an additional valuation of *individual* work by means of a "pointing" system recorded on an individual pointing card for each employee.

This is made out each fortnight for every employee, by the European foreman of each workshop (sample enclosed). We tried to arrange the pointing system in such a way that it is mainly the actual production figures involved (and only to a lesser degree the personal opinion of the foreman) that are taken into consideration for the final classification.

(*g*) On an average, operators achieve about 80% of the 100 possible points. This, of course, would decrease the earnings of the operators. Working on this average, they would only gain 0.97 x 0.80 = 0.776 of the original bonus.

(*h*) To compensate for this and to give some general rise in income, we increased the original bonus rate to nearly double when we introduced this pointing system. Accordingly, they actually earn about 150% of the original bonus, or more.

(*i*) We are somewhat disappointed with the result of this effort to increase the efficiency of individuals by increasing the bonus and adopting a pointing system. It gives us the impression that the income level previously achieved by our African employees has satisfied their demands so far, and the chance of additional earnings through higher effort towards efficiency does not hold sufficient appeal for them. We hope, however, that this is only a temporary phenomenon.

All these arrangements certainly helped, as the following figures illustrate.

In 1952 the fluctation was 85%

In 1954 the fluctation was 57.4%

In 1956 the fluctation was 55.75%

In 1958 the fluctation was 41.51%

In 1959 the fluctation was 28.7%

This increased stability contributed considerably to the increased productivity and raised quality of work.

6. Average Earnings

The average aggregate earnings per month can be expressed as follows:

Description	Operator	Clerk	Supervisor
	£	£	£
1. Initial fixed wage ...	6 0 3	6 0 3	6 0 3
2. Long service incentive (Govt. regulations)	1 2 9	1 2 9	1 2 9
3. Company's long service incent. ...		5 0	15 0
4. Productivity incent. bonus	1 13 6	4 10 3	9 19 9
Total av. cash earnings	8 16 8	11 18 3	17 17 8
Free accommodation			
5. Value of house ...	2 0 0	3 0 0	3 0 0
6. Electricity, water sanitation	1 0 0	2 0 0	2 0 0
Aggregate average earnings	£11 16 8	£16 18 3	£22 17 8

7. "Cheap Labour"

There is a contention in certain spheres abroad that Federal Industry is benefitting from "cheap labour". When considering this question, one must bear the following in mind:

(*a*) The productivity obtained from this labour (as explained in Section 3) is much lower than that of United Kingdom or Central European labour.

(*b*) The level of their workmanship is also rather low, which reduces the selling value of the product through its reduced attractiveness.

(*c*) The lower productivity of labour makes the cost of depreciation on buildings, machinery and equipment

per produced unit much higher, than if correct productivity were achieved.

To illustrate this, let us assume that the amount of depreciation of a factory per year is £100,000 (24,000,000 pence) and that it has a production capacity of 4.000.000 pairs of shoes per year if labour achieves full productivity. In that case, the cost of depreciation per pair of shoes would be sixpence. If. however, labour reaches only 60% of possible productivity, only 2.400.000 pairs of shoes in the same factory will be fabricated per year, and the cost of depreciation per pair will rise to tenpence per pair.

(*d*) In addition, a higher number of employees with 60% productivity (as against a theoretical number with an assumed 100% productivity) will necessitate higher expenses for accommodation and social amenities.

In other words, for the same volume of production, the accommodation and social amenities for 600 men with 100% productivity would cost only 60% of the sum required for those amenities for 1,000 men with 60% productivity.

(*e*) Further, lower productivity labour causes much higher capital investment. The explanation is the same as under (*c*) and (*d*), namely that if the assumed cost of a plant for 60% productive labour was £1.000.000, then only a £600.000 plant would be necessary for labour with full productivity for the same production capacity—a capital saving of £400.000.

(*f*) And finally, the producer can hope to sell to the lower income group (such as the low productivity operator) fewer ready goods and those only in the cheaper lines, on which he cannot make as much profit as on higher priced goods.

It is therefore apparent that for a fully equipped modern factory the supposed advantages of "Cheap Labour" in this country are very doubtful and Rhodesian Industrialists in general would, I am sure, prefer to pay more for higher productivity rather than less for labour with lower productivity.

8. Abilities and Mentality

Our experience shows that in general African operators like the permanent repetitive work as offered in our factory, where they work in reasonable premises, with good light and ventilation and in clean tidy surroundings. Apparently they do not get tired of this repetitive work and do it willingly and with comparative ease. They definitely dislike being changed from one task to another during a day's work: we have had many cases where the employee has flatly refused to make such a change, even under threat of dismissal.

In general, they try as much as they can to avoid taking responsibility. It seems that responsibility tires them mentally and apparently they feel happier without it.

The better educated Africans, almost without exception, look for clerical work in the first place—in my opinion, quite wrongly. As explained in the beginning of this memorandum, we have quite a number of African technical supervisors in our service and, observing them, I have formed the opinion that they are happier in their work than their clerical counterparts. They do not have much European supervision, as the clerical staff have, and they themselves do supervise from five to fifteen African operators working under them, which clerks do not do. Thus they feel a certain degree of importance, being authorised to give orders to the men subordinate to them. And these technicians do make more money than their clerical colleagues.

It is my contention that the job of a Supervisor in Industry is much more suitable than clerical work for the more progressive African. Also, in this technical field there are many more opportunities for advancement and for earning power.

I think it is possible that progressive Africans do not look for such technical positions, not only because they do not know about them, but primarily because they are not suitably educated and trained for such work, and do find the initial stages difficult.

Consquently, I feel very strongly that a technical education and technical vocational training is highly necessary for them. It is the educational system in this country that makes them desire to obtain clerical work, whereas education and training of a technical nature would turn their minds more towards the technical field of activity, thus creating a new category of leading hands and artisans in industry, who would be happier in their work, their earning power, their chances of promotion, their own social position and environment. A clerical position can hardly offer all these advantages.

As far as African clerks are concerned, we have some quite good ones. But only the minority of those engaged for clerical work turn out to be good, reliable employees. We think that this fact confirms our opinion that their mind is not entirely up to clerical work, does not in the end satisfy their ambitions, which are often higher than their real ability.

Regretfully, in Rhodesia we have had a number of cases of misappropriation of money entrusted to African clerks. To prevent this necessitates a very strict, continuous and elaborate control. It is, however, fair to mention that our experience in this respect has been far more satisfactory in Nyasaland. In general, an African is inclined to keep changing his job and does not sufficiently appreciate the advantages of a stable, permanent occupation.

9. Amenities for African Labour

(*a*) We accommodate nearly all our African employees, both single and married, in our own settlement. We have not yet family accommodation for all our married employees and some of them still use the rondavel huts. But we are building houses all the time and expect to have good family accommodation for *all* married employees within two years.

(*b*) There are small vegetable gardens around the family houses, and for families wishing to garden more extensively special plots are allotted in the settlement grounds.

Those married employees who wish to purchase their own houses within the framework of the Government's African House Ownership scheme on "Ascot Farm" in Gwelo, we are offering financial assistance for the initial payment on a house.

(*c*) Our African employees have their own Club where a film is shown twice a week, free of charge.

(*d*) In the Club, they can buy food tickets cheaply as explained in Section 4, Good meat is sold at the sub-economic price of 11d. per lb. to those who buy ration cards and at 1/- per lb. to those who buy casually. This is 4d. cheaper than the lowest grade of meat on sale in town at butcher shops and the cuts purchased for 1/- per lb. are of better quality than that sold for 1/4d. per lb. in town.

(*e*) The Club has its Sports and Boxing sections. Once a year an African Sports Day is organised on which all kinds of sports are displayed.

(*f*) Members of the Sports sections are offered free transport by Company truck to visit neighbouring African Sports Clubs.

(*g*) There is a school for African children in our settlement. A new, modern school building is at present being erected. A free ration of two buns and one cup of soup or tea (alternately) is given five days a week to children attending the Bata School.

(*h*) Evening classes for adults are in progress.

(*i*) An evening course for technical education (especially for Supervisors) has been organised and is in progress.

(*j*) Temporary employment during school holidays is offered to African students.

(*k*) Three Bata Bursaries are offered to African students in the newly opened African Technical College in Bulawayo.

(*l*) A church has been erected by the U.S.A. Baptist Mission in our settlement. Roman Catholic and Dutch Reform church services are also held in the African settlement.

(*m*) A Boy Scout troop also exists in the settlement.

10. Conclusion

Our Company is employing local Africans from the Matabeleland Reserves, but also from all parts of Southern Rhodesia. We also have African employees from Nyasaland, Northern Rhodesia and from Portugese East Africa.

We believe we can claim that all of them are living in a happy community in our African settlement under the conditions described in this memorandum.

Gwelo

March 1960

Oral Evidence

THE RHODESIAN BATA SHOE COMPANY LTD.

Dr. K. Fiksl—Managing Director

The Commission had before them Dr. Fiksl's written memorandum. In answer to questions he made the following points:

He was strongly in favour of encouraging more manual

work among the Africans. The trouble was that as soon as they were educated up to Standard VI they considered themselves to be above anything but office work, though really quite unqualified to be clerks. It was most important to break down this aversion from manual work; he was convinced from experience in his factory that the manual worker was undoubtedly the happier man. For example, the supervisors in his factory had ten or fifteen men under them. This was good for their morale, and they were thoroughly at home in their work. The half-educated clerks, on the other hand, only had a false sense of superiority, were usually uneasy in their work, and had few prospects because their English was rarely good enough for them to get any further than copy-typing. For this reason supervisors were given disproportionately larger incentive bonuses than clerks. He hoped for their own good to encourage the workers to become supervisors rather than clerks. Supervisors were not expected to do too much bossing around or exercising discipline, but were simply there to help and explain. Nevertheless, he had a few good African clerks. Bata's best clerk was educated up to Form VI and was paid £32 a month, plus accommodation.

Asked whether Federation had helped his Company economically, he said he could not prove it in figures, but he felt that it had. There had been a slight but steady increase in output since Federation started, and he believed it would continue.

The Bata Shoe Company aimed to produce shoes that Africans could afford to buy. Although the general cost of living was going up and up, clothing and footwear were going down, largely because Federation made it possible to operate on a sufficiently large scale.

Memorandum

DR. J. R. SCARR

Nkata Bay District—1957 to 1959

In 1956 I joined the Federal Medical Service from England and after a year in Blantyre was sent as the first government medical officer to Nkata Bay.

On my arrival I was asked to attend some District Commissioners' and District Council meetings. At one, held at the court of S/C Timbiri, I was vilified and told to get out of their district; they said I was the advance guard of Federation and the things they most feared: white South Africa type rule and loss of land rights.

When I got up to go about half the people present jumped up and asked to know my surgery times.

This paradox continued throughout my stay there—politically they made a great show of hating what I was supposed to represent—practically they came in ever-increasing numbers as the medical facilities improved with the £100,000 programme in the district. Local Congress leaders themselves, though condemning Federation in public, came to us in private; among them A. J. M. Banda, his wife and T. D. T. Banda's younger brother's wife for her confinement.

The ordinary villagers were glad of my arrival. I used to ask them what they thought of having a Federal doctor. The almost invariable reply was "We are not interested in where you come from. You are our doctor".

If impressions are admissible as evidence, I formed two strong ones:—

1. The Territorial administration largely disliked and did not try to encourage the idea of Federation among the Africans.

2. The African National Congress and most other African political parties are the vociferous minority heard at every District Commissioners meeting, public occasion and commission, but they do not represent many thousands of villagers, who are often fearful of them.

Intimidation by the African National Congress was practised on a wide and increasing scale. My African staff at Nkata Bay Dispensary were threatened with death for themselves and their wives and children if they worked for the government, both before and after the riot. In fact they were the only government or commercial unit to do so, although compelled by threats to take out Congress membership.

I knew chiefs who feared and were under Congress influence —Native Authority M'Bwana of Usisya, N.A. Kabunduli of Mzenga and S/C Mkumbira of Nkata Bay; most chiefs I met seemed to be affected. A few were staunch supporters of Congress—S/C Timbiri, who threatened an American Mission during the riots; V.H. Mgolozera and his fellow village headman, whose name I forget, both sentenced for inciting riot.

The extremists gained strength by two great weaknesses in the organisation of Federation: the lukewarm support given by the Territorial administration and the complete absence of any plan, programme or propaganda from the Federal government. In my two years in the district there were two visits by Federal ministers (both boycotted) and a few by Central African Film Unit; otherwise I saw no attempt at all to foster public relations between the Federal government and the Nyasaland African. Certainly no liaison existed on the spot between Federal and Territorial administrations.

After the riot of March 3rd, when I had to deal with 21 dead and 29 known injured, there was at first a tremendous revulsion to the European. This was followed by questioning and doubt as to the wisdom of Congress.

When the detainees—African National Congress leaders and intimidators—had gone and the district became more normal, some of my African staff hold me that their big fear was not of the European or of Federation but of the return of the detainees. They said this meant the return of fear for themselves and their families and they were anxious to know how long the detainees would be kept away. They said if it was for two years or more then these people's grip on their fellow Africans might have been loosened enough for their influence to have been lost.

I saw many of the arrested men in Nkata Bay jail and on board the Mpasa. For what it is worth, I agreed with my African staff—they seemed to me an unpleasant and rather dangerous group of men; not at all typical of the ordinary Africans of the district.

In 1958 the African medical staff in Nkata Bay District and Mzuzu totalled 44. 42 signed Federal terms of office. Of the two refusals one was a female cook known to be under Congress influence, the other a Hospital Servant who, having signed once for the Medical Service, said he distrusted being asked to sign for the same thing twice.

Of 10 later arrivals on the station, 8 signed Federal terms. The two who did not were a medical aide of 20 years' service who wished to retire and who told me that he had no particular views on the subject; the other was arrested for complicity at the time of the riots.

On the South Lakeshore of the district, remote from roads or trouble, I was always greeted as a friend and as if nothing had happened, both before and after the riots—they were grateful for any visit I made to them.

I cannot speak for the relatively small numbers of Nyasaland African townsmen. The villagers, who are the vast majority, suffer acutely from infantile mortality, malnutrition, malaria, tuberculosis which is rife and spreading at an alarming rate, hookworm and anaemia, amoebiasis and bilharzia and other ills. They discuss mostly food and crops, housing, money, illness and medical care, family and village matters, their chiefs and relatives. Local politics, for example should the lakeshore Atonga be ruled by a chief of the hill Atonga, were of great interest. National politics were rarely mentioned and the leaders names not even known.

Federation meant little or nothing to these people. Insofar as it was helping them in their great dependence on outside help, they were grateful for it.

Gwelo

17th April 1960

Oral Evidence

DR. J. R. SCARR

Dr. Scarr had submitted a note of his evidence.

In answer to questions he said that he had been three and a quarter years in Nyasaland in the Federal Medical Service, but had recently left the Government Service and was now in private practice in Southern Rhodesia. His reasons for doing this were purely personal: he had had an offer with very good prospects, and he was not happy about bringing up his three children in Nyasaland at the present time.

He made the following points about his experience in Nyasaland:—

(*a*) The Federal Medical Service suffered from a lethargy which he thought was common to all Government Departments in Nyasaland.

(*b*) There was not enough liaison between Zomba and Salisbury. There was a general feeling of being "cut off". This applied to the administration as a whole. An illustration was the failure to advise the Africans about Federation in 1953.

(*c*) There was rivalry and ill-feeling, largely due to misunderstanding, between the Federal and Territorial Departments.

(*d*) The Federal Medical Service was over-centralised, particularly in the Northern Province.

(*e*) The postal service within the Federation was shock-

ing. It took much longer to get a letter from one part of Nyasaland to another than it did to London.

(*f*) Agriculture in Nyasaland was on the downward trend, mainly because intimidation by the Malawi Congress Party made it impossible to get the Africans to co-operate.

Summing up, the witness said that he was not at all happy about Nyasaland's future, and had very little confidence in the Government.

I C. A. INNES

Mr. Innes said he was born in Matabeleland, brought up among the Africans and spoke their language. He qualified in medicine at Guy's Hospital and came back as a consulting surgeon. He served in the Royal Navy during the war. Two years ago he gave up surgery for private reasons and was now farming near Gwelo.

He made the following points in oral evidence.

He was against Federation, because he felt the whole idea was impracticable. Although he voted against Federation in 1953, he had done his best to support it when it came into being, and he considered that in the circumstances the Federal Government had made a good effort. Their task had not been made any easier by certain criticisms from abroad.

But he could not see Federation working out when the three partners were so different, and two of them were utterly opposed to it. Southern Rhodesia should be allowed to go ahead on her own and set an example of a good way of life. Later when the other two were ready, and if they were willing, they should be allowed to join up. In order to set a good example Southern Rhodesia should first break down the colour bar, which was the Africans' strongest weapon: this would also put a stop to the censorship of world opinion, which was doing more harm to Central Africa than anyone realised. What they were aiming for was *"co-existence"*: this was a better word than partnership because Europeans had got to realise that they must either *co-exist* with the Africans or get out.

In order to achieve this the Government should first declare that no official colour bar would be recognised. Secondly, everyone must make an individual effort, and he believed Southern Rhodesians would respond to this. For example, Mrs. Little, manageress of the Victoria Hotel, Bulawayo, had set a courageous example in declaring her hotel multi-racial, which he hoped others would follow. On the whole, in spite of the die-hards, people were becoming more and more liberal minded. In his area twelve out of fifteen of his fellow farmers shared his liberal views, but the great fear of the other three was the stronger force, and must be broken down. He agreed that the old-established Rhodesians were far more liberal-minded than the more recent "settlers". Thirdly, Europeans had got to put it across to the African that he must be patient. From Standard VI to the space age was no mean feat. Jobs for Africans in agriculture, industry, etc., must keep pace with education. Educated Africans were being turned out by the dozen, expecting the world on a plate, yet unable to get good jobs.

Questioned about agriculture, the witness said that a tremendous amount had been done for African agriculture and Africans were turning out to be quite good farmers. The Land Apportionment Act would have to go in due course, but if it went immediately the middle-class Africans would suffer. He agreed with the suggestion that the Act might be amended to keep the reserves as they were at present, but at the same time to enable the Africans to buy land on their own initiative.

He disagreed with Mr. Macmillan's implication that the Africans of the Federation were inferior to those in other states such as Ghana. Potentially they were just as capable. The trouble was that there were four distinct sets of people —rural Africans, rural Europeans, urban Africans and urban Europeans—all of whom were utterly different and could not understand the others' point of view. This was particularly true in the two northern Territories: Southern Rhodesia offered a better and fuller way of life and her people were far more enlightened, contented, and less politically-minded than those of the other two Territories. But, even in Southern Rhodesia danger was closing in all round, and if Federation were not allowed to break up peacefully now, it would break up by force soon.

To sum up: Rhodesians must do away with the colour bar, seek for co-existence with the Africans, and "look to Britain for money, money, money". In reply to a suggestion that Britain herself was short of money, he said that people were seriously alarmed at the recent American Commission and the prospect of American dollars coming in by the back door and undoing all the good done by Britain.

I. D. SMITH, M.P.

Mr. Smith said he was a member of the United Federal Party, and the only Federal representative of his party in the Southern half of Southern Rhodesia.

He had been much concerned at the general anti-Federation feeling in this country, but could not help sympathising with this feeling in view of what was happening in the northern Territories. There was unrest, intimidation, lack of co-operation, and the governments seemed unable to cope. A minority opinion in Southern Rhodesia wanted to take the initiative and leave the Federation now, even though they might at first feel the financial loss of separation from Northern Rhodesia. He himself would hate to see the Federation break up, chiefly for the sake of the two northern Territories, but it looked as though that was what was going to happen.

The people of Southern Rhodesia had understood that the idea of Federation was to spread the Southern Rhodesian way of life throughout the three Territories. But the reverse seemed to be happening, and Southern Rhodesia was continually having to make compromises and concessions to the other two Territories. Since Federation it had become more and more apparent that the Southern Rhodesia way of life was far the best. Operations such as the clearing of the Kariba basin had been accomplished successfully and peacefully, whilst similar operations in the north had caused rioting and bloodshed. He was afraid they were going to be landed with the responsibility for the trouble in Northern Rhodesia and Nyasaland, which was clearly unfair; Southern Rhodesia could not reasonably be expected to accept Federation on such terms. Nevertheless, there was a good chance of saving it if it could be run on Southern Rhodesian lines, with full independence in the Federal sphere. He thought that the British Government should hand over all remaning powers to the Federal Government. In his view it would be unacceptable to Southern Rhodesia if the Africans in the northern Territories were given a larger voice in the government at present. They had already been given too many concessions irrespective of their ability.

If the people of the Federation could be given a chance to make a success of Federation on their own, which he was convinced they could, the example would go a long way to promoting the moderate, pro-British elements in other parts of the African continent. If, on the other hand, Britain made a mess of it, there was no telling what harm might be done.

MRS. M. STENSLUNDE

Mrs. Stenslunde said that she was the third generation of her family in Africa and she had grandchildren also being brought up in Southern Rhodesia. She was a director of three companies established on the Gwelo heavy industrial site, employing 23 Europeans and 73 Africans. These factories involved heavy machinery at which Africans, under supervision, acted as machine minders, etc.

In answer to questions, the witness made the following additional points:—

(*a*) It was not practicable at the present time to pay the same wages for Africans and Europeans. If this were done, it was inevitable that Europeans would be engaged in preference to Africans. Pressure for "the rate for the job" by European trade unions was not, therefore, a sudden burst of goodwill.

(*b*) Southern Rhodesia had had a very adverse press overseas. It sometimes seemed difficult for the English to realise that those born in the Colonies were generally very well disposed to Africans, though they knew that it was too soon to force responsibility on them. When Africans did well, there was nobody more delighted than their employer, whose only desire was that they stand on their own merits.

(*c*) Although she recognised that there were no Africans in the Southern Rhodesia Parliament, she felt that it was a bit too soon for that to happen. Still less could there be any question of one man, one vote.

(*d*) Southern Rhodesia had given better opportunities to Africans in the Colony than existed in any of the British Protectorates—Northern Rhodesia, Nyasaland, Bechuanaland or Tanganyika. But they resented being rushed into going further too fast; this could have disastrous results to those very people who most relied on the Europeans for improving their standard of living.

Memorandum

de L. H. STOWE

It would be disastrous for Southern Rhodesia and this part of Africa if Nyasaland was forced to remain in the Federation. Nyasaland is a trouble spot— a hot bed for political intrigue and dangerous subversive activity—a poverty stricken, slum territory created by the missionaries and the Colonial Office over the years—a playground for the Labour Party of Great Britain.

Nyasaland must remain Great Britain's responsibility until the territory is able to stand on its own feet economically, and politically. I feel our polictical leaders were "taken for a ride" when they agreed to include Nyasaland in the Federation without having demanded financial and political control guarantees.

Nyasaland's economy can never match up to her demands for services. Without an injection of big capital and an infussion of intelligent people her natural resources must remain underdeveloped. Capital will not be forthcoming while there remains a preponderance of self appointed leaders such as Dr. Banda and other power seekers thumping for Black Nationalism. The solution for Nyasaland's problem lies in the adoption of a policy framed on the pattern of Southern Rhodesia, strict control of the missionaries and elimination of subversive activity.

I should like to now move to the Southern Rhodesia scene by beginning with the occupation of Southern Rhodesia by the pioneers and early settlers and by the complete conquest of the Matabele and Mashonas in 1893. Prior to this, for a period of over 50 years the country was devastated by blood thirsty hordes of savages making annual raids on peace loving indigenous tribes—carting away their womenfolk and cattle and murdering their men. The Europeans brought civilization—Christianity, justice, peace and democratic rule to this part of Africa. The Pioneer column under the guidance of the late Rt. Hon. Cecil J. Rhodes and efficient and experienced officers prevented the Transvaal Boers from occupying this part of Africa and the German from linking up S.W. Africa and German East Africa.

The debt Great Britain and the Empire owes to our early white settlers and their descendants cannot be estimated. The hardships and sacrifices, the bloodshed and loss of life entailed in winning this part of Africa will never be known nor appreciated by outsiders.

In the same way that Americans conquered the Red Indians and Australians conquered the aborigines our forebears conquered the Matabele and Mashonas and were here by right of conquest. We are willing to share democratically with all our citizens white and black a peaceful co-existence in the same way that America and Australia is sharing a co-existence with the Red Indians and aborigines of those countries. The Africans whom we found in Southern Rhodesia at the time of the occupation were uncivilized, crude, illiterate and poverty stricken. Our European civilization has brought to them benefits such as state protection, hospitalization, education, employment and recreation never before enjoyed by them.

I will now pass on to the year 1900. At that time a rough census was taken and there were estimated to be 400,000 natives of all tribes in Southern Rhodesia. By normal methods of computation by the year 1959 this number should have grown to 1¼ million. Our latest census shows that Southern Rhodesia has an African population of 2¼ million. I suggest that the additional 1¼ million Africans left Nyasaland, Northern Rhodesia and P.E.A. to seek work here and share in our prosperity created mainly by the capital, industries, enterprise and effort of the white man. Great Britain too has shared in our prosperity. Exports and imports between our countries amount to thousands of millions of pounds over the years. In time of war Southern Rhodesia has made a contribution in men and materials (comparatively speaking) greater than any part of our Commonwealth. We provided air training stations during the war and our people assisted in every way. Our gold and tobacco exports helped Great Britain in the post war period to economic recovery. We pooled our dollar earnings at the time so that Britain would get the major share. We were proud to be an outpost of the British Empire, flying the Union Jack. Britain's attitude in recent years favours Black leadership to European control and our confidence has been badly shaken. All that European capital, enterprise and efforts has built up over the years, all our achievements, our endeavour to civilize the African as fast as the country's economy would permit, is looked on lightly and with disfavour by the ignorant critics in Britain—especially by the labourites and the liberals—by the sensational press, by certain clergy and biased, ill-informed people throughout the world influenced by false and untrue propaganda that is being spread with specific intent to wreck this part of the British Empire.

Mr. Macmillan—a liberal extremist—in "Tory" disguise, followed by Lord Home, and Mr. McLeod, came to spy out the land and assure the Africans. These "power weighted" gentlemen did more to disrupt the tranquillity in Africa than any other factors. Mr. McLeod openly connived for the release of Dr. Banda, the release of the other detainees and a scheme for Black leadership in Nyasaland is also being planned at a time Federation is trying to get under way and while the Monckton Commission is still hearing evidence. This act of political indiscretion by the Colonial Secretary must disrupt all negotiations between Black and White and worsen our chances of settling the Federation problem in the three territories. Indeed all Mr. McLeod has succeeded in doing is to encourage Dr. Banda and his supporters to demand secession for Nyasaland from the Federation—which I believe would be a good thing for *Southern Rhodesia!*

Reason. The Federal Government has spent millions of pounds on improving services in Nyasaland to help in uplifting the backward people there—more than the British Government ever spent, comparatively speaking in all the years it controlled the administration of the territory. I maintain until the Federation gains full independence with a Senate to safeguard African interests—the responsibility for financing Nyasaland's internal services should remain with Nyasaland and the home government. Should the Federation break up Great Britain should be morally bound to refund to Southern Rhodesia and Northern Rhodesia, proportionally the monies expended on Nyasaland since 1953. Outside Federation Nyasaland will develop into a slum state. Under Dr. Banda it will become a graveyard.

I have lived amongst uncivilized Africans all my life. In Tanganyika, Nyasaland, Southern Rhodesia and South Africa, and learned a great deal about their customs, their beliefs, their superstitions and their weaknesses.

75% of the lower strata in African society are liars, and thieves, destitute of principle and very few have consciences. Dr. Banda after his contact with Dr. Nkrumah saw his opportunity and soon realised how easily these simple emergent Africans can be influenced, especially by preaching Black Nationalism to them. The plotting to overthrow local authority and the seeking after power by the agitators will continue so long as support is forthcoming from overseas. I believe that the organizers of the various political groups are supported by only 5% of the hooligan element of the African population —mostly out of work and semi-educated types, with a sprinkling of power seekers hoping for the "top jobs".

So long as interviews are readily given by the Colonial Office to just anybody claiming to speak for the African people so long will our racial problem in Africa remain unsolved.

The missionaries, the press and some of our Church men must accept along with the ill-informed critics overseas the full responsibility for most of the racial trouble in Africa.

I blame our local Government for allowing African education to be controlled by the missionaries and churches, who make little contribution financially but enjoy this power. The Federal Government makes block grants and pays teachers salaries and other facilities are paid for by the parents of pupils. The churches have in the past indoctrinated African youth with ideas—not only Christian in character, but political and subversive—Example St. Faith's mission, Rusape and churches in the Union of South Africa.

Communism is infiltrating everywhere in Europe, Africa, the Middle East and the Far East. Great Britain appears to be making a titanic effort to outbid the Communists in Africa for African favour, but believe you me all her leaders are doing is abandoning Africa and throwing the door wide open for Communists to walk right in and establish bases from which Western Europe could be destroyed over-night. The ignorant masses in Africa will be enslaved to develop Africa for the Russians. When England walks out of Africa, Russia will walk in. They will walk in—even ahead of America who has plans for pouring big sums of money into Africa—for development and exploitation of Africa's natural resources.

The Labour Party has demanded and actually received an assurance from the British Government that Britain will not hand over control to the Federal Government until they are satisfied *all* the people desire to join Federation. This assurance is as ridiculous as the Labour Party's demand, because 80% of the people of Nyasaland and Northern Rhodesia are illiterate and uncivilized and will remain so for a long time because of our economy. South Africa, America and Australia after 100 years still have uncivilized coloured communities who take no part in making major decisions. Does Great Britain

consult all the people when deciding major issues? Such as declaring war or withdrawing from the Suez Canal area?

In 1953 Southern Rhodesia was granted responsible Government—with Government stability. Capital poured into the country for industrial development and economic advancement. We were virtually an independent country. Our Prime Ministers attended Commonwealth Conferences and Southern was recognised as an independent state. The one remaining constitutional reservation African affairs would have been removed by 1955 had we not decided (persuaded by optimistc leadership) to support Federation. We supported the idea of a greater state—a bulwark in Africa—a loyal member of the British Commonwealth. Southern Rhodesia stuck to the undertaking but the Colonial Office, urged on by the Labour Party, political expediency and the discovery of Mr. Macmillan, that the winds of change were blowing across Africa whipping up black nationalism decided on constitutional changes for Northern Rhodesia and Nyasaland. A premature violation of the Federal Constitutional set up and an immoral departure from British traditional fair play. It is impossible to keep law and order out here so long as deputations of self appointed leaders go singly and in groups to interview the Colonial Secretary in Britain. Surely in the name of diplomatic decency these "tittle-tattle tale" carriers should not be received, but should be referred back to authority in those countries from whence they came. Having received an audience with the powers that be in Great Britain they return with added prestige and backing. An entirely new approach to enfranchising the ignorant masses will have to be written into our Constitution. Something to satisfy the 80% of our uncivilized illiterate Africans. In such a unique political set-up representation for the tribal masses should be through their chiefs or special African leaders appointed to represent them in parliament. The educated Africans and those owning property and those able to fulfil the Franchise qualification will share a common voters roll. It would be suicidal politically and economically if we granted one man one vote. It would encourage mob rule and all development capital would be frightened away over-night. Constitutional advancement should be by stages over the years and geared to a country's ability to stand on its own feet politically and economically. During the transition stage it should be under the sponsorship of an independent neighbouring state—sharing its technical services, police and military protection with certain guarantees from some world organization until it has reached political maturity and independence. It should not be governed by a muddling, inefficient Colonial Office nor political churchmen and missionaries.

If Southern Rhodesia held a referendum tomorrow—an overwhelming majority would vote in favour of expelling Nyasaland from the Federation. Sir Edgar Whitehead would get a solid backing.

One final observation. The 1st and 2nd R. Rifles along with 100,000 South African troops conquered Tanganyika in 1918. These troops endured hardship and suffering because they were patriotic to Great Britain. Many thousands lie buried in Tanganyika and thousands were maimed for life. All fought to conquer the Germans and to protect Nyasaland and Kenya from invasion. Now 52 years later those graves are being trampled underfoot by black nationalism and the interests of those of us who survived are being sold to political expediency.

I believe that the problems of Africa can and will best be settled by the people on the spot—those who have a stake and everything to lose if a wrong decision is made—those who are concerned with the future destiny of the country and all its people white and black.

It would be a betrayal of the emergent masses if they were handed over to Black nationalism and inexperienced leaderships.

Oral Evidence

de L. H. STOWE

Mr. Stowe had submitted a note of his evidence.

In answer to questions he said he was in favour of maintaining Federation without Nyasaland, if Britain promised economic assistance. He resented paying tax to Nyasaland and getting nothing in return.

Asked if he thought that Federation should be broken up if Nyasaland did not secede, he said "yes". He did not agree with Sir Roy Welensky's statement that there was no possibility of Federation breaking up in such a case. If Federation failed, Britain was morally bound to repay Northern Rhodesia and Southern Rhodesia what they had put into Nyasaland

SHABANI

19TH APRIL 1960

Memorandum

B. J. HLAMBELO

Your Commission is purely advisory. It will make no binding decisions. Matters of concern will be taken only by 5 Governments at the 1960 conference. Fortune will only fall on them to have the recommendations of your Commission.

Let me hope that they will be fortunate and have my views available to them.

Federation had a bagful of palatable advantages preached to both Africans and Europeans before its birth in 1953. Amalgamation had previously proved abortive due to the pronounced African opposition, particularly those Africans of the Northern Protectorates who had been both in Southern Rhodesia and South Africa and had seen suppression of advancement in Southern Rhodesia and its allied apartheid policy in the Union.

During Bledisloe Commission, Fitzgerald saw the Native Opposition to the proposal for amalgamation. That was in 1938. The very opponents of amalgamation were in 1953 given another "version" of amalgamation in the form of Federation. The underlying principles governing the two issues has no differentiating bearing upon the ordinary African. It is the same pulpit and preacher of amalgamation. In the North, Africans are imbued with a hope of a not-far-off independence. In Southern Rhodesia the right to be governed by the majority is prevalent. At present the white man is a slave master and the master mind of Federation and suppression. This is due to the proximity of the Dutch element in the Union and the influx of the Boers from there to Southern Rhodesia. They have a damaging influence upon any Socialistic type of policy. They steer both the Federal Party and the Dominion Party, which Parties have an element of apartheid.

Certain services which were left territorially are a pointer that advantages which may accrue from Federation must only be enjoyed by the Boers.

The Native Policy of Southern Rhodesia is the only retarding factor in the smooth operation of Federation. Partnership which has been left ill-defined has received its deserved interpretations. The most suitable to an African is the relationship between a horse and its rider. When certain people begin to implement proper partnership, even if it means junior and senior partner or relation between father and son, crisis germinates as in the case of Todd's Government.

Dating from the dismissal of Todd and his complete failure to be supported by the electorate, Africans in all the Territories have become Nationally aware. This resulted in the inhuman detention of hundreds of Africans. The horse is still in detention. This has aggravated nationalism.

If Southern Rhodesia were Bechuanaland, there would be no trouble. If Sir Roy had been Todd, Banda would have hoped for the best. As long as a Todd is out of the reins, there is no future of a peaceful Federation. "Shots" will be fired in no remote time. Southern Rhodesia will soon surrender and go south. The African will be better off because he shall not be bribed any longer.

If Federation had not come:—

(1) Would there be no Hospitals?
(2) Would there be no Railways and Post Offices?
(3) Would the present Police Force be not what it is?
(4) Would the Native Affairs Department be not what it is now?
(5) Would European and Coloured education not move a step forward?
(6) Would the Zambesi still be without a Gorge?
(7) Would there have been high postal charges and gasoline high taxations?

Let alone the dead answer.

Must Federation be disintegrated. No! No! Banda would be a thorn in the flesh of our doorsteps. Does it need renovating? Yes! This will make Banda to have a cooling and moderating influence upon Roy and his colleagues.

Federal New Look

Southern Rhodesia which is the backbone of Federation must change its Native Policy. Africans must be given a suitable franchise. Native Commissioners must die off as they seem to have flexible and unwarranted powers over the poor African. The Chiefs must cease to be Native Commissioners' messengers. Illegitimate coloured children should have their parents listed yearly in the Government Gazette. Land Husbandry Act which gives Africans, vegetable gardens and not fields, should give room to better animal units and farming acreage. At present 6 acres only result in subsistence living. The coming generation has no future in the reserves. The Land Apportionment re-division. The Morris Carter of 1930 is not different from separate development of South Africa.

The African wage must be brought up. At present he gets at list £6 while his partner receives £90. African education must go Federal. Education and Agriculture are the basis of a nation. Millions of African children go away from schools half baked. The £2 tax is fuedal. People should be taxed according to his income. Partnership is meaningless. Democracy must finally be implanted and must be practised as we know it. Communism is not known to us and must be stopped from being spread by Europeans who best know it. The benefits of Federation should not be preached to us but acted upon.

Shabani

Oral Evidence

B. J. HLAMBELO

CHAIRMAN: You are a teacher in an African School in the service of the Territorial Government?—A. Yes. I am not a Headmaster, just an Assistant. There are about 800 pupils in the school—this is the Mine School.

Q. Are you the first, second or third teacher?—A. There is no grade. I was a Headmaster prior to coming to the Mine School. My salary is £26.5.0d. a month. I would now like to hand in a paper. (Paper handed to the Chairman.) (See memorandum by B. J. Hlambelo.)

Q. Thank you. Do you belong to any Association?—A. The African Teachers' Association. I do not belong to political organization.

MR. CRAWLEY: Did you belong to any before they were banned—Congress?—A. Yes.

CHAIRMAN: You think there must be a change in Southern Rhodesia?—A. It is the stumbling block. The Northern territories are frightened when they have to federate with such a country as Southern Rhodesia.

Q. You do not see any prospect in federation?—A. There is, provided the present conditions change, particularly the policy of Southern Rhodesia. The most urgent change is that Europeans are mostly not against federation. There may be a few now. I personally think it is the attitude of the Europeans of Southern Rhodesia towards the Natives that must be changed.

Q. What is the worst feature of it?—A. There are many things. The Native Affairs Department needs a different outlook towards the African. It has never changed for the last fifty years or so. I am still handled as a man was handled then.

MR. CRAWLEY: It is the attitude you are speaking off?—A. Yes, we consider the Department is a sort of privileged Government within a Government. They have certain powers that do not need to go through Parliament. When we visit the Department, in most cases we are subjected to a low type of handling.

CHAIRMAN: Do you mean they are rude to you?—A. We will be told to sit on the floor. I experienced that myself when I went to pay my poll tax. I was told to sit on the floor or else leave the office. As a result, I never paid my tax on that date but left with the money.

Q. That was done by a European? And what happened?—A. I eventually paid it; a message was sent to me.

MR. CRAWLEY: This is an attitude of superiority, or rudeness?—A. Yes, they have a superiority complex. I think the poll tax is medieval, outdated.

CHAIRMAN: Do you think you should pay anything at all?—A. Income tax. It would be paid according to percentage. I do not know what percentage.

Q. You would pay nothing, surely?—A. That is better: my wages are low.

MR. CRAWLEY: But you do not object to income tax if the money is more?—A. If I were a European with the same qualification. I would not be getting £26.5.0d. a month. I am Matric; Standard X.

CHAIRMAN: Have you complained about your salary?—A. Yes, it should not be according to colour but qualification: the rate for the job is important.

MR. CRAWLEY: Are there any European teachers who have not got Matriculation standard?—A. Not to my knowledge. I went to European mission teachers, and they all had. They were paid three times what I am getting, I think.

CHAIRMAN: Are they all African teachers at this school?—A. The principal is a European. I would like to talk about the Native policy. I feel the franchise is made by the Government and is too high for the African. It should be lowered until all Africans have secondary education, then it could be changed. It is made only to keep the number of African voters low.

MR. CRAWLEY: Do you have a vote?—A. Yes, on the Special Roll. This year, if I re-applied, I may be in the General Roll because I am getting £26 a month. I do not know whether I can register, but anyhow I am a voter in the Territorial Parliament. I think if Africans could be in the Territorial Parliament our views could be represented.

CHAIRMAN: How many Members do you think would be needed to do that?—A. It is according to the voters; if people vote for ten or twelve Africans, that is all right.

MR. CRAWLEY: When you were a Headmaster, did you leave that school vountarily to come to this one?—A. I had to transfer when it got into the hands of the Native Affairs Department. I was at the school, and then, seeing my interest was with the missionaries, I transferred to a mission station.

CHAIRMAN: Have you anything to say on the colour bar?—A. Yes, it has to be removed. In Shabani we do not go into the stores; we have to go, as they say, through the window. It is acute here, because even the M.P. here is a member of the Dominion Party. We think it is typically South African Government.

Q. You cannot go into the stores, but are there any other forms of discrimination?—A. Trains: there are special carriages. Also, this is my first time to be in this building. It is a memorial hall, and no African has ever been in here except those who work.

Q. Have you ever been to a European's home.—A. Missionaries' homes, yes. I think if all politicians were as missionaries, then things would be all right.

CHAIRMAN: What age are you? Have you noticed any difference since Federation came?—A. I am about 35. I think there is little difference except that a few Africans have had chances of getting very good jobs—a very few. Amongst the rank and file there has been no improvement.

MR. CRAWLEY: Has there been any improvement in education?—A. Not African education, unless it goes Federal.

Q. They would have more money, in other words?—A. At present it makes no difference.

CHAIRMAN: You think you would get more money in the Federal set-up, and the administration would be better?—A. Money is the thing. At present we are told in the Teachers' Association there is no money. I feel most of the teachers would not turn up to give evidence because we believe that unless Federation carries on there is no hope for us in Southern Rhodesia. I believe some people have been persuaded not to come here by a member of the Native Affairs Department. I was myself told that no teachers should go before the Commission.

MR. CRAWLEY: Your Native Commissioner told you not to come?—A. Yes, when I went to the Police Commissioner I was assured that I had every right to come.

Q. Were you told not to come because you were civil servants?—A. So I was told. I had read that in the papers, so I went to make sure, from the Native Police, that I was supposed to give evidence. Two Chiefs are here today. I am told one Chief has been returned because he stated that he did not know anything about the Federation, and he was told to go back.

CHAIRMAN: Was it the Native Commissioner who told him to go back?—A. Yes, a European. The name of the Chief is Shiku; and as a matter of fact these Chiefs have come to a status of Native Commissioners' messengers. They are no longer representing the Africans.

Memorandum

REVEREND A. GRAY

I first came to this country as a missionary in December 1947 and have been here since that time, except for a period three and a half years working in a Diocese in the Union of South Africa. My interest in the country has remained constant during the thirteen years. Rhodesia is my home, and in

saying that I speak for my wife and family. We have a house with a small farm attached which is our holiday home, in the Eastern Districts. Even when in South Africa we returned each year to Rhodesia for our holidays.

My work has been mainly with the rural African and particularly with the reserve African, though since working in Shabani and its district I have come into contact with a very different rural African—namely the African farmer of the Native Purchase Areas. In the early days I was frequently on trek for a period of two or three weeks at a time, and in those days it was an uncommon experience to meet another European during the whole trek, and they seemed rather strange people after living for three weeks among Africans. I mention this for one purpose only, namely to emphasise that it is purely prejudice which sets up a barrier between European and African; but it has to be admitted that their hygiene and cleanliness are not up to European standards and that their customs of eating, living, etc., are in many ways very different from ours. The intelligence of a great many of them is very limited; my experience, it must be remembered, is largely of the rural African and I would estimate that of them about 80% have no interest in politics and are virtually incapable of exercising a vote; the same might be said of a much smaller percentage of English people, but with this difference; the large proportion of politically disinterested Africans of low mentality would be the ready prey of the political agitator; the rural African is easily influenced by one of his own people with a smart suit, a trilby hat, and a brief case, arriving in a car.

I have been in Shabani for over three years and have, for the first time, come into close contact with urban Africans. Although there are, as might be expected, a larger proportion of better educated and/or skilled Africans, the great number of them are probably still rural at heart, and what I have said regarding their eligibility to vote would apply to them as much as to the African living in the Reserves.

Earlier I mentioned what I called "a very different type of rural African", namely the Master Farmer, certificated African who lives in the Native Purchase Area and has bought his own land, 100 acres or so. Many of these have built themselves European type houses and own a tractor or a lorry. It is only fair to say that in general these have been picked by the Native Commissioner before being allowed to take possession of their own farms. These men stand out from the ordinary rural African by virtue of their character, behaviour, self-assurance and manner or speech and good sense. I have no figures of the numbers of Africans occupying land in the Native Purchase Areas but I should think they are still a very small minority, though undoubtedly one of the important African minorities in the country. They constitute the foundation of African yeoman farmers; there will undoubtedly be an increasing number of Africans becoming eligible for Purchase Area farms, and land must be made available for them. if necessary through the purchase by the Government of suitable European-owned farms as and when they are offered for sale.

Speaking as a Rhodesian I have the impression that there are in general two fallacies deep-rooted in the minds of people in England; one is that Rhodesia abounds with lions, snakes and scorpions and that its citizens live in constant danger from them; the other that the generality of Africans ought to be treated as the social equals of the European. I am sure that members of the Commission will be able on their return to England to dispose of the first fallacy. The second fallacy constitutes more of a problem; there is constant confusion between 'racial' and 'social' in the minds both of the people of England, speaking about Rhodesia, and also of the European Rhodesians. People on the Left in England seem to think that a blueprint for the Welfare State which works in England, should be applied here. The problem of 'racial' versus 'social' here is acute because more than 95% of our African brethren would find their place in society in the lower levels. Having said this I must hasten to add that my wife and I have amongst Africans those whom we call friends, who sit at our table and we at theirs if we call on one another.

If Federation is to go ahead I am convinced that there will have to be a much more determined effort towards the integration into society of the civilised African, who should be accepted as the social equal of the average European. Hotels, bars, theatres and cinemas as well as churches should be open to him. Europeans have far more to be embarrassed about and ashamed of in the behaviour of young Rhodesians at bull-fights in Vila Manica or beatings up conducted by teddy boys in Salisbury hotels than they have of the advent into society of what at first would be a very limited number of Africans.

Regarding the generality of Africans, there are a certain number of pinpricks which have been removed, such as the dividing walls in Banks and Post Offices, which previously enforced segregation. I have heard a limited amount of verbal protest against the removal of these on the part of Europeans. The removal of these material obstacles does not go very far towards solving the problem unless it serves as a reminder to Europeans that their demeanour towards all Africans, whatever their social standing, must change; for example the housewife who calls out "Here, boy" and throws the duster he is to use on the floor for him to pick it up. There is still far too much of that sort of thing. We now order 'rations' for our servant from the butcher instead of 'boys meat' but it usually comes wrapped in newspaper whereas the bones for our dog come in greaseproof paper; this sort of thing tacitly suggests that the African is some lower form of animal.

In the education of the African the Missions have taken a leading part. People who have been in the country a long time remember the kind of African gentleman who was the product of the early days; they compare him with the modern product, who is often swollen-headed, cheeky and without manners; having passed Standard VI he behaves as if he knows everything, and is a social misfit. He is too superior to do manual work. (Standard VI is of course not a high academic qualification, and is normally passed by European children at the age of 12-13.) The Missions are blamed for this, but it is not their fault; in the early days the Missions drew up their own syllabus which combined a limited amount of academic study with a good deal of manual training. It is the Government Education Department which has forced the pace, and compelled the Missions to follow a more academic syllabus. The Standard VI social misfit thinks he knows all there is to know; he is insubordinate and strongly resents being told anything; he cannot drive a nail in with a hammer, or fill a wheelbarrow; and when he fails to get a white-collared job, he will come and ask, for example, for a job in the garden, and resent every minute of it.

There are two qualities which are sadly lacking in the vast majority of Africans, a fact which is overlooked by many English people when speaking about the Federation. These two are integrity, and trustworthiness in taking responsibility. For generations the African has looked to the European to provide him with everything and very few of them are capable of taking initiative and standing on their own feet; the great majority of them are still subject to persuasion by bribes or presents; no doubt due to the fact that the giving of bribes has for centuries been a marked feature of their tribal life. Within the mission field they will demand the entry of the Church which they think will provide them with the greatest material benefits. The influence of witchcraft and superstition still is considerable even amongst the more educated Africans. Only the other day I had a teacher (Standard VI with two years Teacher Training) who applied to me for a post in one of the schools in this area. I took him to the place and left him there, Two days later he returned here and informed me that he did not intend to stay. The reason given was that one of the inhabitants had told him that it wasn't safe for him to stay there as there were evil spirits that passed the school in the night. He evidently believed the story for I could not persuade him that it was pure nonsense. The story is not complete without its sequel. After much enquiry I discovered that the man who had made up the story about the evil spirits was the uncle of another applicant for the post, who in fact got the job.

Oral Evidence

REVEREND A. GRAY

The witness read a written statement which he handed in. In reply to questions Mr. Gray made the following points:—

(1) He belonged to the Church of England. He had charge of a limited number of schools around Shabani at present, but in the past had been Superintendent of 20 or 25 schools.

(2) Questioned on the colour bar, he said that it was not going fast enough, although there was a limited advance. A number of the old settler types had hardened against relaxations. This had been a reaction against Mr. Garfield Todd. Many of them could not get rid of their old ideas. Among a greater number, however, ideas were moving on slowly. He was not sure that legislation was desirable to remove the colour bar. Informed Europeans ought to do more socially than they were doing. He and his wife had African friends, but they still felt that they were not doing enough. He had first come out on a mission, and he thought that in old mission days there had been racial integration at its best.

At the present time in his own congregation, he had noticed a change of thought, rather than a change of practice.

(3) He considered that Federation was "the only thing".

(4) He thought there had been a change in the attitude of

Africans towards Europeans, but it was not very marked. There had been a deterioration in the relationhip towards Africans of the Standard VI semi-educated types, who were not as good as the earlier mission product. These people probably constituted the largest part of African thinking, but they were still likely to follow any lead which was given to them.

(5) On the subject of missions and education, he pointed out that the European child who was not of a high academic standard could get technical education, for example at the Bulawayo Technical College. A great majority of Africans would be in the same position, that is, only a limited number would be found suitable for university education. Therefore the majority ought to be trained for technical jobs, but there were not the facilities at present. He thought that this line would be the answer to the problem of the semi-educated Standard VI boys.

(6) He had seen a great advance in Africans today in respect of their holding responsible jobs in factories; such Africans could do their jobs well.

(7) On the desire of those with Standard VI qualifications for white collar jobs, he thought it was the outcome of history. The position of Europeans in the past had been that of supervisors and hence the Africans wished for white collar jobs to become supervisors themselves.

(8) He would say that the Master Farmers in the Native Purchase Area would be capable of having the vote. His wife was a doctor, and she could pick out such men immediately. They were self-assured, contented and sensible.

(9) On the land problem, he thought that the government should purchase land for African occupation as and when it came on to the market. But if the government were to take a slice of European land for Africans, it would provoke great opposition.

(10) He agreed that the expression "civilised African" was vague and that it was very hard to find a yard-stick. Probably what counted most in practice was not education but cleanliness, hygiene and general behaviour. He agreed that such people as hotel or cinema proprietors might find it hard to draw the line. It was certainly not purely a matter of education. Many Europeans were of low education, but they just "fitted in". But he would not say that removal of the colour bar could not be put into practice.

(11) Questioned as to whether the standard of living of Africans was beginning to rise, he said that since he had returned from South Africa and come to work in Matabeleland, he had noticed a greater backwardness among Africans there than in Mashonaland. In fact he thought that the Africans in the latter area probably had not moved forward at all in the last 13 years. A certain school which he had mentioned was in an extremely backward place. In contrast there had been a definite move forward in Mashonaland, where it was tied up with the general prosperity. In the Shabani area only a few Africans would come into town and work. In fact, in this area, there were still people who wore skins.

(12) He did not know if the police were regarded by the Africans as friends and protectors, although he thought that on the whole they were.

(13) He served two churches in Shabani; one was European and the other African. But in fact there was no European church at all. he had to share a hall used by other congregations. When the Anglican Church was built he would make it clear that it was open to all races.

(14) He did not consider that the racial prejudice among young Europeans was stronger than among the old.

(15) On the franchise, he thought it should be broadened a little, but not to the extent of the recommendations of the Central Africa Party.

(16) There was in the past Congress activity around Shabani. But in his own district work among Africans was limited. He worked among urban Africans, mostly those employed on the mines. He considered them to be very well behaved. Shabani mine conditions were among the best.

P. MABENA

The witness was a barber in the Township Municipal Board Location of Shabani, and also a farmer.

Mr. Mabena complained of the destocking of animals outside the town, and also about the allocation of lands. In the reserves people were counted when the allocation was carried out. If a person happened to be away then, when he came back he found that he had no land. People who went abroad to seek employment were left out of the land allocation. As a result they had no grazing permits. He said that these things had not happened to him personally, but he spoke for others.

The witness did not fully understand Federation, but thought that it would be a good thing for the Federation to continue and not break.

In reply to questions, Mr Mabena made the following further points:—

(1) The Agricultural Officers helped them much, so that people had more food, but the land allocated was not enough.

(2) People had been moved from Didaya area, some to Sabi and some to Nyamundi where people were being grouped together. There were no difficulties because they had no land and some had no grazing permits. The Land Husbandry officers had been there.

(3) Business men were not given houses. They were sent outside the township Municipal Board. The witness conducted his business under a tree: but it was not a very good business.

(4) He was not a voter, but would like to be. He lacked the qualifications to vote. There were many like him. He would like the franchise laws to be widened to include such people. He had no educational qualifications because there were no schools in his area. He had been taught to write only his own language. His income was between £40 and £50 a year.

(5) Destocking was not the result of congestion, but every year there was destocking, and a man's cattle might be reduced from 40 to 5.

Memorandum

T. S. STILL

Generally speaking if the United Kingdom should decide to alter the Federal or Territorial Constitution it would be a calamity if such alterations should make it possible for an African Majority to control the Government of our Country within the next 50 to 100 years, if ever; though as the Country progresses and their standard of education and general knowledge improves they will year by year have a larger say in Government, and one can only hope that eventually we shall be full partners.

I consider independence, even to Nyasaland in the near future would be disastrous, not so much for us, as for them. The only danger to us is that they would very soon be in difficulties and fall victims to some other help, most likely Communistic.

As far as I know we are on very good terms with most of our Africans and the only trouble emanates from a few agitators like Fenner-Brockway, Stonehouse, Barbara Castle etc., who have been stirring up strife with the support of Ghana, whose Prime Minister, according to his own Biography, has a leaning towards Communism or certainly had such a leaning a few years ago. I would refer you to the Autobiography of Kwame Nkrumah (Thomas Nelson & Sons) and Joy Packer "Apes and Ivory" pages 316, 317, Eyre & Spottiswoode.

I know full well that 90% of the people in Britain, who are supporting, by their gallop polls the rapid advancement of the African, have no idea what the average African is like or what he was like before we came to his rescue some 60 odd years ago.

We are all ready to give them as much education as possible and not in any way to blame for their apparent slow advancement. We have done all we could with the finances at our disposal, and our efforts compare more than favourably with the efforts of the U.K. during the same period over other Colonies such as Bechuanaland etc. The U.K. benefits considerably by her trade with this country and the Africans in particular, so if she wishes them to advance faster, receive higher wages etc. and to retain her good name with them she must spend large sums on development or make larger grants for this purpose, so that more and more industries can be opened up and more employment found. It is of little use educating thousands and then making them work with pick and shovel which would be the only work available unless very many more industries and development schemes are launched. They would be walking the streets looking for mischief. The U.K. should set aside £500,000,000 for this purpose and for education over a ten year period, otherwise Russia will only take over and do it for them. A strong Federation would be a wonderful help and asset to U.K. and the Commonwealth in case Russia or the Far East should decide to become nasty. Just look at the map of the world.

The majority of our Africans are peaceful and happy and a lot of the trouble is made by the idle who are not willing to work but prefer to intimidate others and steal etc. They are always ready to fall into line with any agitators, White or Black, so that the education they have obtained can be used for their own personal advancement.

There is no doubt the Press are also very largely to blame for their exaggerated reports and it is really too silly to think that the U.K. Government can be persuaded to send out Commissions, at no small cost, to enquire why some screaming and excitable young woman had her toes trodden on. I assure you if you had been in the front rank waiting

to see the Queen come down the Mall 50 years ago and pressed too close to the soldiers in front you could expect a dig on your shins or toes every time.

It must not be overlooked that the Africans have very little background and quickly revert to barbarism; even the educated ones can revert back very quickly. I know of many cases where the African has been well trained and a very useful help but after one year in the Reserve he has quite forgotten all he learnt.

I need hardly mention that in 1918 after many years of Christian teaching, etc., there were lots of slums in London, Liverpool, Wigan etc. with ten adults and children living and sleeping in one room. Early in 1918 I was Depot Manager of a munition factory at St. Helens employing over 3000 and Pit girls were delighted to get increased wages up to 30/- per week to work on munitions. It was not till 1920 that the minimum wage of 50/- per week was introduced; at that time I know many farms hands were only receiving 10/- per week plus accommodation, no food, and house servants £10 to £20 per year plus accommodation, food etc.

Finally I should like to suggest how I think possibly a lot of the trouble in South Africa and now in the Federation originated:

After the South African War, generally speaking European Afrikaans South Africans were held in check, very few were admitted to senior posts in the Civil Service, Railways, Banks etc. No effort was made by the Government to give them special educational facilities to enable them to learn to speak and write English fluently and so take their place with people coming from the U.K. or other British Colonies to S. Africa. The Colonial Office should have spent large sums for this purpose to help to bring them into the family circle. The Labour Government had every opportunity when they held office but did little or nothing but send a few Africans such as Chiefs' sons to Universities and after they had qualified, what did they do for them. The Native Department could not employ them and all that was left for them was to get back to the Reserve, forget most of what they had learnt and possibly help their father who might be the Chief. Now the Labour Government led by a few politicians seeking publicity and trying to make political gain out of their actions, are trying to make us do everything at once and put the African into control knowing little or nothing of the task before them. The result will be that they will all quarrel among themselves and then fall easy prey to another Power such as Russia only too ready to buy them over. In other words, I am sure a great number of thinking White people in this Federation feel the U.K. is just throwing the Empire away and seriously damaging the future of the Commonwealth.

We are all anxious to help and improve the Africans to higher status and most of us are quite prepared in good time to mix socially with the educated African but the majority of the Africans must reach a much higher standard of education, respectability and have acquired civilisation and all that it stands for before we should be asked to allow them to freely attend our own schools and social facilities unless specially invited. The African prefers it and so do we, time alone can change and it must be a long time. Meanwhile the European on the spot with the aid of advice and help from overseas more particularly in the theoretical than in the practical sense must be given full control. We must be allowed to become full members of the Commonwealth and not be left to the whims and fancies of whatever party may be in power or trying to get into power in the United Kingdom. I invite you and the Archbishop of Canterbury who say we must all pray for the South African Government hoping they will change their policy of apartheid to come to our local Post Office at 9 a.m. or say from 8.30 a.m. to 9.30 a.m. and many other times and see how you would like to have lunch with our pals at the counter. We must be reasonable but not stupid.

I do not know if Mr. G. W. D. Kidd of Bulawayo has given evidence but if he has I suggest you ponder over what he has said particularly from the African viewpoint because he knows the African very well and I should say there are few who know them better and would or could give a fairer opinion.

I know what the Conservatives think of Barbara Castle in the Crewe district and what the average Englishman knew of South Africa or Rhodesia during the First World War. If an Englishman married a South African the villagers expected to see a Black woman arrive as that man's wife.

Oral evidence

T. S. STILL

The witness was a retired Bank Manager, who had come out to Southern Rhodesia in 1911 after 5 years in the Bank of England, and joined the Standard Bank of South Africa. He had served in the First World War as a Rifleman in the 60th in which he was commissioned. He had been wounded three times and invalided in 1917, and then had experience in the Ministry of Munitions. He had retired in 1948 after being Manager of the Standard Bank of South Africa in Bulawayo. He now had a small farm outside Shabani.

Mr. Still read and handed in a memorandum. During the reading of this he made two interpolations.

(1) "We seem to be just throwing Africa away".

(2) On the Post Offices—" We were much better off when they were divided off. The Africans then did not have to mix with the Europeans. It was just the same as the social bar in England."

In reply to questions Mr. Still made the following points:—

(1) The United Kingdom Government should have agreed to Sir Godfrey Huggins' demand many years ago for 100 miles each side of the railway.

(2) It would be a grave error to split up the Federation.

(3) He was not on principle against relaxation of race discrimination, but he was thinking of the Africans themselves. There was the question of smell. Moreover the girl who had to attend Africans in the Post Office did not understand them. She was not fully qualified for the purpose. Further, Africans could not be admitted *ad lib* to dances. All the riff-raff would just rush in. The thing should not be pushed on too quickly. But he had nothing against the black skin.

(4) Mr. Still had objected to "outside interference" and wondered — how it could be brought to an end. He thought there must be some control of the situation. The British Government should simply kick Tom Mboya out. The Africans interpreted the behaviour of the British Government simply as weakness.

(5) He considered everything had been fine in the Federation until they had had disturbances last year.

(6) The United Kingdom Government should promote a ten year plan for this part of Africa, and spend five hundred million pounds on educating the Africans. It was no use educating them, without also providing the possibilities of employment. If the British Government wanted the country to go ahead with African advancement, they would have to provide big help.

(7) He believed in a multi-racial community, and thought that the Europeans were falling into line with this idea. They were only now too pleased to receive the educated Africans. But he did not say that the Europeans were perfect. He himself thought that the Union of South Africa was going too much in the other direction. But racial discrimination must be removed by persuasion not by intimidation.

(8) As to the advancement and education of Africans, it was a matter of bringing up the Africans to quite a different standard of life; and the problem was how this could best be done.

(9) He had not visited Northern Rhodesia or Nyasaland since Federation. He would be surprised if he were told that the Africans there were almost 100% against Federation, and if that was so they had been misinformed. The development plan of which he had spoken was needed also in the north. If Nyasaland were separated from the Federation, the Nyasaland labourers would be automatically shut out from Southern khodesia jobs. If there was opposition in the north, we should clearly have to loosen up and come to terms with them. But he did not think it was so. If they were to get self-government they would be quarrelling among themselves and would be worried by people from Ghana.

I. B. DILLON

The witness was a member of the Southern Rhodesian Parliament for Shabani, and was a member of the Dominion Party. By profession he was a local gold miner. The members of the Party had agreed not to submit individual evidence, but he had decided on this day that he ought to say something to the Commission. His own entry into politics had only happened three weeks before the recent Territorial election, in June, 1958. He had formed in the area an anti-Todd organisation. He had then been asked to stand for Parliament and his nomination had been put in late. Thus his political background was nil, and had simply arisen from his opposition to Mr. Todd. He had then defeated Mr. Garfield-Todd in the Election standing as a member of the Dominion Party.

His own loyalty was first to Southern Rhodesia and the Queen, and not to the Houses of Parliament in Great Britain.

He felt that the politicians in Great Britain had been using ing people in Southern Rhodesia as a political football. He had very close association with his electorate, and the view which he expressed was shared throughout. On this he had sought the views of every member of his electorate. They all thought that there was too much interference from the U.K. Government. He did not hold his meetings on strict political lines. He himself also had closer association with the 400,000 Africans in the constituency than any previous Member of Parliament (meaning Mr. Todd). On Federation generally, he thought that the Africans were not really aware of the problem.

In 1953 there had been virtual independence in Southern Rhodesia. There had been Mr. Macmillan's statement on the 19th January reiterating the preamble in the Federal Constitution. By that he felt that the status of Southern Rhodesia had been lowered. When they had voted for Federation they had understood that it was to mean an economic union. Powers had been usurped from the Southern Rhodesian Government and taken over by the Federal Government. They were now dependent on the Africans in the Northern Territories as to whether they could get their independence or not. If the Africans there were against it, it would never come. Today people in the Northern Territories were in a position to dictate the future of Southern Rhodesia. In 1953 they had not been asked their view about Federation. Was it right that they should now control the destiny of Southern Rhodesia?

The fear in Southern Rhodesia was that through the channel of the Northen Territories the franchise qualifications were going to be lowered. This would bring first an African majority in the legislature of the Northern Territories. If that happened in a short time the Federal Parliament was also going to have a superiority of Africans. In that situation the independence of Southern Rhodesia would be no good to it at all.

Lord Malvern and Sir Roy Welensky portrayed Federation as an economic tie-up. If that had been so there would have been no trouble. He referred to the statement by Lord Home on 27th July, 1959. He was concerned with its affect in Southern Rhodesia. The interference from the Colonial Office, and the recent visit of Mr. Macleod for the release of Dr. Banda meant that he was not even going to consider the viewpoint of the Federal Government. There was no chance of keeping Nyasaland in the Federation unless we went back to the simple economic tie-up. The people in Southern Rhodesia had been misled. If they went back to the original concept the majority would accept it. But now the majority in the Shabani constituency were against Federation. If, however, Welensky and Whitehead told the U.K. Government "where to get off" that would have the full backing of the electorate. If it were not for the Federal tie-up, the people in Southern Rhodesia would not care whether there were a Black Government or a European Government in the Northern Territories. He hoped Welensky would tell Macmillan and the U.K. Government that they would prefer to "go it alone" for the benefit of both the Federation and Southern Rhodesia. If Sir Roy Welensky did that the Dominion Party would support him.

The Dominion Party realised that Federation had not worked out. For that reason they had worked out the Central African Alliance Plan. If that had come in in 1953, they would not have the present problems. His own views was that either the Central African Alliance Plan should be adopted *or else* let Southern Rhodesia "go it alone."

He concluded by saying that although he represented a Right Wing Party he wanted the Africans to advance, and had no desire to hold them back.

In answer to questions Mr. Dillon made the following further points:—

(1) He agreed that on the Southern Rhodesia Voters Roll in 1959 there were 64,000 Europeans and 2,000 Africans. But he thought that as the African advanced he should become entitled to vote. Meanwhile he would like the franchise to be maintained as it was.

(2) His only concern was that the majority in the Federal House would become African. In this he was assuming an extension of the Protectorates' franchises into the Federal sphere. The Africans would not be satisfied with the two different types of franchise that existed today. But he thought that the average African of the Northern Territories cared little about the franchise. The Dominion Party believed that one should not keep two levels of franchise.

(3) Mr. Menzies quoted from two debates in the Southern Rhodesian Parliament in the period immediately preceding Federation, indicating that at that time the whole of the Federal scheme was before the country, and not merely an economic association. Mr. Dillon agreed that that was so, but repeated that in a speech which Lord Malvern had made at Shabani in 1952 he had represented Federation as merely an economic association.

(4) Mr. Dillon favoured the concept of Federation, and thought that it had been beneficial. But if the United Kingdom were to alter the constitution of the Northern Territories, it would cause concern in Southern Rhodesia. There was in particular the recent example of Kenya.

(5) He would like a lot of the functions of government which affected people in daily life returned to Southern Rhodesia, including European education. In fact the only link up should be economic, including the railways, post offices and customs. Hospitals, industrial development, and education should revert back to Southern Rhodesia. Then there would be less concern about the African majority. He would, however, favour the maintenance of the *status quo*, if there were no chance of the franchise being lowered in the Northern Territories. Even on that basis, the transfer outwards of certain powers would ease people's minds.

(6) He agreed that there was violent opposition to Federation in the Northern Territories. He considered that the Government's concern had failed by not putting out sufficient counter propaganda. He regarded it as primarily a question of propaganda.

(7) His constituency was definitely opposed to African Government. They were afraid that European control in the Federal Government would be taken over by Africans. There were 400,000 Africans in his constituency and 5,000 Europeans; of these 1,500 Europeans were voters and 52 Africans. The Africans of the constituency were very backward. Many Africans of the area were too primitive even to have heard of the United Kingdom Government.

(8) Taxation should be a Territorial subject. In fact, he would like to see the Federal Government more in the nature of an Upper House, with all executive powers undertaken by the three Territories.

(9) He thought there was no possible hope now of keeping Nyasaland in the Federation. Economically Nyasaland was an embarrassment to Southern Rhodesia. But Nyasaland itself would benefit by staying in the Federation. But the people had been so steeped in propaganda that, come what may, they would adhere to the view that they did not like Federation. They did not even appreciate the economic benefits of Federation.

(10) He considered that economically both Europeans and Africans were worse off than they had been in 1953; mostly because of the insecurity brought about by Federation.

P. S. REYNOLDS

Mr. Reynolds was a pharmacist and optician in Shabani, and had been resident there for 22 years.

He drew the attention of those Commissioners who might have been in Northern Rhodesia or Nyasaland to the fact that there were no members of the Army or Police round the building and no banners. They were in a free country, there was no intimidation. This was in contrast to the Northern Territories. He drew the conclusion that there had been some good in the method of administration of Southern Rhodesia. It might be superior to what was done in the north. The big trouble in the Northern Territories was due to intimidation; he agreed that it existed too in Southern Rhodesia to a less extent.

The vast majority of Central Africa's troubles came from the outside. Outside people were always touring around the Federation, coming from Moscow, Britain and Ghana. Even the Church of England had taken the one-sided view that there was no good in Europeans. He condemned the attitude of the Church.

One most essential requirement was to deal with Press reports. It was a disgrace to Britain that the Press exaggerated matters just to get extra circulation. There were also the vote-getting activities of the Labour Party. For example, Gaitskell in person led a procession to Trafalgar Square.

The Europeans had done enormous good in Central Africa in the last 50 years. Africans were better paid and advanced in many respects, particularly in the Health Services, and in education. In Southern Rhodesia educational advancement was greater than in the Northern Territories.

Some part of Southern Rhodesia and the Northern Territories must be a European preserve. The Central African Alliance Plan had much to commend it. He regarded it at any rate as a talking point. One portion of the country

ought to be under European domination though other parts could be under African control.

Of the Europeans in Southern Rhodesia, some had been born in the country, some were immigrants from the United Kingdom, and there were also those from the Union, though he did not like the politics there. But the fact that a man bore an Afrikaner name did not mean that he was against the United Kingdom. Immigrants were the same people as they were when they left their country. They were basically reasonable people, and not going to oppress the Africans.

As to the Federal Constitution, there was one important point, which ought to be considered before any of the restrictions on the Northern Territories were removed. When the Federation was formed, any change was to be judged by those on the Voters' Roll. The essential point was to define what was meant in the preamble by "the majority of the inhabitants." When the Federation was formed the inhabitants of the Northern Territories were told about it and not asked their views or approval. He could not believe that they had advanced to all that extent in seven years as to tell the people of Southern Rhodesia that their restrictions on Africans should be removed.

If educated Africans replaced Europeans they must be their equals, and in particular they must be *morally* their equals. He did not consider a man like Nkrumah to be of sufficiently high moral calibre to run a country. He admitted that all members of the Government in Southern Rhodesia did not have high moral standards.

In reply to questions Mr. Reynolds made the following further points:—

(1) He was in favour of Federation, in certain circumstances, provided that the majority of the controls were Territorial. The Federation should be looser; it should cover customs and a postal union, possibly defence, possibly police, but no immigration. European education should be Territorial. He would leave agriculture as it was.

(2) He distinguished between the Dominion Party plan and apartheid, in that the former did not necessarily imply social apartheid. But he did not recommend complete agreement with the Central African Alliance Plan.

(3) He agreed that he had criticised the interference of England, Ghana and the Church of England. He thought press reports grossly exaggerated giving only 1% or 2% of the truth.

(4) He agreed that it was a fact that Africans were not allowed in hotels, cinemas and restaurants. But this was due to custom and not based on any law. Very few Africans would wish to mix with Europeans of their own free will. A hotel proprietor was entitled to refuse entry even to a European. The habits of the ordinary Africans were not the same as those of Europeans. But he himself would accept a few Africans in hotels as equals.

CHIEF MAZWIWA

The Chief was a member of the Mungowa Tribe, of the Bungowa Division. His subjects included approximately 8,000 people.

The Chief said that they were pleased about Federation and to hear of its existence. People would be free and encouraged to work together. He had been told that when the three Territories joined they would work together, and also Europeans and Africans would work together. He was pleased to hear that.

In reply to questions Chief Mazwiwa made the following points :—

(1) He had noticed a few changes in the last 6 years. For instance in the Post Offices, there were now the same entrances for all. Also he had noticed that when persons were arrested for crimes they were allowed on bail and not kept in custody. Prisoners were well treated, given good uniforms etc. He wished the government to continue this treatment of those in prison. It was good for Africans to pay respect to Europeans who were leading them.

(2) He could not say whether he preferred the Federal or the Territorial Government, but would like either of them, if their rules were good.

(3) He had seen an improvement in agriculture among his people, through the visits of the Land Development Officers.

(4) In his work as a Chief, he was assisted a great deal by the police. His people liked the police and helped them.

(5) Many of his people went to the towns and factories and brought back money to the Kraals.

(6) His people usually followed his advice. Some times one or two of the younger men did not, and then he took them before the law.

(7) There was no Congress activity in his area. He had asked Congress people not to hold meetings in his area. All his people supported him in this matter.

J. DUNCAN

CHAIRMAN: How long have you been in Shabani? — A. Nine years in Shabani. I am an electrician. I was in the Union of South Africa for three years previously.

Q. Do you come to us as an ordinary citizen? — A. Yes, and also as an immigrant from Britain. In 1948 when the Labour Party was in power they gave us a report to go out to the Commonwealth and make an Empire. I was a staunch Labour supporter. I came out here and saw the country and the Europeans and Africans here. I was at first sympathetic towards the African and thought he was hard done by, but as time went on I realized the true position. When the franchise came, bringing on the African, I was all in favour of it but not with the haste desired by the Government and other outside people.

I call myself a Rhodesian now, and I think the Labour Party are stabbing me in the back. I am talking not only for myself but for other wartime service men who came out here. The African is shouting that he is hard done by. I only wish you could go up and see what is being done for him in our own mine here. He is given full amenities, hospitalization; he is being treated hygienically and given housing accommodation which he would never have in a kraal.

Taking the average African who seems to have some intelligence, to me it is only a veneer. For example, my own houseboy I would put above average, because he can read and write. One day he came to me and told me he was having trouble with his legs—varicose veins. I wanted him to go to hospital immediately, but he kept putting it off. Then one day he came to me in great pain with knife cuts along his legs. He told me he had gone to the witch-doctor in the kraal instead of going to the hospital. So it seems that even an educated African with some intelligence would rather go to his own witch-doctor than go to the white doctor, with the result that he put me in a quandary and also made his illness much worse.

The African has been given the so-called privileges of the European. He has been allowed to drink European beer and to participate in State Lotteries. To my mind the African has been given too much in too short a time and has not been made to shoulder his responsibilities. In the mine, he is given everything and still wants more. Even at Christmas time he comes and says, "Boss, you have the money, you have everything; boss, give me a present."

Also there is the advantage of the Government Offices, such as the Post Office. I was down there one day, waiting behind an African woman who wanted to draw a pound out of the Bank account. The assistant in the Post Office explained to her that there was no money left to draw, but she could not understand, and after about ten minutes the assistant had to send for someone else to explain the position. Time and time again you find Africans going into a Post Office and asking for certain things, and when they are asked a question they seem to be dumbfounded and do not know what is required.

As regards the questionnaire which is given to the African when he is filling in a form to vote, it is given more or less in an orderly fashion. That questionnaire should be changed because, knowing the retentive memory of the African and his parrot-like fashion, he can have it off pat.

Then there is the shouting of the so-called intelligent Africans. These intelligent Africans are swaying the masses and in doing that, to me, living here and knowing them, it is bad leadership. That is more or less what I wanted to say.

Q. You came out here as an electrician. What are your wages? — A. On the mine my wages are 7/6d an hour. It is a 48-hour week. Basically it works out, say, at £80 a month.

Q. What tax do you pay? — A. It varies with the children: my taxation would perhaps work out at about £10 total.

Q. Now, a lot of Africans are employed with you who do some skilled work under supervision? — A. No, I do my own skilled work. My African hands me my tools. He uses a hammer, and sometimes cannot do that. He gets £6.10.0d a month, plus his food and accommodation.

Q. Why does he get so little — is it because of his standard of living? — A. Yes.

Q. Do you want that standard of living to rise? — A. By all means let him rise. My thought is to give him his rise, according to his degree of work.

Q. How is he going to become an electrician? Are you in favour of trade schools so that he can learn and compete with you? — A. Yes. I have no fear of the African. I served my

apprenticeship overseas and have had full-time employment, plus the time I was an electrician in the R.A.F.

Q. Your complaint is that he is not really up to any further part in the government at all, in the election of Government. Do you think the franchise has been too broad? You do not think the present franchise should be lowered? — A. No. It is a difficult question. I have lived with the African. I know him, and he is like a summer's day overseas; he is so changeable. You cannot judge him in terms of a white man. Psychologically, he is different.

Q. But the best African that works with you, would you say he was as responsible as the poorest white with whom he works? — A. No. not comparable. Taking as an example my boy, I have asked him certain leading questions such as, "What will you do when you retire?" His conception is his kraal, his mealie patch, his animals and pension. I asked him a couple of points about the Government, but he does not know anything and he is not interested. It is a different thing as regards religion. He knows that just like the back of his hand.

MR. CRAWLEY: He is a Christian? — A. Yes, in fact one of them is a lay preacher, Jehovah's Witnesses; and the other is a Roman Catholic.

CHAIRMAN: Would you not give him a vote at all? — A. No. I would be lenient if I said that the African had a Standard V intelligence, which makes him the equivalent of my daughter, who is twelve.

Q. Are there any Africans here to whom you would give a vote? — A. One or two: you get the Natives working with the Native Commissioner. You can hold an intelligent conversation with quite a few of them, but you take the average African, and it is like speaking to a small child.

Q. Your view is in short that, apart from these one or two Africans who are quite outstanding, there would not be enough Africans, in your judgment, who would be the equivalent of the lowest type of white voter in Great Britain? — A. No. That is my experience. If you take the average white man overseas, or, say, the lowest man in Britain, he goes as far as Primary School, which is Standard V. That is basic. I would give it to Africans of Standard V.

MR. CRAWLEY: If they all had Standard V, you would begin to think of giving them the vote? — A. Yes, I would bring him along with me. But you take the bush Native; you have only to go out here nine miles and visit some of the kraals and that is the type of African who is actually in the majority in this country.

CHAIRMAN: If you had an income qualification of £100 a year, or something like that, all those people would be outside it. — A. Yes, but the African is very gullible and if his Chief tells him to do something, instead of analysing it, he does it, because the Chief says so. The Chief in tribal customs has a very great sway over the Africans.

MR. CRAWLEY: Are there any trade schools in the mine at all? — A. Yes, they are teaching them mostly mining, but we have no time to give electrical training, because we are in production. There is no apprenticeship training, but we have a school for them in mining, and if he gets to a boss-boy standard, he is quite good. In the mines, the lorry-drivers get £12 to £14 plus their living.

CHIEF JOBE MAFALA

CHAIRMAN: Where is your territory, Chief? — A. Just outside Shabani, the Lunda Reserve. There are 300 people, not families.

Q. What is your work? — A. Just to look after the people in my areas.

Q. Are you a Government Officer — do you get an allowance for your work as Chief? — A. Yes. I had word from the Native Commissioner, saying there would be members of the Commission coming to hear about the Federation, and I wanted to come and see you, but although I did not know much about Federation. I had word to come on Thursday morning. The first thing I would like to say, according to my wish, the Europeans and Africans should always work together and act like one section, because if we do not all work together and assist each other things will not be done. There should be people leading us well, in places like schools. I feel that the education we are receiving is very inadequate. In some areas people have been asked to erect buildings for their own children, and each time we ask the people who are leaders at these schools they tell us they have not sufficient funds. As a result, in certain areas you find children who have long gone without schooling, when they do come to school they are told there is not enough room, or else they are too big to be admitted.

The second thing is we have not had African Members in the Territorial Parliament who would present our resolutions and feelings before the House, because such people would be in a better position to know how Africans live and the difficulties we encounter: because they are people born amongst Africans and they know the African customs and their life.

The third point is about the way we live in the reserves. We find our living is very difficult at this time. Sometimes when a grown-up child leaves his area to seek employment, when he comes back to his area he is told there is no room for him in the reserve, or the boys growing up are told there is no land for them. This is very bad, because we are told the land itself does not expand.

As regards farms, sometimes you will see one that is owned by one man—a very big farm—and there are no people living there, when it could easily accommodate perhaps a thousand families: that is a European farm.

What will happen to the people in the reserves when there is no more land to till or they are not allowed to be in the reserves? They will be forced to go out seeking employment, and if they have no money, how can they live? It is one of the important things. This is what causes misunderstandings, when people are told they cannot be accommodated in some areas. As a result you find they commit certain offences.

The fourth point is that we, as Chiefs, find our powers are limited. It occurs to us we are almost employees under the Native Commissioners, because as Chiefs we feel entitled to certain rights or privileges, to suggest something about our own people in the reserve to the Native Commissioner. This power is limited. We feel we should be allowed to meet the Native Commissioner, who would call the Chiefs together so that we could discuss certain points, and where we cannot agree we ought to be allowed to raise our own suggestions.

I would like to elaborate on the limitation of the Chief's powers. Some Chiefs, including myself, have been strongly instructed to tell people to look after them while they learn contour farming. In view of the drought we have had this year, we find the land is very hard to dig and people who fail to dig it in the time given are prosecuted; and all the time other people are chasing after us. There is no difference between a Chief and his followers

The same thing applies to me as a Chief—I am also forced to do this, and have not been allowed to advance any suggestions at all.

On the question of owning cattle, people are not allowed to own as many cattle as they want, and the number of acres of land allocated to them is not sufficient, because you get some big farming people who own big farms; and the acreage allocated is not enough.

Sometimes we find if one has not properly worked his land he is told not to continue tilling that land. At times you find even if you work your land properly there is still not enough from the land to support your family. We are forced to be present at our kraals to work out whatever is required to be done on the land. Then if you remain at home just to work your land, you will have no money to buy clothing for your family.

Q. On education, do you say education has been improved for the Africans since Federation? — A. Not outside in the reserves, because there are still some shanty buildings there put up by the parents for schools. Insufficient funds is the main trouble.

Q. Do you object to the payment of the poll tax, which was introduced so that the African would make a contribution towards education? — A. One reason why I am opposed to it is that I am still experiencing the same difficulties as before—this is as far as the building of schools is concerned. If there had been any improvement in the reserves, I would not be opposed to it at all.

Q. Do you want to see the franchise extended? — A. Yes, I think everybody should become a voter, irrespective of whether he is able to write his name or not.

Q. Do you think it should be every man or every woman over twenty-one? — A. I would say Yes.

MR. CRAWLEY: As regards the young men who go back to the village and have no land, do they come and work in the mine here? — A. Yes.

Q. Is not that a good thing? — A. It is, but sometimes one gets tired of working. It is like a man sitting down; I will soon get tired of doing it and I will stand and stretch myself.

Q. Do you feel that every man should have some land? — A. Every man born and brought up in a particular area should have land in his area.

CHAIRMAN: Do you approve of the Master Farmer arrangement and the Native Land Husbandry scheme? — A. It would be a good thing if it did not entail any prosecutions, because in the meantime it appears that everyone in the reserve is being chased about like in a prison. So you find many

old women and old men deciding to surrender their land. If they do that, where can they go? They are very old and cannot work.

Q. Is that because they are required to improve the land? — A. Yes. We appreciate the establishment of contours and the improvement of land, but we do not like the way in which we are told to do it.

MR. CRAWLEY: Do you know that too many cattle on one piece of land spoils the land? — A. No, I would not say that would be the case, but when I grew up myself there were many cattle and there was a lot of grass: the cattle were well fed. Now, if a certain area has been allowed to remain like that without cattle pasturing in it, the grass becomes no good.

CHAIRMAN: Surely you have conferences with the Native Commissioner. When all the Chiefs come together, do they not frankly and plainly discuss these matters? — A. We do have conferences as Chiefs, and find that whatever resolutions we pass to the Commissioner are not accepted. It would be a good thing if we could sit down with the Native Commissioner on occasions and put suggestions to him. It does not happen. There is another point about Federation. I would like it to go ahead if it would bring about some good understanding between all the races. Also, if we, as Chiefs, are given that privilege of reverting to our former powers.

UMTALI

27TH APRIL 1960

Memorandum

F. T. NDORO

1. Partnership.

Too much publicity has been given to the nebulous ideas of the Federation and its policy here and overseas by some white politicians who hold positions of responsibility and influence, and very little if nothing at all has been done to put into practice those clauses on whose interpretation Federation was accepted.

It was made clear in the preamble, of the Federal Constitution that the aim of Central African Federation was to advance the Africans politically, Educationally, Economically and Socially. Much propaganda was disseminated under the disguise of "Equality" to all races in the Federation in the last six years, but it must be pointed out here that partnership has failed in practice and has been rejected by all Africans in the Federation who cannot accept it inch by inch.

It should be remembered that no country can make any real progress in any direction, when a large number of its population lives in abject poverty as it is the case at present.

It is my considered opinion and personal feeling that independence though much valued should not supersede economic advancement. In fact economic considerations are even more important than political advancement in Central Africa.

The Federal Prime Minister does not believe that an African is an equal of a European or that he ever would be so.

He said, as he was entitled to do by the interpretation of partnership in Central Africa that Africans would never be allowed to dominate the Federation.

I submit that S. Rhodesia House of Assembly the composition of the members of parliament should be half Africans and half Europeans.

The interests of the Africans are not better served by the so called experienced European term as the Minister of Native Affairs. It should be by the African.

2 Franchise qualifications in Central Africa

The whites in the Federation believe only civilised and responsible people should vote. By applying very fair tests of income and educational qualifications. The Federal Government claims to be able to identify the civilised African.

An African must earn a gross salary of £750 per year or be in possession of a high academic qualification. If he has either of these then he is eligible as a voter on the Common Roll. The Special Roll is another means of excluding the Africans from participating in the Federal Government. The Africans in the Federation are very unhappy with the Special Roll as it is there to limit an African voice.

The Federal Government have ignored the African opposition. The African Affairs Board should remain in the Federal parliament for the foreseeable future, this will give the African a large share in the Federal Government. The name "Federation" should be scraped off and be replaced by the name Dominion of Rhodesias as all Africans hate anything under the banner of Federation.

In the Federal Constitution it should be made clear that Nyasaland and Barotseland would remain as Protectorates within the Dominion of Rhodesias and have responsible Governments.

It is my humble submission here that in order to assess the feelings of the people of Central Africa the Federal Prime Minister should go to the country. After the findings of the Commission so that the inhabitants will feel assured that he the Federal Prime Minister has the confidence of the country before we plunge into a possible new set up.

I wish to support my evidence by oral quoting evidence and answering questions before the Monckton Commission.

Rusape.

Oral evidence

F. T. NDORO

The witness said that he had stood as a candidate for the Dominion Party at the last Federal General Election but had been defeated by Mr. Savanhu.

He was in favour of Federation, but not in its present form. In particular, partnership had not been put into practice. Partnership should be defined as the equality of all races in the Federation. Not enough Africans were employed in the Federal Civil Service or in the railways, and there should be more African members of Parliament. The policy of the British Government should be for the majority of the people to rule the country: this was doubted by the local European, who said that Africans were uncivilised. It was true that at present not all Africans who qualified for the voters' roll had registered as voters; one of the reasons for this was a general belief that registration for the Federal franchise implied that the individual concerned was in favour of Federation.

Turning to the franchise, the witness said that the qualifications for the common roll should be lowered to that for the present special roll, which itself should be done away with. It would be necessary to retain the African Affairs Board or some other form of appeal to the United Kingdom on African affairs. Unfortunately some of the African members of the African Affairs Board were there only for their own personal advancement; they were supposed to be representatives of the Africans. It was significant that when the African National Congress members were arrested there was no protest from the African Members of the Federal House, even though the people arrested had never committed any crime.

In the Southern Rhodesia House at least half the Members should be Africans. There should be the same number of special African seats as in the Federal Assembly.

The name "Federation" should be abolished and the country should be called "the Dominion of Rhodesias". At the same time, Natives from Portugese East Africa should be refused admission to the Federation; Africans from Nyasaland and Northern Rhodesia should have the first chance of employment in Southern Rhodesia.

Memorandum

W. H. STEAD

Credentials. Born 1903 the son of a Missionary in the Union of South Africa. Have spoken Native Languages since childhood. Served in the Department of Native Affairs, S. Rhodesia from 1922 to 1950 during which time learned Sindebele and Shona and attended a course in Social Anthropology and Colonial Administration in London. Author of lesser publications on culture and history of Rhodesian Tribes—African Studies 1946 Proceedings of S.A.A.A.S. 1948—Nada (Various). Retired to Farm and Native Storekeeping 1939. No ambition in the world of politics. Views are objective and constructive.

Multiple Government. The existence of five governments each having a hand in the direction of affairs and in the destinies of the people is confusing to all from Parliamentarians, administrators, lawyers down to the humblest citizen. To the mass of the African people who have always been used to a Chief as the controller of their economics, the arbiter of their disputes, and the father of the clan, the confusion must be appalling. I should like to see one Government for the Federation with local Boards of Provincial Commissioner status to deal with tribal and other local variations and needs.

The Senate. To maintain the confidence of those who are critics of Colonial Administration it would be necessary to provide a Senate which should consist of the Elder Statesmen

from other Commonwealth Dominions and from Britain. Members of the Senate should be appointed for three years and during the time they hold Office should live in the Federation. Members of the Senate should be appointed by Her Majesty the Queen on the advice jointly of the British and Federal Governments. The same personnel might serve as an upper House for the East African dependencies.

The function of the Senate would be to scrutinise legislation, if necessary to refer it back to the lower House, and by debates, to bring fair treatment, equality of opportunity, and racial harmony to a multi-racial community.

The British Government. That the affairs of the Federal and Territorial Governments are the battle-dore and shuttle-cock of party politics in Britain calls for immediate change. Not only is it unjust that the bus drivers, dockside workers, bargees, and others with less reputable occupations and less knowledge of conditions in Africa should decide which Government shall have power in Britain to direct the destinies of the Dependencies overseas, but the system has the additional weakness that a British Government might change over some question of a domestic nature or over foreign policy and the dependencies are compelled to accept a change of policy and direction when this has not been a point at issue during the election.

I deplore the exercise of power by a British Government derived from an electorate which is ignorant of the conditions in Africa and which can be misled by distorted reports and I also deplore changes in policy brought about by a Government which has been voted into power for reasons other than that of Colonial Policy in Africa.

It is essential that all powers of Government and decisions in the Federation should be centred in the Federation and should cease to be the football of prejudice and party politics overseas. I believe the appointment of a Senate as described above would provide adequate safeguards if these are thought to be necessary and would ensure that all legislation had been considered in its broadest aspect before being passed as law.

Racial Matters. No obstacles should be put in the way of Africans to their advancement in accordance with their achievements, attainments, and economic status in the public life of the Federation. I do not feel that social integration should be the index as to whether there is partnership or not. The personal social life of an individual is his own affair and each can choose his own friends and associates.

It should be said that between black and white there exist differences of historical, cultural, religious and emotional background which provide logical and understandable reasons why, for choice, each seeks the company of his own kind. The fallacy that people are at a disadvantage because of the colour of their skin requires to be exposed. Where these other differences do not exist, where there is a common culture and a shared code of conduct and deportment the difference in the colour of a skin recedes into insignificance.

It should not be the motive of any Government or public body to interfere with normal choice in social relations nor should this choice be used to indicate whether or no partnership exists. Partnership is the working together for the common good and it is not necessary for the partners to spend their leisure time together.

Representation by Colour Rather Than Culture is not sound.

Few of the speeches made in the Federal Parliament by Africans nominated thereto show statesmanship or any sense of responsibility for the European population. Election in open competition is the only sound system of representation.

Rusape District,

22nd January 1960.

Oral Evidence

W. H. STEAD

The witness began by giving a short historical background to race relations in Southern Rhodesia from the time of the Portuguese Landing at Sofala in 1905. Since the introduction of Federation in 1953, the mass of Africans scarcely knew that any change had taken place. He recognised the basis of the fears of the Africans in Northern Rhodesia and Nyasaland, particularly regarding their land, but he could not regard them as logical. He himself thought that there should be a unitary Government; only this way could the education services, particularly for the African, be expanded as rapidly as was required.

With regard to the witness's recommendations on the appointment of a Senate, he thought that there should be no direct reflection of the political parties in the appointment of members of the Senate. The sort of people who were needed were elder statesmen such as ex-Governors General. Such a body would provide adequate safeguards which would permit the removal of a government run by the Colonial Office. He recognised that the final power of disallowance might have to remain with the United Kingdom Government.

The qualifications for the franchise for the Federal Parliament should remain high. If a large number of Africans got on to the voters' roll they would quickly swamp the Europeans. With regard to the apportionment of land he would not oppose giving Africans land at present undeveloped by Europeans in the European areas.

Memorandum

E. ROSS

I respectfully enclose thirty copies of a Memorandum on the Revision of the Constitution of the Federation of Rhodesia and Nyasaland. The opinion expressed is entirely personal, and is not intended in any way to represent any organisation mentioned in the brief autobiographical notes given below.

I am quite willing to give oral evidence to the Commission if called upon, and would particularly wish to give historical justification for the proposals contained in the Memorandum.

Autobiographical Notes:—

British Pharmacist Born 1924.
Platform Speaker British Labour Party 1945 Gen. Election.
Arrived Umtali 1947.
Married Fiona Ruxton of Umtali 1952—2 Daughters.
District Grand President Sons of England Society 1956-57.
Gave Official S.O.E. evidence to Tredgold Commission of Inquiry into the Franchise.
Panel of Candidates—United Federal Party.

Introduction

It would not be true to say a racial conflict exists within the Federal borders. A racial conflict would surely only exist when a majority of one race held an opposite viewpoint to that held by the majority of another.

At the present time racial extremists would give an impression that a conflict does exist, but fortunately their influence is small. However, in a Constitutional Review it would be as well to consider the material extremists use in their efforts to excite the population, and whenever possible remove potential causes of conflict by amendment of the Constitution.

This Memorandum will consider two subjects which, left unattended, would in time be potentially dangerous.

Part I

The Name and Status of the Federation

It would seem that African extremists are using the very name of the Federation of Rhodesia and Nyasaland to arouse illfeeling. Despite the success of Federation the name has come to represent something not wanted by the ill-informed, and seems to convey that some loss of protection has taken place.

Again, the Europeans of the Federation see that the economic development of the Country warrants a higher status in Commonwealth affairs, they feel constitutional advancement is likely to be held back on racial grounds.

Reconciliation could be achieved by the use of a new name and status utilising that common bond uniting all the people of Central Africa.

In evidence it could be said that no greater loyalty to the Crown exists anywhere within the Commonwealth than that existing in the Federation. The Europeans of both British and Afrikaner stock wish to have no part in the trends developing to the South. The African people have traditionally looked upon the Crown as a symbol of good government and fairplay.

The name of the Federation could thus well contain some reference to the Federation's loyalty, and imply her intention of retaining the Crown for all time as the uniting force among her people.

Proposal: It is therefore proposed that with the gracious consent of Her Majesty the name "The Royal State of Rhodesia and Nyasaland" be used to describe the Federation.

The Status of the Royal State.

While retaining a Constitution best suited to its needs, the Royal State would hold the status of a full Member of the Commonwealth. The writer does not subscribe to the view that strong family ties should be a barrier to participation in the affairs of the Family of Nations!

Part II

The Method of Retaining Members to Parliament and of Determining Future Changes in the Franchise

The writer is of the opinion that the terms of Reference of the Delimitation Commission, and the criteria to be employed in changing the franchise should be subjects of the Federal Constitution.

Thus Political Advancement within the Country could be taken out of the sphere of party politics, and there would no longer be the danger of fostering a racial conflict from the political platform, or through the political manifesto.

The Constitutional provisions should make none of the following situations possible:—

(1) A situation in which a race having economic control of the Country does not have political control.

(2) A situation in which, by ordinary delimitation, a race may have some 40% of the total electorate, but yet an inability to return a Single Member of Parliament of that race by ordinary means.

(3) A situation favouring the formation of political parties based on racialism.

Proposal: It is therefore proposed that the Constitution should provide for the Delimitation of Constituencies to allow numbers of European and African Members of Parliament to be returned according to the economic development of the two races at the time under review. The level of the franchise would then be adjusted to ensure the return of the specified number of Members of Parliament.

In practice the scheme would allow the use of a Common Voter's Roll, some constituencies having a majority of European Voters, some a majority of African Voters.

As African Members of Parliament were returned by this method they would replace Specially Elected Members until Racial Representation was no longer a feature of the Federal Parliament.

It is suggested that suitable criteria for determining the ratio African/European Members are as follows:—

(1) A comparison of the direct amounts constituted to Revenue.

(2) A comparison of the total earned incomes (bearing a relationship to indirect tax contributions).

(3) A comparison of Educational attainments.

for example:—Supposing

(1) European Direct Taxation compared with African Direct Taxation (per £1 million P.A.) ... 30-5

(2) European Earned Incomes compared with African Earned Incomes (per £1 million P. Mensum) 13-6

(3) Europeans having completed 4 years Secondary Education compared with Africans (per 25,000) 4-1

The ratio African/European Members of Parliament could be of the order of 47-12

By employing the method suggested the Royal State would be in a position to progress along sound political lines, the political advancement of the people would be related to its economic development. The attainment or retention of power would be dependent upon the productivity of those whose future was in question, and while there would be an incentive for a race to improve its own position, the efforts made would nevertheless be for the common economy, leading to greater prosperity and security for all.

Umtali

21st January 1960

Oral Evidence

E. ROSS

Mr. Ross said that at the time of the Southern Rhodesia Referendum on Federation, 35% of the electorate had said that they were not in favour of Federation. Today the proportion might well be greater. Many Europeans attributed the recent advancement of the African to Federation, and were against it for this reason. However, it was not a change in the form of association that was required; a change of name would meet the requirements.

Turning to the franchise, the witness said that what was needed was representation of the taxpayer. This was a system which had long survived in the United Kingdom. He recognised that other factors were nowadays taken into account, but so long as racial discrimination continued, disaster would follow a situation in which that part of the population which contributed least to the economy swamped that part which contributed most. Once this point was established, matters such as the pass laws, the sanitary laws, etc., would fall away.

In answer to questions, the witness said that in his view there were not enough Africans on the Voters' Roll for the Southern Rhodesia Parliament, though this was largely the fault of Africans who had not taken the trouble to register. It was essential to get more Africans on to both the Federal and the Territorial Rolls, and he would have no objection to the education and means qualifications being preserved, provided that the more uncivilised elements were not allowed on the roll. The present special voters' qualification would be suitable for the ordinary Voters' Roll. At the present time there were only thirty Africans on the roll in Umtali.

Under the proposal for the revised delimitation of Constituencies in Part II of his memorandum, it would be possible for the Constituencies to overlap so that at any given time African members would stand for Constituencies taking in predominantly African areas. In the normal way, delimitation took place over five years, and a method of changing representation such as he had proposed could be kept in step with developments through such five-yearly reviews.

Memorandum

R. G. BRADBURY

European Government

1. Federation, without being tied to the apron strings of the Colonial Office, is essential to the well being, in all its spheres, of the Rhodesias and Nyasaland and, subject to successful progress, should be granted full Membership of the Commonwealth at an early date. The Federal Government is in an extremely difficult position and cannot give of its best whilst tied down to London, i.e. power of veto of Federal legislation, subservience of Federal legislation under Colonial Laws Validity Act, etc., Further, under the present set up in Northern Rhodesia and Nyasaland Colonial Office servants may well shy away from decisive action—the responsibility being too great when it is likely to become a political issue in London. Membership of the Commonwealth would give a standing to the Country and ensure progress in all its forms to the well being of all races. A Government which knows the Country and its peoples, irrespective of colour, unfettered and free from political strife of the United Kingdom is the only one which can bring success to the Rhodesias and Nyasaland.

2. It is to be deplored but, nevertheless, true that unity among the Europeans here is not as strong as it might be. I submit that this is the result of self-interest as opposed to National. A change may well take place if the Country is allowed to progress freely under careful supervision of men of integrity.

African

May I be allowed to use three words which, although possibly presumptuous, are vital to the future of the Federation —"Know Thy African".

1. The Bantu came from the North and the European came from the South. Both made entry 300 to 400 years ago, therefore the word "indigenous" does not arise in either case.

2. The African is a superb natural actor and his carelessness with the truth would leave one full of admiration if it was not so serious. He cannot be blamed for this, it is in his blood. Many long years of decent breeding are essential to clear this unfortunate state.

3. Education of the African Woman is essential, they hold great influence over the men. The first necessity is to raise their moral standards and over the years bring about that called for in (2) above and at the same time lower the illegitimate rate.

4. Opposition to Federation is, in the main, brought about by African agitators for their own desire, or that of their Leader, for power which will bring them position and easy money to the detriment of the vast majority of Africans who know little or nothing of Federation or for that matter the mechanism of democratic Government. It may well be that these agitators already receive monies from outside sources, i.e. Ghana, Egypt and not least, the U.S.S.R. I submit that here is a great danger which calls for constant attention.

5. Influence of the educated African on the peoples should have good results which would help them to progress towards a fuller life but, by and large, this is not so in practice. Some of the so called Leaders will go to any extreme to further their own ideas of Nationalism or to "save face" following a failure. The movement of the people from the Kariba area to be flooded is a good example and may be worthy of some study when African gods were invoked to flout authority. Further, Nyasaland labour did not materialize for the Kariba Dam and the Nyasaland African economic situation suffered in consequence. I submit that an African politician's misleading near-truths scared the people away. Such a situation leaves one to ponder as to the future of the masses under such Leaders. Detailed information on the above is given in the book "Kariba", by Frank Clements, published by Methuen & Co. 1959, pages 88-89 and pages 96-99. To the best of my knowledge no denial has been presented and no legal action taken. I can, therefore, only assume the writings are true in fact.

6. It should be remembered that the average educated African, no matter where he may have been educated, receive a veneer behind which he tries to hide an inferiority complex

This is of course understandable but he should be made to realize that until he has been trained out of this trouble he is really not yet ready to take administrative responsibility of any magnitude.

7. I submit that the African is in a vacuum, feels lost and is possibly afraid of the future. To fill this vacuum careful handling is necessary to bring about two essentials—confidence and trust—but it is of the greatest importance that he be taught to walk steadily and correctly before he is trained to run. The African "man in the street" is a sound proposition provided he is led along the right road by men of faith and integrity.

8. Finally, I would like to say that the term "Colour Bar" as used in the United Kingdom is a misnomer. The true term is really "Social Distinction". Class distinction certainly exists in the United Kingdom and among the Europeans out here. It also exists—note well—among the Africans, especially so where Teachers, Professional men and those of even higher education are concerned. It is a social distinction which is a fundamental human characteristic.

Postscript

I am 60 years of age and of independent means. Commissioned in United Kingdom Armed Forces—active service in two World Wars. Served with the B.S.A. Company in the early 20's in Southern Rhodesia. Settled in Southern Rhodesia 1956. Occupation—Farmer and Coffee Planter.

Umtali

22nd January 1960

Oral Evidence

R. G. BRADBURY

The witness said that he was a supporter of Federation, though he thought that there should be a certain loosening up of Federal control. In particular, European agriculture should go back to the Territorial sphere where it should be run by the same department as African agriculture. The three Territories had very different problems; nevertheless, there were certain functions, particularly tsetse fly control, which should continue to be dealt with on a Federal basis. The Federal Health Department left a lot to be desired. This might be put right by reorganisation of the department; he had no information as to whether or not the position could be improved by returning health to the three Territories.

In the field of education, more attention should be paid to the education of women. It was noticeable that African men were not keen on taking steps to advance women; but much more should be done in the fields of hygiene, nutrition, child welfare, etc. For men, more technical and trade colleges would offset the present emphasis on academic education.

With regard to the franchise, he thought that Africans should be given more opportunity of representation. In particular, he would like to see African representation in the Southern Rhodesia Legislature. Nevertheless, progress should not be rushed; if Africans could not be got into the Legislature in any other way it might be wise to nominate one or two. The fact that not enough attention had been paid to African education in the past, made it difficult to avoid bringing them on too fast now.

On the subject of the colour bar, the witness thought that, again, the pace should not be forced. Already there was a trend moving quite fast towards the abolition of the colour bar; as people became more hygienic the colour bar would be progressively worn away.

Memorandum

A GROUP OF FORTY RHODESIAN CITIZENS IN THE VUMBA AREA OF THE EASTERN DISTRICTS, SOUTH OF UMTALI

We,—some of us citizens of very long standing and many of us with children born and bred in this country—have lived and worked in harmony with the African for many years, offer the following views to the Commission:

1. Constitution. We understand that the Constitution of the Federation is to be based "on the Will of the Inhabitants".

In this area we find that certainly not more than 5% of the African population have any idea of the Federal concept; therefore "the Will of the Inhabitants" should be regarded as the will of the Enfranchised Electorate.

2. Membership of the Commonwealth. We are all in favour of Federation and Dominion status, but we object strongly to any idea of widespread franchise concession being used as a bargaining counter in this sphere. If there is to be any major change in the Federation presumably there will be a referendum of all Voters before any vital constitutional alteration is made.

3. Franchise. Universal suffrage—i.e. one man one vote—is not possible as yet. The idea is completely foreign to the African mentality and contrary to his traditional beliefs and tribal custom.

It is our profound conviction that such a policy would deliver the African into the hands of unscrupulous agitators to his own detriment and create indescribable chaos.

4. Multi-racial State. We are in favour of advancement irrespective of colour, for with the emergence of an African Middle Class the colour-bar as it is now called, will become a social and behaviour bar as in other countries. We believe in the maintenance of the European standard of living, but we regard it as absolutely essential that the standard of living of both the Asian and African should be raised, and this can only be done by progressive economic development.

5. Citizenship. We deplore the tendency to regard the European in the Federation as "a White Settler". This is our Home and that of our children, and we take pride in the contribution which the European has made to the advancement of the African and the development of the Country, viz. Medical and Educational Services, in particular.

Although there have been failures, we are sure that the European in the Rhodesias has shown and is showing a broadminded and sound attitude in support of multi-racialism: He has produced and possesses now, leaders capable of making a success of this terrific experiment.

We submit that in this country the European cannot do without the African and vice versa.

6. Future Development. We maintain that the past record of this country proves that we are fully capable of working out our own salvation, provided that we are not subjected to undue outside interference or propaganda.

We would stress that ours is a non party approach—the issues are above party.

Should the Commission desire it, we shall be pleased to send up a Delegation to give verbal evidence.

Vumba Area
Umtali

20th January 1960

Oral Evidence

A GROUP OF RHODESIAN CITIZENS FROM THE VUMBA AREA

Mr. Black

Brigadier Skeen

Mr. Glass

The witnesses made the following points in amplification of their memorandum:—

(*a*) They were sick and tired of interference by the United Kingdom. Southern Rhodesia felt fully capable of settling its own problems.

(*b*) Too many people throughout the world had the vote. The present Federal franchise qualifications were about right, but the vote should be regarded as a privilege on the lines of a decoration.

(*c*) If the franchise qualifications were reduced in the northern Territories, there would be pressure to lower the Federal franchise, and thereafter the vote qualifications in Southern Rhodesia.

(*d*) The delegation was in favour of Federation, which they considered economically essential. But not enough had been done to persuade the Africans that they would benefit from it.

(*e*) Of the three Territories of the Federation, the prospects were that one would come under an African dictatorship in the very near future; one would remain at least partly under Colonial Office rule, and the third one would remain as it was. The logical conclusion was that Federation would be loosened and some portfolios transferred back to the Territorial Governments.

(*f*) The Southern Rhodesian man in the street considered as a whole, was prepared to let Nyasaland go. But the right solution was that Federation should continue with slightly fewer powers.

(*g*) With regard to paragraph (4) of the memorandum there had been a big advance in the development of industry in the Federation in the past ten years. Unfortunately African education was directed primarily to training Africans for white-collar jobs, and

there was a danger of maladjustment of balance in the whole educational system. The aim should be to bring more Africans into industry, but to achieve this more technical training was needed.

(*h*) On the question of the colour bar, far more depended on individual behaviour and manners than on legislation. The delegation were critical of an attitude of European "baaskap" as well as of African bad manners. As an interim step, it might be desirable to have some method of designating "honorary Europeans" on the lines of "assimilados"

CAPTAIN A. UTTERTON

Captain Utterton said that he was much concerned with the freedom of the Press in the Federation. It was entirely in the hands of the Argus Press, which only allowed certain views to be expressed. What was needed was that section 22(2) of the Southern Rhodesia Letters Patent of 1923, which had been removed under the 1925 amendment, should be put back again into the constitution of the Federation. The omission of this section had had an adverse effect on Federation. He personally would like to see Federation work, provided that it was based on good will to all concerned.

Memorandum

J. P. VALINTINE

It has been suggested to me by various members of this Community that, owing to my varied association with the Natives of this Country, my experience with them may be of value to the Commission.

After the last War, I left South Africa and arrived in Southern Rhodesia to take up residence at the end of 1945. I started a small business in Umtali and later became Manager of a Transport Business there. This operated buses and lorries transporting Natives and goods in the whole of the Umtali-Inyanga Area. It later became a Company and buses were also run from Umtali to Salisbury. In 1952 I resigned as Managing Director of this Company. During the time I was running this business it developed into one of the largest Transport Businesses in Southern Rhodesia at that time, operating 22 buses and lorries on a number of routes which covered most of the Eastern Districts. All the drivers of these vehicles were Africans.

When I resigned from this Company, I bought land in the Odzani Area, where I now reside.

During my association with this Transport Company, I had opened a Trading Store in the Honde Gorge in the Umtasa North Reserve, assisted by my wife. We now operate seven Trading Stores within a 15 mile radius of my farm and our two adult sons have joined my wife and myself in running this business.

During the whole of the period to which I refer, I have been associated with Africans, both as employees and as customers. I have done a good deal of grain buying at some of my stores and feel that, over the years I have been dealing with them, I have gained an invaluable knowledge of the African.

I now employ 60 Africans full time and a number of casual labourers, when work on the farm necessitates this.

Should the Commission consider that an interview with me would be of benefit to their investigations, I had thought of introducing discussion under the following headings:

1. (*a*) Native as then.
   (*b*) Native as Now.
2. Attitude to Federation.
3. Education—Native and European Missions.
4. The Native Farmer.
5. Intimidation within their own Areas.
6. Exploitation of the Native by the Native with a little knowledge.
7. Health.
8. Assistance given by Europeans to Natives to try to improve their standard of living.
9. Effect of cash in lieu of rations.
10. Reversion to early way of life in spite of education.
11. Discipline main consideration in the maintenance of control and the improvement of their standards.
12. Influence of Native Women on their race.
13. An outline of our own plans with reference to pensions for our employees and the provisions of a place for their retirement, should they not have land already allotted to them.
14. Would the Commission consider interviewing a Native Representative from our Stores and from our Farm?

Finally, I would like to stress that we feel a strong sense of responsibility towards the African, and I am speaking for the majority of Europeans in this Country. In the words of an African to my wife, they "look to us as their father and their mother" and we, in turn, regard most of them as we would a backward child. It is obvious to people who have known them and worked with them over a long period, that the African agitators would be quite incapable of putting the welfare of their people before everything else. With the European, however, the whole of their background and education in this Country prepares them for the acceptance of responsibility. It is constantly demonstrated to us who work with them, that the African, in the majority of cases, has no sense of responsibility what so ever. Whereas the European feels he wants to assist them to improve their standards and become more useful members of their Community, the agitator only wants to help himself and to gain the power that his leadership of them gives him.

Odzani

Umtali District

Additional Memorandum

J. P. VALINTINE

1. Natives as then—working as drivers and assistants—competition as drivers was keen—now there are hundreds. Some natives very quick in picking up driving—in some cases appears to be hereditary—some find it very difficult to learn (surprisingly enough some of the cleverer ones have found it most difficult e.g. Willard and Moses). Their reactions in an emergency are apt to be rather slow. My own methods of discipline worked—which cannot be applied to the same degree today. Pilfering negligible—goods dumped on side of road —not today—natives with own transport steal vegetables for re-sale in town. Cattle stealing. The Barwi Tribe then and now.

2. Attitude to Federation—Cannot say that I know of any Natives in this Area (25 sq. miles—40-50,000) who can, in any way, grasp the significance of Federation. One or two have asked to have it explained to them. To my knowledge, none of the progressive Natives in this Area were asked to appear before the Commission, or given any insight into what it is all about. The building of Kariba Dam and its possibilities in the development of their country is not appreciated—the reply is always the same—spend that money on our education —farms, etc. Then there is the gap between these few and the rest in the rural areas and they literally have no conception of what it means.

3. When the Emergency Regulations came into force last year, I questioned some of my store boys to find what they thought about Dr. Banda—one reply—he is a hands in pocket fighter—and . . . he can't even speak his own language . . . if that is the way he feels towards the European, he must shed European clothes . . . one of them had heard him speak and, when I asked what he had talked about, he replied that he had said that if he died his bones would go on fighting for them . . . presumably an appeal to the superstitious side of their natures and the witchcraft in which they still believe. The general attitude has changed towards the Native since Federation. (Refer to last paragraph of my letter.)

3. Education—Native and European Missions—The only Native Mission that I have any experience of is the Honde Industrial Mission, which hardly exists today. Developed by an African who received a call to help his people. It was well supported by everyone—funds were given by individuals and also supported by the State Lotteries. Carpenters and builders trained there were demanding almost double the rate of pay of the accepted rate at that time.

European Missions—The only advantage that I can see for having these Missions is that we are relying on outside financial support to assist with Native education. The present European would find it difficult to pay for this in the form of taxation.

The disadvantages are many:—

(*a*) Missions of different denominations are scattered and pupils walk miles starting at dawn and passing a mission school almost on their doorstep for one miles away because of their particular religion.

(*b*) These are mainly primary schools, so that if they want to further their education, they have to go further afield eventually.

(*c*) In many cases their European teachers have only recently come to this country and have little idea of the conditions or understanding of the African. Others

come for a short period only on contract. Commercialised.

(*d*) Already most Native parents appreciate the difference between a Government School and a Mission one.

(*e*) No means test introduced.

4. The Native Farmer

The Native Department is doing a stout job of work, and, with the gradual introduction of irrigation (well on its way in some areas) conservation and crops for the different areas. Must rely on some form of collective farming eventually to make various farming machinery economic. European supervision essential or they go back to their old ways in spite of proof that better crops can be grown by doing as they have been shown—kleinenberg. Majority of farmers only work from November until May, and this idleness makes beer drinking popular.

Possibility of operating industries near these reserves.

Can we encourage them to build better roads, dams, sports fields, clubs, etc.

Can we promote interest in afforestation various areas. This field is wide open and the Department under-staffed. The average native craves for a piece of land but conversely, in some cases, the owners of land in this area are working as far afield as Cape Town.

5. & 6. Intimidation within their own Areas—Exploitation of the Native by the Native with a little knowledge.

Grain buying—

In business where the intelligence can be considered higher —intimidation through not only education but the social standing of the individual is often exploited to the fullest. Willard and his recommendation that travellers must pay before we buy. The Post Office Clerk, Jethro, stealing ruthlessly from his people and very cleverly and then delaying his arrest telling his clients there was no reason for alarm over delayed letters, etc., and not one of the many involved reported to me their complaint.

A good farm worker often has to leave because he works too quickly and will not fall into line. It is not often appreciated that intimidation is going on under our noses all the time even in the home if two or more are employed. James and Kenneth. Contrary to what the outside world appears to believe, exploitation of the African has not been confined to the European. An African with a little knowledge can and does exploit and intimidate his uneducated brother up to the hilt. Store boys do not hesitate to increase the selling price of an article, when the customer is unable to read the price ticket and pockets the difference hiself. A Native given authority, automatically makes use of it for his own ends. Building himself up by intimidating those he has been given authority over, and ruthlessly too.

7. Health—I consider the work done by the Government in this respect an amazing effort. Honde Reserve cut out of the bush—mosquitoes—cattle under control.

Honde Maternity Home and Clinic.

Tsonzo Clinic—Shadreck's reaction

8. Assistance given by Europeans to Natives to try to improve their standard of living.

9. Effect of Cash in Lieu of Rations.
Gambling.

10. Reversion to early way of life in spite of education. Cook boy returns to the reserve for six months and comes back having forgotten everything he has learned—like a bucket being emptied. Freedom from tribal life has caused a big change and a certain lack of discipline. Not afraid to commit a paltry offence and if caught a few weeks in the Queen's hotel is regarded as a joke.

11. Discipline main consideration in the maintenance of control and the improvement of their standards.

One never consults one's staff as to what is to be done during the day. They accept a lead and have no incentive to make suggestions. Should you not give full instructions as to what their jobs are. Have to be careful when giving instructions to give one step at a time. Can't say—plough that land and plant potatoes—one must say—plough that land. Then when that is done give the instruction to plant the potatoes. Labour must be firmly handled—they respond to this and respect your knowing the job from A to Z and are very quick to pick any weakness and to trade on it.

12. Influence of Native Women on their race. They are the hewers of wood and the drawers of water and the farmers of yesterday. Like women of any other race, they can have a tremendous influence on their race and it is only through them that hygiene and the approach to health can be made.

13. An outline of our own plans with reference to pensions for our employees and the provision of a place for their retirement, should they not have land already allotted to them.

14. Two Native employees brought in.

Oral Evidence

J. P. VALINTINE

Mr. Valintine had earlier submitted a memorandum and now handed in an additional memorandum, and suggested he should answer questions on the headings therein.

Attitude to Federation

By this Mr. Valintine made it plain that he meant the African attitude and not his own towards Federation. He said that within an area with a population of between 20,000 to 30,000 Africans in which he knew most of the educated (self or otherwise) there were only about twelve who could grasp the idea of Federation. He had approached them particularly during the emergency, and had held a meeting of his store boys who represented the most intelligent members of his staff but even they could not understand the idea of Federation. They were only concerned with things of direct concern or advantage to them personally and were scared and horrified at any suggestion that they should appear before the Commission whose purpose they could not comprehend. He had used the Kariba Dam as an illustration of the possible advantages of Federation, but the only response was that the Africans could not see why the money would not have been better spent on education.

Intimidation and Exploitation

Mr. Valintine thought that intimidation and exploitation went together. He said that any African who was given any form of authority would as a matter of course intimidate his fellow Africans. He would use his knowledge and authority for personal gain. Older men would intimidate younger boys but he had no direct evidence of political intimidation.

He himself had been buying grain over the last fifteen years, and ran transport covering an area of 75 miles east and west where he had been given permission to go into the Native Reserves. The Africans would assemble grain at certain spots and pay him the controlled price, but they were also getting a cut bigger than the Europeans. He thought that this was a form of intimidation and that Africans exploited fellow Africans ruthlessly.

His permit to trade in the Native Reserves was subject to annual licence by the Native Commissioner. He was accepted in the Native Reserves because he traded fairly and kept his prices at the proper level, and he thought that the Africans could see the advantage of this but he knew that each year representations were made to the Native Commissioner to get him out.

He supposed that running African stores might be said to be a form of exploitation, but he thought he was giving a fair deal and he was able to compete with 35 stores within a fifteen mile radius of one of his own.

Education

Asked whether he would like to see the Africans educated so as to be able to resist intimidation by their fellows, Mr. Valintine said that he would, but he thought the present type of education was not suitable. It would be better to give more technical education, and to teach civics so as to broaden their outlook on what was going on around them, and thus give them more authority in their own area.

Pressed to define his own attitude to Federation, Mr. Valintine said that he accepted it as the only way out, but strictly because they (i.e. the African and his employer) must work in harmony, although events must not be hastened. He could not see that the existing European population in the country would be able to provide education for the vast majority from taxes. It was only through Federation which would attract capital and industries that the money would be found. He thought there was a better chance for development as part of the Federation.

Mr. Valintine was asked whether he thought that the Africans in Southern Rhodesia would like education to be a Federal function, and whether they wanted education similar to that of the European. He replied that Africans were getting their education under appalling conditions at present. The advanced African in the Reserve and on the farms was starving if necessary to send his children to school, as he thought it was their only chance. The child thought that he could concentrate on school but he was compelled to go to a mission school which might be ten or more miles each way every day. African education was entirely in the hands of the

Missions. He knew that New Zealand sent money to supplement these Missions. He only criticised this form of education to point out that something should be done. In some cases, teachers were from overseas and under contract with no long term interest in the country. They relied more and more on the Africans under them. There was no stability and education was becoming commercialized. The priest in charge of a Mission would lose his job if the number of pupils went down. All Africans would withdraw their children from the mission schools if government schools were available. He did not see how the mission schools could educate their pupils adequately. A big school might be able to train children up to matriculation standard, but many fell by the wayside. A government school would be able to bring them to a higher standard.

He thought the children should be given some educational test to see that they were not wasting their parents' money. Their main objective was usually to become clerks, and they needed to be guided into industries and farming.

The Influence of African Women

The women had been looking after the land for centuries, and people did not realise the great responsibilities they were carrying. They are really responsible for the education of the children. There were cases where the wife was looking after the land, and as many as five children while the husband was away in Capetown.

The women had a tremendous influence, particularly in matters of hygiene.

He thought a way should be found to assist them within the Native Reserves.

Mr. Valintine mentioned that two of his African employees would be giving evidence. One was an older self-taught man (Ngwara Langton) and the other a younger man (Rodgers) who had a certain amount of education.

MR. RODGERS and MR. N. LANGTON

Employees of Mr. Valintine (See above evidence)

Mr. Langton spoke little English and Mr. Rodgers answered questions and interpreted for Mr. Langton.

Mr. Langton did not understand Federation. He had heard about it but he did not understand what it meant. He was a Southern Rhodesian who had only reached Standard II. He worked as a storekeeper for Mr. Valintine and enjoyed his work. He earned £10 a month plus 30/- ration money. His takings in the store averaged between £50 and £90 a day. He was perfectly happy as he was and saw no reason why he should have a vote.

Mr. Rodgers had reached Standard VI but had failed his examination. For some time he had not been able to get the kind of work he wanted, but was now very happy working for Mr. Valintine who had promised him more money because he had improved in his work. He was pleased to be learning things from Mr. Valintine.

He had heard about Federation and understood what it meant which he took to be how people lived and how the Europeans cared for them.

There was no food in the Reserves, the soil was poor. Many people came to the towns for work because of hunger and not having enough clothes. They only earned £1.10.0 or £2 and sometimes they had two, three or four wives to support. Sometimes there was nothing to eat in his village. His family had six acres of land, but they did not own it. It was very poor soil and hilly and it only produced two bags of maize, two-and-a-half bags of rapoko and a few groundnuts (perhaps one bag) and his family had four cows. There were ten in his family and although four were married they did not have fields of their own. They could go to live in a location, but this was not good and it would be better to have more fields. They fertilized the fields with the manure from the cows, but it was not enough. Six acres was the maximum amount of land allowed to any family in his Reserve and they were only given so much because the soil was not good.

Memorandum

A GROUP OF EUROPEAN ELECTORS OF CHIPINGA DISTRICT

We are committed to Federation in its present form, in which the safeguards for both Europeans and non-Europeans, appear to be adequate, and we are of opinion that the advancement of all races in every sphere is well catered for.

We are of opinion that the African is, under our present Government, happy and contented, and free from fear and tyranny of any sort. We believe that this state of affairs is due solely to the fact that the Government is in the hands of civilised men, who understand Western Democracy. It is abundantly clear to us that the African States which have been granted independence will quickly revert from Democracies, with Government of the people, by the people for the people, to republics virtually ruled by a dictator, who will tolerate no opposition. We are very much alive to the trends of certain African Territories which have recently become independent.

We are determined to maintain a true Western Democracy, and with this end in view we will resist with all the power at our command, any reduction in the qualification standards of our common Voters' Roll. Should the two Northern Territories be granted such a reduction in standards for the vote qualification, thus bringing into power an African majority elected by a bulk of uncivilised men, then the only course open to our country of Southern Rhodesia would be to secede from the Federation, and, to use a hackneyed expression, to 'go it alone'.

We strongly resent the repeated denunciations of the people of Great Britain that the moment the white man becomes a citizen of an African Territory, he at once takes on the role of a masterful and cruel oppressor.

Finally, for the preservation of law and order, and the betterment and protection from tyranny and even bloodshed, of all races, we deem it essential to fight for the removal of the veto clause in the matter of the Native Affairs of our country. We submit that we who live and work with the African, and have a real feeling of affection for him, understanding his tribal laws and customs, and knowing his real needs, are the only people who can give him the full advantages of civilisation, and a guarantee of freedom from fear and want. It is our desire to bring the African up to our European level of truth and justice, with freedom, and the present policy of handing over Territories to be ruled by men who have not learnt the meaning of Western Democracy, must be curbed forthwith, and all that has been so painfully and laboriously achieved will be dragged down, and our country fall a prey to Godless Communism, with all the horrors that this entails.

The above is the carefully considered opinion of the people of Chipinga District, and we stand by it.

Oral Evidence

CHIPINGA EUROPEAN ELECTORS

Mrs. Alice Otterson
P. J. Oudendaal
R. I. Edwards
J. B. Willemse
R. S. Thacker, Q.C.
A. J. W. MacLeod

Colonel MacLeod said that the present delegation had been chosen at a public meeting to represent the European electors of Chipinga. Introducing the members of the delegation, Colonel MacLeod said that Mrs. Otterson had been in Southern Rhodesia since 1894 and had eight children and twenty-one grandchildren living in the country. Mr. Willemse had been in the country for 22 years, Mr. Oudendaal had arrived in 1894 on one of the early treks and had subsequently worked as a Native and Civil Commissioner and Magistrate. Mr. Edwards was the son of a pioneer of 1893. Mr. Thacker had spent 22 years in Eastern Central Africa, where he had been in the legal profession.

In answer to questions, the delegation made the following points in amplification of their memorandum.

(*a*) The qualifications for the Federal franchise were about right at the present time, but if the value of money fell, they might have to be raised.

(*b*) If the northern Territories got the franchise on the basis of 'one man, one vote' Southern Rhodesia would probably want to "go it alone". There was, however, no objection to an increase in the northern Territories coming on the roll. The emphasis must be on gradualness.

(*c*) If the protection of the United Kingdom were removed from the Africans, it was accepted that some other safeguard might be required. This could be provided by a Federal Senate. Such a Senate would be able to protect the interests of Europeans if, eventually, the majority representation of Africans made this necessary. It would be hundreds of years before Africans, who did not understand the ideas of fairness or democracy, would be capable of governing the country.

(*d*) Southern Rhodesia was on the right track. It should be accepted that people who had lived with Africans all their lives knew what was best for them.

(*e*) Another problem was the new type of African who

was living in the urban areas. There was a need to give them a measure of self-government in the towns. The establishment of councils which enabled the people to bring matters to the attention of the authorities gave an outlet for Africans in politics.

(f) Some mistakes had been made in the past by having too many restrictions on Africans, such as the liquor laws.

(g) Education had been carried too far; one difficulty was that the schools turned out partly educated Africans for whom no jobs could be found.

(h) The effect of racial discrimination was often exaggerated. Africans practised more social discrimination among themselves than Europeans practised against them. There was no objection to Africans being accepted socially when they really achieved European standards.

Memorandum

G. HALL

A Federal Citizen, of 10 years residence, a pensioner of the Colonial Administrative Service, Gold Coast 1921-48. Member of Executive and Legislative Councils (in the Gold Coast).

1. Federation must continue, if only for the fact that two of the three Territories are unable to stand alone economically. But if it is to continue, it must become a real Federation and not the present bastard form of amalgamation.

2. It would seem that at its conception, a large section of European opinion in Southern Rhodesia, either through ignorance or the feeling that while everything in Southern Rhodesia was wonderful, so everything in the Colonial Office Territories was rotten, visualized the gradual extention of what may be termed Southern Rhodesian methods to the two Northern Territories.

3. As most of the African Affairs had, by the Constitution been left in Territorial hands, this had the unfortunate result of making the Federal Government appear to be a white man's Government in the eyes of the African. A feeling that increased when the Federal Government took control of European Agriculture in Northern Rhodesia and the ridiculous incident when a Federal Minister of Agriculture threatens the Nyasaland Government with dire consequences unless they agree to separate European from African Agriculture and place the former under his control.

4. Again one finds that Education is divided racially between Federal and Territorial Governments instead of higher and primary.

5. The criticism by Europeans in Southern Rhodesia of Colonial rule is not without justification, as nothing is more sterile than a Government of Civil Servants; the material advancement of the Gold Coast since becoming Ghana, and a comparison of conditions between Southern Rhodesia and the two Northern Territories illustrate this, but this was no justification for interference by Federal in Territorial matters.

6. The solution would seem to be the restricting of the Federal Government powers and the rapid advancement of the two Northern Territories to elected Self-Government within the Federation.

7. Elected, yes, but the greatest disservice that could be done to these territories is to introduce universal adult suffrage which would make a farce of the ballot box and place the power in the wrong hands.

8. The present general low standard of members of the British Parliament may, or may not, be due to this, but the tendency of some members to feel, that having been elected to some obscure constituency in the United Kingdom, they are entitled to interfere directly in matters within the Federation, must be checked.

9. No embarrassment need be felt by the U.K. Government over the fact that the two Northern Territories are Protectorates as under a Socialist Government, the wishes of the Chiefs and people of the Northern Territories of the Gold Coast to remain under British Protection, and not be given their "freedom" as part of Ghana was over-ruled for purely economic reasons. This is well known to at least one member of your Commission.

10. The African Affairs Board should be abolished, as the only useful purpose it has served, was the introduction of African members into the Federal Parliament, but as these, with the exception of Southern Rhodesia were originally nominated, their value was reduced. As racial representation may be considered necessary for some time, they could retain their seats as elected members.

11. The fundamental fault of the Board is it's purpose to protect only one racial section of the community and not general discrimination against any one race. It's place may be taken by an elected Senate or a nominated State Council; the former necessitates party politics which so often means racial politics in this country, a State Council would seem preferable, some members of which for some time to come being nominated by the United Kingdom Government, who should also have some control over its deliberations.

12. The African will always appeal to the highest authority he can, as was so well illustrated by the number of petty land disputes in the Gold Coast that went as far as the Privy Council; it is essential therefore in the interest of peace and good Government that the present dual control of the various territories by the Federal and U.K. Governments be replaced as soon as possible, and as suggested above any control should be at Federal and not Territorial level.

13. One most important point on which I regret I am unable to express an opinion, is the control of the territorial representation in the Federal Government. Should the type and method be left to the Federal Government to decide or should the territories have some say in this matter? It is one of great importance to the Federation under the present state of feelings of all races.

Oral evidence

G. HALL

Mr. Hall said he had tried to make his evidence constructive. He read his memorandum and drew particular attention to the points raised in paragraphs 1, 2, 3, 5, 7 and 13, to which he attached great importance.

In reply to questions Mr. Hall said he thought that it would be a mistake to have general Federal control, e.g. Federal Police. The states must be kept together as states who could feel themselves developing. He cited the University as a distressing example of the results of Federal control. It had come to be regarded as offering European education only.

Asked for his views on the Land Apportionment, he thought it should be struck off the Statute Book, but conceded that he would need to give more consideration not only to this act but to other legislation before coming to any conclusion on the need for discriminatory legislation in favour of Africans.

He did not think the protective power of the United Kingdom should or indeed would be removed, but he thought it should be transferred; for example, if there was a Council of State the United Kigdom should appoint its own members to it and operate through it. He thought there should be looser control over departmental affairs in the individual states of the Federation, and that Education and Health in particular could be left to the individual Territories to administer.

With regard to the franchise, the witness thought that a wider Federal franchise would not be acceptable, but a more liberal Territorial franchise would be acceptable. Asked if he thought whether Territories approaching self-government would accept a franchise imposed from outside the witness replied that while they were within the Federation the franchise could not be regarded as being imposed upon them, but he felt fairly certain that it would be refused and could in fact break up the Federation. He thought that the composition and method of election of the Federal Government was the most important point for consideration.

The witness was asked how he considered the Africans here compared with those in the Gold Coast, of which he had great experience, and in reply he drew attention to the difference in the history of the Gold Coast and the Federation. The latter only went back sixty years, and while the tendency was to regard the members of the Federation as separate countries, they were in fact only recently artificially created, whereas in the Gold Coast there were three generations of educated Africans on the Coast, but Africans of little or no education were still going unclothed in the north. He thought the educated African in the Federation was less able to accept responsibility than the educated African in the Gold Coast, but there were a few who were just as able. He did not feel justified in expressing a firm opinion in regard to Southern Rhodesia where he had only lived as a pensioner, and had only slight experience of inter-racial contact and was generally out of touch. A further disad-

vantage was that he could not speak the local African language. He thought that it would be dangerous to give an opinion judged on contact with servants only.

Memorandum

V. P. ODENDAAL

There appears to be no point in attempting to revise this constitution or to draw up a constitution for any other form of association, unless full consideration is given to the requirements of the two major races living within the present Federal boundaries, taking into account the following:

(a) The difference in the living standards, culture, customs and laws of the two races which were evolved over hundreds of years to suit each particular type of civilization.

(b) Democracy in respect of the Africans' mentality.

(c) That the aims of African Nationalists do not allow for partnership, multi-racialism and integration, but complete domination by the African, and that this appears to be fostered by outside agitators who are using African Nationalism to gain their objectives.

(d) The status of Southern Rhodesia as contained in the preamble, and, which she would have achieved without Federation.

(e) The rights of the Europeans contained in the Preamble.

(f) The definition as defined by Mr. Macmillan of the clause in the Preamble stating that ". . . *when the inhabitants of the territories so desire* to go forward with confidence towards the attainment of full membership of the Commonwealth".

(g) The lack of appreciation by Britain, that in every case, where established Europeans have full control and responsibility, they have given more consideration to the under-developed people, than the Colonial Office type of government. In the territories under consideration, the Southern Rhodesians gave more within their means to encourage education, health and economic development, than the British Government gave in the territories for which she was responsible; where it appears that Britain and her investors' main interest was the exploitation of the territories giving as little in return as possible, except political advancement.

(h) Southern Rhodesians never intended that the Federal State would be ultimately controlled by African political advances in the Northern Territories.

(i) The Europeans in Southern Rhodesia were misled by Lord Malvern (then Sir Godfrey Huggins) into believing that the status of this country would be maintained, and that his definition of partnership would not mean ultimate integration as envisaged by Mr. Macmillan. (Lord Malvern's definition was a senior and junior partner as in a business undertaking). The error vesting the responsibility of the Northern Territories in the Colonial Office, and asking the Europeans to finance the Federal State, while the dictating is done from Britain. Europeans are beginning to distrust agreements made by Britain in connection with their future, in African territories.

(j) The loss of confidence by African business men and responsible progressive Africans, who view with alarm European Governments with a lack of will to rule, being stampeded by African political agitators.

(k) The choice of a balanced economic and political advancement of the African instead of irresponsible political advancement. The Europeans appreciate that the lower the electoral qualifications, the lower the standard of Government.

(l) The sharp deterioration of the pleasant race relations existing in Southern Rhodesia before the Federation's multi-racial and partnership policy was implemented. The reason for this is simple. The Europeans on the whole have no intention of implementing a policy that can only breed contempt. It is a policy that has been introduced by people who only come into contact with a small section of the native population, and were hoping that a policy of appeasement and handing over responsibilities, by lowering qualifications would satisfy the African, *but looked on by the agitators* as a sign of weakness. Their attitude to weakness can be seen in their reaction to the Christian Churches. The African on the other hand is quite aware that the European is capable of freezing them out of multi-racial institutions. What could be more antagonising?

Taking the preceding remarks into consideration, it is therefore necessary to seek a solution that will have a prospect of succeeding, a completely new outlook and one starting in the territorial sphere which will make allowances for the ultimate aims of the African and fill the requirements of the European.

The Europeans intend that Government will remain in civilized hands. The African can at present legitimately claim lack of representation. A solution would therefore require:

(a) A more democratic system.

(b) A system giving the African an opportunity to advance politically when and as he gains maturity.

(c) A type of Government that will give him more control in his own immediate affairs, at his present stage of development.

(d) A system which could allow for safeguards by the European *against exploitation of the African by the African.*

(e) A scheme that will give the African himself the choice of whether he wishes to accept greater political responsibilities when he matures.

It is submitted that a possible answer that could meet the above requirement is the establishment of two lower houses (in the two Rhodesias) as well as a Senate, with only two lower houses in Nyasaland, outlined broadly as follows:

(1) The Legislature. Members to be elected on a high qualification common roll, such as existed in Southern Rhodesia before Federation. With few exceptions the responsibilities to be those existing prior to 1953.

(2) A House of Representatives. Members approximately 24, to be elected by the indigenous African, on a one man one vote roll. Each constituency to be centred around the present native administrative areas, rural and urban. The following responsibilities should be concurrent with those of the Legislature:—

African Agriculture	African Education
African Taxation	African Health
Roads in African Areas	African Rural and Urban Development.

As a safeguard against malpractice, the chief executive should be the Chief Native Commissioner. Each elected member to be appointed to a committee set up in each constituency, consisting of the Chiefs and the Native Commissioner. The executives of the above responsibilities to be attached to the Legislative Ministries concerned, as under secretaries. This House to be in existence for an interim period and to be abolished when the Africans have developed to such a stage when the majority could enrol on the common roll if they wished to, on attaining the necessary civilised standard.

A scheme of this nature with complete independence will be far more in keeping with the concept of partnership as was defined by Lord Malvern, and envisaged by most people. It could also be more readily understood by the African and it could give those who wished an opportunity to transfer to the higher common roll, when they gain the necessary qualifications, and a better understanding of democracy and that sectional representation and racialism are unacceptable. In the meantime, Africans not on the higher roll would have some control in their own affairs and with the development of their urban areas on European lines, there would be less and less friction between the races.

The additional house could be quite easily incorporated within the framework of the present administration. The advantages of giving the Africans the opportunity to have more control in their own affairs, would far outweigh any additional cost.

The Senate consisting of approximately 18 members. Three appointed by the House of Representatives, one of these by the opposition, 15 by the Legislature in ratio to the seats held.

The Federal sphere. A Government with less responsibilities and members elected on the higher roll, the size could be halved. The responsibilities to consist of, for example:—

Defence
External Affairs
Banking and Currency
Aviation
Posts and Wireless
Supply of Electricity from Major Undertakings
Customs and Excise.

It is obvious that unless a far reaching change is made in the near future, more and more friction will develop be-

tween the races, with the inevitable outbreak of hostilities, as it is quite certain that the European has no intention of handing over or lowering his standards to suit the underdeveloped race. The trend at the last election in Southern Rhodesia is quite clear. There is a general rejection of partnership as it is at present defined.

Any form of sectional representation, preferential voting or a multiple vote system, will only give a temporary relaxation to the present tensions and it is contended that the African is parochial in outlook. Most important it will take into consideration tribalism, a factor that is generally overlooked and disregarded.

One of the main objections at the present time is that the closer association of the three Territories was primarily for defence and economic reasons. Yet the legislative responsibilities of the Federal Government read more like that of amalgamated territories, with an exclusive list totalling more than 40 responsibilities, and a concurrent list of a further 30.

Oral Evidence

V. P. ODENDAAL

Mr. Odendaal was born in Southern Rhodesia of one of the oldest European families. He had served in the Air Force here and in England and was now farming, having sold out his business profitably.

The witness read his memorandum and made the following points in reply to questions. He thought that race relations had deteriorated since 1953. He thought that there should be more African representation, but not on the present basis. Africans should have more control over *African* affairs, and by making provision for them to control African affairs, friction would be avoided. He was in favour of segregation, but he thought that both Europeans and Africans should have a say in their own affairs; he did not think that increased participation in local government by Africans was the answer.

He was in favour of some subjects being transferred back to the Territories and listed European Agriculture, European Education, Health and in fact all subjects but those concerning the economic and defence aspects of Government. He thought that the Federation now had too much power. In his view it was created originally for economic and defence purposes, but it was now tending towards a unitary state. He thought that at least three-quarters of the African population were indifferent to Federation. He thought that the Senate should not be in Nyasaland which would be an African state. He also thought that the term "partnership" was misleading. It had never been defined and he thought those concerned did not want it defined but merely wished to make political capital from the term which raised expectations which could not be fulfilled. He could make no firm suggestion for an alternative title but he thought "economic co-operation" would give a better idea and, if used, should be clearly defined.

A EUROPEAN RESIDENT OF UMTALI *

The witness said that she had been born in South Africa and had been married to a member of the Colonial Service in Palestine. She had travelled fairly widely and had lived for some time in the Middle East. After the end of the Mandate in Palestine she and her husband had returned to South Africa, which they had left after the General Election at which the Nationalists had been returned to power.

The witness said that racial prejudice was a universal sin not confined to Central Africa. It was not a subject on which advice could be given from far away; the problems could only be solved by those who had to live with them. She herself aimed to bring up her children respecting the dignity of every human being.

The present Federation was the result of the most wonderful advancement of the Rhodesias and Nyasaland over the past sixty years. This advancement had been based on the vision and enterprise of the white population, coupled with the good will and co-operation of the Africans. Federation itself had been in existence for less than seven years; this was a very short span, and with courage and faith it would be made a success.

One of the essentials was to build up a locally based Civil Service. She herself knew from personal experience that Civil Servants based on the United Kingdom were less deeply involved in the needs of the country they worked in. She and her husband had suffered no hardships at the end of the Mandate in Palestine; the hardships had all been suffered by those who had to stay on when the Civil Servants had left.

There had been a number of recent changes in favour of Africans:— the abolition of separate entrances in Post Offices, African participation in State lotteries the establishment of training colleges, the extension of the franchise, the admission of Africans to the Federal Civil Service. Indeed the Government had gone at a faster pace than many of the electorate liked. She was doubtful whether, if there were an election today, the United Federal Party would be returned to power in Southern Rhodesia.

European women had played a great part in the emancipation of African women. Many of them gave their time unstintingly to work for co-operation between the races, and to teach African women how to improve their way of life.

In answer to questions, the witness said that she thought there should be some representation of Africans in the Southern Rhodesia Legislature. This should not necessarily be achieved through the common roll but might be achieved through provincial representation. The time was not yet ripe for African members of Parliament, but African affairs were a Territorial matter, and Africans should be allowed to play a greater part in their own administration. At the same time further steps could be taken to do away with the small pinpricks which mattered to sensitive people. This would include such matters as the exclusion of Africans from lifts, the provision of separate lavatory facilities etc. There must be some recognition of the gap between those who had reached the top and those who were still at the bottom of the ladder. It was quite wrong to expect professional men, whether African or European to associate with garden boys. At present there was no common meeting ground between the races. Such contacts as existed were mainly on the basis of a master and servant relationship, and ended at the end of the working day.

The main obstacles to closer understanding were fear, intolerance and lack of education. On the education side, it was desirable that European children should be taught much more about the African population rather than children in Holland or Switzerland, as seemed to be the case nowadays. In addition, they should have to learn an African language. Eventually, multi-racial education was the only solution. This could be started immediately in technical schools, though at lower levels even secondary schools, problems of sex and age provided complications. Once the pinpricks had been dropped, further progress in this direction would be possible.

ST. FAITH'S MISSION

Father A. R. Lewis	Priest-in-charge
Father B. M. Makoni	Assistant Priest
O. Ndowora	Second master
V. P. Van Zyl	Farm Manager
J. Kekana	Chairman of Village Council

Father Lewis said that St. Faith's was an Anglican Mission; its primary work was religious and was almost entirely among Africans. In addition, they did medical work and agricultural work at the Central Mission, and ran more than 45 schools in all. Apart from the Mission itself, they ran a village community of some 600 souls. They had about 100 churches in their area.

Father Makoni said that St. Faith's Mission regarded it as a privilege to appear before the Commission, even though they were not in a position to give evidence on strictly constitutional issues. Nevertheless, they had been forced to scrutinise legislation affecting Africans; it was their view that Africans and Europeans should live side by side, each supplementing the other. It was wrong to think that one race or the other would disappear completely at some future date. Those Africans who believed that they could drive out the European were quite mistaken. It was necessary that the Government should provide equal facilities, opportunities and justice for all. In particular, Africans must have more constitutional means of voicing their grievances.

The concept of partnership had brought complete confusion in its train. Was partnership to be interpreted on a business basis—in which case the power of the partner should be regarded as proportionate to the number of his shares or the percentage of his investment. It was not easy to define what was meant by partnership, but it was necessary for the concept to be realised in practice, otherwise it would be regarded solely as a political bait.

One of the main grievances of the Africans in Southern Rhodesia was the Land Apportionment Act. This was a strictly Territorial matter, but it was difficult for the average African to see what good Federation had done him so long as he was tied down in his own country by legislation of this kind. It was not easy for Africans to see why they should be limited to, perhaps, six acres, when they saw Europeans in possession of thousands.

African advancement was applied very unevenly. In the Federal Service, doctors, for example, were treated on a basis

* Name withheld at request of witness.

of complete equality whatever their race. But teachers were not regarded as equivalent. Even though many African teachers may have undergone the same education as a European teacher (or, for that matter, an African doctor), he was denied the same facilities. Why should a doctor, because of his better pay, be able to take part in elections when the teacher was not able to do so? Similar considerations arose in the field of African agriculture.

On the question of education, the witnesses said that the Federal Government should be allowed to develop education along the lines of a properly run system, particularly in the training of technicians. The Territorial Government was simply not interested. In a multi-racial state there should not be a "native question" or "native problem". Legislation should not deal with one section of the community alone. Discrimination would sooner or later end in an outburst of some kind from the people. So long as the present state of affairs continued, the future of Federation must be regarded as very gloomy.

One of the causes of African agitation against Federation was the distinction between the ordinary and special voters' roll. So long as the special roll was limited in numbers, Africans were not willing to register on it. The two rolls should be made into one common roll on the basis of the present special roll qualifications.

Another difficulty was that freedom of speech was minimised throughout the Federation, so that if an African expressed political views he was immediately regarded as an agitator.

In answer to questions, the delegation made the following further points:—

(a) They could only speak for some Africans in Southern Rhodesia; they had no knowledge of conditions in Northern Rhodesia or Nyasaland.

(b) The scope of the powers of the Southern Rhodesian Government affecting Africans should be minimised, at least until Africans were better represented in the Southern Rhodesian Parliament.

(c) On balance, Federation should continue, but in a looser form. The fact that the two northern Territories were giving increasing responsibility into African hands might mean that they would be able to influence Southern Rhodesia.

(d) The African farmer was adversely affected by the Land Husbandry Act which gave him too little land to make a living off it. If they were able to hold more land and more cattle most Africans would prefer to stay on the land. The idea of improving the standard of agriculture was correct, though its application was wrong in practice. The total abolition of the Land Apportionment Act would be liable to affect the Africans adversely.

(e) St. Faith's Mission was at present negotiating to sell their farm to the Government for African use. They hoped to be able to secure twelve acres per farmer of which eight would be arable and the remaining three or four under grass. It was true that there was not enough land over all, but even within the European area land was often not properly utilised. Such land should be bought for use by Africans.

(f) The marketing of African crops was not fair; The fact that Europeans received the higher prices meant that Africans sometimes sold their maize to Europeans who re-sold it at the full price.

(g) Better provision should also be made for the urbanised or detribalised African for whom there was no land in the reserves. The past policy of the men going to the towns without their families had led to a major social disaster. There should be some provision for pensioners who could no longer work to be looked after in the urban areas or to be given land to return to in the reserves.

MRS. BAILEY

The witness said that she and her husband had come to Southern Rhodesia from India where her husband had spent 17 years in the Indian Army. She herself had travelled a great deal and had served in the Women's Auxiliary Corps in India. They had now been in Umtali for 12½ years. They ran a small farm of 500 acres specialising in dairy produce, pigs and potatoes. Part of their labour force had been with them for ten years or more; others came and went on a short-term basis.

The witness said that her husband concurred in the evidence she was giving.

The first essential was stable Government; seven years was not a long enough period in which to judge whether Federation was the final answer or not. The country was very fortunate in having such men as Lord Malvern and Sir Roy Welensky as Prime Ministers: It was possible to give wholehearted support to men like these, who knew their own minds and where the country was going.

The witness was quite clear that the goal was racial partnership. She had seen great advances in the past ten years. She had recently seen an encouraging example in a native reserve deep in the country where the women had got together and decided to pool their knowledge and improve their education. When they found that they could not make much progress by this, they had asked for guidance from a neighbouring European farmer's wife who had been able to give them great help in teaching them knitting, hygiene, handcrafts, etc. This action had been taken entirely on the initiative of the African women themselves.

Over the past few years there had been great strides in health, and in roads and housing. It often happened that farmers from the neighbouring native purchase areas came and saw round European farms to get ideas for improving their own husbandry. She and her husband welcomed such visits, and did everything they could to help. The great majority of African children now received some basic education; but this was still not going far enough, and they were not being taught to think or to take responsibility for themselves. The witness attached great importance to the creation of an African middle-class; this was happening, particularly in the transport field. Further progress was needed particularly in giving Africans responsibility in local government organisations.

Certain factors were operating against more rapid progress for the Africans. One of the main considerations was fear and distrust, both of Africans for each other and among the European working-class, where there was increasing competition from African labour. European artizans who had arrived in the last five years or so were particularly liable to adopt a rude and sneering attitude towards the Africans. This was largely attributable to fear, especially since in the farming districts the living standard of some Europeans was not so very much above that of the Africans. In particular, few had electric light or running water. Another difficulty was the flood of Archbishops and journalists who came to the Federation from the United Kingdom and gave what they believed to be good advice, but who had no responsibility for what happened subsequently.

Summing up, the witness said that good progress had been made during the past ten years, but that further action should be taken to increase good relations, both by the removal of legal pinpricks and by the improved standards of behaviour.

H. R. D. JESSOP

Mr. Jessop had come from the United Kingdom in 1947 and was farming and trading on the Melsetter border, which was a fertile and well-watered area. He had seen a steady advance in the status of the indigenous people. Then they were hungry and in rags, but today could afford to spend money on good clothing etc. The majority of them were good citizens and he knew them well. They were not politically conscious but wanted only to attend to their own affairs, and he knew many among them who were good traders. Employers with labour troubles had only themselves to blame. The races were inter-dependent. Without the European farmers the Africans would subside again into poverty, and without African labour the Europeans would find life untenable.

But now the Africans had heard talk about, for example, Dr. Banda, and this coupled with the blast of propaganda mainly from Britain had reduced them to imitation of Africans elsewhere. In his view the only solution was to unscramble Federation. Nyasaland was poor and a liability, although admittedly Northern Rhodesia was prosperous with its copper mines. Loyalty to the United Kingdom was reduced to its lowest ebb, and he wanted Southern Rhodesia to "go it alone". He did a lot of trade with native areas and knew that political talk dated only from the Nyasaland disturbances. He did not think there had been a change yet, but he could see the start of a change. A lot of Nyasalanders came as indentured labourers and there was also a lot of labour from Portuguese East Africa. The Nyasalanders were impressed by the good conditions and food in Southern Rhodesia, and he personally attached great importance to material prosperity as he thought that full stomachs made for content. He thought that any disturbances would start in the north and Britain would give in to whoever shouted loudest. He thought that there should be economic ties only with the northern Territories or Britain. He was afraid of African dictatorship. He thought that Dr. Banda was indoctrinated by Ghana, and Banda's strange talk did not impress the Europeans. If a break with the northern Territories politically led to economic sanctions he was confident that Southern Rhodesia could nevertheless

survive. He himself handled goods from all parts of the world and felt that Southern Rhodesia could survive the loss of trade and would be prepared to take in its belt if necessary.

The witness returned on 28th April and said that he wished to implement the last part of his evidence (that concerning the economic effect of separation from the northern Territories) with the following: "We have a form of insurance in as much as I, in common with a great number of Europeans, feel that the long-term destiny of Southern Rhodesia lies in incorporation with the Union of South Africa, both geographically, culturally and racially".

G. H. HARTLEY

Mr. Hartley said that he had been English born and had come to Southern Rhodesia in 1928 as a farmer's boy. In 1930 he had joined the Native Affairs Department, where he had remained until 1947, when he left to take charge of the Salisbury City Council's Native Affairs Department. He had finally resigned in 1959 to take over a farm which had been worked by his uncle for upwards of 50 years.

Mr. Hartley said that many Europeans in Southern Rhodesia looked at Kenya with apprehension and hoped that the recommendations of the Monckton Commission would be better than those of the Kenya Royal Commission. The current attitude of the British public gave cause for great concern; it was unsatisfactory for people who knew little about conditions in the colonies to produce constitutions for them. He personally was very doubtful of the wisdom of exporting replicas of the Parliament at Westminster. The European population of the Federation would not stand for "one man, one vote". Their loyalty to the Crown was unequalled, but this loyalty could not be pushed too far.

One of the difficulties about the present stage of evolution of the Africans in the Federation was that they tended to enter public life at the top rather than at the bottom. They should be given experience of local government as a start. He personally had had wide experience of local government and social activities in Salisbury, and had found little sense of responsibility in the Africans who should take charge of these matters. From his own experience, he very much questioned whether Nyasaland was yet ready for constitutional progress.

He would like to make a serious plea for caution in the Commission's recommendations. Africans were beginning to follow Western ideas, but this was a slow process. Once they had graduated from local bodies, they would be qualified to go on to national politics. In his view, the present Advisory Councils had outlived their usefulness. He would like to see African members of the Salisbury City Council, and there was no reason why Africans should not be permitted to serve on town management boards, etc.

UMTALI

28TH APRIL 1960

Oral evidence.

COLONEL STEWARD

Colonel Steward said he had spent all his adult life in the Territory. He had been thirty years in the police service and had also been labour officer for ten years. Since his retirement from Government service, he had been personnel manager for the B.M.C. (British Motor Corporation), a post he still held.

He said that from the outset he had been one of the opponents of Federation. He knew Nyasaland very well and Northern Rhodesia reasonably well. He was opposed to Federation because African policy in the Northern Territories was quite opposed to African policy in Southern Rhodesia. The indigenous people in the north understood the policy of trusteeship which had always been pursued; it had no common ground with the policy in Southern Rhodesia, and it seemed to him that an attempt to line up two such opposite policies was bound to lead to trouble, and could only result in Southern Rhodesia being involved in the milestrom of African politics.

He said that to the educated African progress seemed incredibly slow but to the European it seemed incredibly fast.

The heart of the difficulty was that there was no arbitrator to the dispute. Each of the parties to the dispute wanted to be the judge, and he did not see how it was possible to get round this difficulty.

Europeans who made social advances to Africans were looked at askance by their fellow Europeans, and Africans who made similar approaches to Europeans were regarded as yes-men.

He thought that the presence of Africans in the Legislature was merely a facade. Africans were only interested in African affairs, and therefore felt frustrated in the Federal Legislature. There was nothing useful an African could bring to the debates in the Federal Parliament.

There was a European representative on the African Affairs Board but no African had ever seen him and the African Members of Parliament were elected by Europeans who knew nothing about them. He thought that there was a great deal of hypocrisy in the talk about partnership, and in his view the climate of race relations had deteriorated since Federation. There was a large vacuum between the African in his home and in politics which had not yet been filled.

The witness demonstrated his own views on race relations by referring to his earlier career when he was in charge of the police in Bulawayo in 1946. At that time he had urged that something should be done about the low wages paid to Africans, and had foreseen the trouble which had resulted in the general strike in 1948, of which Bulawayo was the strike centre. At that time he had been urged to recruit European police, but he had refused as he thought this would only inflame feelings between the races. He had also refused to have a single policeman armed, and in the event the troubles had been resolved without any display of force.

He thought the Central Government refused to face the difficulties of the situation. The European must come out and meet the emerging African himself. He doubted whether Federation was worth preserving. In 1953 people had shown their feelings against Federation by refusing to go to the Queen's Birthday Party. In the north they had been frightened because they had seen the land go from the Africans in Southern Rhodesia. The Europeans in the north were politically all birds of passage, and there were few "permanent" European settlers.

He would like to see African representatives elected from the Reserves to an African Native Council. When African affairs came under discussion there should be a joint sitting of the African Native Council and the Federal Parliament. He thought this would serve as an escape valve for African frustrations.

Asked whether he thought that this would be regarded as too little and too late, the witness replied that the effort must be made if the races were to settle down together. Twenty-five years ago he had urged that African housing in Bulawayo should be improved. In the day time there had been complete economic integration between the races, but at night there was complete social segregation. Europeans in Salisbury might as well be living in a suburb in England. They had never lived with Africans. He thought that the United Federal Party was more liberal than formerly and that the Democratic Party was not radically different. But there had been little implementation of sound racial policy. He envisaged that the African Council he advocated would be purely advisory and without executive powers, but he thought it would provide a needed outlet. The African was essentially a member of a group and owed allegiance to far more people than the European who was an individualist.

He thought that there was grave danger from the wrong evaluation given to the reports made by the security services.

Asked if he thought it was impossible for Federation to succeed, the witness said that he thought that this was the case. The economic advantages of Federation were always pressed but human relationships were most important, and there should be sound recognition of the African as a human being. It was regrettable that the average European was not prepared to meet the emergent African. The Africans were getting education and wanting white collar jobs. It would be folly to deny them the right to use their education. The Africans were not interested in Federation; but they could not avoid the repercussions of events going on around them.

H. WENT

Mr. Went said that he had been born and bred in Umtali from a family which went back five generations on his mother's side, and two on his father's side. He was a fitter and turner by trade but was now a transport contractor and Member of Parliament for Umtali (United Federal Party.)

The witness said the present situation was damaging to race relations which were in danger of breaking down, and said that something must be done. The whites felt as keenly as the blacks that they had a right to be in the country, and

intended to stay. The blacks had not been here very long and the Matabelese etc. were not indigenous to the country. The white man felt that he had done his best for the African, and pointed to the position in a place like Liberia which ' had black independence for a long time but had not done much with it. The Europeans now had a feeling of frustration and did not know where they were, and the reasonable black African did not understand the present position and was therefore afraid of it.

In his view neither whites nor blacks must look to other countries for the solution of their problems. Safeguards must remain in the Federation by means of a Bill of Rights, or some similar institution. To make sure of real success either race must be able to appeal to a higher body within the Federation.

He himself had every faith in Federation which he thought would work; and he looked forward to an even greater Federation with say Portuguese East and West Africa, and which with other African territories could come to form a United States of Central Africa. All races could then live together in this United States in a better way than they did in the rest of the world.

He thought that the education statistics in Southern Rhodesia, where one in five of the population was in school, compared favourably with places such as Nigeria, Ghana and Somaliland. In Southern Rhodesia the revenue per head was £8 whereas in Nigeria it was 17s. 6d. and in Somaliland 25s.

He thought that damage was done to race relations by world events and the blaze of publicity given to incidents between black and white. His own personal relations with the Africans were getting better but others who were not so certain of success were looking at race relations from the angle of apartheid. In his view the only salvation was to get rid of United Kingdom control. He did not think that the country could serve two masters. It was bad for the Europeans, and while it did not matter for the majority of reasonable Africans, there were a few who exploited the difficulties of the situation.

The witness said that he knew Southern Rhodesia very well but not the northern Territories, and in reply to questions said that he thought that if United Kingdom protection were removed from the north Federation would be imposed on them. In his view the ordinary African was mainly concerned with ordinary every day matters, and he would like to ask the Commission if it enquired how the average African got his knowledge of Federation. He thought that if the northern Territories could have an African Government which was reasonable and elected on the basis of a limited franchise, they could remain in the Federation, but he did not think the franchise should be liberalised. If it was to be worth anything the vote must be restricted to thinking people, and the person who exercised a vote must have the interests of the country at heart and must show it to be the case. The witness agreed, in answer to further questions, that even if the franchise were lowered in order to get an African Government, that country could still come within the Federation provided the franchise had remained a reasonable one. He cited electioneering methods which used pictorial symbols and thumb prints : these he thought were useless. He considered that if there were an election now the United Federal Party would not get in, but a year ago he thought it would have carried the country.

The witness felt that Southern Rhodesia could stand alone without the northern Territories because even now Africans could get into Parliament. Southern Rhodesia wanted to avoid the mistakes made in other parts of Africa, and advances were coming gradually. He admitted that the Africans wanted to go faster; but no country could go faster than the economic position allowed.

He thought that if the United Kingdom insisted on making immoderate demands, Southern Rhodesia would swing away from the Federation to the Union of South Africa in spite of recent events there.

Memorandum

A GROUP OF EUROPEAN ELECTORS OF CASHEL AREA

Shocked by the apparent intention of the British Government, regardless of the European and other minorities, to hand over all power in Kenya to the African majority which had so recently revealed its innate savagery, the Europeans of Cashel, at a meeting held on March 16th, attended by nearly the whole electorate, decided unanimously that no such situation should be allowed to develop in Southern Rhodesia. A Committee was appointed charged to:—

1. Impress upon the Prime Ministers of Southern Rhodesia and the Federation that any attempt by the British Government to remove Government from the hands of civilized people would be resisted to the uttermost limit.
2. To draw up a Memorandum and give oral evidence to the Monckton Commission.

Here, in Cashel, we have ample evidence of what European rule has done and is doing for the African. When the first settlers of the Moodie and Steyn Treks crossed the mountains from Melsetter nearly 70 years ago into what is now Cashel, they found an empty land. To the South West, in what is now the Mutambara Reserve, were two small kraals, comprising at most 50 adult males, living under the most primitive conditions and in daily fear of raids by more warlike neighbours across the Portuguese border. The Pioneers were hailed as saviours by these people and, to this day, white and black have lived in this area in complete amity and mutual good will.

Many of the farms are held by descendants of these early settlers and today, in the Mutambara Reserve, where their forefathers found a handful of savages, is a total population of 9,600. To the South West of Mutambara and watered by the rivers of the Cashelis the Nyanadzi Irrigation Project, with 753 acres of some of the most fertile land in Rhodesia, is under irrigation. When the project was initiated by our Native Department in 1934 five families found a precarious existence in this area. Today there are 274 Plot Holders and a population of over 3,000.

These Africans in Mutambara and Nyanadzi, with their hospitalisation, clinics and schools are contented and prosperous. Many are store owners or transport contractors, while for those who want it work is always available on the European farms or on the roads.

Such is Cashel and the transformation effected by two generations of civilised Government and humane and orderly development, but this picture is largely true of the whole of Southern Rhodesia.

It must be conceded by any impartial observer that, prior to the advent of the European, civilization, even in its most elementary form, was unknown, witchcraft and the law of the assegai reigned supreme; land tenure was unknown and title to land was vested in the hands of the local despot who currently wielded the most power.

When Rhodes' column, with the approval of the then British Government first penetrated the country it is doubtful if the total native population reached half a million. Vast areas were completely uninhabited. In spite of great privation these dauntless people held on, the power of the Matabele was broken and law and order established throughout the land. As the Country developed and the unoccupied land was taken up steps were taken to protect the interests of the African, despite the savage brutality displayed in the rebellion of 1897. Adequate tribal land was provided and constantly added to until today the land is held in almost equal proportions by white and black.

It may be well here to compare the lot of the Africans in Southern Rhodesia with the fate of the original inhabitants of North America and Australia.

But this harmonious and orderly development, with its constant aim of attaining Rhodes' dictum of equal rights for all civilized men, is now threatened. Until two years ago there seemed a fair prospect that the experiment of a multi-racial Federation might succeed and, in Southern Rhodesia at any rate, the average African was quite content with the rate of political development. During the past two years. however, the growth of African Nationalism, seemingly fostered and encouraged in Great Britain, threatens to disrupt the orderly progress of the Federation.

In Southern Rhodesia are many second and third generation Europeans who know and can know no other home. These people, with their fellows from South Africa and Great Britain, who in all good faith have brought their wives and families to settle here, having lived in amity and understanding with the African. They know his real needs and they know that all he enjoys today comes from the sacrifice of their forebears and from seventy years of patient and tolerant government. In the past sixty years not a single African has been shot by the Civil Power in any riot or disturbance. We have a Common Roll and any African who reaches this modest standard can exercise his citizen rights. Already a significant number have done so, but in the mass they are completely politically immature. African Nationalism has no place in Southern Rhodesian soil. It is a poison imported from the North and made more virulent by the campaign of misrepresentation in a section of the British Press and the wild utterances of certain British Politicians.

These developments are viewed with disgust and alarm by the Europeans of Southern Rhodesia and have strained the loyalty of a hitherto completely loyal community to breaking point. It is hoped that the Commission in its appraisment of

the situation will bring home to the British Government the folly of supporting unbridled African Nationalism in this last bastion of British influence in Africa and that, if all political power is to be handed to Africans in the North, if all that has been achieved in 70 years of orderly and humane government is to be sacrificed on the alter of British political expediency, then Southern Rhodesia must, in the recent words of her Prime Minister, "Go it alone" and her citizens will go to the uttermost limit in her defence.

Oral Evidence

A GROUP OF EUROPEAN ELECTORS OF CASHEL AREA

H. G. Holland Ramsey
J. Wright
T. G. Brent
M. Coetzee

Mr. Wright said that at the outset they thought that Federation was a good thing and that it could be made to work; but it would seem now that those who were against it might have been right. Nevertheless, they thought it should be made to work and without force. His group felt that the Africans in the north were encouraged by the attitude of the British Government who were prepared to negotiate with law breakers who led them to think that they could get anything they wanted. With Cyprus in mind they thought that the Africans were probably right. At present the nationalist outlook in the north made Federation impossible, and they were very perturbed at the attitude of the British Government. They were concerned to preserve Southern Rhodesia and felt that if they were left alone they would be able to continue in their campaign to bring all races to look on themselves as Rhodesians.

Mr. Wright recapitulated the historical facts set out in his memorandum and quoted Rhodes's dictum of equal rights for all civilised men. In their view this meant that the Africans would be accepted on a common franchise when they rose to the common level but they would not be acceptable as rabble. The leaders in Southern Rhodesia were trying to give the Africans a pride in ownership (e.g. land in the African reserves). They were also trying to give as much training as the country could afford, and they honestly believed that they were trying to make partnership work. They were, however, laughed and jeered at by people overseas, and as they had told the two Prime Minister they would brook no more interference nor would they ever agree to their country being handed over to a rabble.

Asked whether an extension of the franchise which would satisfy northern aspirations would be acceptable to Southern Rhodesia, Mr. Wright thought that if the concession were merited, i.e. the franchise extended on a limited basis to the people worthy of the vote, such as police, busmen, etc., it would be acceptable. As Africans showed more responsibility so they would become acceptable.

Mr. Wright said his group could not see how the British Government could hand over to the Federation states which were protected states. Mr. Wright was asked how far the developments in the north and also the disturbances in South Africa affected Africans in Southern Rhodesia. He thought they were content at present, but they would not continue to be so if the Government allowed self-seekers to stir up trouble. He thought that Southern Rhodesia's police methods were civilised and right. Many concessions had been made and it was admitted that certain legislation was out of date, such as the requirement of passes. As the African became civilised, restrictions must fall away. There were already quite a number on the electoral roll (e.g. store keepers) but generally they were not interested. He quoted one African as saying "If I come on the voters roll I shall be caught for income tax". In reply to questions, Mr. Wright said his group would agree in principle to a different form of association, e.g. economic, if the Governments in the north had African majorities. But it would be necessary to see that there was a fair deal for all and not only for Africans.

With regard to the Land Husbandry Act, Mr. Wright was not prepared to say how he viewed it, but he thought that the Land Preservation Act should be observed. In Native Areas the land had been made to carry more families than it could bear, and he thought that it was better to share it out between a smaller number, allow the Africans to own the land and enable them to leave it to their children. He did not agree that there were complaints about absentee European landowners. He thought the African had benefited by the European occupation of the land. Previously rule had been by the strong, but under the European the Africans had increased in numbers and now occupied almost as much land as the Europeans. Asked whether he thought it was right that 8 million acres should be set aside for Europeans if there was a shortage of land for Africans, Mr. Wright replied that if an African had the money and right to purchase land he should be allowed to do so.

In conclusion, Mr. Wright asked the Commission to impress on the British Government that Southern Rhodesia did not want interference, and was in deadly earnest when she said she was not going to put up with more interference.

GATOOMA

27TH APRIL 1960

Memorandum (i)

CAPTAIN E. PLEWMAN DE KOCK

As suggested to me by Sir Roy Welensky I beg to submit my views to you, this Memo will give the outlines of what I hope to tell you.

I arrived in Southern Rhodesia in 1904 and with my wife, her companion and baby son trekked out from Headlands deep into M'Tokos and came in contact with a number of the Africans. They were then quite uncivilised, wore brief skins around their waists, made small gardens which the women hoed with small locally made hoes, the men did very little work except an occasional hunt, had savage ceremonies and did not even know the value of money. Their only means of barter were salt and calico. They had very strict laws about stealing, murder etc. but these only applied to within their own tribe. Outside the tribal areas stealing, etc., was considered a virtue. I have lived in fairly close contact with the Africans and am able to see that the few better class ones are wishful to better themselves after contact with us.

The tribes were jealous of each other and were constantly, one might almost say continually, at war with their neighbours. At times it was dangerous for one or two of a tribe to stray across the boundary which was usually a small river or range of hills. These conditions were gradually made better by us especially by the Land Apportionment Act that has been in existence for some time which decided many land disputes. The Mashonas particularly had no freedom, they were continually in dread of raids by the Matabele. This however the Government soon stopped and the Africans enjoy a freedom today which was quite unknown before the Europeans arrived.

About a year ago I was at Magui on the Zambesi River, this is a Portuguese commanders post. The commander drew my attention to a large island just opposite our fishing camp and told me that it was the marshalling ground of the slave traders only two generations ago where the most appalling cruelties were enacted against the poor helpless captives in their yokes. He related how the slavers whipped the bare bodies of the slaves, and how the babies were snatched from the mothers and thrown into the mouths of the waiting crocodiles. This of course has ceased, and I watched laughing natives gliding past in their canoes happy in the freedom won for them by the so much maligned "Colonial Powers".

When the recent emergency troubles were on, my son was employing more than 100 labourers, nearly half of whom came from Nyasaland. I spoke to many of them, separately and in groups and asked them if they wanted the whites to leave the country, without exception every one, whether from Southern Rhodesia, Northern Rhodesia or Nyasaland emphatically shouted "no, no, no", and stated that if we did all the improvements and civilization we had brought in would immediately disappear, civil war would, as before, break out between the nations and even between tribes and in a very short time thy would revert back to barbarism.

In 1932 I published an article "Quo Vadis Rhodesia" and followed it with a Native Policy "Parallel Development". This Policy was adopted by the United Party and was implemented until the delegates went to the United Kingdom to form Federation when the British Government insisted that Partnership should take its place.

This Parallel Development Policy was readily accepted by the Africans and Europeans and the Africans were steadily advancing in civilization and I feel sure that I am right in saying Southern Rhodesian Africans were the happiest and most contented people of any race in Africa.

But unfortunately recently I have noticed a decided deterioration in the Africans' attitude to us. Even our old retainers of 20 years and more steady work and close contact with us show a different attitude towards us. Some of the older Africans we have spoken to—my son and my grandson who work with them are fluent in all the local vernaculars—have been told that this change is largely owing to a deal of underground propaganda and so called "Freedom" talk which is going on in the Reserves. This talk they said they did not like. I asked if there were white men at work, and they replied they had not actually seen white strangers but had heard that there were some and had heard their words quoted.

Also I regret to say that I think that the Press has had quite a bit to do with the unrest, matters in dispute are in places exaggerated by flaring headlines which are sometimes quite different to the substance of the news.

In conclusion I would like to say that speaking from my 83 years of life in Southern Africa I unhesitatingly say that our former policy in advancing the African on parallel lines with the whites proved to be a better policy than the present one of Partnership and must express the wish that we in the Federation be left to work out our own salvation without interference from overseas.

Hartley

1st February 1960

Memorandum (ii)

CAPTAIN E. PLEWMAN DE KOCK

Following on my memorandum handed to the Federal Prime Minister's Office on 1st February for forwarding to you, Sir Roy Welensky suggested that I write the remainder of the evidence I proposed to give you orally, this I beg to submit.

I wish to emphasise how much the European had done for the African since his arrival in 1890. In 1901 the African population of Southern Rhodesia was estimated to be half a million. By 1957 it had increased to 2,282,823, a noteworthy indication of the benefits the European brought to this country. This enormous increase was largely owing to (*a*) the cessation of tribal wars which, before we came, were a constant source of death by assegai or club, (*b*) the relief of famine and (*c*) the institution of health services by the Government.

The Native Commissioners appointed by the Government did a splendid piece of work. They were not only administrators but had to be something of a teacher, agriculturalist, welfare officer, and in fact were the guides, philosophers and friends of the Africans. I have known many of the Native Commissioners over the last 56 years, seen them at work, and always found they were very highly esteemed by the Africans who look upon most of them as their Fathers.

At the time of the arrival of the Europeans in 1890, the Africans were grouped in small, isolated tribal areas but there were *vast tracts of uninhabited land*. At the request of the Africans certain areas were assigned to them in 1902. The Africans preferred, and asked for, the lighter sand veld areas, as their tools at that time were not able to work the heavier soils.

The raw indigenes were given education, at first largely by the missions, but later by the Government. In 1901 there were three Government aided schools with 265 pupils. This rapidly increased until in 1958 there were 2,741 Government aided schools with 432,000 pupils. A notable increase.

The health of the Africans has been well provided for as is proved by the enormous increase in population.

In agriculture the Africans have been excellently advanced. The old, wasteful and bad husbandry methods of the African is rapidly being replaced by sound, modern methods with excellent results; in place of periodic famines the Africans are now actually producing surplus produce in increasingly large amounts. This is shown very clearly in the enormous increase in the African-owned cattle. In 1901 Africans owned 43,926 head, in 1958 this had increased to over 2,000,000, or in 1901 approximately one head to every 10 Africans and now very nearly one for each African.

All this advance the Africans should be very grateful for, a few are, but unfortunately gratitude is a quite unknown quality in most aborigines.

Since our arrival the Africans have enjoyed a freedom which was quite unknown to them formerly. This is acknowledged by all whom I have questioned but, now, a few ambitious men amongst the Africans who had been educated by us, are rousing up the masses to clamour for 'freedom'. They demand one vote, one man, which, of course, includes women. This is directly contrary to their nature and customs. The women were never consulted in any matter, and even now women are still considered inferior.

I consider that a very large majority of the Africans in the Federation are totally unfit to consider intelligently any high political matter, and will be so for a considerable time to come.

Further I consider it advisable that the Franchise should be made so that only people of education, experience and intelligence should be able to be enrolled. I suggest that to obtain this the Franchise be altered to:—

Basic 1. Education, passing the Cambridge or equivalent examination.

2. Twenty-one years of age.

3. Continuing study in a recognised school or college in which case no income will be necessary. If not continuing studies an income of not less than £250 per annum or ownership of immovable property valued at £1500.

These qualifications will entitle to one vote.

A second vote. When candidate gets a University degree, or becomes a solicitor, a commission in the forces or police, managership of a bank or similar institution, or a teacher in secondary schools, or an official of any church, professors, doctors, heads of departments, M.P.s inventors and others of like calibre, or running a big concern or any other way where the candidate shows intelligence and responsibility.

A third vote the achievement vote, or personal income of say £5000 a year for at least one year before an election, that is heads of big businesses or such like. Cabinet Ministers.

A fourth vote for people who have shown exceptional ability and wisdom such as Prime Ministers, General Managers of Banks, Heads of large concerns, and so on.

A fifth vote. This vote would be entirely the gift of the Sovereign for something extraordinarily beneficial to the country such as Her Majesty gives the P.C. (Privy Councillor) for.

A permanent Board would have to be appointed to assess numbers of votes for each applicant.

This Franchise will make sure that only people of intelligence, capable of understanding the problems of Government and with some experience of authority will be able to obtain to positions of authority in the Government, and thus ensure that the people will have a capable Government.

Hartley

22nd March 1960

Oral Evidence

CAPTAIN PLEWMAN DE KOCK

Captain Plewman de Kock had submitted two memoranda:

He said that he had been a long time in the country, and all the time in close contact with Africans, whom he was accustomed to call natives. He had always had decent dealings with them. From the beginning the Europeans had thought of advancing them, including training in government. This had given rise to the parallel pyramid policy of the Reform Party, which although short-lived, had been the father of the United Federal Party. Then had come the talks about Federation, and the Europeans had been forced to take "partnership" instead of the former policy. It was however perhaps only a question of name. The Africans in Southern Rhodesia had been the best satisfied, better than anywhere else. He himself had 100 or more working for him, all from different tribes. They had no wish for a change of any kind.

Development could be illustrated by the census of cattle. The Africans had only had 43,926 cattle in 1901. But the last census had shown that there was one head of cattle to every man, woman and child of the native population. This alone showed how the Europeans had assisted the development.

Then there was agriculture. Formerly the Africans had cultivated by burning and only the women had worked. Up to a few years ago the Government had had to send out loads of food every other year to help the Africans; but there had not been any famine now for some years. Now there was even an export trade from the African agricultural production. In the field of advancement there was the special problem of the women. The ordinary African had throughout the whole of

Africa always looked down on women. The Africans had no word for "vote" in their own language: they had been used to doing what they were told by their Chiefs. Now they were asking for adult suffrage. This was a new departure. But all these Africans were saying at the same time that they did not want women to have the vote.

There was a cry for freedom. But freedom from what? He had made enquiries from the oldest Africans. They had spoken of the great freedom which the European occupation had brought to them. In the past they had often been unable to move even two miles from their huts for fear of being murdered. Now they had been freed from that fear of sudden death. They were still not freed from superstition, but the Europeans were trying to eradicate that.

He considered that the majority of Africans in the Federation were totally unable to consider any high political matter, and would remain in that state for some time to come. He certainly did not want "one man, one vote", and he referred to the last paragraph of his second memorandum of the 22nd March, 1960. He wished strongly to emphasise the views there expressed.

He then drew favourable attention to the Central African Examiner, Vol. III of 9th April, page 18—"Favourite fallacies about Central Africa" written by an American Professor of Yale University who had been five months in the Federation.

He hoped that the Commission would consider his suggestions for a multiple vote set out in his second memorandum. He agreed that it would be a complicated business. People would have to be passed for the vote by Boards. One reason for this suggestion was that he did not like the people who made the assessments for the present franchise qualifications —why, for example, should a postmaster have the vote?

In answer to questions, Captain de Kock made the following additional points:—

(1) On the question as to how the permanent Boards were to be appointed he thought that they should clearly not have any politicians, or at least not any professional politicians. There might be two judges, since they were supposed to be divorced from politics. But he agreed that the work would take up a lot of time. Members of the Boards would have to be residents of the Federation, people who knew something about the country.

(2) With reference to his second memorandum, the Africans had formerly been contented and happy. He had noticed a change about two or three years before the recent emergency. This change had been gradual and not sudden. He remembered discussing it with Lord Malvern while he was still Prime Minister.

Memorandum

J. B. CHARTERS and H. S. DUNKLEY

submitting the evidence of a group of Farmers residing in the Gatooma District of Southern Rhodesia*

The following evidence is given under two headings:—

1. General principles which affect the country as a whole.
2. Evidence pertaining to the Farming community particularly.

I. How we believe the Federation can best be made to work to the benefit of all the people

1. We consider the most important principle to achieve this end is to raise the standard of living of the people of the Federation, to enable them to have proper homes, food and security.

2. To achieve this we believe it is of paramount importance to secure as much investment capital as is possible to provide work for all the people.

3. Sufficient capital, we believe, will only be forthcoming if the political future of the country becomes more stable and to ensure this we consider the following points are most vital:

(*a*) The European in the Federation must be certain that his future is secure.

(*b*) The African must be sure that he will be given a fair share of the wealth of the Federation and that he will be given equal opportunity according to his merits.

(*c*) The people of the Federation must be allowed to administer their country themselves and be completely free from interference from overseas. When necessary the Government must be able to restrict extremism within the country.

4. We believe that only by retaining European leadership within the Federation for the foreseeable future can economic development be maintained and increased, and that in this way only can the future of the Federation within the Commonwealth remain assured.

5. The economy of the Federation cannot be changed overnight. Geographically we are badly placed for exports and imports due to long rail hauls and alien ports. Our labour force is as yet unskilled and illiterate. In the light of this and the recent background of primitive Africa we consider our progress compares favourably with any other African state.

6. Constitutional development on the lines now proposed for Kenya would be quite unacceptable to the European in the Federation. We therefore consider political advancement of the African in Northern Rhodesia and Nyasaland should progress only as fast as circumstances warrant. Standards of the franchise should not be lowered so that the Government will remain permanently in civilised hands.

II. Evidence pertaining to the Farming Community

1. Since the European began farming in this country, great progress has been made in developing a sound agricultural system which we consider is vital to the development and economy of the country. This progress must continue and increase. European agriculture is still developing and contributes most of the food required within the Federation and in addition provides very valuable exports.

2. Today this progress in European agriculture can be measured by the land taken up by ex-service men and others after the last war. In the majority of cases this land was then arid bush which was completely unpopulated. Now this land has been converted into developed farming units, well watered and producing maize, tobacco, cattle and many other agricultural products, necessary to the well-being of the country.

3. This progress was made possible by the knowledge, energy, courage and capital of the *European Farmer.*

4. The majority of farm labourers have little or no education or skill. To achieve a satisfactory standard of work the African requires constant European supervision. In spite of this the understanding between the European employer and African Employee has improved tremendously. As agriculture has progressed European farmers have done more and more for their African employees. For example, many established farmers have built schools, churches and permanent homes for the benefit of their labour force. They also allot land, plough it and give them seed so that they may augment their diet.

5. Many of our farm labourers from Northern Rhodesia and Nyasaland who enter Southern Rhodesia on a two year permit, send for their wives and families and have their permit extended to enable them to remain with their employers.

6. The farmer perhaps more than any other feels the need for security, having put all his capital and human endeavour into his land. He has built for the future in the firm belief that this is his home and the home of his children.

7. Should the franchise qualifications be lowered this feeling of security which the European farmer has had in the past would immediately disappear. He would stop all capital expenditure and at the first opportunity leave the country. This would result in the unemployment of thousands of Africans and would lead to chaos in the agricultural industry. It is very doubtful if sufficient food could then be produced for the country's needs and agricultural exports would cease.

8. In the light of this we consider that the Government of this Federation must remain in the control of the European for the foreseeable future.

Gatooma

10th March 1960

* The views expressed in the above memorandum are stated to be unassociated with those of the National Farmers' Union of Southern Rhodesia.

Oral Evidence

J. B. CHARTERS and H. S. DUNKLEY

The witnesses stated that their memorandum had been approved by a committee of about six farmers of the district, but did not necessarily represent the views of the National Farmers' Union. They had obtained 72 signatures of farmers to the memorandum.

The major problem of the Federation and of Africa generally was that of poverty, and the main task was to eliminate it. To achieve that end it was necessary to have more capital; and therefore investors must feel secure. Farmers must feel that they could trust their African farm managers. It was thus necessary to have political stability. To achieve this it would be necessary to stop interference from overseas. They

could not have the African nationalists running perpetually to the United Kingdom. They should go to the Government of their own country. After all, they had representation in the Federal Government. In Southern Rhodesia they thought there was an opportunity for two Africans to be elected at the next election to Parliament. The Africans now had quite a number of voters, both on the ordinary roll and on the special roll. The two African representatives mentioned were likely to come from Harari (Salisbury) and Bulawayo. Gwelo might also get one such representative. They did not suggest the reservation of seats for Africans in Parliament, because that only brought in racial policy. They would indeed abolish the seats reserved for Africans in the Federal Assembly ultimately, but not yet; only later when more African representation had developed. By that time, the Rhodesians would be managing their own affairs, and the Africans would be looking to their own Government, and in that way understanding between Africans and Europeans would improve. It had been improving before the overseas interference began. There had then been a chance of them becoming proper partners.

In reply to questions, the witnesses made the following further points:—

(1) The attitude of Europeans to Africans had without question improved in the last few years: the Europeans were realising that the African must be accepted as a man, and not merely as a servant. But they would not advocate a faster rate of eliminating the colour bar. The process should come naturally, and had in fact been coming in that way. To break down all barriers at once would only shake the confidence of the Europeans, and might even force them to ally themselves with South Africa. They believed in evolution and not in legislation. It was necessary to raise the standards of living of the Africans in the fields of hygiene, housing and nutrition. That was the real problem of Central Africa. Considering the age of Southern Rhodesia it had in fact moved forward fast since the original occupation. In some ways the African had hardly developed at all, though in others his advancement was noticeable.

(2) Questioned on the Land Apportionment Act, they thought there should be areas allotted for Africans in the European towns so as to create a more stable people with a stake in the country. But at present the two races should remain largely apart. It was also necessary to bear in mind that if the present government remained in power, all would be well; but if you let in another Party that would only put African advancement back again.

(3) It was also important that the Europeans had accepted Federation on the basis of partnership. That indicated their generally liberal attitude. There were certainly different interpretations of partnership, but nevertheless it was an ideal. For themselves, they thought that it should be interpreted as "co-operation" rather than as "equality".

(4) They had advocated revision of the pass laws, preferably through review by a Parliamentary Commission. Certainly some passes should be abolished, such as week-end passes. There should also be the same documents of identification for black and white, without discrimination. There should certainly be no objection to everyone carrying identity cards.

(5) Reference was made to point (*c*) in the third paragraph of their memorandum. The reference in the last sentence was to extremists on both sides: it was essential for government to retain control so as to stop extremism, that is to say the actions of people who might be undermining law and order, whether Europeans or Africans, and generally behaving in a subversive manner. The government had been successful in doing this so far, but they must keep necessary authority. For this reason they advocated the formation of a Federal Police Force as soon as possible. In this connection, they referred to the intimidation *by* the Police Force in the northern Territories, giving the example of the Nyasaland policeman who had invited the crowd to kill Mr. Matinga. The standards of the Police tended to be lower in the northern Territories. Such a thing could not have happened with a Federal Police Force with the same standards as the Police in Southern Rhodesia.

(6) With reference to the fourth paragraph of the memorandum—by the "foreseeable future" they meant the immediate future. They considered the Europeans by virtue of their record and qualities of leadership were the only people who should have a majority in the Government. Universal franchise would put government into the hands of irresponsible people. They could not see the possibility of a non-European government.

(7) Sixth paragraph of the memorandum—political advancement in the three Territories of the Federation should be kept in line with one another, and that meant that government should not lower the franchise in the northern Territories. Voting qualifications should stay as they were at present until they could be lowered at the same time together in all three Territories.

(8) The witnesses thought that twenty years would be the length of time needed for African governments in the northern Territories to emerge. Questioned as to their reaction if there were to be such a government in Northern Rhodesia in two or three years' time they said that they would have no objection to it provided it was ready to co-operate with the Federation.

(9) It was the policy of the United Federal Party to bring Africans into public affairs. Questioned as to giving the Africans power to demonstrate that they could take responsibility, they referred to the representation of Africans in the municipalities, and considered that it was a sound scheme to bring Africans into municipal government. It was necessary for the African areas to be represented in the municipalities. They understood that Africans were approaching the stage when they would enter the central Government. In Southern Rhodesia they thought there would be an opportunity for Africans in the next Parliament. They also understood that there was no bar to the advancement of Africans in the civil service in Southern Rhodesia. As to the African rural areas, they saw no reason why Land Development Officers should not eventually be Africans developing out of the present African Demonstrators.

(10) They definitely favoured the concept of Federation even if there were advanced constitutions in the northern Territories. This was because of the economic advantages. They felt that the opposition to Federation in Nyasaland could be overcome by goodwill. That could only be achieved by leaving the administration of the Federation to the people on the spot. They had a good record and a good leadership. The Africans in Nyasaland ought to realise that they had nothing to lose, and everything to gain by Federation. The biggest obstacle to be got rid of was control from the United Kingdom. It would be foolish for the British Government to hand over control to Africans at the present stage. The status quo should remain until sufficient Africans were trained for government.

(11) They agreed however that an increasing say should be given to Africans up till the time when they had an African Government (viz. in the Northern Territories). But at the same time they should be encouraged more and more to look to the Federal Government. It might then be possible to agree on a common policy. They agreed that this was a difficult problem.

(12) They thought it would be consonant with the 'partnership' idea to amalgamate the whole of agriculture under the Federal Government. After all, both European and African farmers suffered from similar difficulties, common surpluses, and common deficiencies. There should be one single body to direct agriculture. In Southern Rhodesia the Africans were already depending on the European Farmers' Union for assistance. There could eventually be a combined European and African Union representing the whole industry. It would of course be necessary for Africans to come in of their own free will. They agreed that it had not yet been possible to bring in the European farmers in Nyasaland.

(13) They were asked to consider a system on which marketing and price fixing would be co-ordinated Federally, but the expansion services would be Territorial. They thought that in that case a staff problem would arise. Their own view would be that expansion services ought to be managed Federally, including conservation and all related matters. They did however realise the existence of the feeling against this in the north. Such feeling they thought was caused through fear and would vanish with better understanding.

(14) In Southern Rhodesia there was the National Farmers' Union and the Tobacco Farmers' Union, and both were recognised for price negotiations. The African Farmers' Union had been recently recognised and a licensing system introduced. But there had not yet been recognition of the latter for consultation and negotiation on prices. They did however actually take part in such negotiations. It was desirable to have a merging of these Unions. There might be resistance at first; but farming was an ideal field for co-operation between the races. The National Farmers' Union already had some links with the African Union, and this was a beginning. It was in fact the policy of the National Farmers' Union.

Memorandum

A. J. LABUSCHAGNE

(A member of the Standing Committee of the United Federal Party in Southern Rhodesia)

Historical Background

1. Born during the Anglo-Boer War from Afrikaans parentage in the Western Transvaal, my father fought on the

Republican side, was twice wounded and as consequence of this lost the use of both his arms. During the war his cattle and sheep were all taken by the passing British armies without a letter of credit. He had consequently no claim for compensation. The house with the furniture was burnt down.

2. On this scene of devastation, utter ruin and poverty I first cast my conscious eyes. The atmosphere was thick with racial prejudice and hatred; admittedly not too enviably surroundings for a child to form his first impressions of life!

3. But it was not long afterwards that those two great Leaders of their people Generals Botha and Smuts struck a new note of hope when they coined their political slogan: "Forgive and Forget" with which they launched their well-known policy of reconciliation which formed the corner stone of the political party they formed with the support of both European races who were a short while ago still at one another's throats. This I think was the first evidence of political partnership on African soil: and what magnificent fruits it bore until it was poisoned and paralysed by the introduction of sectional nationalism by power hungry politicians of lesser stature! Politicians who could only succeed in their aim if they direct their call on the inflammable emotional material of nationalism, racial prejudice, and hatred.

4. This being the background of my early political consciousness, I have taken up the cudgel in defence of the higher aspirations based on co-operation and goodwill of all races constituting the actual nation of the country. This approach is virtually where the conception of partnership starts. Admittedly for the Statesman or politician this is not an easy road to follow: there is no place here for emotional fire-wood such as nationalism or deep-rooted prejudices whether these be based on race or colour. But in a multi-racial state it is the only way to ensure that every racial group will feel itself a welcome constituent part of the whole. The progress of such individuals or groups will solely depend on our own merits and the contributions made to the whole nation: then there cannot justifiably develop feelings of suppression or frustration.

5. In the above introductory paragraph mention has been made of the danger of race and colour prejudices; and as these in fact constitute the greatest obstacle to my mind of the full implementation of the principle of partnership it may just as well be to get this bogy examined in its true historical perspective.

6. We then find to our dismay that it dates back further than the beginning of the Christian era when the Romans drew most of their slaves from North Africa. These slaves were black. After the fall of the Roman Empire the slave trade continued to flourish on for centuries right through the formation of the present national States of Western Europe. It furthermore continued to play a significant part in the maritime discoveries which ultimately developed into a real scramble for colonies amongst the western powers.

7. During all these long centuries the black man was totally uncultured and uncivilized according to western standards while, at the same time, he was the slave and the white man his master. This condition of inequality did not pass unnoticed and did not remain static either: but gradually the colour was associated with the difference of culture and social standing and the status of slave and master. This conception again developed into our common enemy, the colour prejudice. It developed through ages since the Roman Empire and continued to grow until long after the slave trade was abolished.

8. During this long time it shot strong roots into the subconscious mind of the white man and fear and mistrust in that of the black man.

9. We are today living in the transition period where the advanced black man enters the door of his emancipation and claims quite logically that his new status should be accepted. But however much the white man would like to cast off that age-old and deep-rooted prejudice like an old cloak, is it humanly possible to do it just like that? It is not. And any political party or constitutional policy that ignores the above historical setting and human element related to this problem, is doomed as a failure not only but would aggravate the position and thereby worsen it.

10. Wherein then lies the solution? I would say firstly by applying a positive programme of advancement for the African. His advancement must follow the three stages—economical, cultural and social. On his part of the game it will be his responsibility to convince the white man of his progress. On the other hand the white man will have to make an honest and positive endeavour to expel from his mind the traditional concept of colour prejudices as obsolete where he meets a black man with the same cultural standing.

11. To achieve this idealistic aim the problem will have to be applied by statesmen who know both sides of their people intimately so that the advancement of the one member of the body-politic could be considered as a positive advance of all members of that body.

12. In order to apply the above policy it is essential that independence should be granted not only on the Federal sphere but also progressively to the constituent parts of the Federation: with adequate precautions to safeguard the interests of minority groups and the political influence of the white population. Such safeguards to be considered temporary measures until such time as the African as a race has acquired the same standard of culture and civilisation as the white man. By then the present fly in the ointment viz. colour prejudice should be non-existent.

13. To attain this Utopia is quite within the reach of practical politics provided that

(*a*) External i.e. overseas interference and criticisms which are mostly based on total lack of knowledge and fairness could be done away with by granting autonomy to the Federation as a whole.

(*b*) All traces of racial nationalism be erased and the higher conception of patriotism for the common Alma Mater cultivated in the homes, at school and public gatherings.

(*c*) All racial discriminatory laws including Statutory laws for the protection of the one or the other race should gradually be done away with as those who are now protected advance and become able to stand on their own legs.

14. In conclusion, I would like to add that, being a farmer who has invested his whole life's toil and savings in this country, I voice the feelings of the White farmers when I say that no community is more dependent on a solution that would ensure internal peace and security than the farming community. Their assets are immovable and therefore their roots embedded too deeply and firmly in our soil to contemplate "packing up" and seeking greater safety somewhere else. If pushed to that extent we would rather add our blood to the sweat that has already gone into the soil: this is one major aspect of the responsibilities that rest on the shoulders of the Advisory Commission to prevent such a calamity. We are on the cross-roads now and it will be either toward peace, prosperity and goodwill or back to barbarism, chaos and bloodshed.

15. I would also as a farmer like to point out to the Commission that the great civilisations of the past existed only as long as they were rooted in the soil and protected from the turmoils of wars, marauding hordes and revolutions.

16. I would much appreciate the opportunity to give oral evidence before the Commission.

Gatooma

7th April 1960

Oral Evidence

A. J. LABUSCHAGNE

The witness said that he had drawn up his memorandum hastily in only 1½ days, and had sent it in at the last moment. He would like to state the axioms on which his theses were based.

He himself and many farmers were quite convinced that there was no such thing as an "awakening African nationalism" among most of the Africans. He and the other farmers were daily in contact with Africans on their farms. He excluded from this the urban Africans who had come under bad influences. But the rural Africans were certainly not conscious of an awakening nationalism. The rural African was for the most part satisfied to do his work. He was anxious to have his children sent to school and satisfied with the efforts of government for the education of his people.

As farmers, he and his friends felt that their African population had not yet got economically to the right stage. They would like to see better hygiene, housing and nutrition. But they could only increase wages by stages. Such increases were limited by what the Africans could take in a good spirit. They should use increased wages for better hygiene, food, clothing and the education of their children; but they had not yet arrived at this stage. The farmers knew that better conditions would make for more efficient labour, but this must start with the labourers themselves. Any increase of wages at present would only be spent on gambling, drinking and diseased women. This would be the position in 90% of the cases. He and his friends felt perturbed about this. Increased wages produced no response in efficiency.

There had been an emergence of partnership after intimidation had been curbed in the recent emergency through the

arrest of the leaders. In Nyasaland, the United Federal Party lists had gone up from 200 to 1,200, and this was a voluntary response after intimidation had gone. In their hearts the Africans wanted full co-operation with the white men. If ever they could be protected from outside influences they would come to complete co-operation instead of nationalism, and to patriotism for Federation. He and his friends had faith in their African people. As a South African, Africans were his friends. There was no racialism between him and them, forming a wall of partition. He agreed that racial prejudice today ought to be exercised on the side of the whites. It was unfair, un-Christian and against everything to let that prejudice remain.

Advancement, emancipation, development—whatever it was called—must come from the Africans themselves. They must try their best to cause a spontaneous uplifting, to promote humane feelings, and raise their standards of culture. Only when the Africans had reached up to their level would it be possible for the whites to meet with them on that level. He was referring to such humane characteristics as faith in the future of the country, honesty and goodwill to others. It was also necessary for the Africans to improve upon their unhygienic habits. It would be a good service if the educated African few would go to their people not to agitate them politically but to tell them how to open their hearts and how to promote their own welfare. But this aspect was ignored by politicians whom he himself would only describe as agitators. They were simply agitating a simple, law-abiding community and making use of ignorant, primitive people for their own egoistic needs. European farmers felt perturbed about this. Whatever the future of the country was to be, African development should be in step with the growth of citizenship. The Africans must come to parity with the Europeans, otherwise there could be no peace or goodwill.

The two points made above had been the basis of his approach in his memorandum.

There was another thing about which he was perturbed, but also amused. It was the loose, unfounded criticism of Southern Rhodesia by politicians overseas and the overseas press. This critcism came from people who not very long ago had carried on a flourishing slave trade, or had solved their own colour problem by lynching. It was unfair of these people to talk of the position of the whites in Southern Rhodesia. They felt that they had acted entirely in accordance with British ideas of fair play. They had had to carry the financial burden for the uplifting of the African people. They had been proud to make this contribution.

In answer to questions, the witness made the following further points:—

(1) In the urban areas he agreed that there existed a feeling of awakening nationalsm, but it had been instilled into those Africans by agitators.

(2) African advancement must come from the African himself, from the heart. The Churches could help too. Whereas the agitator leader was simply being disruptive the teachers, the Churches, and the real political leaders with spiritual goodwill should be able to promote the advancement of the community.

(3) Asked how this process of advancement could be assisted from outside, he replied that on the farms they had been trying to put out small feelers in that direction through a bonus system in order to increase standards of efficiency. This worked well, but it took time. The friends of an African who was involved in this system eventually get drawn into the vortex of efficiency. The government of the country was also helping this process through education and was bettering the physical standards of the Africans through excellent hospitals and free treatment in every direction. There was also the policy of assisting the housing of native labour by giving rebates on income-tax.

(4) All African children on his own farm went to school. Many farms in the outside district had subsidised schools on the farms themselves. But the teachers were still very backward. They were able to help in the early stages of education, but it was still not sufficient. He could not say whether increased teacher-training was yet having any effect.

(5) He had visited the northern Territories at various Congresses and had met and had discussions with Nyasaland Members of Parliament. He had found them satisfied in the sense that they saw that there was a lot more to be achieved in the uplifting of their people, but they saw that as much as possible was already being done.

(6) In paragraph 10 of his memorandum his statement that "His (African) advancement must follow the three stages, economical, cultural and social", had meant that those factors had to come before the political factor. Africans must first be able to feed their own families, and to cultivate feelings of self-pride. The care of the body came first, then the spirit would have fertile soil for its own development.

(7) It would never be possible to satisfy the real agitators. But as to the genuine African politicians the Europeans, and especially the farmers, would like to give them full scope to help any efforts to promote the economic and social life of the Africans. He had no objection to an African being a Member of Parliament or a Minister if he were acting with a spirit of good will. He would sincerely welcome Africans elected on the common roll to the Southern Rhodesian Parlament, but he would not like to see special representation of Africans there.

(8) He considered it a duty of this generation to wipe out distinctions based on colour, although it was necessary to keep in step with public opinion.

(9) He was 100% in favour of the present franchise qualifications. The reserved seats for Africans in the Federal Assembly were only a second best at the present stage. That was not really the best way to proceed; but it constituted a temporary bridge. He would not perhaps object therefore to some similar temporary bridge as regards the Southern Rhodesian Parliament.

(10) In paragraph 7 of his Memorandum he had referred to the master-servant relationship between Europeans and Africans. Europeans in Southern Rhodesia were becoming more able to accept Africans as their equals, although even now many were labouring under the colour prejudice. But a good number of Europeans, at least on the farming side, did now accept educated Africans so long as they did not behave as political agitators. Neither would they accept "educated agitators". Equally, he would decry Europeans, from South Africa who came to Southern Rhodesia to agitate the people on racial nationalistic lines. In fact, he decried racialists of whatever colour. He felt that in the Federation they could give an example to the world that people of different races could live together with mutual respect. He had seen a marked improvement in the attitude of Europeans, especially in the last five years.

Memorandum

J. H. BEATTIE

I arrived in South Africa in 1925, aged 17 years and worked as a farm assistant for £3 per month and keep, when I did all types of manual work alongside and together with Africans who earned the same amount of money.

I came to Rhodesia in December, 1927, and worked as a Farm Assistant for a salary of £5 per month and carried on the same type of work together with African farm labourers.

Having married in 1937 I took up farming on my own account and lost the little capital my wife and I had the first year. I started dealing in cattle and anything else to keep the wolf from the door. Commenced butchering in 1941.

Today I own four butchers shops and three farms. I employ 160 Africans and 20 Europeans monthly. With all this experience I maintain that I know the African slightly better than people who visit our country for short periods.

I, like most Europeans, did not come to this country to make what money I could and then leave the country. Southern Rhodesia is my home, my five children are all Rhodesians and very proud of it. As one who meets very many people in all walks of life I can state to this Commission without fear that I voice the opinion of 100 per cent of the European population of this district when I state we, as Europeans are not prepared at any time to serve under a black government. Today Southern Rhodesia, under white leadership has a record that no other young country in the world can exceed. Our development since occupation is phenomenal. I have found no need to enlarge on this point as reports by senior officials will give a factual survey of development in the Federation. This progress could not continue under an irresponsible black leadership.

Since the occupation of Southern Rhodesia, progress for the African people was at a pace in keeping with the country's earnings and that, we felt, as old hands, was at a speed in keeping with a gradual uplifting. One could say since the Suez episode, the speed of altering African advancement in Africa has been like a very dangerous runaway horse. We have every good reason to attach a lot of this mad overnight political advancement to the British Labour party, the Americans with their huge financial interests, the press, the Church of Scotland and other clergy. Political advancement should not come before health, full employment, food for all and good housing. Your Commission cannot help but be

impressed with what has been done for the African in Southern Rhodesia and which can, at the same steady pace, be improved upon.

Our Land Apportionment Act is the greatest security that the African has with regard to his land. This Commission must have seen the tremendous advancement in conservation work carried out in the reserves. The African can now own his piece of land which he can even sell. He can even own up to a maximum of three plots and none of his land can be attached for debt.

The tremendous strides in secondary industries is creating more employment all the time for our African people. In many industries the Africans remuneration is low but this huge question is most delicate and complicated for the reason that his output is low, he keeps moving from one occupation to another, he is inexperienced and he cannot hold down responsible positions through his lack of ability. Our industries could not hope to compete with other countries such as India, Japan or China if wages were suddenly doubled. This would create unemployment. I maintain that it is better to give full employment to all with a bare living wage than have unemployment and good conditions for only a few. The busy African makes a happy African.

Most sensible white people want to see the African advance and attain the same living standards of the European. On the other hand the European standard of living (which is only similar to that in Britain) must not be lowered.

In our constitution it states that "Whereas the said Colony and Territories are the rightful home of all lawful inhabitants thereof whatever their origin". Today, in the northern Territories the African Nationalists make it clearer each day that they do not believe in this. Mr. McLeod's deeds to date, lead to distrust and we all feel very strongly in regard to certain statements by him to Dr. Banda. It is clear that Mr. McLeod has not been fair to the Commission in acting in this way during the hearing of evidence by the Commission.

I voted for Federaton because I, like many more who voted for Federation, felt that Southern Rhodesia with its great record and home ties to Britain and above all, allegiance to the Crown, would go forward as one grand country. We knew that if Nyasaland and Northern Rhodesia were not incorporated in one Federation they might go Communist. In 1958 Dr. Banda stated "if communism will take me out of the Federation then I will have it". It is quite true that Dr. Banda wishes to break up the Federation as do the Political demagogues in Northern Rhodesia. We all understand that the function of this Commission is *not* to destroy Federation, far from it, but to advise us on how the Federation can best go forward. Dr. Banda has now been released and on returning to Blantyre on April 1st, stated to his people "if you listen to me you will soon have your own Government". Dr. Banda was imprisoned for one year, due, we understand for the safety and security of Nyasaland, yet Mr. McLeod has encouraged a man who has made it quite clear of his intentions.

I hope that this Commission, in its deliberations and findings will be able to satisfy all those who have a say in our future.

In view of my long standing as a farmer and employer and having worked in the early days together with the Africans, I feel that I am in a position to answer any questions this Commission may wish to put to me.

Gatooma

13th April 1960

Oral Evidence

J. H. BEATTIE

The witness had submitted a memorandum. He said the most important thing of all was that Europeans were not prepared to be under a black government because the Africans did not trust one another. In Southern Rhodesia the record of African progress was outstanding. If an African Government came into power there would be retrogression, especially in farming, and people would leave the land and go to other countries.

He felt the African should have representation in the Southern Rhodesian Parliament and that it should be made clear to him what that representation would be. In his opinion it should be up to one-third representation. There should also be representation for Africans on Municipal Boards, particularly with regard to housing. As an employer of African labour, Mr. Beattie was interested in the housing position: he had found that married Africans would stay with him for longer than they used to, if a house was available for them. He wanted to show them that people in Southern Rhodesia intended to carry on a responsible government, led by Europeans but helped by Africans. This would be in the best interests of the country.

In answer to questions, Mr. Beattie made the following additional points:—

(1) It was obvious that Nyasaland would soon have a black government, and the same might be true of Northern Rhodesia in time. Eleven seats in Nyasaland and nineteen in Northern Rhodesia, as compared with twenty-nine in Southern Rhodesia, would lead to an African majority in the Federal House. That was the main fear of many white Southern Rhodesians.

(2) Mr. Beattie had voted for Federation, despite being very much against it, because he felt that the three Territories all showing a proper allegiance to the Crown, should go forward together as a reasonably sized Colony.

(3) Referring to his suggestion of a one-third African representation in the Southern Rhodesian Parliament, the witness said it was very wrong to promise Africans something without fulfilling the promise. Europeans must be fair and straight with the Africans. Therefore, he strongly advocated telling them that they would get a maximum of one-third representation when they were ready for it: he considered they were ready for it now in Southern Rhodesia. In the Federal House the proportion should ultimately be 51% Europeans and 49% Africans. This was in the Africans' interests.

(4) Referring to the franchise, Mr. Beattie said if the qualifications were lowered and more Africans had a vote, a lot of them would not have the faintest idea of what they were voting for. He did not think the cry of African political leaders in the north for "one man, one vote" would matter if it was made clear that the maximum African representation in the Federal House would be 49% .

(5) Enlarging on the one-third Territorial representation, the witness said that assuming Southern Rhodesia was divided into thirty constituencies ten would be African and twenty European. In those constituencies everybody would vote, black or white. He would retain the literacy qualifications for the franchise but abolish the money qualification.

(6) He wanted to see Federation kept, as a broad principle, and to see it going ahead and remaining part of the British Commonwealth, but emphasised that Southern Rhodesia was prepared to "go it alone" rather than be involved with the black north. He said he would not mind Nyasaland having their own black government. The position in Northern Rhodesia was rather different because of its bigger European population. He thought that Africans would still vote for Europeans for many years to come.

(7) He referred to the big Afrikaner community in Southern Rhodesia, and said they made excellent settlers. So long as they were good citizens the Rhodesians wanted them to stay. It was sometimes difficult to convince them of the need for African progress, but a lot of them were coming round and were not unreasonable in that respect. There had been an unbelievable change on the part of white people, including Afrikaners, towards Africans at all levels. Most Africans had responded to it, but there was still a certain element which did not. Therefore, unless the Europeans were protected as he had suggested, they would rather break away from the Federation. He stressed that the government should be retained in the hands of people who were capable of governing.

(8) Mr. Beattie said that in his experience racialism in Southern Rhodesia was gradually dying. He felt sure that neither black people nor white people wished to be completely integrated with each other; but so long as both sides met with good will at all levels and respected one another, racialism must and would die out.

(9) There was no doubt that the time must come, even though not immediately, when any respectable African would be allowed to stay at a hotel or attend places of entertainment, things which he was not at present allowed to do.

Memorandum

J. W. A. WIXLEY

I was born in England and came to Southern Rhodesia in 1935—twenty-five years ago. Apart from short periods elsewhere I have lived in Gatooma for over twenty years, married a Rhodesian girl, daughter of a pioneer, and have four children, three boys and a girl.

Due to insufficient knowledge of procedure, it is possible that this Commission has not heard enough views of the ordinary man (or average). I hold no extreme views—Englishmen do not change from the ideals of British fair play and justice when immigrating from England to Africa.

I am in business here as a chemist and optician, I have served as a councillor and Mayor of this town and I am now an Alderman.

My contacts with the African have, on the whole, whether in business at home or elsewhere, been reasonable and satisfactory. In the daily routine of business or leisure there are dozens of Africans I know, whom I meet and greet happily. The Africans I work with in business I respect and like. In fact apart from *socially* my relations with Africans are the same as with Europeans.

Segregation is a legalised form of living that is the natural interpretation of what the black and white man *wants*.

I am convinced that the natural course of evolution has been hastened far too much in recent years to nobody's real benefit. If partnership between the races is to evolve let it happen naturally. The African is far more interested in economic advancement than social equality. Education and schooling should concentrate on *hygiene* all health matters, and technical subjects. Basic knowledge such as this leads to incentive and sense of responsibility, two essentials nearly always lacking in the African. Automatically better living standards will then emerge, and that is one of my most earnest hopes.

The African can then obviously take a bigger part in the life of the community. He will then have achieved a social background.

Eventually social barriers will not be based on race but *educational, business and moral standards*. The European here must not expect the colour of his skin to be the standard.

I came here as an Englishman, have four children who are proud to call themselves Rhodesians, and if you ask me what I am now, I am a Rhodesian.

Gatooma

Oral Evidence

J. W. A. WIXLEY

The witness submitted a short memorandum which he read.

He stated that his views were purely personal, and that he had kept right out of politics.

In answer to questions he made the following points:—

(1) He would leave the franchise as it was at present.

(2) He was in favour of Federation and of its continuation on the present lines, as things were today. His attitude would alter if the two northern Territories attained black governments. If that happened the only possible solution would be for Southern Rhodesia to leave the Federation.

(3) A black government would ultimately be inevitable but the longer the time that elapsed before that happened the better it would be for everyone. As long as it was allowed to evolve naturally it would be all right; but no good could come from interference and encouragement from outside sources to hasten the process: it had already been hastened too much. He did not think that it would take less than 25 years, and 10 years would certainly not be sufficient.

(4) He was satisfied with Federation as it was. He felt that the Federation should be given the right to make its own decisions in the future. Also unless Southern Rhodesia had some say as to the political future of the two northern Territories and as to when they should be in a position to have black governments, the country could not be tied to Federation for ever. There should be no constitutional changes in the northern Territories without the consent of the Federal Government. The Federal Government should have the last word as to when a black government came into power: the decision should not depend upon what political party was in power in Britain.

(5) There was a natural segregation at present which, in his view, was the wish of both black and white. As regards Africans being allowed to attend places of entertainment from which they were at present excluded, he said those who had attained some measure of civilisation represented about .01%. The majority of Africans who would agitate about segregation were those who had attained a veneer of civilisation and were trying to cause unrest in the country. He felt that the majority of the non-vocal Africans, decent and hard working, did not really wish to be with Europeans socially. He considered the Africans were already equal with Europeans from every point of view, except socially. He did not approve of opening doors to them yet because although a small proportion of them were ready for it, the majority were not. Hygiene and social habits were the chief bar, not colour. He had no objection to meeting the aspirations of the few in this regard, and it was possible that the solution might lie on the economic level as regards deciding who could or could not go to a certain place. He had no objection to the experiment being tried, and suggested that a beginning might be made with cinemas and places of entertainment rather than hotels and swimming baths. Legislation was not a good thing: he would prefer to see these things come naturally. He was as keen as anyone else that the economic standards of the African should improve.

(6) The witness pointed out that agitation, as such, did not exist in Southern Rhodesia in the same form as it appeared to exist in the two northern Territories, where the Africans were said to have far greater freedom. This was possibly because of better housing and better conditions generally, including economic conditions, in Southern Rhodesia.

(7) Finally in view of the unfortunate political agitation taking place in the two northern Territories, it seemed that it would be better for Southern Rhodesia to "go it alone", but it would be a great pity, because the Federation could have acted as a buffer State. It looked as if Southern Rhodesia would have to be the buffer State.

H. J. NICHOLLS

The witness said he was a dental surgeon with nine years residence in the Federation. He was not a member of any political party and had simply come to put his personal view.

He was not happy about the Federation as it was at present progressing. The original intention, according to the referendum about 7 or 8 years ago, had been that Europeans for the foreseeable future would have control of the Government, not because they were white but because they had the ability to govern.

Latterly the British Government appeared to have taken the view that there could be no independence for the Federation until the majority of the inhabitants desired it. It seemed to him that the African population in the northern Territories would be against any change at present; but when they were able to express their views they would probably vote for independence. Therefore, any development of the Federation would be ham-strung from the beginning

Northern Rhodesia, and even more probably, Nyasaland, would presumably get an African Government within a very short time. If those Governments were given proportional representation in the Federal Government—as they would no doubt wish to have—they would dominate the Government of Southern Rhodesia. It was quite right that ultimately Europeans must accept that there would be complete integration and an African Government when the Africans were educated enough to reach parity with the Europeans, but until that time arrived the control must be retained in responsible hands, and this meant European hands.

It was untenable for the British Government to say that they were unwilling to allow Europeans in this country to take over entire responsibility for the African population, and at the same time to hand over government in various other countries to untried African governments. The Europeans in Southern Rhodesia were in every way as responsible as those in England. Furthermore they regarded the country as theirs, just as much as the Africans'. The African was wrong in thinking that just because he was born in this country he automatically owned a part of it. The witness himself had been born in England and did not automatically think that he owned a plot of land there.

In Southern Rhodesia the African population was far more numerous than the European: the African had increased in numbers because Europeans had made conditions favourable for them. A great deal had been done for them, especially on the medical side and with regard to food. Progress had been slow for the majority of Africans; but the Europeans had done their best with the facilities available. It was no use trying to advance the Africans beyond their capabilities. It would be an excellent thing if educational funds could be increased so that the African people could have more schooling than they had at present. The witness thought little could be done with the present rural adult African.

He did not agree with the British Government's handling of affairs. Dr. Banda had been released, and the British Government had indicated that there would shortly be an independent Government in Nyasaland. If that did not come about, it would not be Dr. Banda who was blamed, but the Europeans. These people could not govern themselves. They had neither the ability nor the means. He would not be willing to live in a country which had an irresponsible government, the risk was too great.

The witness said the Federation must sever all overseas connections and be an entirely self-governing colony. It was useless to continue with the British Government having part control over native affairs. He did not wish to maintain the Federation as it was at present progressing.

In answer to questions the witness made the following further points:—

(1) He wished to see the franchise qualification raised, but as long as it was not lowered there was no reason for Federation not continuing satisfactorily. He was quite prepared for Africans to become ultimately the majority of the voters, when they had become educated and were able to take their part equally with the Europeans. He considered there should be the same franchise for the Territorial voter and the Federal voter.

(2) He was not against the African because he was black but because he was untried and had no experience. It was not necessarily a fear of being swamped by Africans, but fear of being governed by an irresponsible government. He instanced the governments of Ghana and Libya in this connection. He considered that the Belgian Congo and Tanganyika were unlike Southern Rhodesia, because there was no large European population in those territories which regarded the country as their home.

(3) He considered Nyasaland was a liability to Rhodesia and said it could not exist without being heavily subsidised.

(4) Finally the witness said that if Nyasaland and Northern Rhodesia had self-government in the near future which would be predominantly African, he would not accept Federation because he considered that the African did not understand democracy.

C. R. LOTTER

Mr. Lotter came before the Commission not as a politician, and not as a member of any Party. He had only been in the country for five years, and had not been there at the time of Federation. He merely felt it his duty to come to speak as an ordinary person. He had come originally from South Africa.

What he had to say he felt to be the view shared by many others. If the Federation was to continue at all, it must be with the guarantee that government should remain in European hands. Like many other farmers with daily contact with Africans, he felt that that was the only way. Many of his friends were worried at the possibility of having their affairs passed into African hands. If the Commissioners wished, they could regard this as a minority anxiety, but many farmers certainly had this anxiety. At present no farmer in the area was going ahead with expansion, for example, as to dairies or mechanical improvements. They were waiting to see what would happen. This was nothing but a bad influence economically. All the farmers were worried. They had to have guarantees that their position would remain secure, and that Federation would continue.

This anxiety was of fairly recent origin, in the last year or so. It was the same with business; business people were waiting to see which way things would go. They seemed to see an increasing possibility of an African dominated government. The witness said that he was obviously concerned in the first instance with Southern Rhodesia. If no guarantees in the Federal sphere were forthcoming he and his friends would leave the country, or else give up Federation.

In answer to questions, Mr. Lotter made the following further points:—

(1) With regard to the two northern Territories he regarded Nyasaland as a complete liability to the Federation. He understood that it had cost the Federation four million pounds per annum, and there was no sense of gratitude for this money. There was every evidence that the people of Nyasaland wanted to secede, and on the Southern Rhodesia side they did not want to keep Nyasaland in on its own terms.

(2) Asked why he considered that the Government should remain in European hands, he replied that there was ample evidence elsewhere in Africa that with African self-government democracy simply went by the board so that both Africans and Europeans became worse off. They did not consider that Africans were capable of understanding the affairs of the Europeans. If an African were placed in a position of responsibility or trust he simply took advantage of it. The witness felt that African advancement was going too fast for their capacity.

(3) "Civilised" people must themselves make the definition of "civilised people". He would certainly be unhappy if the Africans on his own farm had a say in that definition. There were people on the African side who understood what was meant by a "civilised person", but they were in a minority. Government must be left for the time being in European hands. They had a longer tradition of government, and they could be trusted to be fair. He would not have any objection to Africans coming eventually into the Parliament of Southern Rhodesia—in fact, they must eventually come in, but he objected to the fast rate of advancement. His own definition of a "civilised man" was one who had a sense of responsibility. Time would provide the test of that. The original Europeans in the country had been crude and rough living, but they had developed. He agreed that not all Southern Rhodesian Europeans qua Europeans were civilised, but the majority were much more advanced than the Africans.

(4) He had no objection to the present standards of qualification for the franchise. But what guarantee was there that these standards would not be lowered? If so millions of people would be able to vote tomorrow, and he was afraid that the standards were going to be lowered.

(5) Asked what he meant by "guarantees", he said that it should simply be an undertaking that Government should remain in responsible, meaning European, hands.

(6) He agreed that in Nyasaland there were only a few Europeans, and that the development there must obviously be in the African direction. In that case the Europeans there should have special protection. It was clear that eventually the Africans everywhere would reach control, but his objection was to the rate at which this change was going on.

(7) If the Federation was to continue, the white people *of* the Federation should have control of the affairs of the northern Territories: he meant by that that it should not be white people from the Colonial Office. The Europeans in Nyasaland and Northern Rhodesia should control their own affairs likewise.

R. DEARDEN

The witness had come from the United Kingdom in 1948, and had worked for two years as a farm manager at Marandellas. He had then taken up farming on his own account in the Golden Valley near Gatooma, where he was still farming.

What he felt was that the Europeans should remain "in the chair" for the foreseeable future because they had the greater knowledge acquired over a longer period. The Europeans must be the best men for the job; they had given the country advantages, such as schooling, medical services, a higher standard of living, and above all stable employment. They had also provided security for minority groups. This gave inducement to overseas investors, and enabled the country to make further progress.

At the same time, Mr. Dearden would give the African every opportunity for advancement. But it was necessary not to pamper the African. Anything gained easily was useless and not appreciated. He must learn to value what he received, and thus he must work for it. He should not be *given* financial aid, but only on a loan basis: he would then value it.

However the country could not afford to give out large sums of money for nothing. He would like to see the African develop in his own areas, both rural and urban. It was necessary to keep the races apart as much as possible, in order to avoid trouble. But in their own areas the Africans should enjoy their own form of government and have their own schools and hospitals. At the same time they should be enabled to air their views in either an Upper or Lower House, so long as it was on their own subjects. Asked how this could be achieved, he said that it was better for Africans to look after their own interests; but there was a strong objection to Africans having any say in the conduct of European affairs, for this would be liable to rile the Europeans. Africans working in European areas must come under European jurisdiction; but the reverse should also hold good for Asians, Europeans and others. In all races, the rate for the job must be paid; if a man could not hold down his job he should be dismissed.

His idea was to have a Lower House of Europeans only, and an Upper House for both Europeans and Africans, something on the same lines as the House of Lords in London. It should have the power to delay legislation if it was discriminatory. But Africans in the Upper House should only vote on their own measures. They could not be given any power over European measures. He simply threw this out as an idea since he had not thought out how to run an Upper House.

In reply to questions, Mr. Dearden made the following further points:—

(1) The European members of the Upper House should be elected by Africans, and the African members should also be elected by Africans. This should be on a purely African community franchise.

(2) He realised that there might be difficulty in dividing up subjects and measures into European and African. He therefore thought that anything controversial would have to be given to the lower House first, and then brought to the Upper House to settle. The Lower House could discuss African affairs, but the Upper House could not discuss European affairs. He agreed that the Africans would not be satisfied with such arrangements. But his point of view was that if you gave a greater vote to Africans you would have people who were ignorant voting on European affairs. It was a very great mistake to hurry on African political advancement. He agreed that his suggestions would take time to put into practice.

(3) The African urban townships, the Reserves, and the Native Purchase Areas could in time be run by a kind of Native Council. He agreed that he was mainly dealing with local government.

(4) On the question of integration, he thought there could be nothing but disaster if the races were brought too much together.

(5) He had been disappointed in Federation. It had been "bulldozed" through by Sir G. Huggins and had surprised Southern Rhodesia. It had not worked out and could not work. He himself would allow Southern Rhodesia to secede. It might look on paper that Southern Rhodesia could not stand alone, but when copper prices fell again it might not feel so much the need for Northern Rhodesia. It was not possible to link a self-governing country with two protectorates: that was bound to be unfair to one or the other. Nyasaland should be given its self-government, assisted by the Colonial Office or Southern Rhodesia if necessary. He would not be prepared to say that Federation had done much to help Nyasaland; but equally Nyasaland had not done much good to the Federation. Could relations be said to have been improved? He agreed that there might be an economic advantage over the years; but the union between Nyasaland and Southern Rhodesia should be an economic one pure and simple.

(6) Questioned as to what effect protective tariffs in the north would have in Southern Rhodesia, he considered that Nyasaland was poor and would want some economic outlet. The Nyasaland Africans would continue to come to Southern Rhodesia for work, and would be acceptable. This would be a means of taking the load off the shoulders of the Nyasaland Government.

(7) He was unable to say on what principle the decision in the Federation referendum in Southern Rhodesia had been based, since he had not been interested in the matter at the time.

(8) Referring back to his earlier statement, he said that financial aid should not be given to Africans directly, but only on a loan basis. He was speaking from the government angle and not as between individuals. He was averse from giving funds for improvements, such as stumping in the Reserves because he himself would have to pay for such stumping. This free stumping was going on in the neighbouring Nyrati Reserve. He did not agree that the Africans were paying for such services through taxation.

S. N. EASTWOOD

The witness stated he was a Rhodesian by birth, from farming stock, who had started from scratch and was now a farmer. All his experience had been gained in Southern Rhodesia. He wanted to put his personal views, because many of the things written in newspapers about Central Africa were far-fetched and not factual.

The witness employed 100 male Africans. He had played with piccanins as a child and had lived with Africans all his life, so that he thought he understood them to some extent. He said the people on his farm were perfectly contented for the European to be in charge of the Government of this country: this was practically without exception. They were, however, as worried as Europeans about the future.

One read of African National movements from the newspapers. The Africans probably felt they had not had a square deal in the past and would like to take over the reins of government here. In his opinion that would be a very grave mistake if it took place right now. Though he liked Africans very much and worked with them and understood them, he did not feel they were in any way ready to take governmental responsibility. Mr. Eastwood quoted figures from the War History of the Rhodesians, Volumes I and II, which pointed to a fine record in leadership. Many Rhodesians had been in command at various centres in West Africa and elsewhere, and had done a fine job.

He was not opposed to African advancement. Every man had the right, through his own endeavour, to get somewhere in the world. During the last three years he had himself helped African farmers: he had attended their field days and addressed their Councils. They had a long way to go before they could be considered good farmers. In his particular area, out of 340 only 40 had been anything like successful. He had been out to their farms. In the Gatooma area it had been a bad year because of terrible droughts, and the crops had not been good; but the majority of the African farmers did not know the basic rules of agriculture or when to plough their land. They had a lot to learn, and it was his considered opinion that without a European farmer to help them they were not getting very far on their own.

Among his own Africans were some from Nyasaland, Portuguese East Africa and Southern Rhodesia. They were all good workers and were contented. Their rates of pay were probably not as high as they would like, but that was an economic matter and out of his hands. He gave them an average basic wage of £3 per month, as he thought most farmers in Southern Rhodesia did. That did not sound very much, but they were given all the food they needed, together with wood and water. He was giving them brick housing, and had been running a school for their children entirely at his own expense for some years. He bought the books and paid the teacher, and thus helped as much as he could with their education. He stressed that the £3 was spending money. The African paid 6d for a large tankard of beer and his cigarettes cost eight for 2d, so that he had a fine living for £3. Mr. Eastwood said he would like to see the living go higher, as everyone would, but that was a question of economics.

He also ran recreational things for the Africans and had discussed the Nationalist movements with them. He had found their opinions differed entirely from the things printed in the papers. They would hate to see the white man disappear from Africa. The white man is, and has been, their protection. They naturally were all for getting more money and more advancement but greatly appreciated what had been done for them already.

He considered that Nyasaland and Northern Rhodesia presented a far greater problem than Southern Rhodesia. Nyasaland particularly was a poor country. From what he had seen of it, it appeared to be in the same state as Southern Rhodesia had been 60 years ago, with the exception of a few small towns created by Europeans. It had a long way to go. Without laying the blame on any one section, he thought that if there had been more Europeans settled there to provide work for these people, it would have been to the benefit of the country. To keep everybody out and offer a man a 99-year lease of a farm was not good enough.

Mr. Eastwood was not at all opposed to having a black Prime Minister as long as he was a responsible and rational man, but from the newspapers it seemed as if all the African leaders in Central Africa had been shouting things that literally got the back up of the Europeans. He was not prepared to give up all he had worked for in his lifetime, including all that had been done for the Africans, to irresponsible people. He thought that in 50 years' time it might be different. There would then be responsible people who would realize that this was not just the Africans' home but the Europeans' home, and it was not just one way.

The problem of how Federation might be improved was difficult, and the question of the northern Territories was probably the most difficult part of it. Europeans in Southern Rhodesia, as well as in the north, must have a certain security before they could consider the continuance of Federation. In Nyasaland he thought there possibly could be another status of some sort; but Southern Rhodesia was just 50 or 60 years ahead of the times. It was not possible suddenly to take over a country and begin to run it. He did not consider they could remain in the Federation as they were at present, when they could put their double number of seats into the Federal House. If Nyasaland got African independence, followed soon afterwards by Northern Rhodesia, within a short time they would have control of the Federal House. This would then bring Southern Rhodesia into the struggle.

He stressed the considerable progress made in Southern Rhodesia over the last 60 years, for Africans and Europeans alike. He felt sure that every European recognized the problems. None of them were against African advancement: what they were opposed to was forced integration. He thought that the African was also against that. Though there was room for multi-racial hotels and other places, there was also room for separate places for Europeans and Africans.

Mr. Eastwood said he had voted against Federation originally because he did not consider at the time that the Constitution was a good one. He was not personally against Federation; but he was against people taking over the reins whom he did not consider to be sufficiently mature. He felt at the time that Southern Rhodesia did not have sufficient safeguards. He stressed that for the foreseeable future—though not for the ultimate future—the Government should be in mature, European hands. He would not be opposed to an African Prime Minister in either of the northern Territories, provided he was a moderate and rational man. He was only opposed to Africans at the present time, but it would be different in 25 to 50 years, probably, when the Africans would have more people to draw from and there would be moderate men coming forward. It seemed to him at present that the African leaders had not been appointed by anyone: they were just there.

He was in favour of some form of association of the three Territories, apart from political association, which would include economic development, taxation, immigration and the

extension of industry. In this connection he referred to the Central African Alliance Plan produced by the Dominion Party, and particularly to Barotseland. There was very little outside interference and they were very happy. Though small, they were important, and there was a lot to be done for them to introduce industry and farming into the country. Nyasaland had seemed backward to him at the time of his visit. It was an enormous territory, and something should be done to get Europeans in there and start things going, because all the Nyasa boys had at present to leave the country to get work.

Referring to the fears expressed by the northern Territories that Southern Rhodesia Europeans would dominate them, Mr. Eastwood said he did not think this could happen to any harmful point. Most of the inhabitants were British and had a British sense of fair play. The European was not trying to dominate Africans and never had. When his own grandfather had come to the country as Cecil Rhodes's manager, the country was just bush. It had been hard work for the Europeans to develop it. They were not prepared to lose what they had worked for.

He felt that the two northern Territories should not have their Constitutions altered, except with the consent of the Federal Government, or attain self-government until the Federal Government thought it was right. He did not think those Territories were fit for self-government at present. If the northern Territories were given black Governments without the consent of the Federal Government, Southern Rhodesia could not stay in the Federation.

Speaking of European land tenure, so bitterly opposed in the north, he said Southern Rhodesia had the Land Apportionment Act. Any man, no matter what his race, wanted to have his stake in the country. If the land was thrown open to Europeans, Africans would reap the benefit, provided also that there was enough land reserved for them. In Southern Rhodesia the principle had been that everything taken by Europeans had been balanced by the same amount being set aside for Africans.

African land was not inferior to European land, but exactly the same. He had been visited by African farmers who would not believe the amount of his yields, and he had pointed out to them the importance of fertilizers and had shown them how to increase their own yields: but it took time.

Referring to the segregation of business premises between Africans and Europeans and so on, he said he thought there was some legislation going on which would effect a change-over towards more intergration of trade. This was one of the problems facing the Federation. Africans had received a lot of protection. In the farming area their land included some of the best sandveld in Southern Rhodesia. If the door was opened so that Africans could come into a European area, the Europeans might want to go into the African areas. Protection was needed on both sides. He thought that there was room for multi-racial hotels and cinemas, just as there was room for African hotels and cinemas, owned and run by Africans. There were not enough of them. He was very much against any legislation forcing people to integrate.

Finally, he was in favour of Federation in its present form, but felt it was necessary to continue the control between Southern Rhodesia, Northern Rhodesia and Nyasaland for some time.

E. D. RICHTER

The witness stated that he had been born in Southern Africa some 59 years ago. He was a farmer, and most of his life had been spent on the land. He had had considerable experience of non-Europeans—a term he preferred to use because it included Coloureds as well as Africans. He had been in Southern Rhodesia only fourteen years as a farmer, but felt very keenly that all he owned and all his offspring could ever hope to own was in this country. It was a wonderful country, if only it could be kept that way. That could only be done, he felt, by keeping Government in the hands of responsible, civilized people.

Unfortunately his experience had been that very few non-Europeans were responsible. During the last fourteen years between 400 and 500 of them had passed through his hands, mostly Nyasa boys. He had at present 25 on his farm, none of which had he found capable of being given a position of trust. This might be a question of the mental make-up of the African and non-African respectively. He said that advisedly, because he had found that if the average African was asked to draw a straight line from A to B, he could not do it. He would, however, make an excellent job of a circle or semi-circle: anything straight was beyond his reasoning powers. He thought it was possible that the African also took the same circular course in his outlook towards matters like education and government. Until the non-European became a really responsible person, Government must remain in the hands of Europeans.

Colour did not concern him considerably. At one time he managed a ranch and went for months without seeing a white face or speaking a word of English. He spoke Zulu fluently, and had found the Zulus to be morally and physically superior to Europeans. Unfortunately that did not apply to Central Africa, where he thought both Europeans and Africans appeared to be on a lower plane. The Africans had a long way to go to become responsible people.

Mr. Richter said he honestly felt that if the rank and file in the northern Territories were allowed to vote freely and had both sides of the picture put to them, there would not be a black Government in either Territory. He did not think the Africans could do without Europeans: Europeans could not do without Africans.

In answer to questions, he made the following further points:

(1) Assuming that black Governments did come into power in the north, he thought it was inevitable Southern Rhodesia would have to leave the Federation unless there was an assurance of a European majority in the Federal House. He would not mind the northern Territories having black Governments to run their countries as they liked. He was pro rather than anti-African.

(2) He was definitely of the opinion that any change in the Constitutions of the northern Territories should be subject to the approval of the Federal Government, in order to ensure that they did not get a type of government considered unsatisfactory in Southern Rhodesia. He thought the experience of other African countries which had been given so-called freedom in the last year or two was sufficient justification for this.

(3) Times had changed since the northern Territories were made Protectorates, and the witness felt that civilized people in Southern Africa today were very much better equipped to assist those Governments than one which was 6,000 miles away. This was a constitutional problem, and he would not like to give an opinion on constitutional government; but he felt that in the interests of the northern Territories the Federal Government would be better able to look after them than an outside Government. He would like to see control of those Governments in the hands of the Federal Government.

(4) He would prefer the Federal Government to be given powers before the northern Territories achieved self-government. He feared that the British Government might allow those two Governments to fall into the hands of inexperienced people. He thought the security of those people also could be trusted to the Federal Government. Though he wanted control of Government to remain in the hands of civilized people, this did not necessarily mean only Europeans. The European population did not consist entirely of civilized people. There was one type of European who was just as useless to the country as a number of Africans were.

W. A. READ

The witness said he was a farmer and had lived fourteen years in the Gatooma district, having come from Cornwall in 1946. After working for the British South Africa Company, he had purchased his farm in 1947.

The witness stated there was a determination amongst Europeans to stay in the country and ensure that it should be safe for all time for the Europeans. They must remain in control of Government for the foreseeable future: firstly, because this was in the best interests of the indigenous population; and, secondly, if there was confidence in a stable Government, the best interests of the country would be served by a vigorous immigration policy. With Europeans in full control, there should be a stable Government and confidence in the future on the part of investors, so that there would be scope for more investment and development.

If the immigration of Europeans was encouraged, this would balance the ratio between the races, which in turn would place the indigenous African in greater contact with the Europeans, and thus enable him to adapt himself more quickly to twentieth century conditions. It would also create a greater demand for African services, which would again advance him in many ways, not merely financially.

He considered that advancement for the Africans depended entirely on their ability to meet the standards set. That was the most important thing in this country. He felt that Europeans were generally far too tolerant towards the African. He must be made to stand on his own feet and prove himself. Mr. Read said that he himself, on his own farm was conscious of being too tolerant towards his own labourers. Standards were accepted here which would not be accepted in England by any means. It was essential for Africans to

show their merit. They should not be pampered in any way.

In answer to questions, he made the following additional points:

(1) He was not a politician but felt that, looking outside Southern Rhodesia, and particularly to the north, the Belgian Congo and East Africa, tribalism was coming to the fore. That was not good in any country under present conditions. It would only lead to sectionalism and trouble.

(2) The franchise should be raised. There were even certain Europeans who were not fit for the franchise. A man must be treated as a man, and if he was capable of doing a job, he must be allowed to do it. He felt there was far too much protection of sectional interests in the country.

(3) As a broad principle, Federation was a good thing and should be held together.

(4) He definitely did not think that places of entertainment should be opened to the Africans at present. It was an omen for the future; it was possible that what his grandchildren might think of as quite normal, he would regard as shocking. He considered that abolition of segregation should come about naturally from within. It could not be done by legislation, which seemed to cause a lot of ill-feeling. In this regard he cited events in America. He felt there was too much hot air on this subject, but agreed that there were pin-pricks, such as unnecessary rudeness which was quite uncalled for.

(5) He stressed the importance of acceptance of Western standards—though this was a vague term and difficult to define—but anyone who reached those standards should be accepted. It was not right to attempt to move things by legislation against popular opinion; it could only be done by a gradual process of elimination.

(6) Colour of skin meant nothing to him. If one of his labourers did something wrong, he told him so in no uncertain terms, and if the man did not like it he could go and work for someone else. He said he would do exactly the same thing with a European, in fact he would probably be stricter with a European. In this connection he reiterated that Africans should not be treated with undue tolerance, and cited the case of an African student who was in his third year at university. He had failed all his examinations but was still permitted by the Principal to remain as a student. Mr. Read felt that was wrong: if a man was no good he must go out, just as a European would have to go out. He felt that agitators took advantage of tolerance.

(7) There were quite a number of Europeans who did not understand politics and who cast their vote without thinking about it, but he emphasised that the European should stay in control of Government because of the possibility that the Africans might revert to tribalism in this country. The European would, of course, suffer from this; but it was his sincere belief that the interests of the African would be best served by having as close contact with Europeans as possible. This would involve a much larger immigration of Europeans. Then the whole country could go forward towards more investment and development.

(8) If there were black Governments in the two Northern Territories who swayed the balance of power as far as Southern Rhodesia was concerned, Southern Rhodesia must pull out of Federation. He had voted for Federation originally because he believed that European control was the best possible thing for the three countries. Therefore he could not possibly agree to allowing the two 'Native States' in the north to pass some of Southern Rhodesian laws: it would be wrong. He would not have voted for Federation had he foreseen it developing under conditions as they were at present.

(9) He stressed that once the Africans were fully educated and experienced, he would not mind their gaining control, but not until that time. The Africans, naturally and reasonably, wanted these things; but the Europeans were in error in making too much allowance for them: they must get on solely on merit.

(10) There was no negotiation with the labourers on his farm, in any trade union sense. His word was law and must be obeyed, but he very often called in the more responsible men and asked their opinion on certain things. He was not entirely dogmatic. If they had no satisfactory answer to give, then he made his own decisions.

(11) Some of his men were very good and had been with him for fourteen, twelve or eight years. He had a fixed starting wage and a fixed maximum wage, beyond which a man could not progress unless he was above average. One of his tractor drivers, for instance, was at present receiving very much more than the average wage for the district. He insisted that they proved themselves and were paid on merit, irrespective of length of service. That principle must be adhered to.

MSENGEZI

27TH APRIL 1960

Memorandum

THE CENTRAL AFRICA PARTY (MSENGEZI BRANCH)

J. W. G. Sojini—Chairman

S. Mazebananga—Vice-Chairman

A. K. Moraka—Secretary

T. D. Ndhlovu—Member

It has come to our notice and understanding that the Commission is set up by the British Government to take evidence from organisations and individual persons on various aspects regarding talks, will take place in London Conference of 1960, on the Constitutional review promised in the Constitution on the question of the Federation of Central Africa dominion status, in other words an "Independent Government".

It may be remembered the implementation of the Constitution reflected a clause of "equal partnership" to all races, inhabitants or living within the Federation of Central Africa, shall have been achieved and practised, the equal partnership in its true sense and meaning.

That being the case our branch here. Msengezi, subscribe the implementation of equal partnership has not been achieved in practice, it remains as theory with no meaning at all. The Federation of Central Africa was brought about six years ago which proves it could not have done much on the promises of its constitution, at this junction it may be treated as an experiment.

There is still a strong colour discrimination which exists instead of diminishing, is still being legislated by Parliaments in stronger resistants so as other races may feel the power of which race and supremacy of their domination. If this memorandum is examined it will be found is giving statements of fact, that the discrimination against non-Europeans is a source of irritation, leading to frustration of minds and hopes.

Nevertheless it is quite obvious if the statements bearing on this memorandum could be understood a better meaning of equal partnership may be interpreted in its full sense under democratic system which is the background underlaying British principles and tradition in their long history of civilisation.

There are Europeans who have divided themselves into groups styled as League of Empire Loyalists. These groups of self-seekers are worsening and drawing back position of rapid improvements intended by those in authority to meet the needs brought about the world's evolution. The demand which is unavoidable equality of all races, under the British Commonwealth, to enjoy all rights irrespective of colour or creed.

These groups seek to destroy these human rights, thus trying to break down with their 28 lb. sledge hammers, the good reputation of the British Empire, equal rights to all civilized people which is a major question in these days. These irresponsible groups are not prepared to accept in the world's wide developments, they still look back to their pioneering days; the ideas of those days have long passed therefore those inferior and childish ideas cannot be lifted to the country of today.

We have now reached a stage when rapid adjustment is required to put into practice the principles of equal partnership whether that is to be done or not is completely immaterial, but has to be done for the good will and faith of all races, inhabitants in the Federation of Central Africa. Let liberal responsible Europeans put right Central Africa affairs for the contentment of all races. We must mention big ideas of the British people here and abroad which extended to all races under the British Crown, the principles of democracy and traditions. The granting of Federation did not justify self-seekers to play with the rights of other races in their fingers, it only meant to build a state where all the races will enjoy the rights of equal freedom of expression, freedom of justice, freedom of advancement as far as any race is capable of doing so, without laying any embargo.

It will be interesting to put the following sentences as examples:

(1) Let us take the Industrial Conciliation Act which is being used by some Europeans in the industries against the competition of non-Europeans so as to keep European wage structure above others, to maintain a higher standard of living, to cause others to live below the level of bread. That is discriminatory.

(2) They have set aside land which they termed "Land Apportionment Act". This also denies Africans and other races to purchase unencumbered land where he feels to purchase land. There are protective measures which give preferences to Europeans only.

(3) The Restrictions of Fire-arms and European liquor to Africans.

(4) The Restrictions imposed to Africans from free-movements by Pass Laws.

(5) The insecurity of land tenure to Africans.

(6) The refusal of admitting Africans in hotels, eating houses, restaurants, cinemas and the like.

There are many numerous things to mention if space allows.

The only time when talks of dominion status can be brought about, it will be when these discriminations could be abolished and when Northern Rhodesia and Nyasaland as British Protectorates could first be granted self-Government with full powers as any government under the British Commonwealth. So when talks about bringing dominion status within the Federation of Central Africa, the Government concerned may participate in equal basis without the domination of one race government.

A case in stake is the Union of South Africa where dominion status was given before non-European races were prepared, and when the British Government granted this, thought it was on good faith not knowing it was a cover under diplomacy political cheating. This has today caused great disappointments on British nation.

We shall continue to oppose the dominion status of the three territories until we are quite satisfied that people of all races or colour enjoy the good things and the produce of the country equally, and to enjoy the opportunities that this country has to offer.

The reasons given statements are sound to any logical minded person and we should be happy to amplify this with oral evidence.

In conclusion, the representation has followed the Honourable Commission's platform for justice, irrespective of colour or creed so as to ameliorate the position of African races under the existing circumstances.

Oral Evidence

MSENGEZI BRANCH OF THE CENTRAL AFRICA PARTY

Representatives: J. W. G. Sojini—Chairman
A. K. Moraka—Secretary

Mr Sojini said that there was very little he wished to add to the written memorandum except that the main reason for the Branch coming forward was to emphasize the need for the early removal of discriminatory practices, particularly those that had been detailed in their memorandum. He added that in no circumstances should Dominion status be granted until these matters had indeed been adjusted.

Elaborating to some extent on the memorandum, Mr Sojini referred to the railways, where he stated that, although trains were made up for some hours before the time for departure African passengers were not allowed in but were lined up. Then a very few minutes before the train was due to leave they were rushed into the coaches where they were packed like sardines. Quite apart from anything else, many passengers often suffered losses of their goods and from pickpockets. He saw every reason why the Government should insist on the railways exercising some sort of check on this matter.

As far as he could see, however, the Government's only concern was to keep an eye on removing the various measures of protection of Africans that existed in the Constitution as it stood today. Mr. Sojini, however, added that notwithstanding the criticisms the Branch had made he liked the present Government which he thought was a good one, unlike that ruling in the Union of South Africa at the moment.

On being asked a question concerning the Land Apportionment Act, Mr. Sojini said that it was imperative that Africans should have proper title to their land; by this he meant the widest possible title because Europeans and others who had money available for loans on mortgage were not likely to lend it on property which could only be sold in a limited market. He went on to say that Africans did not need protection which took this form. The position was quite different in the old days before the introduction of the Land Apportionment Act, because then Africans could buy land anywhere, and he gave as examples that they could purchase stands in Salisbury and farms near Salisbury. The Land Apportionment Act had driven them out of these areas, although it was true that they had been compensated. But he mentioned that only a comparatively small number of Africans had been affected, and he quoted his brother in Gwelo as being a case in point. Nevertheless, it was the principle of land apportionment that offended so much.

On the matter of partnership, the reaction of the Branch was that although there had been general improvements, they took the view that little had been done because the improvements had not been in the direction of removing the various discriminatory practices obtaining in Southern Rhodesia.

FORT VICTORIA

30TH APRIL 1960

Memorandum

N. RICHARDS

1. To begin I must give you a brief outline of the form my evidence will take. I wish to prove to you that the S. Rhodesian approach to racial affairs is the best in Africa. To do this, I will have to tell you of the vast amount that has been done for the African by the European. I must tell you of the tremendous strides that have taken place in a very short time. You must know how the Capitalistic system, combined with Democracy, is being taught and put into practice.

2. This will show you how the European has cared for the well-being of the African from his savage state 60 years ago to a point now where his education in government and politics is being attended to. This is being done in conjunction with improving his standard of living. In fact, we are trying to do to the black races in one century what took the English nation at least 20 centuries.

3. I will then give you the result of our efforts, and stress what I think the Federation should learn from S. Rhodesia, and I will conclude with some observations on the Federal Constitution.

4. Now, to go back to what the European has done for the African in the past 35 years—the period we have had self-government, free of Colonial Office influence. Thirty-five years ago, the African was in skins, underfed, often starving, and dirty. He had no medical treatment, child mortality was in the vicinity of 80%. He was a heathen and completely illiterate.

5. In 35 years the efforts of a handful of white S. Rhodesians have improved his standard of living enormously, to a point today where some are earning +£3000 p.a., but where even the vast majority are clothed, never go hungry, and more and more are decently housed at a standard superior to some in Europe. Unlike the European, who pays 25/- per day in Hospitals, African Hospitals and Clinics are supplied free of charge, and even maternity treatment is free, and consequently child mortality has been reduced enormously. Most of them receive a basic education, and a few reach the top. Roads and bridges have been built and an immense amount of work is being done to eliminate malaria even in the most remote reserves. (Down to Portuguese East Africa.) Their agricultural methods have been improved from a mere scratching between the rocks to correct ploughing on contoured lands. Paid African demonstrators living amongst them instruct them in correct methods. Cattle dips have been built and all cattle are dipped every week. Post Offices have been built in the reserves and some have African Postmasters, although the percentage of Postmasters who have been dismissed for theft is, I believe, alarmingly high. Their education in local government has not been

neglected, and even in remote reserves the Chiefs have Councils which have a very considerable say in local government.

6. The Capitalistic system is also being encouraged by the creation of Townships throughout the reserves, each with its own Stores, Tearooms, Carpenters, Millers, etc., and almost all the buses are African owned.

7. It would be impossible to comment on all that has been done—let it suffice to say that out of every £1 taxation, which for the most part comes from the European, over one-third is spent entirely on the African, and he shares in a big proportion of the balance.

8. Personal relations between the races in S. Rhodesia has always been—and still is—good. Our Police are quite rightly proud of the fact that since self-government, not a single life has been lost in civil strife. This record is ahead of U.S.A. and Notting Hill. Admittedly, we still have a number in detention, but our contention is that it is a far smaller number than are held in detention in England. What difference is there between putting anti-social teenagers in a Reformatory and putting anti-social riot-makers in rehabilitation centres?

9. It has always been the aim of white S. Rhodesians to accept all races as equals—provided, and when, they reach a reasonably civilized state. Our Franchise laws aim at this, but I consider have failed to define "civilization". Possessions, income and education have been stipulated, and a combination of these items can work to a certain extent, but there are at present too many exceptions. It must also be realised that if the £1 is devaluated, our franchise qualifications are immediately altered. However, I am unable to make a better suggestion. What is of paramount importance to all races is that the Government should remain in civilized hands—and that is what we are aiming at.

10. I have given you the methods used by S. Rhodesia to improve the standards of its Africans, and by so doing, to improve race relations, and I contend that it has achieved more than any other country in Africa or Asia in the shortest period. It is natural, therefore, that we in S. Rhodesia say that this method should be adopted by the rest of the Federation. This would be possible, if we could remove the Colonial Office influence. We have made a success of S. Rhodesia because we have to—it is our home. Our Civil Servants are Rhodesians. They do not go 'Home' to England, they go home to bed every night. Their families are Rhodesians and they are proud of it. They are proud of their achievements, and they want their children to remain in a peaceful S. Rhodesia. Therefore race relations must be kept good.

11. History has shown over and over again that any country governed from overseas is an unhappy country and will revolt eventually. Nobody likes being governed by a foreigner—but make no mistake—the white Rhodesian is not a foreigner. This is his country every bit as much as the Bantu, and so far he has done everything for it. The European happens to be the civilized race in this country and the percentage of civilized Africans is very small, therefore it is natural and correct that the Europeans should control the Government of the country. If overseas influence in the Federation could be removed, race relations would improve enormously within two years. The Civil Service failed to give a lead in Nyasaland and one wonders if their failure can ever be repaired, but it is certain that the two Rhodesias could pull together, and Nyasaland could be made to remain in the Federation until even their African leaders became adult enough to realise the enormous benefits.

12. I do not have the knowledge or the ability to suggest how the Constitution of the Federation should be altered, but regarding the Franchise it must be apparent to all that—

(a) One man, one vote is out of the question. Over 90 per cent of the Africans do not know the names of their so-called African Leaders, let alone do they have any knowledge of government or politics;

(b) Franchise qualifications must remain high and must be based on civilized standards. An educational qualification on its own can be wrong. For instance—a fair standard of academic education which is not followed up by a life where that education is put into practice is completely forgotten within two years. Our school education merely gives us a basis on which to educate ourselves during life, and if, after having received say a standard VI education, we return to live with others with no education, then we drop to their level in a very short period, and that school education is lost. A school educational qualification alone is therefore valueless. An income or property qualification on its own is also dangerous, in that money always devaluates, so that this particular franchise qualification would stand the risk of being lowered. If, through a lowering of franchise qualifications, the Government fell into uncivilized hands, extreme racialism and dishonesty in politics would automatically follow.

(c) Once the number of Africans on the voters' roll reaches a certain percentage of the total roll, their special representation must fall away.

13. All four Governments should try to eliminate all regulations which serve little purpose, but which aggravate one or other of the races. A lot have been eliminated, but quite a few remain. Social integration of the races should not be forced. This will only cause extreme racialism. Integration will only come very slowly—it can never be forced. The Southern States of America can be taken as an example.

14. At present, because of the very wide differences in standards of civilization between Europeans and Africans, facilities offered by the Government in Schools, Health and Sanitation, etc. must be kept separate, but at a later date three standards could be offered: i.e. Europeans only; all races; Africans only. It must be remembered that a very big majority of Africans are just as desirous of keeping to themselves as are the majority of Europeans.

15. It is of the utmost importance that a decision regarding the Constitution be made as quickly as possible. Every month delayed sees a worsening of the situation. We have always been accustomed to organisations for Africans only, but untrue and immoral Press reports, coupled with the unfortunate and unstatesmanlike behaviour of certain British Politicians, have quite naturally angered a large percentage of the European population, and now organisations for Europeans only are being formed. Thus—for the first time—we are witnessing in S. Rhodesia a real dividing of the races.

16. Any action taken to alter the Constitution of the Federation must be the will of the majority able to comprehend what is being done, and that majority—with few exceptions—is made up of the citizens of all colours on the voters' roll. Judging by the activities of the British Government and Commissions—this one not excluded—the evidence and advice of extremists, particularly those who have not done anything constructive for their country, is headed before that of the average man who, after all, does echo the will of the country. Extremists, whether Left or Right, are a menace to this country, and any pandering to their whims will inevitably cause chaos. It must be remembered that the vast majority of Europeans and Africans in the Federation get on well together and understand each other. Good-will between the races in S. Rhodesia is better than anywhere else in Africa, and if Colonial Office control could be removed from the two Northern Territories, relations there would also improve.

17. The success of the Federation is of world-wide importance, particularly to the West. We are the dividing state between White-controlled and Black-controlled states, and if this state fails in its conception of partnership between races, then Africa is lost to the West. It is even more important to the European in the Federation, because he must succeed in race relations to ensure a happy and safe country for his family and progeny. Therefore, to conclude, I must stress that Colonial Office influence should be removed in the shortest possible time and thus allow the man living in the country to make a success of it.

Oral Evidence

N. RICHARDS

H. T. BARKER

In amplification of his written memorandum Mr. Richards stated he was born in Southern Rhodesia in ox-wagon days and had spent his entire life there. Having played with Africans as a child, served with them during the war and worked with them, he felt he had a sound idea of the African way of thinking, and was friends with them. He was also a trader in a native area. He expressed regret that the Commission would not have time to visit some of the native reserves in the area. The population of the Fort Victoria area represented one-quarter of Southern Rhodesia.

He stated that the idea of certain areas into which Europeans were not allowed to go was new. He had been trading since 1936; exceptions were made where it was deemed beneficial to the African population, with the approval of the Native Council. Europeans were not allowed to trade in African townships, so that they could not compete with the African trade. He believed this was a good thing.

The Councils had a great say in education. They raised part of the money for this: he thought it was probably £1 for £1. There were also Women's Institutes for promoting hygiene, and a great deal was being done to encourage the capitalistic system, which would be a good thing for the country.

African education tended to be too academic, and the African was not taught to use his hands, so that it became infra dig for a Standard VI African to work with his hands. It was most important that trades be taught.

It was of paramount importance that once a decision had been made by the British Government or the Federal Government it should be stable for at least ten years. Having the British Government looking over one's shoulder caused a great deal of strife. It seemed to the witness that the Commission had been spending more time heeding the evidence and advice of extremists rather than that of the ordinary African in the reserves and who represented the vast bulk of the African population.

As regards social integration, Mr. Richards said that there were too many regulations which caused irritation and were of no benefit at all. They should be removed. The time had not yet come for all discriminatory practices to be removed, particularly in relation to land. The African still needed protection because he had not yet the money to buy property in the European areas. If an African had an income of £3,000 per annum and regulations permitted him to buy land in the European area, he saw no objection to it; but he thought that in such circumstances Europeans must be permitted to buy land in the African areas There must be protection for all.

In reply to questions, Mr. Richards made the following points:

(*a*) Although there was congestion in certain native areas, there were vast areas in the native reserves which were still unoccupied, usually because of a shortage of water. The Government put down water holes where it could with a view to settling Africans in such places. Many dams were also being built. More was being done to provide irrigation schemes in the native areas than in the European areas. The basic limitation was finance, and it had to be remembered that the European community had to pay half the cost of the schemes and the Africans paid nothing.

(*b*) Referring to paragraphs 15, 16 and 17 of his memorandum, Mr. Richards said that the average Southern Rhodesian was watching the Government closely at present. He was stable and hard-working on the whole, but he was being continually subjected to so much criticism and Press comment, most of it entirely unfounded, that it was having a psychological effect. Mr. Richards felt the Press was the cause of most ills, not only in Southern Rhodesia but also in the rest of the world. Evidence of good feeling and growing multi-racialism was not printed, only criticism.

(*c*) It was possible for the two Northern territories to have self-government within the Federation. He personally did not envisage a black government in Northern Rhodesia for some time. The franchise must not be on racial lines. The voters must be civilized, but that was not a matter of colour. Though the present qualifications were not perfect, he could not think of better ones.

Mr. Barker then gave his evidence. In general, he agreed with the evidence of the previous witness. He was a mining engineer, London born, and had been in Africa for thirty years. He had been in South Africa for eight years before coming to Southern Rhodesia, and for the past nine years had been operating a mine (chrome and beryl). For the last twenty years he had managed various mines, employing up to 3,000 Africans, and his duties included looking after their housing and other amenities. He had experience of natives from many areas, including Northern Rhodesia, Nyasaland and Southern Rhodesia. Some of the men working for him had also worked for his father.

He stressed the folowing further points:—

(1) Most of the Africans needed protection from future legislation, but more than anything they needed protection from racial leaders. Though the extreme nationalism in the North might not extend to Southern Rhodesia, it could have an effect there. He had spoken to his boys in the reserves and approximately 60 per cent. had never heard of Federation. Those who had heard of it thought it only applied to Nyasaland. Some of them associated it with the increase in native tax two or three years ago.

(2) The future of Federation must be strongly based. If an African voiced an opinion against Federation, it was most likely because he had been intimidated and was frightened to say otherwise. Because of this fear, so deeply rooted in the Africans, even the more responsible people could be swayed by mass movements and intimidation. African political sense was not highly developed.

(3) Federation had been set up to create a multi-racial society: this could not be done with a wave of the hand, but things had developed further along that line in Southern Rhodesia than anywhere else in Africa—except the Belgian Congo, perhaps, which had never been self-governing. He felt Europeans must remain in power in the Federation for at least twenty to twenty-five years. If irresponsible African extremists assumed power, they would create a racial state instead of a multi-racial one.

(4) Most Europeans agreed to a multi-racial society. It must be accepted that the Northern territories would have black Governments and Parliaments within twenty to twenty-five years. There was no objection to that, because these territories should rule themselves as they wished, but it would then mean that Southern Rhodesia would be opposed to the two Northern territories. He felt the Federal Government must be based on the dominance of Southern Rhodesia membership. At present the division was roughly equal.

(5) He would personally prefer an amalgamation of the three territories, based on Federation. He would like Dominion status for Southern Rhodesia, with Africans receiving the franchise as they developed according to ability. The only way in which Federation could be made to work was by retaining European Government control for twenty to thirty years until a more moderate and educated African had emerged. He agreed that a Federation which gave Southern Rhodesia domination would not really be a Federation. Many Africans fully realised the need to keep Europeans in the country, but they would never oppose their fellow Africans in the House.

(6) If, as he recognised, there were insuperable objections to amalgamation, the territories could be politically independent but associated on the economic level. If there was this economic association, he felt the majority of Europeans in Southern Rhodesia would be prepared to augment the finances of Nyasaland without any political tie-up, provided they thought it would do some good.

Memorandum

C. T. GIRDLESTONE

You will no doubt have read the report prepared by my friend Mr. Johann Rademyer. I wish to associate myself with his remarks and to emphasise that the average Rhodesian is thinking on those lines, though he will not go to the trouble of producing 35 copies of a Memo for you.

I do not wish to cover the same ground and will confine my remarks to points not touched upon.

Firstly, your Commission was badly organized. An advance agent should have gone round the towns weeks in advance, organizing accommodation and entertainment. An agent in each town should have been briefed to collect and duplicate 35 copies of Memoranda and to decide how much time you should spend in each centre; and what you should see. A tour of the Native Reserves, where 75 per cent. of the Africans live, is a necessity. As regards accommodation, we have two hotels here and each was, I am told, willing to accommodate two of the four African members of the Commission, provided the other hotel took two. As regards entertainment, if the Mayor had difficulty in giving a Civic Lunch to a party including four Africans, then the Chamber of Commerce was willing to extend such hospitality on behalf of the town. As Kipling stated so aptly in one of his admirable short stories —there is always a "modus vivendi" in such matters. But being badly organized—no accommodation and no official lunch . . . a bad show!

As I see it, Southern Rhodesia is starting its own line of approach to the Colour Problem. We prefer a Culture Bar as opposed to a Colour Bar. If any man can achieve a civilized standard of living and behaviour then we are going to admit him as a full citizen. Not in five minutes—it will take some time for us to adjust and to be sure of our ground.

It is necessary that we should do so for the following reasons:—

British standards have been hammered into succeeding generations of Britishers over many centuries. They differ in degrees from other European races and British democracy is all but unworkable in most other countries.

The African does not beat his children and his standards can be illustrated by stating that a good liar has much prestige; a poor liar is scorned when his clumsy lie is exposed. Theft is roughly on the same basis—to be discovered is the dishonour. Give him a position of responsibility and his reaction is "what can I make out of it". It is an extensive "racket". Even Africans seeking work are fleeced by the firm's head boys, who will promise to get work for them from the "boss". In the Government Hospital it is stated that an African patient must bribe the African Orderlies if he wants proper attention.

Unpaid public service is not understandable to the average African and I think they do not believe that many Europeans are not paid for such service.

As regards cleanliness—the African, and I particularly mean the 75 per cent. from the Reserves—is not used to European methods. His "kia" is normally bug infested and his sanitary arrangements non-existent. If you have a gang of labourers, say at the Kyle Dam site, and build a row of pit latrines, then they consider the latrines as indicating an area to be used, and for a radius of 50 yards in every direction the ground is littered. It is not long ago, when we built a public latrine for Africans, that we embedded broken glass down the corners of all available brick walls for reasons you can guess. Even today many of the less educated Africans consider anywhere inside the latrine enclosure is "good enough". The buckets are certainly an idea, but not necessarily a good one!

These are some of the reasons why white Rhodesians refuse to consider throwing open their conveniences, hotels, washrooms, etc. to people, 90 per cent. of whom have no civilized standards as we know them.

This position is not static and the increasing impact of our standards will slowly rectify these problems, but it must be a very slow process, as so many Africans are not Urban dwellers and there is a continual stream from the Reserves seeking work in the towns.

After 40 years in Africa I must admit that I know very little about how the African thinks, although I must know a little more than many Europeans.

Race relations in Southern Rhodesia are slowly becoming more and more understanding as the black and white races get to know each other better. Here and there genuine friendships are springing up and the future is promising.

We are proud of the knowledge we have gained and the results we have achieved, and we are confident that we have the answer. Not a hard and fast one—but we are on the right road and by the careful use of trial and error method we shall arrive at our goal—a united and happy Rhodesia.

We do not want outsiders, without knowledge but with all the answers, to come here and tell us what to do.

I am at a loss to understand how Britain can consider throwing off all those responsibilities which put the prefix "Great" before her name. Napoleon, the Kaiser, Hitler and Mussolini all failed to achieve what Britain herself has done of her own free will in the past few years—and is patting herself on the back for doing it! I maintain she has fallen for a line of propaganda which I would compare with the basic principle of Judo wrestling. You do not use your own strength to defeat an opponent, but let him use his own exertions to defeat himself. At this rate Britain will soon stand stripped and will have antagonised her own best friends in the process.

I attach a small cutting from the Bulawayo Chronicle of April 6th, entitled "Rebels wiped out". It made one inch of space and no comment anywhere. Yet a bruised toe of a rioting African Umfazi caused a Royal Commission of Enquiry at a cost of over £100,000—at our expense I suppose? What *is* Britain doing to us? Did she make even a protest over China's murder of thousands in Tibet?

"Rebels wiped out"

"A platoon of Indonesian rebels was killed recently when Indonesian gunboats and short batteries opened fire on 25 rebel boats in the middle of a lake in North Celebes."

Hapana Basa: This notice is displayed at many business premises in town. It means "No Work". The Recession caused to a great extent by British Political Agitation and events in Kenya and Nyasaland, has thrown thousands of Africans out of work, as well as hundreds of Europeans. Any further attempts to interfere with our race problems, especially on the lines of "one man one vote" will bring disaster to the economy of this country, on which the African depends. Each European here means employment to one, two or even a hundred Africans. Consider the High Commission territories where there are few Europeans—the African inhabitants have to seek work elsewhere, in the Union or in Southern Rhodesia. No Europeans, no work. It is as simple as that. Southern Rhodesia needs a steady influx of thousands of Europeans a year to provide work for the normal annual increase of Africans.

As a final thought—we, British and Afrikaners living together in racial harmony as Rhodesians, have made this country, with precious little help from overseas. I do not count interest bearing loans as help—they are business transactions. From bare veld, plagued by drought, disease and wild animals, and having to teach regular working principles to African tribes, we, and our fathers, have achieved something deserving of the highest praise. Instead of that we are being subjected to a most vicious campaign of hatred by the British Press, which may yet cost thousands of lives—our lives, unfortunately.

I have organized the signing of the printed Memo for your Commission and hope to get 1,000 signatures in this small area. Apart from Government Officials, who cannot take part in politics, only about 2 per cent. of Europeans who read the Memo did not sign with enthusiasm.

It would be such a help if the Africans—and when I use that word I refer to our local Africans—would cease being irresponsible, unreliable, untruthful and dishonest, and grew up to be worthwhile partners in building the country. At present each European, on paper, is having to provide free education, hospitalisation, roads, irrigation, etc. etc. for approximately 10 Africans. The financial strain is too great. A veneer of education is not civilization, and the crying need of the moment is for civilized black men who can think on civilized European lines. It may take several generations to produce these. We also need a more enlightened attitude among more Europeans in the way of discarding colour alone as a civilization test. I think that is coming fairly quickly.

Fort Victoria.

Oral Evidence

C. T. GIRDLESTONE

The witness said that he had been in Fort Victoria since 1929, and was now running a motor business and a farm. Earlier he had been in Basutoland.

In order to develop the country it was necessary to bring in good middle class immigrants including the most highly skilled type of artisans. It was not desirable to bring in a lower class of immigrant who competed directly with African labour. With the opening up of the Kyle Dam, thousands of acres of land would be irrigated for the production of fruit etc.; Africans could not do so unaided.

At present the two races did not think alike; it was very rare to find an African of a standard of educatoin which enabled him to think on European lines. Nevertheless, such people were beginning to go forward and the country was well on the way towards a better understanding between the races. The number of Europeans who regarded colour as an overriding test of civilization were becoming fewer; this was recently demonstrated at a meeting of the Fort Victoria Rate Payers Society at which Coloured and Asian members were made welcome. At the present time, there were virtually no African rate payers who could join such a society. It was significant that at the present time no Africans, even those who were well off, paid income tax.

The time was not yet ripe for the abolition of all discriminatory legislation. Unfortunately many Africans remained highly irresponsible and even cruel, particularly in their behaviour towards animals, which they were prepared to mutilate in order to have a chance of securing the meat when the beast had to be slaughtered. There were two ways of dealing with the present situation whereby Africans were barred from going into hotels and other places. The first was that certain Africans who were able to pass a test of culture should be designated as "assimulados," as in Portuguese East Africa, or, alternatively, that hotels should have an annexe at which Africans could stay. On the latter system, it would be open to an hotel keeper to admit into the main part of his hotel any African who seemed to be comparable with a European. Some Europeans might dislike this idea at first, but it would soon be accepted.

Memorandum

E. M. BADZA

Land Animal Husbandry Act

Part One. The introduction of Land Husbandry Act and the allocation of land Southern Rhodesia sounded very wisely in theory, but practically affected or deprived the African to use the land of his birth accordingly.

Part Two. When the Destocking Act was introduced during the year 1945 Africans were made to understand that the land is becoming too small for the number of cattle people had at that period and it was mentioned that the grazing area was becoming impossible for the stock to feed sufficiently. One important factor was that soil erosion became a deadlock to many farmers. The country could not produce enough food for its inhabitants. Thousands of cattle were detached from the Africans and Europeans were allowed to buy all these cattle and put them in their farms. The destocking continued on until today and where you find many Africans who do not have cattle. The minimum number of stock an African is allowed at present is three and the maximum is eight herds. Assuming that many Africans have no savings account of money like other races do he should be allowed to keep a reasonable number of

herds to make his life a bit simpler by means of selling cattle whenever needs arise.

This statement of saying that there are too many cattle in the country of Southern Rhodesia does not carry the weight to me and many other Africans because all the destocked cattle are bought by Europeans who do not export them to other countries but do keep them in the same land of Southern Rhodesia.

Allocation of lands

The question of allocation of land has brought a grave misunderstanding between the Native Department and Africans in Southern Rhodesia. The reasons being that there are many people who used to own lands before the Act, but when the Act was introduced some of these people could not be given lands to plough and were told to look for places where they can make their living. That is to go and work in towns, mines, farms or to buy land from another African who is going to purchase a farm or going to work somewhere. Some Africans are given places to build their homes, but have no right to own a land. The argument given here is that all those people who didn't register their surnames (Mutopo) during the year 1955 and 56 have no permission to own land because the land is only available to the registered ones. The reason of surnames is quite genuine as a law having been put by the government that every individual should abide with it. But this law does not justify the government to deprive someone to use the land where we all know that our life depends on it.

To make the Federation a success, the Federal Government should open its eyes abroad to see that every citizen in the Federation has a place where he or she gets a living. If another section of the race tries to monopolise all things to its advantage there will always be misunderstandings among the Federation's inhabitants. I wish the Commission to take these matters very considerable, since they are the most important subjects in the African life.

Oral Evidence

E. M. BADZA

Mr. Badza submitted and read his memorandum. He stated that he was a clerk employed by a local company. He farmed eight acres and had five cattle.

In answer to questions, he said that when the Europeans had taken the cattle, as referred to in his memorandum, they had kept them on their farms or sold them to butchers. Africans were not at present allowed to keep more than a maximum of five cattle. He said Africans saw European farmers with thousands of cattle. He felt the Government had wronged the Africans.

He stated there were young Africans of fifteen and sixteen who were not allowed to buy any cattle at present, because they could not be allotted any land. To an African, cattle represented money: also, without a cow or without oxen he could not plough or sow.

As regards the allocation of land, in 1956 Africans had been told to record their holdings of land to the Native Commissioners. Africans who were away from Southern Rhodesia were not able to do so, and on their return in 1957, when the allocation of land began, found they were not eligible for an allocation. He did not know whether this had happened throughout Southern Rhodesia; he was speaking of the area he knew, round Fort Victoria.

The witness stated that Africans felt Federation had been bad because before Federation there had been none of these things. Land distribution had been introduced before Federation, but the people thought it started then. In general, he wanted Federation to continue. It had done some good. If the land question could be put right he felt sure people would like Federation. Though land questions were territorial, he thought there were certain other subjects in which the Governments had joined together to promote the good of the people.

Memorandum (i)

SIX MEMBERS OF THE CHIREDZI RANCHERS' ASSOCIATION

R. L. Sparrow
B. G. Beverley
I. H. De La Rue
G. C .Style
A. P. J. Bezuidenhout
S. W. Southwood

We represent the farming community with varying points of view. Three Members of our delegation—S. W. Southwood, B. G. Beverley, A. P. J. Bezuidenhout—believe that the Federation should be broken up as it has gone beyond the point where political cohesion is possible. Three Members of our delegation—I. H. de la Rue, G. C. Style and R. L. Sparrow—believe that the experiment of Federation is worth further endeavour to make it a success.

However, jointly we submit the following on the assumption that if it is to continue then certain changes are essential to its progress for in its present form it is clumsy and politically unstable.

1. Since colonial affairs have increasingly become party politics in the British House of Commons, Britain has become more and more unable to govern her outside territories. Not only are local loyalties split within the colonial territories, but policies are played one against the other in the House of Commons. A glaring example of this is the appointment of the Monckton Commission by one party and the boycotting of it by the other.

2. The three territories of the Federation form a well knit and well balanced unit economically and in natural endowment . . . farming . . . mining and industrial . . . and has a great future, provided that it is properly governed, and that loyalties remain within the country, and are not split to divided parliaments thousands of miles away. We approve the principle of Federation.

3. Something has to replace the present trust of the British Government, till a greater majority of the adult people of the Federation are fit to exercise a full vote. We consider that an Upper House to the Federal Parliament be established on the following lines:

1. All members be appointed by the Federal Governor with the authority of Her Majesty . . . as she does with the House of Lords.
2. Seven members be appointed to represent each territory and fourteen members for the Federal Government. These appointees shall be made of people not less than 40 years of age . . . they shall be well acquainted with the territories for which they are appointed, and they shall be appointed for their knowledge or standing in the community regardless of race, colour or creed. Their appointments shall be made after consultation with the Governments concerned, but not necessarily with their approval. The Queen's decision through Her Governor shall be final.
3. They shall hold office for seven years, and be eligible for re-appointment, and shall retire in rotation, so that five new members will be appointed annually.
4. All territorial and Federal Legislation shall oass through them, except financial matters, which will then have the same channels as exist in the British House of Lords. The duties of the members will be to present the legislation of the territory for which the members are responsible, and on which they will be expected to be fully informed . . . but they will not be in any way bound to vote in favour of such legislation.
5. This upper Federal House will replace all powers enjoyed by Britain, but the original appointees will be made by the British Commonwealth Minister after consultation with the Governments concerned.
6. As the work of this House will be heavy and onerous, its Members will be adequately rewarded.

4. A constitution of fundamental human rights be drawn up and enshrined in our constitution, and these shall not be withdrawn until at least 75% of the adult population of the Federation, both male and female, are enfranchised. A franchise which shall not discriminate on grounds of race colour or creed.

5. The top heaviness of our administration if applied to a place like England, can be seen, as England would have a Parliament and Governor to every two counties . . . 25 in all, plus six Federal Parliaments for the different areas . . . a position that is laughable. Yet we have to support such an administration.

We sugggest:

1. There be only one Governor, who shall perform the formalities for all four Governments.
2. The main Government of the country be vested in the Federal Government . . . at present powers are so split that they are almost unworkable . . . and that only limited items be vested in the Territorial Governments . . . we would suggest here for the Territorial Governments to retain only Native Administration and Land Rights.
3. It is thoroughly undesirable in a Federal state to have the capital of the Federation, the same as a state capital. It gives the one state an unfair advantage over the more distant state. We consider that the Federal Capital remain in Salisbury, but that the Southern Rhodesia state capital be moved as far away as possible, and thus Bulawyo be selected. This is not just a territorial matter . . . but has a serious Federal implication. The Federal

capital must be free from any undue territorial influence.

6. In very few countries of the world have the older civilizations been able to make democracy work, and the cry of one man one vote in Africa is sheer demogogery, and could produce Dictatorship and bondage. We have seen in very recent times democracy in France fall to such a low level that a semi-dictatorship has been welcomed by the majority of its people. Such must not be allowed to happen in the Federation.

7. It is essential that the Government of the Territories remain in the hands of civilised peoples, and certain standards of education and earning be maintained before the franchise be granted. Where this cannot be granted appointments be made as at present with the Northern Territories. However, it should be the policy gradually to widen the franchise regardless of race, colour or creed, so long as reasonable standards are maintained. It might be possible for instance to grant universal franchise gradually according to age, so that experience rather than education could let in further number of voters . . . at some period . . . though not initially . . . possibly all men and women over the age of 45 should be eligible for the vote. (Age is an important voting factor in all democracies.)

8. As Farmers we would specifically urge all Agriculture in the three territories be made Federal. We have seen the benefits gained by European Agriculture in Northern and Southern Rhodesia, being Federal and the benefits derived by Territorial Agriculture in this regard . . . to specify . . . Cattle Marketing and guaranteed prices applied to European producers has greatly benefited Native Territorial Farmers. Likewise with maize and the guarantees of prices and marketing. But there are many anomalies to our divided Governments responsibilities which time has now shown need not exist, and we cannot afford to have four Governments mixed up in Federal Agriculture . . . it is wasteful and inefficient.

9. We approve the principle of partnership between the races, and the gradual removal of discrimination between them. However, we recognise that at the present time there is a wide difference between the races, in eating habits, education, sanitation, and personal habits, and that the pace should not be unduly hurried nor forced. Where one race desires to have separate facilities there should not be objection provided the interests of the other races are not impinged.

10. We believe that Federation has a very bright future, provided the administration and loyalties remain with the Federation. We believe that the vast majority of the population of all races are happy and satisfied, and we believe that conditions are greatly improving for all, both in health, wealth and education which are a sound basis for our future. We believe however there are a few self-seekers who shout loud from the housetops, who proclaim they have allegiance to vast numbers of people, but who in fact are doing their fellow men a great disservice and in fact do not represent the vast majority of the contented population.

Chiredzi
26th April 1960

Memorandum (ii)

G. C. STYLE

I should like to commence this Memorandum by quoting two paragraphs from B. G. Pavers' "His Own Oppressor":

"In January, 1957, the Rt. Hon. Alan Lennox-Boyd, as Secretary of State for Colonies, was asked in a press interview: 'What can be done to strengthen the Federation in the hearts and loyalties of its inhabitants of all races?'"

His reply was: "I would answer that the first task is to make it clear that Federation is here to stay and all must help to make it work well. Many people in the Commonwealth have been confronted before now with constitutional arrangements they have not entirely endorsed. They have decided to give it a go and make the best they could of what they had."

Surely the time has come—if in fact it is not overdue—for the Colonial Office administration in Nyasaland and Northern Rhodesia, and Mr. Macleod in particular, to make it absolutely clear now, and in no uncertain manner, that Federation is here to stay.

Although many of us in the Fort Victoria district were against Federation in the first instance, we do realise that it would be a tragedy for the nearly four million Africans—and the Europeans—in the northern territories, if they were allowed to secede.

Since Federation, Colonial Office influence has been felt more and more in this Colony and has disturbed to a great extent our happy race relations. However, in the country districts things are much the same as formerly, with contented labour forces on the farms and ranches.

The following true story gives some idea of their interest in politics. An African in a trading store was asked what he thought of Federation. His reply was: "Oh! Have you got some. I've spent all my money, but I'll buy one next week."

It is only fair to us European Farmers, many of us born in Africa, that the British Government, for whom a lot of us have lost all respect for their handling of affairs in Africa, should realise that the majority of Africans are only one generation removed from savagery. They must realise that the Europeans are here to stay and are determined to keep the Government in civilised hands.

Many of us, born in Africa of British parents, have been brought up to respect the African, but we do realise his limitations, and it must be realised that integrity has not necessarily advanced with learning. In our Trading Stores we find the greatest difficulty in engaging an honest African, and for a farm or ranch store to reveal a shortage, at stock-taking, of up to £300 and more, is a common occurence.

We have been subjected to certain pin-pricks since the advent of Federation and feel that the tempo of African advancement is moving too fast. There are demands for the removal of the colour-bar almost overnight. It is nothing short of chaotic in the Fort Victoria Post Office on a busy day, since the removal of the partition, owing to the delays caused by the raw African in conducting his business. On one occasion an African child was found writing a letter home at the only table available in the Post Office—no doubt the average African would prefer the old partition system.

Of late, there has been a clamour, from certain misguided quarters, for the removal of the colour-bar in public lavatories. So many people just will not realise that the raw African is still in the majority, and that he is unhygienic in the extreme. A suit of clothes is too often taken to be the badge of civilization. It would be a revelation to some people to see the state of some African latrines when it has been found necessary to whitewash them every week owing to the filthy state of the corners of the buildings and the smearing on the walls. In many cases the floor is preferred to the pit and latrine floors can be found completely covered with excreta.

We feel that our good race relations in this Colony are being upset by misguided people trying to advance the African too rapidly and by trying to, in a few cases, enforce social integration.

Finally, we feel that it is imperative that an intensive campaign be carried out by the Colonial Office in the Northern territories, to bring home to the African there the benefits that Federation will bring and the great disadvantages of secession. We feel that far too little has been done in the past in this respect, elaving an open field for the agitators.

Fort Victoria
26th April 1960

Oral Evidence

CHIREDZI RANCHERS' ASSOCIATION

Representatives: I. De La Rue
G. C. Style
B. G. Beverley

Two memoranda had been submitted by members of the Ranchers' Association.

Mr. de la Rue said that his Association covered the Triangle and Hippo Valley. His Association was not strongly politically minded.

He felt that full powers should be given to the Federation. If a Federal Upper House were established, it should be on non-political lines so that the Queen, who now exercised her powers through the British House of Commons, could, with their approval, transfer them to such a body of responsible people in the Federation. The decision of the Upper House would be final, as an impartial and authoritative body. It was envisaged that the members would be appointed by the Governor: they would take the measures and the Governor would merely sign, as did the Queen. Decisions should be by a simple majority.

His Association considered that such powers as were thought necessary should be retained in Territorial hands. They preferred Native Administration to remain Territorial as at present; land rights should also remain Territorial because this was the specific wish of Africans. Southern Rhodesia could have Dominion status, if it wished, within this framework, because it could delegate such powers as seemed fit to the Federal Government. If the Federation were disbanded, these powers would revert to the Southern Rhodesia Government.

Though not constitutional lawyers, members of his Association offered the suggestion of a Federal Upper House as a possible basis on which to take the country's administration out of the hands of the British and the Americans—the Americans brought pressure on the British, and the British on the Federation. Loyalties were divided at present. The Upper House was necessary to exercise control if a certain section of politicians went haywire. It would act as an arbiter on the Territorial Governments. Southern Rhodesia would be likely to agree to this because authority delegated to the Federal

House would be preferable to keeping reservations in the Constitution exercised as at present by a Parliament 6,000 miles away. Indeed, many Southern Rhodesians would be glad if some powers were taken out of the hands of politicians looked after by business men, responsible people and men of religion.

Any matter which the Territories felt was vital to their interests should be reserved for the Territorial Governments; otherwise they might be reduced to the level of local government Councils. They need not necessarily be identical in form. If the Northern Territories felt that certain interests should remain Teritorial, then that should be arranged if necessary.

The three members of the Association who felt it was worth while to try to hold the Federation together were not committed to any particular plan; they would support any plan which helped to improve the situation and had a good chance of working. For the time being the Federal franchise qualifications should probably remain as they were. To change too much at any one time would be a mistake. If the framework were improved, the franchise would no doubt fall into line.

The Association were not agreed about a change in the Territorial franchise. It was a delicate situation, and in general it was felt that the present situation should stand for the time being, but that if widening of the franchise were considered, age should be a factor. This would reduce the danger of a number of young men being influenced by wild talk.

Mr. Beverley said that he felt the Northern Territories had gone beyond the point of no return. Through outside pressure, Nyasaland was almost bound to secede; it might therefore as well come now as later. However, if Federation improved and was continued, Europeans would support it to the best of their ability.

In his view, Northern Rhodesia would not necessarily leave the Federation if Nyasaland did. Most people would prefer Northern Rhodesia and Southern Rhodesia to form a union, and it had been suggested that they might join with Angola and Portuguese East Africa.

He did not think that if Federation broke up Southern Rhodesia would join with the Union of South Africa. Southern Rhodesia had mineral resources, tobacco and cattle, and many people thought that the country could manage alone, though financially things might be difficult. Most people would vote against joining with the Union, as they had done long ago.

Mr Style said that he personally was not in favour of the age qualification for the franchise: one could not retain civilization on a basis of age alone. He felt strongly that the Colonial Office had failed to explain the benefits of Federation to the Africans in the Northern Territories. If something was imposed on a country, those who imposed it were under an obligation to give good reasons to the inhabitants and to explain the advantages and the benefits of what had been done. He did not know whether the Territorial Governments could have helped in this direction or not. It would be morally wrong to let Nyasaland secede, as well as being unfair to the Africans there who had been wrongly led by demagogues. He felt that it was imperative to retain Federation.

TWO AFRICAN WITNESSES, RESIDENT NEAR FORT VICTORIA*

In answer to questions, the first witness stated he was a Chief. He considered the African state must be improved. It was very low. The pay of the Chiefs was very low. A complaint had been made to the Chiefs' Assembly, but nothing had been done. A Chief's payment was £14 a month and his fee for trying cases in court was 5/- per case. He feared that unless the pay was raised, younger and more educated men would refuse to become Chiefs.

Federation was good if all people were treated well. There was a great difference between conditions in Southern Rhodesia and the two Northern Territories. Chiefs in the Northern Territories had more authority and higher salaries.

People did not like the Land Husbandry Act. It caused bitterness because a man who was not in a reserve when the allocation was made had missed his chance of land. The ordinary man in the area had six to ten acres; some had even less. There was additional grazing land, but no more than six head of cattle could be kept, unless a man was able to buy land rights from somebody else.

The Chief stated that many people in the area had been swindled by fraudulent financiers; these men had persuaded people to invest money in non-existent businesses. (The witness produced a list of people who had lost money.) The second witness said that he himself had lost more than £200 altogether.

* Names withheld at the request of the witnesses.

Memorandum

E. V. CHIMOMBE (Member of African Advisory Council, Fort Victoria—Urban Native Township)

I feel I should draw your attention to a few points as what should be done to make the Federation of Rhodesia and Nyasaland a success.

Agriculture

This is one of the everlasting problems imposed on to the African of Southern Rhodesia and which makes him opposed to the Government of Federation—the implementation of the Land Husbandry Act. This was introduced in order to make an African remain an industrial cheap labourer of the civilized immigrants in urban areas, because no human being would expect one to live and maintain his family economically and educationally from two acres plus one head of cattle permitted to him. And yet he is expected to do the best use of that small piece of land on the poorest soil of places set aside for Africans by the Land Apportionment Act. Refer to Native Department, Southern Rhodesia Government.

Education

If Federation is meant to benefit citizens of all races in Rhodesia and Nyasaland, African education should go Federal. This I think would enable the Federation to improve its citizens and train them to be skilled workers in the development of their country. But if one section of the inhabitants is left under the different Government, that section is forced to suspect the aims of the Federation.

Partnership

During the trial stage of the Federation the practical implementation of partnership has failed mainly because of the Southern Rhodesia Government's segregatory and discriminatory laws which are opposed to direct African representation in the Parliament. With this in view the Africans in the Northern Territories feel that the success of Federation would mean the deprivation of their direct political and cultural ties with the United Kingdom. And also that these discriminatory laws of Southern Rhodesia would be extended to Northern Rhodesia and Nyasaland.

Oral Evidence

E. V. CHIMOMBE

Mr. Chinombe said that he was not opposed to Federation if it was run in accordance with what he understood was meant by partnership. At the present time Africans had no voice in the running of their affairs. He personally was Chairman of a Sub-Committee of the African Advisory Council, but the Sub-Committee could be disbanded at any time. Membership of the Town Council was reserved for Europeans only—there should be some African members on the Council as Africans formed a majority of the population of Fort Victoria. Such Africans should be elected in the same way as other members of the Council.

Memorandum

J. M. GONDO

May it please your Lordships' Commission to consider the following facts.

Partnership Policy

1. The Federal Constitution included, inter alia, the statement that it would foster Partnership and Co-operation between its inhabitants and enable the Federation, when its inhabitants so desire, to go forward with confidence towards attainment of full membership of the Commonwealth.

2. When the Federation became an accomplished fact, no definition was established as to what sort of partnership that would be. The word Partnership, being capable of various interpretations, leaders took those definitions which suited their way of administration.

3. Some leaders have taken it to mean a partnership involving a junior and a senior partner, others said that it meant a relationship similar to that of a husband and wife, and a few have taken its various commercial meanings. Africans have taken up one of its best interpretations, which is a relationship between two or more persons, who carry on an undertaking to which each contributes something with the object of making a gain, and sharing it equally between themselves.

4. The lack of a precise official definition has brought great confusion between the white and black inhabitants of the Federation. The African is looking forward for a constitution which will provide for an equal share and an equal participation. *Therefore, I suggest that the partnership policy should now be reduced to precise official terms which do not permit by-interpretations.*

Economic Problems

1. The European standard of living is also needed by

Africans, but the European will not stand the nonsense of lowering his standard at the expense of stepping up the standard of a mass of backward people. Hence the Land Apportionment Law, which is the other form of the old idea of segregation.

2. It follows automatically that in order to maintain one end of the stick up, the other end must remain low. The high standard must be promoted and supported by high wages and salaries. Hence, the wage structure of the country, which ranges from approximately £6 to £30 for Africans and from £70 to £140 per month for Europeans.

3. Because the African is backward and cannot be miraculously transformed into a civilized person, very little has been done to bring African's accommodation nearer to that of a European. The Government has spent collosal sums of money on Africans' housing schemes, but only to produce a mass of crowded shanty buildings, which by the nature ot their shape and plan, do not encourage the occupier to practise better ways of living.

4. Various commissions have enquired upon the Africans' cost of living and accommodation but, because they have been aware of the fact that the one end of the stick must remain high and the other end low, their findings have not made any reasonable improvement regarding wages and housing for Africans.

5. The high standard is good and should be the goal of every inhabitant of the Federation, irrespective of colour. The standard itself is no respecter of race and, therefore, no group should claim the monopoly of the standard. It is understood as well as observed that the European has brought civilization into Central Africa, but the whole idea of standards is now being called upon to justify the continuation of Economic and political segregation.

6. It is this concept of standard which has made partnership impractible and has hampered race relations in the Federation. *I suggest that the constitution should provide open avenues for the progress of all the inhabitants in all walks of life and then we can leave it for ability, intelligence and hard workmanship of each man to determine the height of success.*

The Franchise

1. In S. Rhodesia, the qualifications for 1917 were as follows:—

An income of £100 per year or property value of £150. There was a statement that, *if these limits were in danger of being reached by Natives, they could be raised.* This statement has developed into the present day major dictum that *the Government must remain in civilized hands.* This is a cleverly worded statement. What has it done on the present Franchise law?

An income of £720 per annum or property value of £1,500, the minimum qualifications for this group being an increase of £300 or property valued £500 plus Standard 10. I don't wish to mention the useless special Roll.

2. Democratically speaking, a good franchise should permit a reasonable majority of its people to exercise their right in choosing their Government. The present set up of the qualifications are indications of the fear of an African majority in Parliament. I should consider it reasonable to leave the qualifications at the 1951 level, which were, an income of £240, or property value of £500, plus literacy. (That is, ability to fill up the enrolment form in English unaided.)

3. Therefore, My Lord and the Honourable Commission, *I suggest that the Franchise laws should permit a reasonable majority of the Federation's inhabitants to participate in choosing their Government.*

In conclusion, it should be remembered that the European and the African are lawful inhabitants of this land, and dual holders of this country; only a constitution which will respect our dual ownership in the right spirit and on equal terms is adequate for the promotion of the Federation.

Fort Victoria

Oral Evidence

J. M. GONDO

accompanied by Mr. MUNODOWAFA

Mr. Gondo said that he was an Associate of the Institute of Commerce and had a business as a butcher in the Fort Victoria urban township. The meaning of the word "partnership" in the Preamble to the Constitution was not clear; each man interpreted it in the sense which appealed to him. Africans expected originally that it would raise their status, but it had turned out not to do so. It was essential that the term "partnership" should be clearly defined to the satisfaction of all.

In answer to questions, Mr. Gondo made the following further points:

(*a*) Many Africans read the newspapers and were interested in the problems of African advancement; it was a mistake to think that the African population was entirely illiterate and unconcerned with politics.

(*b*) There was very little direct activity by political parties in Southern Mashonaland, but several parties had been established there in recent months. Literate men were well aware of the existence of political parties elsewhere.

(*c*) Discrimination must not be made on the basis of colour. Although many Africans realised that discriminatory legislation such as the Land Apportionment Act discriminated sometimes in favour of Africans, it was also true that it kept most of the best land for Europeans.

(*d*) Although a state of emergency had been declared in Southern Rhodesia, there had been no disturbances and people wanted to know why the emergency had been declared. They felt that the Government were not trying to get down to the root cause of the trouble. Many of those arrested were very inexperienced; the people who were at the root of the trouble had not been found.

Mr. Munodowafa said that there was anxiety felt that the policies of Southern Rhodesia would be extended to the Northern Territories and that Federation was the thin edge of the wedge of amalgamation which had been rejected earlier. The franchise laws were based on inordinately high qualifications so as to ensure a majority of Europeans. Only a thousand voters out of 64,000 in Southern Rhodesia were Africans.

Africans were very worried at the Federal Government's immigration policy. According to the "Rhodesia Herald" on 5th February, 1958, Sir Roy Welensky had said that by 1984 Europeans would outnumber Africans in Southern Rhodesia. This frightened Africans very much and fulfilled the earlier suspicions that Europeans wanted permanent domination of the country.

Partnership had totally failed. There were differences of pay between Africans and Europeans doing the same work and literate Africans were not given equal opportunity with Europeans. Under the Land Apportionment Act, people like Mr. Gondo were prevented from putting his business where he wished to—in an area where he could serve both Africans and Europeans. He had been interested by a statement by Professor Clegg that Europeans were able to double their incomes in the Federation compared with the United Kingdom, even though they were not more efficient there than they were at home.

No African wanted to dominate the Europeans or that the Europeans should go back home. All they wanted was to eliminate insecurity, fear and suspicion. It was necessary to ensure that the fundamental freedoms were available to all.

Memorandum

B. V. BREWER

In placing this memorandum before the Monckton Commission, it must be asked, if the British Section of the International Jurists definition of the primary object of Justice is considered binding on the Monckton Commission viz :—

"to uphold and strengthen the principle of the Rule of Law in the territories for which the British Parliament is directly or ultimately responsible; in particular to assist in the maintenance of the highest standards of administration of justice and in the preservation of the fundamental liberties of the individual".

And if the above is upheld, then the next important matter to study must be Mr. Atlee's speech in the House of Commons when on August 22nd 1945, he, as Prime Minister requested all parties in the House to ratify the United Nations Charter, and, when he was discussing chapter two he gave to the House a clear undertaking to see that the protecterate countries like Northern Rhodesia and Nyasaland would be lead to self Government, but, he certainly did not indicate self Government within a Federation, and the question must be asked,

"was the Secretary General of U.N.O. informed of the first and subsequent European political moves to bring about the present dangerous and unsatisfactory Federation of Southern Rhodesia and Nyasaland.

It must be recorded by the Commission that, prior to the Referendum, Sir Roy Welensky, speaking at Fort Victoria, referred to the United Nations' Charter as a piece of paper when requested to explain how any political party could repudiate the signature of the British Government to the Charter, and Mr. Van Eelden of Northern Rhodesia, when shown a copy of Mr. Atlee's speech, referred to it as Labour Party propaganda. At the second meeting on the subject of Federation, the Hon. W. A. E. Winterton MP. was informed that if Federation was forced on Northern Rhodesia and Nyasaland Africans, trouble would occur and the European will be at fault.

The European politicians, having forced Federation on the Africans, talked of Partnership, but a Partnership only arises from an agreement, and to be a successful partnership there must be a definite mutual interest and goodwill of the partners, and this cannot be claimed to-day, so that partnership talk is not worth considering. As the reckless talk on partnership by the senior and educated partner is not conducive to the best interest of the other two partners in their present uneducated state, especially in the matter of so called Democracy.

To grant full democratic rights to a community before the general body of the people is fit and ready to exercise its powers and duties, is a very dangerous proceeding. It frequently results in the concentration of power in the hands of a few persons who have neither the training or tradition behind them which would enable them to administer the Government as trustees of the people and not for their own and their political parties benefit, while the people themselves are left without guidance and rule of their natural leaders.

It can be claimed with all fairness to previous and present Government in Southern Rhodesia that these Governments have been and are controlled by men who have not the training and tradition so essential to the understanding of the complex mentality of the various African races within the present Federation, and the majority of the European elected members are not suited to discuss the great African Question, as they have certainly not the training and tradition. A very large majority of Europeans, reared within a given system, demands that the African be forced to live under the said system.

To bring the African into the European political system, which system millions of Europeans in England do not understand correctly, is to deceive the Africans that they have machinery of an advanced type over the old tribal system, yet they are in fact, becoming really voiceless in the affairs of the country after making a single cross on one day every five years or sometimes less. It is obvious to any person that, with the political system that the Europeans wish to establish among the Africans, it will result in a distinct cleavage between educated Africans and the various Chiefs as the true and accredited representatives of the uneducated masses supported naturally by the various European Political Parties who for votes, and power, will, like in all European countries, promise the illiterate African through the educated African various benefits that they will not receive.

Typical examples of Political election deception are,

(1) Land fit for Heroes to live in.
(2) Hang the Kaiser.
(3) An acre and a cow for every man.
(4) The various Freedoms etc.,

and, if you have the African members of a political party touring the country, speaking for the various European political parties, it is certain that there will be a lot of loose talk on a given political programme that even the African speaker may not be properly versed in, as European politicians are for ever making statements that are not properly understood by Europeans let alone Africans, and even educated Africans do not always realise the full implications of a speech made, and certain phrases will be accepted as being a definite fact when the whole will alter their conception. In opposing the European system, it can be believed that it will occur to every sensible African that, under the conditions in which they would live under such a foreign idea to them, it will become imperative for the Africans of Northern Rhodesia and Nyasaland to come together and to think and act together and strike for a measure of control over their own affairs which will render them less and less the butt of political experiment and political chicanery of the present rulers.

The African system of justice had many good points, and though the British Section of the International Commission of Jurists have been pressing for compensation to be paid to victims of crimes of violence, the so called ignorant and savage African, had for centuries within the given tribal system the very thing, that the Council as stated, is now demanding as a Just Act.

All the Whiteman in Rhodesia and Nyasaland can offer the African, is a system of Political deception edged around with graft and corruption and illegal acts that the so-called Courts of Justice condone even when brought to the notice of the Minister of Justice, acting for a given political party controlling Southern Rhodesia, and it is fair to claim as can be proved, that the justice in Southern Rhodesia can be called to question in numerous instances, especially the attitudes of certain types of Lawyers and Government officials in dealing with the attempts to secure Justice for White or Black. The attached instances are given.

It is admitted that to some extent the Africans have received material benefit, but at the expense of living under a political system that they will never understand, and the destruction of a social system, that, however crude and cruel it may have seemed to the European, was a system thought out and put into operation by the brains of the Africans, to suit the mentality of the African, and it was a system that worked until outside influence commenced its destruction, and to-day you have the African mentality trying to understand a European system of Government that even the Europeans admit leads to Wars, Bribery and Corruption, and here it is fair to state, that even Lord Malvern has stated that politics is a "Dirty Scientific Game".

It has been proved throughout the ages that Democracy has never worked in a theorist manner, even when controlled by superior brain power, and Marcus Aurelius confirmed Mano in the matter of politicians in those distant days, and to-day there is no improvement. Democracy does not take into account the Customs and Manners of a given group, and to whether Democracy is suitable to a given group, and in Southern Rhodesia the Government have shown this to be true, by the insane way they have moved into the Low Veldt in the South East portion of Rhodesia, "the boundaries of the Va-Sllengwe", the Va-Karanga and the Ama-Tebele whose customs and manners are entirely different, and therefore how much more so is the idea of expecting Northern Rhodesia and Nyasaland Africans to agree to a system of Government, that, if the United Nations Charter is more than a scrap of paper, are being forced to live under a very imperfect and often unjust system of Government organised by the European. Europeans are not always suited to settle disputes between Africans, because the mission of the person trying a case presupposes a knowledge of the customs and usages, and the more or less rudimentary African Law.

The African always knows better than the European, those habits and customs which constitute the atmosphere in which he has himself been reared.

The African has a greater understanding and better chances of discerning the truth out of the attitude, the speech or the reticence of the parties concerned.

With ever changing political position in the African World, and the numerous ideologies of the Europeans as to how the African should be ruled and under what system, however imperfect, questions must be asked, and among those questions are,

(1) "Can the British Government deny its signature to the United Nations Charter? (Chapter two).

(2) If the signature holds good to-day, what right, in the first instance, had the British Government to agree to the Federation being formed?

(3) While it can be understood by all normal minded people, the utter impossibility of granting self Government to the Northern Rhodesia and Nyasaland Africans, under the so-called European Democratic system, until the said Africans have shown an ability and desire to adopt the dangerous system, is there any injustice being done if the British Government continue to control these two territories outside of the Federation.

(4) The idea of African Paramountcy in the two territories will certainly be thought of by the Europeans as a great danger, but the Democratic system does not work and will not work in a multi-racial country, due to the fact that, reason, in political matters is never allowed, due to party bias and the emotional state of mind that party politics cause even in men stated to have brains".

It must be understood, the African is a very emotional egoist, as witnessed by the various actions and speeches made by African leaders. Therefore, does it not seem best in the interest of all races, that, multi-racial countries should be governed more by a direct rule which the African thoroughly understands, "The Chief System", and it would not be out of place to suggest, as an experiment for proof, if Northern Rhodesia and Nyasaland were (in the period after breaking from the Federation) ruled by a member of the Royal Family and a Council, this would be understood by the African in a far better manner than the system under which they are being forced to live, and which as witnessed, brings only hatred against the other races.

Only by the most intimate contact with the African Leaders will a system be worked out for a multi-racial peace.

It must be borne in mind that the African National Congress was formed in 1912 in the Union of South Africa. In 1920 during 1st to 31st August in Liberty Hall New York, the first declaration of Rights of the Negro People of the World was formulated, and its 54 points, together with the National Anthem are still the basis of the Northern Rhodesia and Nyasaland Africans demands to-day. The Africans understood the cult of Personality and not a political system, and the personality of Dr. Banda and Dr. Nkrumah to-day are examples, with Chaka and Msilikatzi in the past.

If the British Government do not honour the signature on the Charter, then if the Africans at large in future, looks at England in an unfriendly manner, it will certainly not be the Africans' fault.

Oral evidence.

B. V. BREWER

Mr. Brewer said that he had for many years been a hunter and trader and had done special work for the British South Africa Company.

It was wrong to try to bring the English political system into a country where people had totally different emotional reactions. You could not put an English mentality into an African make-up. Federation was not something which the Africans would ever accept. For example, local Africans in the Fort Victoria area wanted to get rid of boys from Nyasaland; they disliked inter-tribal mixing and did not get on well with one another.

One of the main difficulties was that Europeans knew nothing about African tribal customs and were biased against the Africans. For example, the whole idea of de-stocking in overcrowded grazing areas was contrary to the Lobola system under which men received dowries from their wives' parents. These dowries were a form of insurance policy against ill treatment of the wife and it was not appreciated that if a man was compelled to cull his herds the cattle he got rid of were often not his own. This led to great misunderstanding and accusations of sharp practice.

Memorandum.

C. M. AUSTIN

It will not have escaped the members of the Commission that any change in the Federal Constitution must be based on two entirely opposed cultures and traditions.

The African has certain social laws which are entirely foreign to those enjoyed (?) by the European, and many of them if practised by the European would bring him into conflict with the law of the land. If the African is to be given a greater say in the political life of the country, care should be taken that he does not legislate for European social restrictions whilst he himself retains his traditional background.

To wit: He practises polygamy.
He pays dowries.
He is not called upon to support children he has produced illegitimately.
The inheritance laws are not in the main governed by wills, but by tradition.

Bearing these factors in mind, many Europeans including the writer, feel strongly that the great majority of Africans are not yet ready to absorb the full implications of political and social partnership, and knowing this, will oppose any alteration in the franchise laws which will have even a token effect of placing Government in the hands of uncivilised people, or even if it has the effect of allowing these same people to legislate or assist thereto, for Europeans in legislation they themselves will not accept. This cannot be a new facet of approach to the Commission, but any attempt to alter the existing *status quo* will and must be resisted by the European.

Africans must accept that their representation in parliament where all laws, including social, are made must be on an equal footing with the European, and not that the European must accept lower economic qualifications to meet African Nationalist demands. If economic, political and social equality is demanded by Africans, they must accept the Western civilised standard as his starting point, but trouble only can ensue if two different cultures, two sets of social standards are allowed which emanate from a multi-racial parliament.

It may be argued that the African has been denied the opportunity of reaching economic equality because of low wages and unhygienic living conditions. I say it is impertinent for such a statement to be made, and support this view by mentioning the terrific advancement in a short space of time enjoyed by the African in Southern Rhodesia as opposed to the two Northern territories. It is amazing that the Colonial Office should suggest that they are the guardians of African welfare when their contribution to African advancement in Nyasaland has been tragically low indeed. If the policy of the Colonial Office is to protect these people from European exploitation, then their effort in the two Northern territories compared to Southern Rhodesia's endeavour has been pitiably small indeed. Private enterprise alone has advanced the African to his present state, not outside interference or Colonial Office veto.

It is a remarkable approach to Government when a certain section of the community has to have guaranteed to them something like 21 per cent. of the seats of a Federal Parliament, and in addition enjoy a common franchise privilege. This guarantee of representation is denied to the European.

A factor that I am sure the Commission will not overlook is the fact that African emancipation, whatever that may mean, is being demanded by those small number of emergent Africans who have risen outside the pale of their traditional tribal life, and they have now become agitators, in the main, for release from a so-called bondage of millions of Africans who are not interested in civilisation or in altering their barbaric and traditional ways. I submit it is not possible to have a contented multi-racial community where barbarism, witchcraft and other social evils are allowed to be enjoyed (?) by only a section of the community. By all means allow the emergent African to enjoy the privileges of his enterprise, but in meeting his demands, we Europeans cannot and must not allow the requirements of the few to be enjoyed by those who are far from ready to accept or even value it.

Southern Rhodesia's record of its fair treatment of *all* its citizens is something even the Colonial Office cannot emulate. It is something we (*all of us*) are proud of and any alteration of the Constitution should not be viewed from the very meagre assistance given by the guardians of black nationalism, to wit, the Colonial Office, but by the very humane approach, the very magnificent strides, and the proud effort of Southern Rhodesia, and so I say the Europeans want a dominion of the three territories. If in its wisdom the Commission cannot recommend such a step, then peace will only remain by a division of the Federation leaving Southern Rhodesia a Dominion in its own right, a right it has richly earned and certainly deserves.

I accept that the Commission has been formed with the sole purpose of advising the parties to the constitutional review talks of the methods by which the present Constitution of the Federation can and should be altered for the benefit of all the inhabitants. Its terms of reference are simply advisory, and do not provide for any recommendation for dismemberment of the Federation. But it should be borne in mind that it will be the Electorate of Southern Rhodesia who will ultimately decide whether the Federation should continue or not, and any alteration to the Federal Constitution not acceptable to the Europeans of Southern Rhodesia will surely bring to an end a Federation that is bold in concept and politically and economically sound in design.

Fort Victoria.
30th April, 1960.

Oral evidence.

C. M. AUSTIN

Mr. Austin said that he was speaking in his personal capacity and not as Mayor of Fort Victoria. Much play had been made with the idea of partnership when Federation was being discussed but most of the Europeans who were opposed to Federation were very worried by the word. Politically it was easy to define but there were a variety of views and opinions about its social implications. His memorandum was based on what was meant by social partnership.

It would be tragic at this stage to dismember Federation, but it was impossible to have two cultures dictating social terms which the other community could not accept. If Africans wanted to participate in political life they must start by accepting Western standards of civilisation. On that basis, their entry into the social life of the European would be fully supported. There were a number of very fine emergent Africans. Unfortunately any laws made to release them from the present social colour bar would cover millions of others who were not of the same standard and who were not interested in European culture. It was unacceptable to Europeans to have to lower their standards to cover the mass of the people.

In answer to questions Mr. Austin made the following points :—

(a) He agreed to African representation in the Southern Rhodesia Legislature, but this should be based on merit and not purely on colour. The present franchise qualifications should not be lowered.

(b) Contrary to what had been suggested in some quarters, Southern Rhodesians were not anxious for a Boston Tea Party. Nevertheless they might be forced to this position if Africans were pushed ahead before they were ready. Federation must be changed to meet the case of the emergent African—not of the primitive African.

(c) The present division of responsibility between three, or even four, Parliaments in the Federation could not continue for ever. At the moment the Southern Rhodesia Legislature was the only elected Territorial body, since Northern Rhodesia and Nyasaland were still largely under Colonial Office rule. The aim should be to have one Parliament with some responsibility delegated to administrators in the three Territories.

(d) He personally had fought for the amalgamation of Northern Rhodesia and Southern Rhodesia and still thought that amalgamation should be the aim. There was no question of abandoning the Northern Territories to their fate.

SALISBURY

21ST APRIL 1960

Memorandum

A. T. ADAMS General Secretary—United Federal Party

Partnership in the United Federal Party

Introduction

United Federal Party Policy in electoral matters is that political divisions should be based on Party and not race. In order to implement this policy the Party seeks to build and maintain a multi-racial membership and develop an organisation which allows all members, irrespective of race, to make their maximum contribution.

The African Voter

The effective entry of Africans into Parliamentary party politics is of very recent date. While in Southern Rhodesia there was no colour bar in regard to the voters' rolls, very few Africans had attained the necessary economic and educational qualifications prior to the war years and as they began to do so in the post-war years, many of those so becoming qualified did not seek to register themselves as voters. In the Colonial Office Territories of Northern Rhodesia and Nyasaland, virtually no Africans were qualified to be placed on the electoral rolls as the law stood and no persons with British protected status were eligible to become voters.

It was only with the introduction of the Federal franchise law in 1959 that British Protected Persons could become voters. At about the same time the new Southern Rhodesian franchise law was brought into force. Both systems widened the roll very considerably for the African and when the Northern Rhodesian Electoral Act was passed in late 1958, Africans throughout the Federation in the Federal sphere, and in Northern and Southern Rhodesia in the Territorial spheres were given an opportunity of playing a reasonably effective role then, and an increasingly effective role in the future, through the electoral system. (The necessary changes in the Nyasaland franchise system were delayed owing to the declaration of the emergency in 1959).

Membership of the Party

Until 1957 the United Federal Party Constitution regarding membership confined membership to those persons on the voters' rolls, or those eligible to become voters in all respects other than the necessary term of residence. In that year and prior to the actual changes regarding franchise, the Party decided to open its membership, generally speaking, "to all persons over the age of 16 years, who accept the constitution and policy of the Party" so that it could recruit African members.

In the years up to June, 1957, there was only a handful of African members throughout the Federation and a comparatively small number of Asians and Eurafricans. Since then and up to date, membership on a racial basis has increased to: Asians 760; Africans 2,700; Eurafricans 260; Europeans 6,000. Some 2,000 of the African members are members of the Nyasaland Division, and it must appear that the Party has not had great success in recruiting African members in Southern and Northern Rhodesia. In Northern Rhodesia the task has been particularly difficult for while the Zambia congress was banned during the emergency last year, the African National Congress continued to be operative and the fear of intimidation played a fair part in making Africans unwilling to declare their support for the Party there. In Southern and Northern Rhodesia, the policy has been to recruit African members on a fairly selective basis so that those joining might be able to participate equally from the start. In Nyasaland this system could not be applied without limiting African membership drastically and for obvious reasons it was sensible to go for a wider membership immediately.

Quite apart from the problems mentioned above and the difference in our own policy towards African membership in the three Territories, it will be appreciated that the development of the membership of any organisation beyond a certain point requires the activity of a reasonable number of paid staff. The position in this regard is as follows:

NYASALAND: No paid staff at all until the middle of 1959.

NORTHERN RHODESIA: One man only for half the period between 1956 and 1960.

SOUTHERN RHODESIA: One half-time woman, replaced latterly by one full-time woman, between the years 1956 and 1960.

CENTRAL OFFICE: No staff until 1957 and from then on one man with from one to three women clerical assistants until the latter half of 1959.

It is only as from March this year that anything like a reasonable structure is being built up whereby each territory will have an office with an organising secretary and a field organiser.

The above position has been explained in some detail because it gives point to the argument that the development of membership requires a full-time staff (Nyasaland African membership dates almost entirely from the date of employment of staff) and this probably applies more particularly to the recruitment of African members who have not been brought up in the tradition of belonging to political parties and are, in fact, subject to pressures not so to do, when the party concerned is led by non-Africans. It appears, therefore, that with the appointment of field staff there will be a much more rapid increase in African membership.

Apart from the fact that the permanent staff was not really sufficient to mount a drive for membership, it was engaged almost continuously from March 1957 to March 1959 in a series of bye-elections and the General Elections in Southern Rhodesia and Northern Rhodesia and the Federal General Election.

The role played by the African in the Party

The mere recruiting of an African member would not mean a great deal without his reasonable participation in the affairs of the Party. The following examples show how the African, and the Asian and Eurafrican, has fitted into the Party organisation.

1. Parliaments

Prior to 1958 there were only two United Federal Party African Members of Parliament or a Legislative Council. Today there are nine Party African Members of the Federal House, one a Junior Minister and two in the Northern Rhodesian Legislative Council, one a Minister.

2. Caucus

In the United Federal Party Parliamentary Caucus 20% of the members are Africans and the African therefore has a powerful voice in this all-important body. My information is that at no time has this group of nine shown any tendency to act as a "block" and it appears that they never "think" in terms of a caucus within a caucus which is, perhaps, the best proof that partnership works at caucus level.

3. Party Congresses

At the 1956 Federal Congress only two delegates were non-white —one African (an M.P.) and one Eurafrican. The numbers of non-Europeans attending the 1957 and 1958 Federal Congresses increased considerably and at the Congress held in 1959 some 25% of the delegates were non-Europeans, mainly Africans.

The Territorial Congresses of the Party have shown the same trend as the Federal Congresses. Whereas in the earlier years few men of colour attended, they now make up an ever-increasing and fairly considerable proportion of the delegates.

At all four annual congresses, the spirit in which the contributions made by non-European delegates are received make it clear that they are not merely accepted but are accepted with warmth.

4. Constituency Councils

(Bodies controlling the affairs of the Party in constituencies and made up of representatives of each branch in the constituency). The representatives of the non-European branches play their full and equal part in these Councils.

5. Branches

The aim of the Federal Standing Committee is, to quote, "wherever possible new non-European members should be incorporated into existing branches and that branches generally should not be confined to a particular racial group. It is recognised that it will not be possible at all times to succeed in the above aim; for example, it is inevitable that the Harari Salisbury branch will be made up almost entirely of African members. In such cases every effort should be made to hold frequent meetings of the Constituency Councils and the Councils should have joint meetings of branches from time to time so that a non-racial Party spirit is created." (Report of sub-committee on African membership approved by the Federal Standing Committee).

In a number of cases, branches include members of all four racial groups and in Northern Rhodesia some branches which were composed of Asian only members have now merged with what were exclusively European branches.

6. Federal General Election Campaign

In the Federal General Election of 1958 and the Northern

Rhodesia General Election of 1959, the European candidates included appeals for support for the African candidates in their manifestos and/or other election pamphlets, and special polling day posters were designed, combining the names of the European and African candidates.

7. Platform Policy

The African candidates appeared in many cases on the platform of the European candidates. (It was not possible to do this at all times—for example, most African candidates covered anything up to six or seven "European" seats).

At the major meetings held by the Prime Ministers and the Territorial leaders, the local African candidates were part of the Party team introduced to the public from the platform.

8. African Speakers

One of the African candidates was amongst the five speakers most frequently asked for by the Constituency organisations, and another among the ten most frequently called for, during the Federal General Election Campaign.

9. Social Contact

At all the congresses there has been no sign of discrimination at the social functions arranged for the delegates. Recently, in Salisbury a social function was organised to bring together the ordinary member and the Party "Brass". A good third of those present were non-Europeans and those providing the cabaret floor show were made up of Africans, Europeans and Eurafricans.

10. Committees

At all levels, Africans, Asians and Eurafricans fill places on committees, in the Branches, the Constituency Councils and the Standing Committees.

In Northern Rhodesia an African was elected as one of the four members to represent the non-Parliamentary Section of the Party on the Territorial Standing Committee. At the last Territorial Congress in Southern Rhodesia the contest for the *one* non-Parliamentary Member to represent all Mashonaland was fought out finally between an Asian and a Eurafrican candidate—the Asian was elected by a majority of one vote. In Nyasaland, an Asian—who is a Presbyterian—is one of the two Vice-Chairmen of the Nyasaland Division of the Party, and this Territorial Standing Committee includes members of all four races.

Salisbury
13th April 1960

Oral Evidence

A. T. ADAMS*

The witness had presented a memorandum.

Mr. Adams wished to add to his memorandum. He had been born in South Africa and only came to the Federation in 1956, and had only been six months there when he took on his present job as General Secretary to the United Federal Party. At that time he had been neither a citizen of the Federation nor a voter, but Sir Roy Welensky and Sir Edgar Whitehead had nevertheless accepted him for the job. He had done a number of jobs in his life, and had been for many years on the United Party staff in South Africa. His whole life was one of politics. He had come up to the Federation because of his abhorrence of the racial prejudice in South Africa. He had only agreed to keep his present job if partnership was really the policy. He had strong views on this. He had in fact found that with those views he could nevertheless serve the United Federal Party. He remarked that he would also be speaking at 12 noon to another Party on the question of school exchanges.

He had given these particulars as the background to his own views. In South Africa legislation was working backwards, in the wrong direction. For the removal of colour discrimination it was no use relying solely on legislation. The matter had to work in two ways at once. Legislation had to be backed by the sincerity of the people. He considered that the United Federal Party could not now go backwards, because it was now fully integrated as to colour. He saw this clearly and objectively as himself a newcomer to the Federation. Legislation was less important than the change in the outlook on colour. He had himself been amazed at the change in the Party since, 1956. At the Party Congress then only two coloured men had been present, while at the last Congress 25% had been coloured. The change was now fully accepted.

He had been in Lusaka in 1959 at the time of the Emergency, organising the Territorial elections. This had provided another testing point. He had feared reaction as a result of the Emergency. But the general feeling in the middle of the Party was one of sadness, and a spirit of determination to examine the reasons why it had happened. At that time one delegate had produced a resolution for the raising of the franchise: it had been received with the same kind of derision as a motion of the Conservative or Labour Party Congresses to take away votes from women. This was at the Umtali Southern Rhodesia Congress where there had been tremendous enthusiasm for advancement of Africans and their membership of the Party. No doubt they had lost a few members because of that. But it showed that the Party was now setting a definite course. The Party was also beginning to accept the fact that it must be educative, that is to say must do more than was normal in Constituency Branches. The normal approach was not possible with an African membership. He was confident that the Party would devote energy and money to adult education on the political side. His experience was that they could do this job. They had done it in Nyasaland, and hence should be able to do it elsewhere. They had not done enough yet to go for the non-European voter. Party politics had tended to play a small part in the lives of the Africans, and the Party had to make the new African voter feel that it was a regular part of his life.

In reply to questions Mr. Adams made the following additional points:—

1. Asked for his Party's view on getting African representatives into the Southern Rhodesian Parliament, he said that if there were a new election now in Southern Rhodesia, on the present delimitation of constituencies, the Party would put up one African candidate. On the new delimitations, they would perhaps put up two or three. The Party was keen to see African representatives coming forward and getting into Parliament. But they would naturally try to put up a non-white candidate in a set in which he had a reasonable chance of winning. There were already probably sufficient non-white voters to put up non-white candidates. He certainly did not agree that Africans would not vote for anyone but an African. Indeed the Braeside constituency had been won from the Central African Party on the African votes, so far as could be worked out.
2. The membership of the Party in Nyasaland was 2,000, and they had only started activities there in August last year. In Northern Rhodesia there were some 300. In Nyasaland there had been in some cases difficulties in getting the Party agents into the native areas, but to the best of his knowledge that situation had now improved.
3. At the Umtali Conference which he had mentioned, the alternative of lowering the franchise qualifications had not been raised.
4. The Africans in Northern Rhodesia had shown themselves ready to register and vote on the Territorial franchise, and had in fact voted in an astute manner.
5. The United Federal Party was satisfied that the voting qualifications were the right ones. They did not really know the answer yet as to how many Africans it would bring on to the Rolls. He would have thought that the Congresses in the North would have wanted to make use of the potential voting power which they had.
6. He realised that the qualifications could and did in fact leave out, for example in the copper mining industry, people who, though highly paid and exercising great responsibilities, were nevertheless completely uneducated. But he thought that the system had to be regarded in its whole context, and that one should not be affected too much by particular cases of injustice for the system generally speaking was correct. But he appreciated that the situation described did present a handle to political agitators.
7. He wished to stress that he had come before the Commission solely to deal with the matters treated in his memorandum, "Partnership in the United Federal Party." †He had received the permission of Sir Roy Welensky and another Minister to put forward the views there stated since he was a paid official of the Party. He wished to deal only with that aspect and would not be coming with the Standing Committee of the Party before the Commission.

Memorandum

L. M. N. HODSON, Q.C., M.P.

False Legends concerning the Federation and its Member Territories

To one who has had his home here for 49 years (I was brought here at the age of 8) and has travelled sufficiently (in the U.K., 3 European countries, North Africa and South Africa) to gain some perspective, the first circumstance to be mentioned seems undoubtedly to be that the picture which has been presented abroad of this country, by many organs of the Press and many superficial observers, is grotesquely crude, and, in many respects, entirely false. I say this not as one who has merely vegetated here but as one who has led, for some 30 years, an active life in public affairs, and is still doing so. To the spate of misunderstandings that have contributed to the picture of turmoil and frenzy, deliberate twisting of the facts must, unfortunately, be added. The motives for this have been varied, and there is too

*See also evidence of United Federal Party, Federal Standing Committee at Salisbury on 26th April 1960, (p. 281).

†See United Federal Party evidence at Salisbury on 26th April 1960, (p. 296).

much else to say to trace them all. It must suffice to say that the motives have not been connected with the welfare of the lawful inhabitants of these Territories, nor with the welfare of the Commonwealth, nor, indeed, with the fostering of world peace. To get at once on to a positive note, the overwhelming majority of the inhabitants live a happy and contented life, with less of grinding poverty than can be seen in some European countries, with a rising standard of education for their children, with other social services constantly improving and with ever increasing opportunities for economic and political and social advancement. The pace of this advance, that I have witnessed over 49 years, has been breath-taking, and greatly in advance of the pace seen in any country that I have visited or read about, with the exception of Israel and certain areas of Canada, where special circumstances have operated. There still remain racial differentiations which are dying too slowly. Opportunities for all could still be greatly increased. Profoundly mischievous influences have greatly unsettled the minds of many simple folk who have no inherent vice but can be emotionally swayed by the screaming voices of hysterical demagogues. When they have been so swayed, one gets an emergency. But the life of the community is not composed of emergency conditions, and the truth about this country will not be seen if it be supposed for one moment that the usual rapid pace of advancement to which I have been referring is not valued by the masses of the people or that they are really deeply moved by a feeling that they are being oppressed or that when the fun of attending inflammatory meetings is over and the violence begins, the people like the result. They hate it, fear it, and are immensely relieved when enabled to resume the even tenor of their ways. A fresh view and a true view, through the eyes of a Commission of high calibre, without a single preconceived notion in their heads, is most timely, and most welcome to all who have the interests of the country at heart.

Complexity of the Constitution

(a) A major reason for granting full membership of the Commonwealth to the Federation at the earliest possible date is the complexity of the Constitution. Its complexity and uniqueness is due in large measure to the fact that it is shot through with racial conceptions, so that, for example, agriculture is a Territorial subject when anyone grows crops in Nyasaland but is only Territorial in the other Territories if Africans grow the crops. Otherwise it is Federal. There is still much representation, both in Territorial and the Federal Legislatures, on a racial basis, except in Southern Rhodesia, where there are no Africans in the Legislature. It seems improbable that all this can be greatly simplified in the immediate future, though it is to be hoped that some simplification can be effected. In the meantime, however, there are very few in Great Britain who understand how the Federation is organised, and a very few are not enough, in a country which has supervision over our affairs. It is really too much to hope that the British public, whose vote is responsible, at general elections, for settling the broad outlines of policy, will be able to conduct the long and serious study necessary to put them in possession of the complex facts here referred to. This sharply distinguishes us from the many small protectorates, scattered about the world and having a unitary system, the approximate truth about whose government can be grasped by the ordinary voter. Here we have a very important country indeed, with some 8,000,000 inhabitants, of immense economic potential (if Federation is allowed to continue) and with numerous political situations most delicately balanced, over which no blundering can be tolerated. It is probably the last hope of the free world for the establishment of a multi-racial state great enough to exercise a wide influence. Under the present system of dual control, every opportunist, of whatever race, finds his promised land. Rushing with his political grievance, real or imaginary, to London, he must be listened to until it is ascertained beyond all doubt whether or not he is lying. Meanwhile his statements receive wide publicity, and any glimmerings of the truth that may be seeping down to the British voter are obscured once more in a cloud of dust. Those in authority must take some time to assure themselves of whether or not the man is lying. In the interim, confidence in properly established governments is shaken, subversive movements are encouraged and lives may be lost.

(b) If any example is needed of the lack of general comprehension to which I refer, what better example can be found than the recent emergencies. Over and over again British newspapers with reputations for reliability revealed that they were not acquainted with the most elementary points concerning our organisation, by fixing responsibility on the Federal Government for the acts of a Territorial Government or the Colonial Office. This confusion, I regret to say, was also from time to time apparent in the deliberations of the British Parliament and in those of various church and other bodies. So long as supervision from overseas continues, the situations I have described are likely to grow worse and worse, and so the difficulty of providing just and progressive government will be needlessly increased. Whether in fact there has been any exercise of the veto over Federal legislation is not at this point relevant. It is the mere fact that the political opportunist knows of the veto that causes the trouble.

(c) What would be the position if we were granted full membership of the Commonwealth? I claim that the Federal Governments of Lord Malvern and Sir Roy Welensky have fully demonstrated a wide and deep understanding of the task before them. The chief criticism levelled against them flows from the fact that they have not, as less scrupulous politicians might have done, interfered in matters entrusted to the Territorial Governments, e.g. the day to day affairs of the Africans, labour relations, etc. etc. Sir Roy has established recently a Parliamentary Secretaryship of Race Relations, which is doing good work in letting the people know what the Federal Government does, but the Constitution gave him no encouragement to do this. He has been deprived, under the Constitution, of all the instruments for making contact with the African people, constituting fifteen sixteenths of the population. I have serious doubts as to whether it is humanly possible for a Prime Minister to justify himself indefinitely in so many quarters at the same time and to cope with so many violently conflicting criticisms. He cannot "let up" for one moment, lest some particularly vituperative criticism be left unanswered and it be concluded that he is hanging his head in shame. Moreover, I think it is scandalous that the able Prime Minister of a great country should have to suffer the indignities of being baited by every Tom, Dick or Harry, whether he has any knowledge of or real interest in this country or not. Continuance of such a situation may well lead to a position in which the number of able men willing to submit to such indignities will dwindle to vanishing point, and what good will that do to this country or the Commonwealth?

(d) I should like to add, at this point, that I am supposed to be a little too advanced in my views on some points, within the councils of my Party, and this has, from time to time, brought me into considerable conflict with my leaders on points of substance as well as of procedure. The above opinion as to the general direction of my leaders' policies is therefore not the opinion of a "yes man".

(e) In conclusion, on this section of my memorandum, the record of the Federal Government is such that I suggest that the Commission might well ask themselves what more they could have done had they been in the Federal Government's place. I think the answer to that, in general, will be satisfactory. This being so, there does not seem to be any reason for retaining a right of veto which at present does do much damage to the sound government which is everyone's aim.

The Need to pass through all the Stages of Political Growth

This is no attempt to apply biology to politics, but is the result of practical experience. For example, at election meetings where a number of Africans are present, questions are asked which reveal attitudes that can only be explained by realising that the questioner has got normal stages of political growth of a country in the wrong order in his mind—probably due to the fact that he has seen such very swift changes from tribal rule to the present time. However fast we move, and we do move very fast here, we cannot altogether omit the stages of growth that are normal. It is no use answering this by some popular cliché or newspaper headline, such as "We live in the Twentieth Century" or "African Nationalism is on the march," etc. etc. Far more rigorous thinking is needed than that. More important is the question "Is this country worth the best effort we can make to build it and its people up to their maximum potential?" Anyone not interested in that question has no right to meddle in the affairs of this country. This is not Nineteenth Century morality or blind imperialism. The question does not succumb to abuse, nor is it altered by any abdications which may have occurred further to the North on this Continent. Every country must surely be viewed in the light of its own peculiar circumstances, and a peculiar circumstance of this country, which distinguishes it from India or West Africa, is that this is, in the fullest sense, the rightful home of all the lawful inhabitants. People did not come here merely as temporary administrators but to build, along with those they found here, a country which would endure on the footing of the contributions made by all. Therefore the aim must be to build a unified country and a country in which all share a common pride in achievements. It may well be that, in view of the true statements I made in section 1 of this memorandum, many people will, at first sight, under the influence of a totally wrong view that has been cultivated assiduously by enemies of the people of this country, think I am indulging in wishful thinking. That is not the case. I say again, the normal steps in political growth must take place. The idea of "one man one vote" is the end product of the British type of democracy. It simply is not the case that a country cannot be left to run its own affairs until there is a universal franchise. If that were so, Britain would have passed away long ago. After the Reform Bill of 1832, only one twenty-fourth of the people of Britain had the vote. The others had to take their government "on trust". You may say this was merely an historical episode, without any particular significance in the present context. But was it? Supposing "one man, one vote" had been introduced before the people had sufficient education to register sensible votes, would Britain have her present strength? It is no mere academic rambling but hard practical thinking that makes one return once more to the Plato

of our student days, with his perennial freshness in great matters. Is it not true that the unstable democracies of his day, which he did not support as the ideal form of government, owed their instability to the very fact that the people were not, in the mass, mature enough to support such a government? As we would put it in this age, they had universal suffrage (if we ignore the slaves) before they had universal education. I therefore conclude, on this section of my memorandum that no educated man has any ground whatever for saying that a country cannot run its own affairs until after it has got "manhood suffrage." In fact, examples to hand of where the converse view has been adopted and votes have been given before the people could properly use them merely prove the dismal descent from democracy to tyranny that Plato described better than anyone has since described it.

A Brief Glance at Present Franchise Arrangements

It is not proposed to cover the rather dull ground covered by the numerous treatises on voting and how it is done all over the world, but just to pick out one solitary and important point. The British form of democracy evolved to its present stage through a number of more or less painful struggles of the under-dog. Profiting by that, what have we done? We have not been guilty of any of the reactionary pronouncements that were made as late as last century by opponents of extensions to the franchise. On the contrary we have carefully examined the situation and not merely made promises but solemnly inserted in our franchise laws, with every possible precaution against change of the general principle, a ladder for all to see whereby the country can climb to universal franchise within a very few years—much fewer than those which elapsed between 1832 and 1928—perhaps one tenth of the number. Simultaneously we have strained the local exchequer to the uttermost to provide more and more education. Do not forget that, at the turn of this century, few children in England could hope for a formal secondary education. We do not desire such a situation here. We are doing all we can to catch up, and that represents more for education than is done in other African countries. Ask the Territorial Governments whether they could have spent what they are now spending on education had it not been for Federation. Is it reasonable to say that, since every old woman in her kraal has not asked for dominion status (an idea which would be quite beyond her comprehension) that therefore the country does not want it?

What is Public Opinion and Where does it Reside?

As every member of the Commission will have fresh in his mind the authoritative works on this subject, I shall not weary them with repetition. But I would venture to remind them that it is only in very recent times that "a mandate from the people" has been regarded as respectable at British general elections. Previously it was regarded as somewhat indecent, and, I may say, for very good reasons. People new to voting could be swayed by all kinds of spurious arguments and give a political verdict which, had it been tolerated, would have been quite fantastic in relation to the grave questions put to them. That is the stage which has barely been reached here now. The local tub-thumpers are having a wonderful time with the masses. Every single proposal put forward is violently attacked, with arguments which would be funny if they were not so serious. The local Africans are no worse than the rest of humankind. The same sort of tomfoolery was seen in Britain. But we have an additional difficulty. Our "tom fools" go to London and New York, and represent themselves to be heroes fighting for liberty. Every encouragement is given to them. They can always collect a sympathetic crowd who will clap. They often provide a few sticks with which the Opposition for the time being in Britain can beat the Party in power. And so the discipline and restraint which distinguish liberty from licence are still further undermined.

No Background of Slavery

Where Europeans formerly had slaves on their plantations, it has taken them and their descendants a long time to eradicate from their minds the notion that the slave race consists of chattels. In some parts of the world they have not yet eradicated the notion. The Commissioners will readily call to mind suitable examples of this. Where European countries have made a great deal of money in the past out of the slave trade and founded some noble cities upon it, without witnessing its evils in all their intensity, the disclosures made by Wilberforce and others came as a profound shock to the public conscience. So much for this the case that a guilt complex developed, under the influence of which it is undoubtedly the case that a great many good people in England to-day will regard anyone with a black skin as slightly more than human. The Commissioners will readily call to mind examples to illustrate this. The Rhodesias and Nyasaland were fortunate in that the only intrusion of slavery into relations between blacks and whites has been that provided by the defeat and punishment of slave raiders from other regions by the British. The result of this is not to be underestimated. With the exception of the extremists, the people here of all races are more ready than any other group I know to see a man for what he is, in ordinary workaday contacts. The nitwits—and there is quite a large number of them—do not fall within this description. To them a "b..... nigger" is a "b..... nigger" and always will be, however high in the scale of civilisation he may reach. Unfortunately the exceptions are noisy, as all extremists are. The Commission will meet some of them. But, with all respect, I suggest that this is where one retains balance and just reminds oneself of two things. Firstly, there are many in the Union of South Africa, our next door neighbour, to whom this attitude has been traditional since the days, not long past, of slavery. Many immigrants come from there, but fortunately a high proportion of those immigrants are liberal-minded. Secondly, I venture to point out that we had had selective immigration here from the commencement. In the early days it required a somewhat unusual character to survive the hardships that were then the common lot. In recent times we have consciously selected our immigrants. I beg the Commissioners to examine the machinery of selection. Assuming they are satisfied with it, will it not be a very extraordinary thing and a complete surrender of all hope that a multi-racial state is a possibility in this world if they conclude that these selected people are not to be trusted to work in cooperation with the Africans of their adopted land, especially as a high proportion of them spent five or six years of their lives fighting against the herrenvolk theory of which they are now suspected? I would say that the only hope of a successful multi-racial state is to let it be and not to subject it to a supervision which, for reasons previously indicated, has neither a balancing nor a steadying effect, but merely the effect of magnifying the growing pains that undoubtedly exist.

Would an Independent Federation not establish a Herrenvolk Doctrine?

Here again I invite attention to the existing franchise laws. We have reached a point of no return on the road to a universal franchise in which Africans will preponderate. Must we now be turned back to the less-developed and less mature forms of Colonial rule? If the Federation is not given the encouragement it asks for, that is the only likely alternative.

Why should the Federation be deprived of the Senatorial part of Self-Government?

Surely the House of Lords and other successful Second Chambers owe much to the fact that they are a repository of the traditional methods of the peoples they serve. At present the British Government acts as our Second Chamber. Can it possibly do so in a satisfactory manner? Its very presence in that capacity is out of keeping with both European and African ways of thought. The African, except when he had a tyrant, like Lobengula (and those cases were exceptional) had counsellors for his chiefs, drawn from a selected group of elders who were supposed to know intimately the ways of the tribe. Conduct such as that of those who have recently ranged themselves here agin the Government would have been rewarded by crocodiles or other effective purveyors of punishment. The steady man who is not very politically minded (i.e., as in other countries, about 98%) does not understand how his governors can be called to heel by people who have never even seen this land. It only undermines his respect for his own governors, and does no good. Why retain it? Would it not be better to complete the picture of self-government by providing in our Constitution against hasty and ill-conceived legislation through providing for the senatorial aspect of government out of people on the spot?

Does Partnership exist in the Fullest Sense and, if not, what can be done about it?

Some Territorial Laws, soundly enacted when they were enacted, are out-of-date to-day, as the Commission will notice. But what in Federal legislation or practice is out of keeping with partnership? Philosophically, of course, the very name partnership is open to criticism. It suggests an eternal duality as much as Karl Marx's class warfare did. But we have got the word, and it means that all people should work together regardless of race. The Federal Assembly cannot overrule or set aside territorial laws. If it could, we should not have a federation. The Territories are getting along well enough. If the Commission has power to give them a push in regard to some matters, that would be a good thing. The Native Trust Lands in the two Northern Territories, for example, tend to be reservoirs of stagnation, with forms of land tenure quite unsuited to the support of a very large population, left to grow without the former checks of periodical famine, uncontrolled disease and internecine warfare. Even the opportunity to supplement a thin diet with the fruits of the chase has now largely disappeared, with no hope of return. Land apportionment in the South, again, designed for agricultural and pastoral conditions, hardly now fits in with an industrial age. Land laws, however, are difficult to reform. Those of England, in relation to conveyancing, still resist attempts at complete modernisation. The more advanced partner cannot be weaned immediately from the paternal methods which were well enough suited to conditions up to twenty, or even fewer, years ago. There is always some time lag in every country. But, if one looks at the human side, there are marked improvements in race relations everywhere to be seen—except only within the sphere of influence of the agitators. How far can

the world go in pandering to the man who says "everything done up to now is completely wrong: let me be free to wield power: I care not if the masses starve, so long only as I and my friends can lord it over the others in the country?" I stress again that it is the moderates who are in the majority in this country, and that, to subject them to any one of the many revolutions that are being proposed would not merely be unwise—it would be an act of most unforgivable cruelty. It would not be evidence of partnership but of disregard for the elementary rights of the majority if local Europeans were ready to turn over the government of the country, at this stage of its development, to the opportunists who desire that to happen. Self-interest of the European coincides with my view, but self-interest of any country's leading citizens often does represent the interest of the country as a whole. The important point is that, if you seriously inquire of able chiefs and local members of native councils—in fact anyone who has any real experience of the problems of administration—you will not find support for the revolutionaries. They (the experienced) will tell you of the need for improvement in many directions. For instance they will be eloquent on the need for more and still more schooling. But they will not fail to appreciate that much has been done and that a quick end to it all would come if the proposed revolutionary moves were countenanced.

The Need for Speedy Adaptation

Often one hears it said that the Europeans must speedily adapt themselves to new situations that are now arising. This is true enough, and it is also true that there is a considerable number of Europeans who are stubborn on this point. This is a great country for leagues, societies and associations with a political flavour. The Commission may meet some of them. They represent, for the most part, an instantaneous and not very thoughtful re-action to misrepresentation overseas and to the fulminations of Dr. Banda and Co. To every extremist there is an equal and opposite extremist. To every exponent at Hyde Park Corner of the benefits of free trade there is someone at Tower Hill speaking for imperial preference. But it is hardly any better than the advancement of an extreme view to say vaguely that the Europeans must think faster unless a very clear indication is given of the directions in which they must think. I would suggest that, briefly, the position is this. The British Government was persuaded by Rhodes to undertake the colonisation of the Rhodesias. Any reluctance that may have been displayed is beside the point. That Government was so persuaded. The result was a conquest and annexation of Southern Rhodesia and an extension of protection to the Northern Territories, on detailed terms largely settled by the protecting power, which at no time laid it down that any territory would be deprived of the normal right to accept into full citizenship immigrant peoples of all races. Many immigrants came, from overseas, with blacks and whites from Portuguese East Africa and from the Union of South Africa. The recent citizenship law of the Federation received the Royal Assent. To Southern Rhodesia the British South Africa Company brought with it the notion of a local legislature, for elections to which a common roll was established. The weakness of this common roll was less due to the fact that qualifications for it were several times heightened than to the fact that local political parties in Southern Rhodesia made no effort to invite African voters to take part in their deliberations. The social colour bar worked against it, and so, to some extent, did the land apportionment. In the Northern Territories, official rule was never very tender towards the European *entrepreneur* who developed mining, agriculture and industry and made payment of the officials' salaries possible. The old Colonial Office formulæ were employed once more, as if there was no prospect of what we now call partnership ever developing. Representation of communities on a colour basis was introduced—in itself a divisive device. Under the Federal Constitution the practical flaws in the Southern Rhodesian system, which had produced not a single African representative, were tempered by a blend of that with the Colonial Office system, and we immediately got representatives of the Africans, as a race, but Southern Rhodesia managed to ensure that its African representatives came to office through the exercise of the votes of those who had a vote, thereby in turn tempering the extreme racialism of the Colonial Office system. A recent amendment of the Constitution has gone further in the direction of regarding all people as people and not simply as races of people. The continuance of the inflexible purpose of establishing a truly multi-racial state demands that this shall be done. Europeans will have to adapt themselves more speedily than they are, in total, now doing to the prospect that, within the foreseeable future, community of interest among all the people must inevitably lead to complete acceptance in every public activity of all who have qualified for the vote, and it is extremely doubtful whether immigration of more Europeans will in future ensure that the majority of qualified voters will be of European stock. The more the Europeans face up to these facts and the more wholehearted their acceptance of all qualified voters becomes in practice, the more likely it is that racial tensions will be removed. That is the general direction in which the Europeans must move, and it will be found that the more reasonable of them are moving in that direction.

It is tempting to go on, since one's whole future and that of the country depends upon our getting successfully past the long-threatened review of the Constitution. The threat has increasingly become a set-back to progress, for no people, of whatever race, thrive in an atmosphere of uncertainty. But the Commission will, by the time this page is reached, either be with me on my main points, or not. If they are, then they will be able to develop them. I would only mention one more point, which some people may regard as trifling, though I regard it as of considerable importance. Can the Commission now find a name for the people (all the people) who have built up this Federation? The Constitution is full of references to "Africans" and others. Difficult as it may be to get away from that, when a chief basis of the division of functions between the Governments turns on a distinction between races, it is important that a name including the term "African" should not be appropriated to one race only. Great as the change to our ideas, or the ideas of Great Britain, may be, let us have "British Central African" as a name for all the inhabitants. Insofar as it may be necessary to retain the distinction referred to, let it be something other than what it is, in detail.

At this point it is necessary to point out how extremely difficult it is to amend the Constitution without at the same time making adjustments in the Territorial sphere. But it is recommendations and not adjustments that are now called for. By making certain Territorial adjustments (very big ones) the distinction could be between the enfranchised and the unenfranchised.

Finally, I conclude by wishing the Commission every success in its great task of showing how we can continue to progress, with great speed, in the interests of all the inhabitants, and would respectfully remind them that the Durham Report on Canada, though not altogether popular with the British Government of the day, succeeded through its intrinsic merit.

Salisbury

Oral Evidence

L. M. N. HODSON, Q.C., M.P.

The witness had presented a memorandum. He was a Member of the Federal Assembly, and a practising lawyer in Salisbury.

He wished to add to his memorandum the thought that the problem was one of getting rid of suspicion. He referred to the suggestion in the memorandum that a new *name* should be found for the people of the Federation. The division of people by race was something that did not happen in other continents. It created misunderstandings and suggested that racial interests can necessarily be in conflict. Questioned as to whether he thought there was a better word than "Federation" he said that he could not think of one, save that the expression "British Central Africa" seemed to be the less objectionable, and might help to sooth feelings in Nyasaland. He was also firmly of the view that there should be no further reviews of the Constitution —they were most unsettling.

In reply to questions Mr. Hodson made the following further points:—

1. He had originally been a keen protagonist of Federation, and still was.
2. Questioned as to whether he would keep Africans in the Northern Territories inside the Federation regardless of their opposition, he said that provided that represented their real voice it would be necessary to bow to the inevitable.
3. He did not think that one should speak of "black" Governments in the Northern Territories, but only of Governments of the most capable people, whether they were black or white. If there were deliberate reservations of seats for Africans, that would alter his view. He agreed that the franchise of the level of Standard VI would not in fact bring in a black Government, and he would not call that an artificial measure, such as deliberate reservation of seats. If black Governments in the Northern Territories came into being in that manner, he would see no reason to break up the Federation.
4. He had originally thought the Federal franchise qualifications were too high; but he thought it would be fatal to change them now. The qualifications were not unobtainable by Africans. He would maintain them at the present level.
5. He agreed that colour bar existed and was a cause of African frustration. It existed in hotels, public bars and cinemas. Asked if a clause in the Constitution prohibiting colour bar, would help to remove the Africans' feeling of frustration, he replied that that was a big question to answer. He thought that troubles had arisen in the United States of America by trying to force integration by legislation. He was against legislation for such purposes. He would rather approach the matter as an education problem. This was what had happened in other countries such as the West Indies. He thought that progress was being made.

Something on the lines of the Northern Rhodesian Committee on racial discrimination might be a better approach than legislation. But there was something in the point that a specific clause in the Constitution could do much to remove the feelings of inferiority and frustration.

6. He would not agree that European education should become a Territorial subject. He did not agree with the idea of multi-racial schools: the very young were not the people to lead the country. But he was all in favour of integration at the University level. It was difficult to imagine the situation which would arise if there were integration at the secondary school stage, when the children could speak the same language. He was sure that if this reform were introduced now it would create more friction than anything else.
7. Although he had been brought up on a farm and mixed with Africans, he had mixed with Africans very little since then. Before Federation came, he had hardly ever talked with them on a level; although he now had the opportunity to do so in the Federal Assembly. He agreed that the Europeans and Africans lived in water-tight compartments. Even if they wanted to mix with each other there was nowhere to do so. There were even difficulties in the organisation of games and sports with Africans; that was definitely frowned on in some circles.
8. He thought that, by and large, there should be no distinction between the franchises for the Federal Assembly and the Territorial legislatures. He would object to a franchise based on Standard VI in Nyasaland. He thought that too low, and likely to make a large proportion of the people the prey of agitators. He would not be prepared to have a lower franchise than that of Southern Rhodesia. He agreed that Nyasaland would take longer to reach that level. High qualifications were necessary, and that must apply to Nyasaland too. There should not be divergencies between the Federal and Territorial franchises and those which existed were a pity. There should in fact be a uniform franchise.
9. He had given no deep thought to the question of the composition of the Federal Parliament and whether it was right that the two Protectorates should have a majority of only one over Southern Rhodesia. This seemed to have worked all right so far. He had not discussed the question at length before now. It had not been brought up before now, although he knew of local feeling about it in Northern Rhodesia. This was partly because Southern Rhodesians knew little about Northern Rhodesia: they had false ideas about the North. But Federal Members of Parliament, including himself, did get around. He thought the balance was kept fairly well, on the present population figures and so on. He had heard no complaints from his fellow Members of Parliament from Northern Rhodesia.
10. On his memorandum, paragraph 4, last sentence "is it reasonable to say that, since every old women in her kraal has not asked for dominion status . . . that therefore the country does not want it?" The decision should be based on the opinion of people on the Voters' Roll. He did agree with the Preamble of the Federal Constitution, but thought that in reality it was impossible to find the opinion of the vast mass; that had been the situation in England in 1832. No doubt the elected Representatives would pay attention to waves of opinion among those who had not got the vote. Even if it were found that the vast majority of headmen and chiefs in the Northern Territories were opposed to Federation, he still thought that, to avoid chaos, it was necessary to govern action on the views of those competent to form opinions.
11. If, because of the opposition in the North, rebellion broke out, it would be necessary to meet force with force; but he did not agree that this would be similar to the situation in South Africa. There was a great difference, because in the Federation doors to advancement were being kept open, which were being closed in South Africa. Indeed, in 10 or 20 years time the majority of the electorate in the Federation would be Africans. An initial education was being given to them. It was not necessary in fact to contemplate violence. Knowledge would spread of the good which Federation was doing, and people would come to see the stupidity of being governed from 6,000 miles away. Doors were being kept open, and the Europeans were not trying to oppress the Africans.
12. He would be in favour of consulting the Native Authorities on the problem of Federation. They were sensible as a general rule and it was possible to explain a point to them.
13. With reference to the mention of "Labour Relations" in paragraph 2(c) of the Memorandum. Although he realised that the labour relation systems in Northern Rhodesia and Southern Rhodesia were quite different, it would be better for the Federal Government to control labour. There was the example of the railways, with which they now had to deal through a Statutory Commission, and with the two different Governments for the settlement of disputes. There was also a cumbersome procedure in foreign relations in this field. He knew it would be difficult to reconcile the two distinct labour legislation systems of Northern Rhodesia, but he would try to get a single Act to apply on a uniform basis, although no doubt there would be much discussion before uniformity could be achieved. He would certainly establish a Central Labour Board, and thought it would be satisfactory. There would be a kind of extension of the present Territorial systems adapted for a Central Government. But he admitted that he had not really studied this subject. The only point which he had been making related to the difficulty which the Federal Government had at present in getting any direct contact with the people.
14. He considered the Federal Health Services to have been a great success because of the general economic development in the Federation. He would be surprised to hear that even in Southern Rhodesia people were not satisfied with the Health Services, although he had heard, for example, that advanced Africans complained about being given "native" food in the hospitals.
15. Mr. Hodson was reminded that chiefs in the Native Authorities in Northern Rhodesia are solidly against Federation. Would he, therefore, increase the powers of the Territorial government, acting on the principle that matters relating closely to the daily lives of the people should be Territorial. He thought that this would be a mistake, because if the Federal Government were weakened it was only made easier for the Federation to break up. Although there was no doubt room for some exchange of functions between the Governments. The major functions should still be left with the Federal Government: health should be left there for the reasons given in the Morton Report. Education was difficult, but on balance it should stay where it was. Otherwise the *status quo* should be maintained, despite the opposition. This was because he regarded the opposition as based on emotion.

Addendum to Oral Evidence

L. M. N. HODSON, Q.C., M.P.

During my evidence given on the morning of the 21st April, I took a question from Sir Victor Robinson as intended to elicit what contacts, on terms of equality, I had had, as an M.P. and professional man, with Africans, whereas, looking back on it, I think I myself introduced the limitation "on terms of equality". If that is so, I may have given the wrong answer, and therefore now give briefly the facts as they are, without this limitation, apart from my numerous contacts with fellow M.P's who are Africans.

1. Contacts nearly all in Southern Rhodesia.
2. Childhood contacts, apart from those with domestic servants, confined to being accompanied on shooting expeditions during school holidays on my late father's cattle ranch by an African much older than myself.
3. Court work from 1930 to 1952 (after which university and other public work absorbed a high proportion of my time) gave insight into African ways of thought, especially on the side of the defence, in criminal cases.
4. As a City Councillor in Salisbury (1932–36) made some study of African urban conditions and contributed something to the betterment thereof.
5. As a Member of Parliament from 1946 till now, I had on numerous occasions to help in the framing of policies connected with African advancement: also prior to that as a Central Executive member of my political party.
6. For the past eight years I have owned a farm where I have employed up to 52 African men and up to 20 of their wives (at busier periods). Some of the labourers come from Nyasaland.
7. On my said farm I maintain a school for the children of the labourers (sometimes as many as 50), at my own expense. It only goes up to Standard III, but involves some personal interest in teacher selection, sports days, etc.
8. My major public work has been what I did over 13 years towards founding the University College of Rhodesia and Nyasaland. That involved much research into African educational needs, including visiting schools, and working with African members of the College Council, of which I was first chairman.
9. For many years, off and on, I have been on the Executive of the local African Welfare Society, which has done much

to ease minor troubles and to initiate proper inquiry into larger ones. Africans serve on this Executive, and the Chairman is at present an African.

10. My present Parliamentary constituency includes the African township of Harari, where I attend many political party branch meetings.

I may add that I like the African people very much and admire their amazingly rapid progress and growing reliability in spheres freed from the deadening effects of witchcraft, which is why I think it would be a cruel shame either to retreat or to fumble. A firm government, with proper machinery for explaining its actions, is craved by all. A stupid one, unable to see that Federation is beneficial from every conceivable point of view, can only make headway because it is resolute to destroy. Governments must be equally resolute to build. Frenzied and senseless cries will soon be forgotten.

Salisbury
25th April 1960

Memorandum I

B. G. PAVER*

Contents

This Memorandum is submitted by me in my private capacity as a citizen of the Federation of Rhodesia and Nyasaland. It consists of an Introduction, The Origin of Antagonism to Federation, and:—

Part 1. Voters' Qualifications and the Rate of Constitutional Evolution.

Part 2. Constitutional Evolution and a Council of State.

Part 3. A Federal Council of State.

and two Annexures:—

1. Extracts from independent and unprompted editorials by African leader writers in the *African Daily News*.
2. A map of Rhodesia and Nyasaland indicating the areas of European settlement throughout the Federation. (This map was produced by the Federal Information Department in its publication "Farming in Rhodesia and Nyasaland").†

Introduction

The Origin of Antagonism to Federation

In both Northern Rhodesia and particularly in Nyasaland, there is widespread African opposition to any form of Federation which includes Southern Rhodesia and although this opposition may be misinformed, it is nevertheless a fact. Without giving full consideration to this fact, no review of the existing Constitution of the Federation of Rhodesia and Nyasaland can make a lasting contribution to the future. It is therefore essential to establish in the most positive manner possible the true origin of African antagonism to Federation.

Ignorance, official ineptitude in explaining the Federal concept or deliberate misrepresentation by nationalistically emotional African political leaders must, for the moment, be disregarded. These factors have stimulated antagonism and aggravated fear, yet neither individually nor collectively can they be claimed to be the root cause of opposition to any close association with Southern Rhodesia. If the basic reason for this antagonism is to be laid bare, it is necessary to view the problem against its factual background.

In 1930, the British Government through the supervisory powers which were at that time vested in the High Commissioner for South Africa (whose supervisory role in Southern Rhodesia was only terminated in 1937 by amending Letters Patent) acquiesed in Southern Rhodesia's Land Apportionment Act of 1930. At the same time, that is, in the same year, the British Government published a White Paper commonly known as the Passfield Memorandum, and in so doing it appeared to accord simultaneous support to two incompatible concepts of the political and economic interests of Africans and non-Africans.

(*a*) In approving of Southern Rhodesia's Land Apportionment Act of 1930 (an Act now under review) the British Government gave unqualified support to a policy which frankly declared that in European areas European interests would be paramount, while in African areas, African interests would be paramount.

(*b*) In the Passfield Memorandum, the British Government formally and deliberately declared that if the interests of native and immigrant races should conflict, the interests of the native "must be paramount".

Both the inconsistency and the juxtaposition of these two policies were startlingy apparent to the Europeans of Northern Rhodesia. Six years earlier, when the territory of Southern Rhodesia became a self-governing colony, they had come under Colonial Office control. The difference between the supposed policies of the two territories so closely linked by geographical and historic association therefore assumed alarming significance.

In Southern Rhodesia, it appeared that there could and would be spheres of protection assured to both Africans and non-Africans, but in Northern Rhodesia it appeared that any conflict of interests would not result in traditional British compromise. The assertion of imperial trusteeship appeared to block the direct road to any form of self-government and, for this reason, the possibility of amalgamation with the self-governing colony of Southern Rhodesia appeared to offer the only way out of an administrative impasse.

In the early 1930's, the Copperbelt commenced to prove itself. The consequent increase in the European economic contribution and in the European population factor strengthened an insistent demand for amalgamation with Southern Rhodesia. Confronted with this demand, the British Government temporised by appointing a Royal Commission with Viscount Bledisloe as Chairman to determine how far it was desirable to go towards promoting closer union between the two Rhodesias and also Nyasaland.

The Bledisloe Report, presented in March 1939, favoured amalgamation of all three territories as an ultimate objective, but for the immediate future it recommended only functional co-operation. It made this recommendation because it stated that Southern Rhodesian native policy was "in some respects restrictive" in the opinions of Africans in Northern Rhodesia and Nyasaland, and that there appeared to be "striking unanimity" in the opposition of Africans in both these territories to possible domination by Southern Rhodesia.

To determine the real significance of the opinion expressed by Africans in Northern Rhodesia and Nyasaland that Southern Rhodesian native policy was in some respects restrictive, it is important to recall the economic and educational conditions under which some 22 years ago the Bledisloe Commission called for evidence.

In Northern Rhodesia, the copper-mining industry and its inevitable corollary of Copperbelt towns offered less than a tenth of the field of employment it provides today. Furthermore, seven years were to elapse before Lusaka and its surrounding agricultural activities could come into existence as fields for African employment.

In Nyasaland, potential fields of gainful employment were non-existent. The tea industry which developed in the late 20's and early 30's drew its labour from the Nguru (who were migrating from Mozambique, and who today form nearly 20% of Nyasaland's African population) and Blantyre and Limbe were separate villages without claim to industrial potential. The wage-earning field within Nyasaland was therefore infinitesimal.

In both territories, African education had not yet outgrown its struggling mission origins. The vast majority of the population were totally illiterate tribesmen existing on the subsistence economy of a primitive agriculture unaided by the present determined efforts to supplement this economy by the introduction of cash crops.

Twenty-two years ago African nationalism was virtually unknown. Most of the African politicians who now oppose Federation were babes carried upon their mothers' backs or they were equally uncomprehending juveniles. Political consciousness had not yet been awakened, political agitation was ineffective and yet the tribesmen of a generation ago, confined by illiteracy and environment to the narrow horizons of a subsistence economy, showed "striking unanimity" in opposing the possible extension of Southern Rhodesia's native policy.

This original opposition to association with Southern Rhodesia has been passed on from the previous to the present generation of Africans, and in recent years it has received so much political impetus that today opposition to any form of association with Southern Rhodesia, and therefore to the Federation, is assumed to be a political malady requiring a basically political remedy.

The weight of evidence supplied by the prevailing conditions of nearly 22 years ago does not support this theory. What the evidence does prove is the fact that in the absence of fields of gainful employment in the Northern territories, tens of thousands of migrant African labourers have shuttled backwards and forwards across the Zambesi to find employment in Southern Rhodesia and the Union of South Africa.

For nearly half a century, and from sheer economic necessity, they have moved from beneath the umbrella of a paternal administration geared to the needs of a primitive subsistence economy to find employment in territories in which administrations designed to support the complexities of a money economy are, by their very nature, in many respects restrictive.

Inevitably, these migrant labourers compared conditions. In their tribal areas in Northern Rhodesia and in Nyasaland, the individual was an identifiable unit of village life with no need to produce documentary evidence of his identity, whereas, when he crossed the Zambesi, this became essential. In his tribal life, time was of no consequence, but in his changed environment of a wage-earning existence, time assumed a hitherto unknown significance. In the matrilineal society of his tribal life, the productivity of the

* *For further memoranda submitted by this witness see under Evidence at Salisbury on 3rd May,* 1960 *on pp.* 375-385.

† *Not reproduced.*

individual was largely the function of the women, and in his wage-earning capacity in territories to the South, an entirely new approach was demanded of him. In his tribal life, there was complete freedom of movement, and no individual ownership of land. In the areas to which he travelled, freedom of movement was impossible. It was restricted by documents of identification and by the, to him, unheard of concept of individual ownership of land.

The accumulative effects of these differences between the conditions of life to which the average tribesman is accustomed and those which he encountered in his role as migrant labourer were amplified by what appeared to be a factor of tremendous significance to his future. The untutored tribesman naturally found that he could only obtain gainful employment in areas owned by Europeans. From this he assumed that virtually all productive land south of the Zambesi was owned by Europeans, and from this he came to the conclusion that any close association with Southern Rhodesia would inevitably lead to an extension of conditions which would deprive him of his land.

These comparisons of two systems, these misconceptions and fears were perpetuated by being recounted over nearly half a century in hundreds of villages throughout the Northern territories by tens of thousands of returning migrant labourers. Under the circumstances, the task of the militant African nationalist was a comparatively easy one. He had only to withhold the truth to have his views confirmed by the conclusions arrived at by those who had temporarily assumed the role of migrant labourer.

This is the fundamental origin of opposition to Federation. It explains the fact that in Nyasaland where there is the greatest economic need to sustain a subsistence economy by incursion into the restrictive administration of a money economy, there is the most virulent opposition to administrative association with Southern Rhodesia. Last year the total of Nyasaland Africans in employment outside Nyasaland was approximately 169,000, of whom 123,000 were in Southern Rhodesia and 26,000 in the Union of South Africa. This explains the Africans' blind refusal to accept the fact that there are fundamental differences in the native policies of Southern Rhodesia and the Union of South Africa, since none of the refinements of these differences would he be likely to encounter as a migrant labourer.

It is one of the greates tragediest of the Federal concept that the British Government, through the Secretary for State for the Colonies, in 1953 refused to explain the Federal concept and that it failed to ensure that every inhabitant of the Northern territories would have the fear of land encroachment removed by the knowledge that Native Trust Land Orders-In-Council, first applied to Northern Rhodesia in 1936 and to Nyasaland in 1947, guaranteed to the African peoples of both territories some 95% of the land. (See Annexure 2—Map of European settlement throughout the Federation).

These Orders-In-Council rendered African land virtually inalienable to non-Africans. They cannot be amended or repealed by any Federal Legislature and they were therefore reaffirmed in the Federal concept. These facts are unknown to the masses. Militant African Nationalists can therefore continue to claim the support of the masses by assuring them that only by secession from the Federation can they be assured of land rights which so many years ago were freely guaranteed to the inhabitants of the Northern territories by the European governments who are today a party to Federation.

Opposition to Federation quite obviously does not stem from an informed political awareness. It is due to little understood economic factors, to lack of essential information and guidance, to a high degree of illiteracy and to deliberate falsification of facts. Any attempt to improve the future must, for these reasons, take full account of the basic origins of the present wave of opposition to what should be a buffer state between black and white forms of nationalism in Africa.

Part I

Voters' Qualifications and the Rate of Constitutional Evolution

In the present review of the Constitution of the Federation of Rhodesia and Nyasaland, the determining factor in all deliberations cannot fail to be the rate at which constructive changes can become effective. For this reason it is perhaps not inappropriate to quote at the outset the following excerpt from President Eisenhower's State of the Union Message for 1960:

> "New nations, and others struggling with problems of development, will progress only if they demonstrate faith in their own destiny and possess the will and use their own resources to fulfil it. Moreover progress in a national transformation can be only gradually earned; there is no easy and quick way to follow from the ox-cart to the jet-plane.
>
> "All of us must realise, of course, that development in freedom by the newly emerging nations, is no mere matter of obtaining outside financial assistance. An indispensable element in this process is a strong and continuing determination on the part of these nations to exercise the national discipline necessary for any sustained development period . . . .
>
> "Moreover, everyone should be aware that the development process is no short-term phenomenon. Many years are required for even the most favourably situated countries."

These excerpts underline the gravity of your Commissioners' responsibilities. The 1959 actions of a portion of one section of the population provide no evidence of a desire 'to exercise the national discipline necessary for any sustained development period.' Two of the three federated territories can hardly be considered as 'most favourably situated countries.' Constitutional development 'is no short-term phenomenon' and this is particularly important when the complex composition of the population is fully understood.

It is common practice to describe the eight million people of the Federation of Rhodesia and Nyasaland as a multi-racial society. It is considered quite erudite if, in addition, it is observed that there are cultural gradations rising in scale from a primitive subsistence economy at near stone-age level, to the ethics and attainments of the 20th century.

This important horizontal and lateral stratification is, however, incomplete. There is the additional bifurcation of the indigenous peoples into patrilineal and matrilineal branches of African society. Each of these branches has its own pattern of tribal foliation. Each of these tribes has its own form of sub-division into the equivalent of clans, and these in turn consist of various groupings of villages.

At this peasant community level, in surroundings which govern their material existence and under conditions which dictate their mental horizons and affect their approach to problems beyond the limits of these horizons, there are to be found 75% of the total population. This 75% of the population is composed entirely of African peasants.

This simple fact is at the root of all our constitutional problems. The African nationalist sees only the significance of numbers when he cries 'One man. One vote'. The European with a permanent stake in Africa sees in a combination of primitive tribesmen and twentieth century self-determination an inevitable lowering of standards and the collapse of the society he has created and is determined to maintain. To most onlookers, unaware of the true anthropological background, a part of the population has assumed a greater significance than the whole.

For these reasons, the most sincere efforts are now being made to make the best of both worlds by providing a constitution designed to perpetuate a primitive subsistence economy while at the same time endeavouring to meet the needs of a modern state in a world committed to the complexities of a progressive money economy.

To appreciate this fact we have only to realise that if 90% to 95% of the population were peasants living and thinking at peasant community level then the question of voters' qualifications would have little or no significance. Race representation as such would fall away and each tier of the Administrative and Constitutional edifice would follow in neat and logical succession. This structure, commencing with the village headman, would lead progressively through tribal and district Councils to Territorial level and finally to an inter-Territorial summit. It would be the simple constitution and government of an agrarian state.

The Federation is, however, a far more complex structure. In spite of the fact that 75% of the total population is an African peasant people and has a tremendous future significance in the political sphere, it is as yet, in the economic sphere, a liability. This fact the following table of African Income in millions of pounds makes clear.

June 1959: Monthly Digest of Statistics

	1954	1955	1956	1957	1958
Wages	53·6	61·9	69·6	80·3	83·9
Self Employment ...	11·0	11·6	15·8	15·8	13·6
Rural Subsistence ...	57·0	61·0	66·0	70·0	70·0
	121·6	134·5	151·4	166·1	167·5

This table of African income illustrates two fundamental aspects of the Constitutional problem. In the first place it is apparent that in the political sphere the steady increase in African earnings will result in a substantial rise in the number of Africans who as potential voters will fulfil the financial qualifications of earnings per annum or of ownership of property which the Federal Electoral Act 1958 calls for in the Special and General Voters Rolls.

In the second place this income table underlines the fact that between 1954 and 1959 Wages increased by 30·3 million while Rural Subsistence was only increased by 13 million pounds. This means that the 75% who form the peasant community, with their contribution of 70 million pounds to the total African income of 167·5 million pounds, depend to a very great extent upon the earnings of Africans living within and contributing to the cash economy of the remaining 25% of the total population.

Unfortunately, the migrant labourer returning in temporary affluence from areas in which a cash economy prevails to areas in which a subsistence economy is the rule, is accepted as a tribesman returning to his natural environment. There is therefore little

realisation of the extent to which both directly and indirectly the 25% of the population operating on the basis of an economy subsidises the 75% who exist on a rural subsistence level.

According to the Central African Statistical Office, the total population of the Federation of Rhodesia and Nyasaland as at December 1959 was 8,090,000 and included 7,760,000 Africans, 302,000 Europeans and 38,000 Other Races. The 340,000 non-Africans are all within the orbit of the Federation's money economy. To these 340,000 non-Africans can be added approximately 1,760,000 Africans associated with or employed in undertakings initiated by the financial 'know how' of non-Africans. In round figures, this multi-racial society of two million out of a total population of eight million constitutes the 25% who operate and develop the entire money economy of the Federation.

To the complexities of the racial, cultural, matrilineal, patrilineal and tribal stratification there must therefore be added a basic economic cleavage. It is only when this fact emerges in all its urgency that any delineation of the Federation of Rhodesia and Nyasaland can claim to be complete. Under these circumstances it will be apparent that no impartial review of the Constitution is possible unless all Commissioners are thoroughly conversant with the ethnographic and anthropological data available today.

There is, for instance, available to Members 'The African Peoples' by Professor Clyde Mitchell, Professor of African Studies at the University College of Rhodesia and Nyasaland. This material is an advance printing of Chapter 5 of the Federal Handbook which is due to be published later in the year. It was, therefore, written for the general reader and not specially compiled for the Commission and reference to the following works is essential:—

The Tribes of Northern Rhodesia by W. V. Brelsford;

Native Administration in the British African Territories' Part II and Part IV by Lord Hailey;

Handbook of Nyasaland compiled by S. S. Murray;

The Ngoni of Nyasaland by M. Read;

The Mashona and the Matabele by Charles Bullock;

The Mashona by Charles Bullock;

The Seven Tribes of British Central Africa by Colson and Gluckman;

The Ila-Speaking Peoples of Northern Rhodesia by Smith and Dale;

The Lambas of Northern Rhodesia by C. M. Doke;

The Peoples of the Lake Nyasa Region by M. Tew;

Map of Tribal Distribution in the Federation, compiled by Professor Clyde Mitchell;

Map of European Areas in the Federation, compiled by the Federal Information Department.

Impartial and authoritative anthropological evidence is the only scientific method of weighing most of the emotional claims and statements now being submitted. Many of these emotional claims are represented as the carefully considered opinions of inarticulate majorities. These majorities, being inarticulate, are nevertheless assumed to have been given every opportunity to comprehend, call for further elucidation where necessary, and then to weigh with competency issues whose implications tax the mental resources of societies in intimate and daily contact with the problems involved. Furthermore, this inarticulate majority is assumed to have unanimously agreed to express itself in the unequivocal terms chosen by most self-appointed advocates of the inarticulate.

The gravity of the issues involved demands of the Commission the closest scrutiny of such statements and claims. The degree of self-interest as a motivating force must be clearly established and where this self-interest is established, the emotional plea can be reduced to true proportions. Where population figures are quoted and it is claimed that these figures in themselves supply sufficient factual evidence of alleged desires, it is necessary to determine the extent to which purely circumstantial evidence is being used to the detriment of inarticulate majorities in order to sustain the emotional claims of an overwrought cadre of militant opportunists or well intentioned but uninformed reformers.

If the principle of the paramountcy of the interests of the majority is accepted on the basis of realities and not emotionalism, whatever the origin of this emotionalism may be, it then becomes necessary to consider the structure which, at present, guarantees to a complex agglomeration of societies within the Federation the essentials of ordered existence. In an homogeneous state, capitulation of these essentials of good government should not be necessary. Under existing circumstances, however, they must be sharply defined as (1) administrative integrity, (2) public security, (3) economic stability, and (4) educational facilities ensuring continuity of constructive effort.

These essentials of ordered society are sustained, maintained and guaranteed to *every* individual in the three Territories of the Federation by the effort, the ability and the knowledge of a demonstrable minority as small as the apex of an inverted pyramid. In terms of this minority's ratio to total population and by analysis in terms of colour, the illusion has been created that this governing minority which is becoming increasingly multi-racial, is a removable apex resting on, yet divorced from, the solidarity of a broadly based pyramid.

Unfortunately the present governing minority had no predecessors. The responsibilities of enlightened government were unknown to both the minorities and the majorities in all pre-European societies in this part of Africa. It was, therefore, impossible to usurp or to inherit any of the essentials of good government. The present governing minority were compelled to import these features. They were forced to introduce and maintain them from the bottom upwards. It is, in fact, an anthropologically and historically correct assessment of the origin and stabilising functions of this governing minority to see the entire Constitutional edifice and all it signifies as an inverted pyramid maintained in equilibrium by the efforts of this minority.

Positive historical and anthropological factors have dictated the need to insist on voters' qualifications capable of ensuring to the total population benefits which can only be acquired by adhering firmly to the essential provisions of ordered society. Equally positive and valid pressures have also resulted in measures designed to enable competent individuals in steadily increasing numbers to make their constructive contribution to posterity.

In February 1958, Royal assent was given to the Federal Electoral Act 1958, and this Act defined the qualifications of Voters on both the Special Voters Roll and the General Voters Roll in the following terms:—

Special Voters' Roll Qualifications

21 years of age or over; ability to speak, read, write and understand English and yearly earnings of £150, or ownership of property worth £500, or yearly earnings of £120 and educational qualification of Form 11 (Std. 8).

General Voters' Roll Qualifications

21 years of age or over; ability to speak, read, write and understand English. Plus earnings of £720 yearly, or ownership of property worth £1,500 or earnings between £480-£720 yearly and passed Std. 6, or property worth £1,000-£1,500 and passed Std. 6, or earnings between £300-£400 yearly and passed Form IV, or property worth £500 and passed Form IV, or a Minister of Religion or an African Chief.

The fact that the Special Voters' Roll offers three alternatives to the prospective voter and that the General Voters' Roll provides no less than seven alternatives, is proof of the effort made to increase the number of African voters and of the care taken to ensure that potential voters were not excluded by a narrow approach to the question of minimal qualifications. These facts are ignored by those who base their objections on the assumption that the economic and/or the educational requirements are set too high.

The steady increase in African earnings referred to in this Memorandum clearly points to the fact that in increasing numbers potential voters will achieve the stipulated standards of economic stability. The same is true of educational attainments which provide a rapidly diminishing hurdle. This is due to the fact that since Federation, African education which is a Territorial responsibility has, in all three Territories, received tremendous impetus. As a result, it is estimated that, while only 70,000 Africans had achieved a Standard 6 education up to and including 1959, the numbers who do so from 1962 onwards will in the following five years exceed the total of those produced since African education was first introduced.

Despite these facts there is considerable pressure to lower voting qualifications in order to provide an immediate and artificial African/non-African ratio of voters rather than allow a ratio of competency to be achieved by factors already inherent in the advancement of the African.

There is the pressure group who consider that speed is the essence of political sanity and self-preservation. For these reasons they would lower existing voting qualifications. In this approach they ignore the unbridled impatience of those who demand the disappearance of voting qualifications as a facile means of commanding a composite society to which they have contributed little and of whose complexities they understand still less.

The existing voting qualifications have, however, only been operative for one election. On this occasion African apathy and the political techniques of boycotts and intimidation prevented more than 30,000 Africans (who possessed the necessary qualifications but refrained from registering) from participating as voters. However, neither apathy nor intimidation can be resolved by whittling away attainable qualifications.

There is, therefore, no valid reason for destroying the potential voter's right to demonstrate his economic worth and his capacity for sustained effort in the educational sphere, since it is only through these fundamental attributes that the future well-being of this complex Federal State will be assured.

Part II

Constitutional Evolution and a Council of State

In part one of this memorandum the Federation of Rhodesia and Nyasaland was outlined as a multi-racial State composed of an agglomeration of societies involved with one another and with the operation of an economic structure in which 75% of the population exist on a primitive rural subsistence level while 25% are concerned with the evolution of a modern money economy. To this composite picture it now becomes necessary to add two additional and important anomalies. These anomalies, in the interests of clarity, were deliberately excluded from Part 1.

The first lies in the fact that there is a difference of nearly thirty years in the life expectation of Africans and the Europeans in the Federation. At birth, the life expectation of the European is 70 years, and it will unquestionably be agreed that while there are exceptions to the rule, men and women in the age bracket of 40 years and upwards are the citizens who in public life, in all the multiplicity of commercial, industrial and financial institutions, in the Civil Service and in Government, sustain the operations of all these essential undertakings. The life expectation from 40 years onwards is therefore of fundamental importance to 20th century society.

When we come to deal with Africans the situation is as follows: at birth the life expectation of the African in Southern Rhodesia in 1953 was 48 years; that of the African in Northern Rhodesia in the pre-Federation year of 1950 was only 37 years and, while reliable statistics are not available for Nyasaland, the life expectation in this territory was, according to Dr. C. A. L. Myburgh, a Member of the International Population Union and Chief Statistician of the Central African Statistical Office, very similar. From these facts, two conclusions can be drawn.

In the first place, the Southern Rhodesian Health Department's network of District Clinics, due largely to the efforts of Lord Malvern, then Sir Godfrey Huggins, Prime Minister of Southern Rhodesia, was already beginning to affect this vital aspect of society. The medical facilities in the Northern Territories have, since Federation, been substantially improved and the life expectation of Africans in these territories is now considered to be just over 40 years.

The second aspect is of vital significance in two respects. In the first place, Members of the Commission will be conscious of the fact that with rare exceptions, they are in their dealings with African political leaders, dealing with men under the age of 40. The significance of this would be even more apparent were Members dealing with the constitutional problems of the United Kingdom, but confronted by death with the need to have discussions with and to consider the proposals of those in the 30–40 age group. In the United Kingdom, however, there would be the stability of outlook born of the experience of past generations. In African society in all three territories of the Federation, this background of stable conditions and past experience is non-existent.

The second facet of this life expectation impact on the evolution of African society is related to the nett reproduction rate. This increase in the African population has been determined as being affected by a higher birth-rate than that of India. To make the significance of this perfectly clear, it is necessary to remember that while the length of an African generation is approximately 26 years, that of the average non-African population is 30.

Since the toll of slavery and tribal wars was checked, there have been nearly three generations of the African life cycle, and the accumulated result of these checks on population increase have been added to by an increasing check on infantile mortality. The nett result is an inordinate increase in the number of people dependent upon the productivity of each individual able-bodied male. Unaided and undisciplined African society must therefore collapse more rapidly, more completely and more disastrously than any impact which haste can have on non-African society. Of this inevitable result the African political leader has absolutely no knowledge. Nor is the average European better informed.

No attempt to appease emotionalism will ever resolve these basic population problems. Steady marshalling of the entire economic resources of the three territories was, and still remains, at the heart of the Federal concept. Any arbitrary constitutional changes based on emotions and not on the population realities of the people for whom these constitutional changes are designed must remain criminally unreal. No political eloquence, no egotistical claims to non-existent competency, no religious fervour for immediate impracticable political reforms can overnight remove anthropological and economic realities.

Only time, self-discipline and continued guidance can assure to future generations the freedom which a voiceless posterity demands of those in authority today.

This introduces the second basic anomaly which was excluded from the factors presented in Part 1. It is this. The population of the Federation of Rhodesia and Nyasaland faces the conflicting views of five Governments and the complexities of four separate constitutions whereas under normal conditions the citizen of average education finds it difficult to interpret with accuracy the functions of one government and the safeguards of one constitution. Cross-examination of witnesses appearing before the Commission will establish this fact. Only a very small percentage of those who submit constitutional proposals are in any way competent to do so. In most cases, their evidence is based on the views expressed by their associates. In other words, it is hearsay.

During the course of the Commission's investigations, Members will also become acutely conscious of the degree to which emotionalism clouds constructive thinking and of the damaging hiatus in the operation of many essential activities. Both factors are to a great extent due to uncertainties as to the outcome of the 1960 inter-governmental deliberations.

The circumstances in which the Commission finds itself were unavoidable. Nevertheless, constitutional evolution is no short-term phenomenon and existing circumstances should not be perpetuated.

Constitutional syncopation must be replaced by constitutional evolution. The development of all constitutions must not be expressed in terms of the current formula of y times 365 days, but in the demonstrable productivity of these years. For this reason, and for this purpose, a permanent institution in the form of a Council of State is essential.

Part III

A Federal Council of State

The first two parts of this Memorandum do no more than indicate the multiplicity of factors which contribute to the complexity of problems facing the peoples of the Federation of Rhodesia and Nyasaland. If this enumeration of factors is even approximately correct, it must be apparent that the only possible solution is a continuing process of adjustment.

It is equally apparent that there exists today an urgent need to set up permanent machinery to allay fears and to ensure that the stress and strain inherent in a Federation of this nature does not result in legislative abuses either now or in the long term future.

To meet these conditions such machinery must possess authority to ensure that as a new ratio of voters emerges, impartial protection will continue to be accorded to both majority and minority interests. To be securely based such authoritative impartiality requires the continuing participation of all Governments who are today either directly or indirectly responsible for the preservation of the Federal concept. It follows, therefore that a body responsible for the ordered evolution of constitutions cannot be based on the electorate of all or any of the territories now constituting Federation since such association would result in the electorate becoming both claimant and judge.

For these reasons it is proposed:

1. That the five Governments concerned, namely, Her Majesty's Government in the United Kingdom, the Government of the Federation of Rhodesia and Nyasaland, the Government of the self-governing colony of Southern Rhodesia, the Legislative Council of Northern Rhodesia and the Legislative Council of the Protectorate of Nyasaland, should each be responsible for the provision of four members to a Council of State consisting of twenty members.
2. That the composition of the Council of State should be:

	United Kingdom	Federation	Southern Rhodesia	Northern Rhodesia	Nyasaland
Europeans	4	2	2	1	1
African Chiefs ...	–	–	1	2	2
African Commoners ...	–	2	1	1	1

3. That in this Council of 10 Africans and 10 Europeans the President of the Council should have the casting vote. It should also be noted that the 5 seats accorded to African Chiefs and 5 African Commoners ensure that African representation is related to peasant communities forming the major portion of the population of each Territory.
4. That for as long as the Governor-General is not a citizen of any African territory, all appointments shall be made at his discretion, and in the event of his post being filled by a citizen of Africa then appointments to the Council of State shall automatically be transferred to a panel consisting of the Lord Chief Justice and two assessors.
5. That panels of names together with details as to age and qualifications shall be submitted to the Governor-General by the Governments concerned.
6. That appointment as members of the Council of State shall be on conditions similar to those applicable to the Judiciary

and retirement shall be not later than the age of 75 except in the case of hereditary Chiefs.

7. That the Secretariat of the Council of State shall be at Livingstone, Northern Rhodesia where the President and the Deputy President shall also take up residence during their terms of office.
8. That the Council of State shall meet in session at Livingstone to consider all matters relating to the Federation as a whole and at each of the Territorial capitals for the consideration of Territorial affairs. Sessions would therefore be held in Livingstone, Lusaka, Salisbury and Zomba.
9. That in order to remove doubts and misconceptions and to achieve nationhood as a continuing and not syncopatic movement, the African Affairs Board of the Federal Assembly should be abolished and the functions of the Colonial Office should be transferred to this Federal Council of State.
10. That for this reason, the President of the Council should rank as a Minister of State, and that both the President and the Deputy President should be provided on a non-party basis by Her Majesty's Government in the United Kingdom.
11. That the function of the Council of State shall be to preserve the ordered evolution of the Constitution of the Federation as well as those of its member Territories. For this purpose, it shall be empowered to withhold consent to:
    (1) Constitution Amendment Bills
    (2) Electoral Bills
    (3) Any Bill which contains discriminatory characteristics of sufficient magnitude to indicate a departure from the purpose for which the Council of State was created.

Annexure 1

Extracts from Leading Articles by African Editors

Board Elections

The African Daily News—21.12.59

"The Advisory Board elections in Mabvuku and Harare this year showed more clearly than ever before the dangers of the oft-repeated principle of 'one-man-one-vote' which is not supported by universal education. Unless the electors are informed and educated, they are liable to listen to promises of all sorts from gullible candidates.

In the election campaign important civic issues like housing, roads, and recreational facilities were never actively discussed, although they were printed on the manifestos. Issues that were used were, first and foremost, tribalism, promises of pecuniary advantages to organisers who in turn told the electors fantastic stories, and, last but by no means least important, canvassers told ignorant voters to put a cross against names of persons whom they knew nothing about. This can only take place among voters who are ignorant. If they had to elect members of Parliament the abuses would be excessive. In backward areas like our own it is important that education be made a requirement for the right to cast a vote."

Time is Running Out

The African Daily News—7.1.60

". . . the main purpose of the Monckton Commission is to pave the way for the Federal constitutional talks to take place in London later this year.

It would, therefore, appear to us that all those who are going to give evidence before the Monckton Commission must, almost literally, know the Federal Constitution and all the relevant papers which were published just prior to the birth of the Federation in 1953, backwards.

Otherwise, they are going to cut distinctly miserable and unconvincing figures before the Commissioners.

And we wonder how many of those who are itching to cross swords with the members of the Commission have as much as cast their eyes on a copy of the Federal Constitution, let alone read it; yet it is the easiest thing under the sun to obtain a copy of this all-important document. After all, it costs only a few shillings."

Oral Evidence

B. G. PAVER

In opening his evidence Mr. Paver said he was producing other memoranda to supplement the one he had already lodged and he would appear before the Commission again if they wished him to do so.*

Referring to the figure of 30,000 African voters appearing in paragraph 49 of his memorandum in the part dealing with voters' qualifications and the rate of constitutional evolution Mr. Paver said that this number represented at the time of the last election the number of African voters who could have been on the roll. Indeed, he thought the figure could have been considerably higher as he estimated there were roughly 60,000 Africans with the Standard VI educational qualification. These potential voters had refrained from registering largely on account of apathy in Southern Rhodesia and intimidation in the northern Territories. There were, it was true, other minor reasons, such as merely putting off their applications, transport difficulties, distance from registering office, etc.

On being questioned as to whether Africans have resented being on the "B" roll and thus filling the category of second class voters, the witness said that he thought that being eligible to be entered only on the "B" roll accounted for a very limited number not registering, but the main reasons for their not doing so were those he had given earlier, and in his view apathy was likely to continue for a considerable time. The cause of the apathy perhaps differed in the three Territories but basically it was not unlike European apathy to voting that was experienced in Southern Rhodesia. Like the European very many Africans were more concerned with earning their bread and butter than with politics.

Mr. Paver was then questioned on his suggestion appearing in Part III of his paper for the creation of a Federal Council of State. He thought that the five Governments should have the responsibility of forming this Council of State from panels of names submitted to the Governor-General. It would be noted that he had put forward the idea that its membership should be composed equally of Europeans and Africans. The appointees should be local personages. The reason he had drawn a distinction between Chiefs and commoners arose largely from the circumstances that the evolution of the African in Southern Rhodesia had moved very much further away from a subsistence economy and tribal authority than it had in the two northern Territories. He added that in terms of economics the balance between the three Territories had to be maintained notwithstanding that outside the Copperbelt the northern Territories were more concerned with agriculture than industry, to which the African was rapidly being drawn in Southern Rhodesia.

Answering a comment on his remarks in paragraphs 38–40 of Part I of his memorandum Mr. Paver said there was a danger in over-stressing the emotional plea, but nevertheless he regarded the emotional aspect as far as the Africans were concerned as being of very great importance. One must not lose sight of the fact, however, that emotions always tended to ebb and flow, and what were matters of overwhelming importance today were often forgotten in two or three weeks' time. Time itself always had the effect of reducing and redressing the balance of emotions. The same sort of thing, however, was never true of economics. This always remained a reality. African emotionalism in his considered opinion was a passing phase; it would die down as people settled down. Mr. Paver said the people of the Territories and Federation had been living in an extremely emotional state for some time past. So much of it was due to uncertainty and fear; but there was no reason why it should be regarded as a continuing disease. The Council of State he had suggested was something that would lend stability to the situation, and that was why it was so necessary.

Asked whether the statistics he had given had taken into account every African who had passed Standard VI Mr. Paver said that they did, and that the figures related to the three Territories. The statisticians had arrived at these figures by taking account of the increase in population and mortality. The witness said that the reductions to age steps had been done by himself. What he had arrived at in this exercise was that the age group 0–14 representing infancy and childhood and the age group 15–19 representing adolescents being educated compose 56·6 per. cent. of African society today, and these primarily were the coming Africans with whom one would have to live. The next age group 20–29 which composed some 17·3 per. cent. of the total population was what he termed the immaturity group; in other words, as in all mankind, this was the group that was continually subjecting itself to adjustment; it was floating in industry towards the goal of maturity. Mr. Paver said that he had attempted to give the Commission basic figures, and that these would emerge more clearly in another paper he would be submitting in the course of the next few days. Here he made a brief reference to an aspect in the life of the African that should receive the most serious consideration, which was the almost total failure up to date in getting African women educated.

The witness said that he had given the machinery of his proposed Council of State in paragraph 66 (11) in Part III of his memorandum. He said that he had not considered fully the form it should take as there were people more qualified than he to do this, and because of this, apart from the basic suggestion itself, there was nothing very positive that he had put forward in this connection. He was thinking in terms of the future, but merely to deal with the future would by no means necessarily allay fears from the past or from existing legislation. His suggested Council of State, however, was not designed to deal with existing legislation. He did not suggest a new Constitution, but rather that consideration should be given to some sort of body that could supervise the electoral machine, and be above the four Governments in the Federation at the moment and thereby act as some sort of a safeguard. It would, indeed, have the effect of taking over the present functions of the African Affairs Board on the one hand and those of the Colonial

*See written and oral evidence of B. G. Paver at Salisbury on 3rd May, 1960 (p. 375.)

Office on the other. This was the sort of body that would be able to guarantee to the African the question of land and control the registration of voters. He estimated that within a few years there would be over 200,000 Africans qualified to register on the present franchise.

Mr. Paver thought that the Land Apportionment Act and its implications were something that could be over-emphasised in the Federal structure. He thought that the legal machinery of Southern Rhodesia and its economy would inevitably change the pattern under the Land Apportionment Act and for this reason he thought that it would unnecessary for any legislative power in this respect to be conferred on the Council of State. He thought that in Nyasaland it was very necessary that the basic structure of land tenure there should be changed to individual tenure.

The witness said that it was a common practice to determine population density in terms of the total population and to divide that by the total land area. This was perhaps valid in an industrial or partial industrial area, or in a country which had an advanced economy. It was, however, something that could not be done as far as Nyasaland was concerned. Quite obviously the land situation in that country was far more important in relation to Nyasaland's total population than it was here, and this was underlined by the fact that the population of Nyasaland was increasing rapidly. His impression was that in Nyasaland at the moment there were only 15,000 square miles of productive land. Under the normal system of ascertaining density of population Nyasaland had a density of 77 persons per square mile; but in point of fact having regard to the productive land the density was as much as 165 persons per square mile. Nyasaland had to face this very serious situation that in terms of the rate of increase of the population there in ten years this density of 165 would rise to 235. By token of this the production of that country must be increased by a minimum of 30 per cent.

Mr. Paver considered that it was obvious that a special investigation of the land/population ratio to productivity in Nyasaland would have to be made, and soon, and probably it would be necessary to bring Northern Rhodesia into the same or a similar exercise. Unfortunately it was usually the case that only when people were on the point of death that they were prepared to move positively in a matter such as this. It was in a matter of prime importance like the one he had just referred to that his suggested Council of State would have an opportunity of doing something positive; for it could relate its policy decisions on a matter such as this from the spot so much better than could another Government situated 6,000 miles away. Asked if it would be possible to shift, say, ¼ or ½ million Nyasas to Northern Rhodesia Mr. Paver thought that this would present a very difficult problem on all levels. He thought that the present situation could only be changed by some major disaster. Unfortunately in his view Nyasaland at the moment was facing just such a disaster.

On a subsidiary point the witness replied that the President of the Council of State would probably have to have a casting vote. When a body was as equally balanced as was that he had suggested he thought it was necessary for there to be a casting vote.

In reply to a question on the franchise qualifications the witness thought that these should remain unchanged. They would be acceptable to what he termed "trained" persons, and it was a truism to say that all must agree to our having an ordered society. On the other hand, he thought it was against human nature for the franchise to be accepted as it was, and it would be unfair for him to give the impression that the Africans would welcome it. In a more equable political climate this was a matter that could be resolved as soon as circumstances made it necessary.

Mr. Paver thought that partnership was something that could only emerge from African preparedness to accept it and from European goodwill. He thought that there had not been a great deal of evidence of the goodwill, nor for that matter in certain directions had there been much evidence of the Africans' preparedness to achieve it. He had difficulty in understanding what the African had to fear, because particularly with the impetus being given to industry under his estimate there would be over ¼ million African voters by 1970 or nearly twice as many as there would be Europeans.

On the question of the Council of State which was discussed further, Mr. Paver thought it was probable that the United Kingdom members in his scheme would most likely be drawn from the United Kingdom. It was true this would possibly not be very acceptable in some quarters in the Federation but, on the other hand, he considered the Africans would accept their appointment on this basis. He did not suggest that the Governor-General should be appointed from the Federation. It would not be very acceptable if this were done. Further, the appointments of Councillors would not be for life with the exception of the case of the hereditary Chiefs that he had mentioned.

Mr. Paver reiterated that his scheme was not complete in itself as he had set it out and he thought that there were others who were much better qualified to mould it into proper shape. He thought it would be a good idea if the Council were given the opportunity of considering Bills before they were presented to the House and of course the African Affairs Board would become redundant. Furthermore under his scheme it would not be necessary to have a second chamber. His Council of State would be a body that would have an absolute veto on legislation from which there would be no appeal.

Dealing with his reference to the Lord Chief Justice in paragraph 66 (4) in Part III of his paper Mr. Paver in answer to a question said that he knew of no precedent in any other country of Lord Chief Justices making political appointments. His idea was perhaps revolutionary but that in itself did not mean that it was intrinsically wrong. Generally his plan would have to be regarded as a compromise between what the average European in the Federation demanded and what the Africans, especially those in the northern Territories, wished for, and no compromise was ever really satisfactory. The Council of State would not be of a temporary nature but again that depended on what one meant by temporary; the Roman Empire had been temporary. The European here wanted control removed from London, while the African view was that control by Her Majesty's Government should be retained. He thought that the Africans were more likely to be satisfied with the compromise than the Europeans because the latter would still suspect the hand of the Colonial Office. What he was trying to do was to project into the future something that would sustain basically the concept of a multi-racial society in the Federation. Incidentally it was inherent in his proposal that the United Kingdom representatives would transfer from London to Africa.

Written Evidence

METHODIST CHURCH. Resolution of the 1959 Synod of the Methodist Church in Southern Rhodesia.

Status of the Federation

The Synod believes that under the guidance of God the Federation of the three territories of Central Africa can achieve the well-being of all its peoples. It also believes that independent status and an educated and enlightened democracy are the goals to which all must work.

It considers that the granting of independence should be delayed until such time as the Federation has gained the confidence of the majority of the people and until this confidence can be adequately expressed.

It is convinced that the Governments concerned are morally and legally bound by the conditions explicit in the preamble to the Constitution and implicit in the Protectorate status of Barotseland and Nyasaland to ensure that no final steps to independence be taken until the inhabitants of the territories, expressing themselves through acceptable and reliable channels, are known to desire it.

The Synod therefore, calls on the Governments concerned:—

(*a*) To take no irrevocable step until the above conditions are fulfilled.

(*b*) To take all possible steps to win the confidence of all the peoples concerned.

(*c*) To prepare a programme in which the stages towards independence will be implemented gradually in accordance with the above conditions.

The Synod recognises that the Christian Church has a special responsibility to our country as it seeks to achieve these goals. It therefore calls on all Christian people:

(*a*) To pray earnestly that God will guide the Governments and peoples concerned so that His will may be done in the Federation.

(*b*) To gain such knowledge of the issues involved that they can make an intelligent contribution to the ideal of partnership.

(*c*) To use all available means inside and outside the Church to deepen understanding between the peoples of the Federation and to refrain from any disruptive action during the progress to independence.

Oral Evidence

METHODIST CHURCH—represented by the Rev. H. Jesse Lawrence, General Superintendent for Southern Rhodesia.

The Rev. H. J. Lawrence in speaking on the Resolution circulated to the Commission said that this was a synodial multi-racial resolution of the 1959 Synod of the Methodist Church. He added that there were two branches of the Church in the Colony, one being the British which was established about 1890/91, and the American which arrived later. He represented the British Branch.

The Rev. H. J. Lawrence's evidence was to the effect that the fullest facilities must be made available for all races in Southern Rhodesia and the Federation to live together in harmony, and he did not think that the Federation could succeed unless the member states were members as the result of the exercise of their own free will or decision. Were any of the Territories to be coerced or retained in the Federation against their will, it was quite obvious

to him that a sense of injustice would be created, and he considered that any must be free to leave the Federation at any time and not be under compulsion.

As far as the individual citizens of the Federation were concerned, it was necessary for them to be able to live their lives fully and freely without restriction.

If he was asked what the most important thing to be done in the Federation was, he would say without hesitation that this was the institution of a compulsory system of birth registration for Africans, and not only the other racial groups. In his view a tremendous amount depended on the ready accessibility to correct vital statistics of all sections of the population of the Federation. He admitted that as far as compulsory registration was concerned, there were certain difficulties, but he thought that these could quite easily be swept away. As it was the African was under a disadvantage and often there was no means of fixing their names nor of knowing the dates of their birth. Later on this had consequences which might well be serious because statistics were required for various purposes such as pensions, life insurance, age limits in education, school leaving age, etc., etc. He felt that when names of individuals, not particularly Africans, had been fixed through the medium of compulsory birth registration, the pass laws of the country could be thrown out of the window. Indeed he thought they could be abolished now. In the meantime he thought it might be advisable if it was made compulsory for all sections of the population to carry identity cards, but even this could be dispensed with once there was universal compulsory birth registration.

The witness went on to say that if there was to be a cohesive community of people living together in partnership in Southern Rhodesia, it would be necessary for the present discriminatory laws in the colony to be abolished altogether. The laws of the country had to be just for everybody and these had to be supported by a sound judicial system and judiciary. Southern Rhodesia, he said, had been well blessed for many years in its judiciary; but what the country was coming up against now was that the legitimate findings and decisions by judges were being subjected to the caprice of Ministers. His view was that as hitherto all men should be regarded as innocent until proved guilty.

The Rev. H. J. Lawrence submitted that in order to achieve true partnership a great deal of attention had still to be paid to education. He said that in general terms some of the races in Southern Rhodesia were being given all facilities for 100% of the child population. At the moment this was not the case with the African, but in his view as far as African education was concerned, Southern Rhodesia had a better record than any other country in Africa, and indeed some countries in Europe as well. Very large sums of money were being spent on African education in the Colony and it accounted for a very substantial percentage of the budget. He thought that 90% of the African child population in the country had received, or was receiving, schooling in greater or lesser degree. It was true that the numbers in the upper classes were comparatively small, and he thought that probably no more than 50% of the children were passing Standard III in order to get places in Standard IV and the higher classes. This had the effect of debarring many children from getting ahead, or at any rate having the opportunity to do so. It was found that with the age limit system that had to be applied those who were unable to proceed beyond Standard III were finishing their schooling at the age of 11 plus, and in consequence they were being subjected to many social ills. He said that the Department of Native Education was very much in line with the Churches and Missions in their thoughts about this matter; but the difficulty lay with the Treasury who appeared simply unable to provide the necessary finance. He repeated that, as it was, very large sums were being spent on African education.

The great want and need of the African was education, and coupled with this was the institution of non-racial schools. These he thought it would be impossible to institute in the lowest classes, but he saw no reason for any difficulty in doing so in the secondary stage of education, apart from the existing circumstance that European education at the moment was Federal whereas African was Territorial. This division of functions he thought should be examined, and he commented that it was only at the University stage where Africans and Europeans entered into the educational field on precisely the same terms. Why he enquired should not this be achieved lower down the scale.

In regard to the Land Apportionment Act, the witness said that this should be swept away. He was aware of the plea that it gave protection to Africans in the Reserves; but he thought the disadvantages outweighed the advantages. There were certainly lots of hindrances to the African. Why should he not be able to obtain business premises in the European area or buy a house there? If he was able to do this he would be enfranchised for local government elections, and thus get a share in municipal government. The whole principle of dividing the population was wrong, and if the country was genuinely endeavouring to achieve partnership between the races, he felt that it was necessary to do everything possible that was practical in order to achieve this goal.

The witness asked if he could hand in a copy of an open letter dated 16th March, 1959, which appeared over the signatures of the leaders of the Christian Church in Southern Rhodesia at the time of the Emergency. This letter was couched in the following terms:—

"We, the undersigned, desire to record our apprehension and protest concerning the legislation proposed to the Southern Rhodesian Parliament in the present emergency.

"We believe that no emergency, or danger of emergency, can justify injustice. A good end must not be sought by evil means.

"It is a violation of established principles and liable to grave injustice to detain any man's person without preferring a charge against him in the shortest reasonable time.

"It is a violation of established principles to convict a man in respect of what was permissible in law at the time of his arrest.

"It is a violation of established principles to assume that a man is guilty of an offence, until he has been tried by a court of justice and adjudged guilty.

"It is a violation of established principles to deprive a man of trial by a skilled and impartial judiciary. Courts or committees established outside the judiciary are almost certain to be unskilled, and often prejudiced from the outset.

"The strongest safeguard of a land is its people's respect for the integrity of its justice, as administered by an independent judiciary.

"Only in circumstances of the gravest emergency can human rights be set aside by the exercise of emergency powers. Emergency powers must be temporary, and strictly proportionate to the situation.

"We believe that no danger has yet been revealed to the public or to Parliament so great as to justify the proposed grant to the Executive authorities of enormous powers on the promise that they will not be misused, together with the diminution of the authority of the judiciary and the accepted principles and standards of justice.

"We appeal to Parliament to examine and judge this legislation in the light of these principles.

Signed: JAMES, *Archbishop of Central Africa.*
FRANCIS, *Archbishop of Salisbury.*
J. KENNEDY GRANT, *Minister of the Presbyterian Church, Salisbury.*
H. JESSE LAWRENCE, *General Superintendent for Southern Rhodesia, Methodist Church.*
CECIL, *Bishop of Mashonaland*".

The Rev. H. J. Lawrence then replied to questions by members of the Commission. In regard to multi-racial schools he thought that for a few years it would be best to deal with those on the secondary level before trying to cope with the situation in the primary schools. This would be necessary until various problems such as the common budget—the cost of integration would be very heavy—were worked out. He thought it would be found that in practice only the children of the wealthiest Africans could go to European schools, and if such provision was made for them the standard of living of those Africans would have to be reduced accordingly to permit this facility to the child. With integration of the secondary schools he felt that a great deal of duplication in the shape of administrative staff, laboratories, buildings, etc., would be avoided. With this there was a building up of the human wealth that would develop from a common community that multi-racial education he felt must develop. Unfortunately he had no suggestions to offer on the financial side as to how best this schooling could be catered for. He did suggest that as far as the individual parent was concerned, it was unlikely that there would be a difference in cost to him. This doubtless would be borne by the state for even now it was found that the education of a European child who was at boarding school was being subsidised to the extent of £50 per annum, the cost being £121, of which the parent paid £71. The African parent at the moment was paying £16 to £18 a year which was supplemented by a Government subsidy of £6 and a further subsidy which was usually made available by the Missions.

The witness mentioned that the age of entry to primary schools had been changed and a child could now enter sub A at seven, and he was allowed until he reached the age of 10 years to catch up any backlog. As far as secondary schooling was concerned, he could not be older than 18 on entry. In practice, however, it was found that the African was now going in at 15 and this would soon drop to 14. He considered that in three or four years time the African and the European would be entering secondary school at the same age. When they did so he thought that both European

and African parents should pay the same fees, and that the principle should be maintained that no African of suitable standard should ever be turned away on account of financial want. He regarded multi-racial schools as something that must become compulsory as soon as possible at the secondary stage. This would have a snowball effect as far as the English language was concerned because the African youngsters in secondary schools would be returning to their homes where inevitably they would practise the use of English with their younger brethren who in turn would benefit in their primary education.

On being questioned about the Land Apportionment Act, the Rev. H. J. Lawrence agreed that without it the European's greater economic facilities would have reduced the land available to the African, and that up to now the Act had protected this land for the African against exploitation by others. He added, however, that there was a time when the Africans in this country after the occupation could go where they wished and purchase land where they wished if they had the resources to do so. But now that the Land Husbandry Act was being implemented, it was no longer reasonable to retain the Land Apportionment Act. One found that with the rapidly increasing population thousands of Africans were coming to the towns, and he thought that within the next few years there would be hundreds of thousands of them in the cities. He thought that perhaps it might be reasonable to retain protection of the land for those Africans still in the African areas, and to let the Land Apportionment Act continue to apply only insofar as the rural African was concerned.

Dealing with the emergency legislation of 1959 the witness said that its existence was the cause of great public resentment on the part of both Africans and Europeans. He conceded that emergency legislation might very well be necessary for a period of emergency, but why continue it beyond that period. In any event the real crux of the matter was that people were being arrested at any time, they were being given no trial, and as he had said earlier one of the most important objections was that Judges' decisions had to be referred to the Executive. He said that the legislation was extremely fierce, and added that even his Church could be proscribed if he as a Minister in conscience offered criticism. The present legislation was to endure for five years, but the laws that were current immediately before the emergency legislation would doubtless be utilised, if necessary, after the five year period had ended. In his view, what he termed the old public order laws were more than sufficient; they had indeed proved sufficient for emergencies in the past. His main objections to this law were the interference with freedom, and the fact that the review of any decisions was subject to the whim of the Executive. He pleaded that the independence of the judiciary should not be lowered or interfered with in any way. He thought that the Act should be repealed at once in view of the fact that other perfectly adequate legislation was still on the Statute Book.

Memorandum

SALISBURY WOMEN'S INSTITUTE

There is, at the present time, a genuine anxiety among the members of the Salisbury Women's Institute regarding the future of the Federation and an earnest desire to contribute to the utmost in maintaining a Government which will be in the hands of responsible people for all time.

It is to be deplored that most sections of the Press, both local and overseas, have ceaselessly engendered hostility to the Federal State, and have never missed an opportunity of creating chaos in the minds of all sections of the community. They have done little to encourage and applaud the efforts of the many sincere people who are determined to achieve the goal of a happy and contented Central Africa. Misrepresentation and distortion of facts have played a very important part in fostering the feeling of unrest and uncertainty which is prevalent. We appeal to the Commission to take this fact into consideration when they view as a whole the progress of the Federation.

African Affairs

No doubt we may have an inadequate appreciation of the full implications of a uniform Native Policy, but it must eventually lead to a common citizenship which is the basis of a multi-racial State and the establishing of a multi-racial Nationhood. The primary need, therefore, is the provision of definite machinery for the study of a uniform policy for the Federation. It would seem that Native Policy is a subject which calls most urgently for co-ordination and that working towards a joint policy of practical application would lead to valuable results such as loyalty to one State and uniform conditions of employment. Due consideration in framing such a policy would have to be given to the special responsibility of Her Majesty's Government in the United Kingdom for the interests of the Native inhabitants in all the territories.

The Policies and principles which are being applied in Southern Rhodesia and in the two Northern territories present well-marked differences but a blend of both, hammered out by both European and African representatives from the three territories will bring about uniformity in the Federal State.

It is fully realised that basic issues are involved in devising the unification or assimilation of the divergent Native Policies which are being pursued at present.

Important adjustments will have to be made with regard to Franchise, the apportionment of land and land tenure in the three territories.

The gradual displacement and absorption of many existing institutions in a society of kinship will have to reflect the aspirations and hopes of the Africans but it is most essential in the building of a modern State on Western European lines that the political and economic beliefs of the Europeans and their legitimate rights should be fully assured.

Fundamental Principles underlying Democracy

African politicians of multi-racial territories are increasingly unwilling to settle for anything less than independence with the slogan "One man, one vote", regardless of the fact that the civilising work and leadership of the Europeans have largely been responsible for the development of these territories. "One man, one vote" in short means an overwhelming black preponderance in Government with Europeans tolerated on African terms.

Therefore adult suffrage could not be considered in these territories at the present time where the vast majority of the electorate are illiterate and irresponsible and they would dominate a minority who are schooled in the principles of democracy, a system of Government which has been evolved essentially for an educated electorate.

In Britain political power remained in the hands of an educated minority until the bulk of the people had been moulded by education to operate the concept of democracy. It has been stated that the bulk of the people at that time in Britain had an average education standard equivalent to Standard IV, i.e. below secondary standard. This level must surely constitute the minimum fundamental mental training to counteract even in part the results of hysterical emotionalism to which is added in Africa, witchcraft, ancestor worship and other completely illogical phenomena militating against logical and reasoned thought. Under the more advanced conditions prevailing at present in the world generally, more complicated economic and political aspects of life, the standard of education required for franchise should be correspondingly higher. Whatever may be the social, political and educational benefits to accrue to the whole Federation the ultimate success or failure of the whole policy will depend on the initiative and enterprise of an educated and responsible electorate.

Summary of Suggestions:

1. There should be a study group to consider a joint Native Policy throughout the Federation together with the preservation of the rightful heritage of the European.

2. There should be applied the principle of a responsible and educated electorate in the Federation.

Education Multi-racial Education

With the vast differences in the social, economic and political background of the whole population, multi-racial primary and secondary education is not considered practicable or advantageous to either of the main sections of the population—African or European.

Health

An assessment of the Health Services as they are at present must begin with a comparison of the existing services in the various territories prior to Federation in 1953. It was then clearly recognised that the provision of Health Services, and in particular of hospitals and clinics was far more advanced in Southern Rhodesia and that greater expenditure would be necessary in both the northern territories in order to meet their requirements more adequately and to bring them closer into line with the services available in Southern Rhodesia.

The level of inadequacy in the Northern Territories, considered in the light of their respective populations, is clearly reflected in the comparative expenditure on health services in 1953, as shown in the following tables:

		S. Rhodesia	*N. Rhodesia*	*Nyasaland*
		Recurrent Expenditure		
1953	... ...	£2,202,245	£995,199	£267,000
1958	... ...	£3,780,095	£2,069,973	£815,794
		Capital Expenditure		
1953	... ...	£544,521	£177,120	£40,000
1958	... ...	£142,429	£818,920	£198,554
		Population		
1953	African ...	2,210,000	1,960,000	2,420,000
1953	European ...	157,000	49,000	5,000
1958	African ...	2,550,000	2,220,000	2,690,000
1958	European ...	215,000	72,000	8,800

By the above figures it will be seen that the pendulum has now swung in completely the opposite direction. Thus whilst recurrent expenditure has increased by about one third in Southern Rhodesia it has more than doubled in Northern Rhodesia and more than trebled in Nyasaland, and capital expenditure having dwindled to almost a quarter of its previous total in Southern Rhodesia has soared to four-and-a-half times its pre-Federation level in both Northern Rhodesia and Nyasaland.

One of the most reliable guides to the adequacy or otherwise of a health service is the level of bed occupancy in hospitals, a safe maximum being usually considered to be 75% and an absolute maximum 80%. Figures for African hospitalisation are either non-existent or misleading for all the territories but at the time of Federation it was suggested that the budget for the African hospital in Bulawayo compared closely with that for the whole of Nyasaland, and Northern Rhodesian Africans were to a large extent cared for in mine hospitals. Southern Rhodesian African hospitals were grossly overcrowded prior to Federation. The position in all three territories has been greatly improved, but the demand for increased services grows greater daily. There is no doubt that the level of African services has enormously improved in the two northern territories since Federation.

The comparative figures for European hospital services are much clearer. Bed occupancy in Nyasaland and Northern Rhodesia prior to Federation were about 30% and while the overall figure for Southern Rhodesia at that date is not available the figures for Salisbury and Bulawayo hospitals were 87·3% and 79·3% respectively, in 1958 they were 80·2 and 83·8 and in 1959 had risen still further. Salisbury hospital for that year is reliably reported to have been 90! The comparative figures for the three territories in 1958 were:

S. Rhodesia 69·2%, N. Rhodesia 40·4%, Nyasaland 44·0%, and these figures are further reinforced by the number of beds per 1,000 (European) of the population in that year, these being:

S. Rhodesia 4, N. Rhodesia 6·9, and Nyasaland 7·5, respectively.

There appears to have been a distinct retardation of services in Southern Rhodesia particularly in respect of services for Europeans.

Conditions led to a commission of enquiry whose findings have not yet been published. Dissatisfaction arose from several factors. To begin with the size of the Federation as a whole and the differing levels of urbanisation make for an unweildy organisation which has to be geared to meet vastly different needs. Nevertheless all personnel are recruited on a Federation wide basis, and may be drafted to any part of any of the three territories as the need arises. This results in a lack of stability and a wastage of highly trained personnel, who may (because of seniority and other service considerations) be placed in situations where their special skills are of no use. This is particularly prevalent in the nursing services where, for example, there is no continuity of theatre staff, and no possibility of building up surgical teams. Likewise medical officers with surgical or other qualifications may find themselves in an isolated station where no opportunity exists to make use (or proper use) of them.

Recruitment meets resistance when it is realised that living conditions may vary from the ultra rural to the highly urbanised and through a wide range of climatic conditions with enormous distances between possible stations. This is clearly reflected in the fact that throughout its short history the Federal Health Service has been under-staffed and the position is steadily worsening.

In the National Health Service in the United Kingdom it was recognised that a service of such a personal nature as Health should have as much local autonomy as possible, and such was in fact provided by the Regional Boards. This is not the case in the Federal Service, where, more and more, the direction has been increasingly centralised.

A further cause of difficulty arises in that whereas Health is a Federal responsibility Social Services remain under the aegis of the Territorial Government. These services are so inter-related and so dependent the one on the other that this division has made for nothing but frustration and difficulty in both.

There is one other aspect of the Health Service to which perhaps attention should be drawn. African health services of every kind are provided free of charge. It is thus, as far as the African population is concerned a *non-contributory free* medical service. Such provision was readily understandable when the African population was still living a rural tribal existence, and not within a money economy—when European medicine was distrusted and shunned, and the provision of services was dictated by urgent public health requirements or on humanitarian grounds. Now however the African is clamouring for more and more services and for every kind of specialist facility. That such services are available in the quantity and at the level at present enjoyed in one measure of the Europeans' willingness to assist the African to a better standard. It would therefore appear that direct contributions from African wage earners towards their health service should be considered.

Finally there is a general feeling throughout both medical and lay opinion in Southern Rhodesia that allocations of health funds as between the three territories has been dictated by political expediency rather than by medical necessity and this would seem to be borne out only too clearly by such figures as are available.

Summary

It is therefore recommended that Health should become the independent responsibility of each of the three territories of the Federation.

Federal Police

It is suggested that an investigation should be undertaken with regard to the possible establishment of a Federal Police Force, in addition to the existing Territorial Police Force.

Conclusion

The foregoing suggestions have been submitted with the sole object of eliminating causes of conflict and of bringing about conditions which will make an ever greater contribution to the success of the Federation than has been made during the past seven years.

Salisbury

January 1960

Oral Evidence

SALISBURY WOMEN'S INSTITUTE—represented by: Mrs. G. Ward, President, Mrs. Snook, Mrs. Jarvis.

Mrs. Ward stated that there was little they wanted to add to their memorandum but to confirm what the Morton Commission on Health had stated that the original move to make Health a Federal function was unwise. The Institute still held the view that health should be a Territorial subject. They also thought that there should be a joint African or native policy for the three Territories and they took the view that as everyone in the Federation was a citizen of the Federation all restrictions should be done away with for all races. In response to questions by members of the Commission it was stated that the difficulty in obtaining sufficient doctors for the Health Services particularly in the rural areas lay in the fact that most of the doctors and nurses for that matter wanted to be posted to the larger towns. To counteract this tendency they thought that better conditions, and this applied more to Nyasaland than elsewhere, could be offered to people going to the rural areas. They thought that the same consideration applied to teaching staff, although the staff position was probably as bad in Salisbury as anywhere. Even so, there had been a great improvement in the numbers that had been recruited since Federation; but they saw no reason why both Health and Education Services should not be Territorial, particularly as recruiting would then be less of a problem, because so many doctors, nurses and teachers disliked transfers, which tended to give them a sense of insecurity.

Replying to another question the delegation said that their reasons for saying that education should not be multi-racial arose primarily from the language difficulties that existed between children. This applied particularly in the primary classes, and the position would be very much the same in the secondary schools. Into the bargain the cost would tend to be absolutely prohibitive, because so many of the African children lived away from the larger centres, and boarding establishments would have to be put up.

African education, they said, cost less than European education; but it was not inferior. If there were to be any change over a to multi-racial basis, it would have to be very gradual indeed. Staffing would present serious problems because the African teachers were not sufficiently highly trained. The point was made that while African tax collections in the Colony yielded £1½m. African education cost £3m.

On being asked questions on the Morton (Hospitals) Report, land tenure and the franchise, the delegation stated that they disagreed with the conclusiions of the Morton Report, and that as far as land tenure and the franchise were concerned, it was very difficult for them as laymen to make any recommendations.

The delegation stated that while they were not representing the Federation of Women's Institutes, they felt that that Federation would not necessarily disagree with the views put forward in their memorandum.

Memorandum

LEAGUE OF EMPIRE LOYALISTS (Central Africa Wing). N. H. Wilson—Chairman and I. B. Wemyss—Organising Secretary

Firstly, we would like to convey to the Commission that the League of Empire Loyalists is not, as is supposed by some, anti-African or for that matter anti-coloured of any community. In fact, we believe that the Africans should be encouraged to gather together their own research workers, engineers, scientists, mathematicians, doctors, lawyers, etc., etc., if they can. We do, however,

have a very real and great pride in our own race and believe that in terms of survival, the "colour bar" is essential for the protection of all. Abandon the political "colour bar" (however it may be disguised) and white civilisation will be drowned in the flood. Abandon the Industrial "colour bar", and there will be an intensification of inter-racial frictions, leading sooner or later to a head-on crash. Abandon the social "colour bar" and life in Africa will become unacceptable for all Britons except those with warped biological instincts. The "colour bar" in insisting upon a line of demarcation, enables all races to maintain some pride, some nobility, some dignity.

Properly understood, the recognition by the man of one race of a man of another race or colour is the only hope of a relationship based on courtesy and respect.

The influence of environment, coupled with the accidents of history, gives the Europeans certain advantages over the other races. It is not a case of better or worse in any absolute sense, but one of greater or less suitability under different conditions.

The so-called "indigenous" peoples have none of them been very long on the scene especially in Southern Rhodesia—indeed at the end of the last century, the country was still in a state of flux, tribe raiding tribe in ceaseless predatory warfare (each tribe really being of a different racial group). We must therefore allow for differences between the races, and even between groups composing what we tend to regard as a single race, e.g., various African tribes; for instance, no Matabele would accept a Mashona Chief—this has always been recognised by Government, which would never dream of trying to impose such a misfit. Yet, aren't we now aiming at just this with the African representatives in Government? It is so often forgotten by us when one talks glibly about the "Africans" one may be referring to people of widely different origins and cultures. The only racial groups which are homogeneous in the Federation are the Europeans. When preparing Constitutional proposals in the past, many of the basic differences which exist have been totally ignored, or glossed over, forgetting the stresses these differences set up.

No man of good-will can be satisfied with any goal less than a country the inhabitants of which live in concord with one another, each contributing the maximum he can to the common good. Such a goal is no idle dream. It will never be attained merely by a process of tearing down barriers—and just pushing the races together with the pious admonishment to live happily together ever afterwards! Rather, does it involve a process of mutual respect and understanding. At the moment for instance, even the African tribes do not wish to unite (the Mashangaan and Matabele living in Nuanetsi and their present troubles is a good instance)—there is a far higher barrier between Hindu and Moslem than most people imagine—the Asians therefore are not a homogeneous group. We have also a Coloured Community with fairly long-established rights which must be respected today.

All communities have their strong and definite ideas. The European is most unwilling that the control of *his* affairs should pass into other hands. He considers that the majority of Africans, for example, do not understand the very basis of European society and, he considers that if certain African leaders came to power, they would not provide the necessary conditions for its continuance. Have they not actually said so in their speeches? For this reason, the European knows that it is essential to the survival of his community and its standards that he shall manage his own affairs. Other communities are coming to think similarly. Therefore, there appear to be two main principles as being essential for the welfare of all sections of the community:—

(*a*) That Her Majesty's Subjects in the Federation, as far as practicable, should have responsibility for the management of their own affairs.

(*b*) That under no circumstances should anyone classified as non-European have responsibility for the management of European affairs.

The acceptance of the second principle thus means that in every inter-communal undertaking, the controlled authority shall be European.

Application of Principles

To a great extent African authority should be based on African custom and not on democratic systems alien to African thought and temperament.

Ideally, there would be a Supreme Council of Chiefs, under the Crown, exercising authority over African affairs.

Practically, it may be necessary to confine this Council to the Reserves and establish an elective system for Africans permanently resident in other areas. The system should be as simple as possible. African residents, likewise Coloured and Asian should elect representatives of Township and Village Councils; these councils should elect representatives to Regional councils; Regional councils should elect representatives to Territorial councils, and the Territorial councils should elect representatives to a Federal council.

The Federal council (with authority outside the Reserves) and the Council of Chiefs (with authority inside the Reserves) should elect representatives to sit with European members (appointed by the European Central Parliament) on an Inter-Communal Council presided over by the Governor (or his nominee, who would have to be a person completely free from any Party Political affiliations).

The fuction of the Inter-Communal Council should be in part advisory, in part executive, with such powers as may be necessary to enable it to exercise final authority over the conduct of those African, Coloured and Asian affairs which require European guidance. Its main advisory task would be the harmonising of race relations.

Administration

The Council of Chiefs and the Federal Council in their respective areas should be responsible for the administration of justice in all cases where Europeans are not directly involved. Appeals from these courts could go to a judicial committee of the Inter-Communal Council.

The same system might be progressively extended to other fields—medicine, public health, welfare, trade, agriculture and so on.

It would be possible for this system also to be employed at Territorial and Regional levels to avoid congestion of business at the top.

In general, moneys raised from African sources should be expended by African authorities. The same could apply to the Coloured and Asian authorities. Wherever these moneys are supplemented by grants from official European sources for specified purposes, there should be official European supervision to ensure that those purposes are being efficiently met.

We believe very sincerely that Federation should have been the greatest force for the preservation of British interests and the White man in Central Africa had it (the Federation) been administered with strength from its conception.

We are still, however, of the belief that the Federation should not be broken up and that by re-organisation with firmness of purpose this part of Africa could yet be saved from demagogism and barbarism.

We believe that we should stick rigorously to the assurances Mr. Hopkinson (the Minister of State for the Colonies) gave when he came out here in 1953 to put over the idea of Federation to us; and that the British Government should be made to fulfil and honour these assurances, as it was largely on these representations that we voted at the Referendum. Mr. Hopkinson declared:—

> "There can be no question of a Gold Coast Government in Northern Rhodesia or Nyasaland. The Europeans in those territories have made their homes there and they are there to stay. They have largely contributed to the development and the well being of the Protectorates. They will *continue* to play their *full part* in the Government of those territories *now and in the future* and of course the same thing is even more true here in Southern Rhodesia".

Mr. Hopkinson also defined what was intended by "Partnership" when he said:—

> "I believe that Federation will facilitate the development of this idea of partnership which is a question largely of goodwill and understanding to which all communities must make their contribution."

We submit that had this definition of "partnership" (which after all is the definition that was voted on at the Referendum) been used by the U.K. Government and our own Governments as a working basis there would never have built up the racial differences that are in our midst today—these racial differences have been caused and aggravated gravely by the blatant and unceasing efforts of British Members of Parliament coupled with our own Governments to bring about as speedily as possible the complete political, social and economic integration of the peoples of the Federation. Further, the Labour Party has made the task of making the Federation work almost impossible—they have insistently used Central Africa as a political football in spite of the assurances given by Mr. Attlee in 1953 at Ndola in his pre-referendum address when he said:—

> "There is no question of Central Africa being used as a political football by the parties in Britain."

It appears to us that the real grievance of the Africans is a feeling of uncertainty. Brought about by the end of the tribal system and the apparent weakness of the White man today. Secondly, White rule, by eliminating warfare and ritual excesses has made life unbearably boring. The instinctive desire for security which is universal and the excitement of violence and conflict are today provided by nationalism. All races have a stake in the Queen's Peace and endurance of the Rule of Law and British Liberties. A militant rather than a defensive attitude to Accra and Cairo might well gain enthusiastic support among those who yearn for the battles of old.

We have all paid attention to the vociferous few hundred agitators—these do not after all speak for the African masses although they like us to think they do. The African masses are still unable to understand the first ABC of politics, let alone are they in a position to know what they want.

When discussing with the labour and peasant classes what their wishes are we still find an inherent distrust and fear among them that should the White man allow Africans control, their position would become intolerable; further than this it is difficult to get any coherent ideas whatsoever from them.

We find that when discussing the situation with the educated and moderate Africans that their whole desire is to be able to live with their families in peace and to be allowed to carry on their work without interference. Here again, we can sense the fear that the White man, having done so much for the African is now planning to leave him to the devices of those Africans who are enamoured with the idea of themselves becoming rulers and each and everyone of them picturing themselves as the possible Nkrumah of Central Africa.

We, the League of Empire Loyalists, are believed by the few hundred aspiring African Politicians to be "haters of the African." Nothing could be further from the truth.

Those of the educated but moderate Africans who are genuinely worried about the future for their children will often come voluntarily to the League's office and spend many hours discussing their political worries for the future and how they believe that the White man shortly intends handing over to Black rule which for their children they believe can only bring misery and victimisation. They have often pointed out that so many of those Africans who have assumed roles as leaders have been failures in any other walk of life and quite unable to get for themselves a steady job and work in an honourable manner; some of the African Politicians, they agree, have proved themselves to be able to work but of those who are most vociferous they tell us, they have been failures. When asking these Africans why they do not make their views heard and known, they say that it would be more than their life is worth to do so, that they can only tell those Europeans who befriend them, and hope that these Europeans will make their (the African) position and views known for them.

It has also been pointed out to us very frequently by these same Africans that as yet the Africans do not have full control of their own Townships and that if they have no members of their society who can be entrusted with this, how is it then that the White man believes that there are some Africans amongst them suitably qualified to Govern our country? They have repeatedly voiced the opinion that if Africans could have control of their own local affairs, then they could be happy: but not with complete control of the country going to Africans as they are convinced that many of them will be victimised out of existence—Nkrumah being quoted very frequently in this respect.

"Imperialism", "Colonialism", "Exploitation", "Oppression", *ad lib* are hurled at the heads of British settlers in the Federation and other British Colonies with all the gusto that men find in the groundless abuse of others; not only by our own kith and kin, but by those who, but for British Imperialism and Colonialism, would never have attained their present position in the world, whether as individuals or nations.

It appears to be totally forgotten by many that we have as much moral and legal right as the Europeans who settled in America, Canada, Australia or New Zealand.

When the pioneers and settlers came to these countries some seventy years ago two civilizations met, one, the product of some 5 or 6,000 years of trial and error by a branch of the human race developing by their own efforts, initiative, genius and inherited or acquired intellect and brain power. The other a civilization, that as far as can be ascertained had lain dormant in a state of stagnation since the stone age, possibly a million years more or less. Thus these civilizations moved on entirely different planes, psychologically, morally, intellectually and spiritually. It was not a question of colour, as so many people and propagandists blatantly affirm, but of *culture* and other differences well known to the biologist and anthropologists. It is extremely doubtful if the White man has ever understood the mind of the Black man and vice-versa, or ever will.

We are, we think, justified in saying without fear of contradiction, that the welfare of the Africans has always been a primary concern of the Europeans and that no nation has done so much in so short a time for the benefit of so many, by so few, with such limited means and, in spite of so many difficulties. Far from being underprivileged, as is so erroneously and maliciously alleged, the African people have been granted vastly more privileges under the White man's rule than they ever enjoyed under their own Chiefs: or might reasonably expect to retain under their own synthetic, veneered, intelligentsia.

We in the Federation, over the last few years have suffered from the propaganda of know-alls from far and near who, with the blessing of the applauding Communists, have shouted of racial differences, racial hatred, racial fear, racial colour bar, etc. etc.

Since the Africans are divided into several tribes, all with their own languages and tribal characteristics and there is also a large number of detribalised natives, no longer amenable to tribal laws or customs; the only recommendation that can possibly be made in order that these diverse elements may be adequately represented is on the lines we have already suggested. Thus we should be adapting the tribal system to modern conditions, without a break in inherited traditions, maintaining the dignity of the tribesmen, and given an opportunity for free self-expression and the development of a sense of responsibility and the unfettered means of co-operation with the more advanced culture.

All this is borne out by the conclusions of that great administrator and life long student of things African, Lord Lugard, who has officially stated that:—

> "to try and remake an old established society in our way of living and thinking is certain failure: the native has customs and laws not ours, and we should strive for moral and material progress within the framework of his natural institutions."

The wisdom of his policy is admirably endorsed by that well known author of *Communism, Fascism and Democracy* Professor E. Horman, who states that:—

> "There is an obligation to recognise human diversity as a value, and to stop setting one's self up as a yardstick with which to measure mankind."

Apart from the inalienable right of the European settlers to be master in their own house, a right which 13 British Colonies once asserted with considerable emphasis, may we infer that if two parallel lines never meet, therefore two parallel cultures or civilizations functioning on different planes will never clash; and that it is no derogation for the lower culture to recognise the greater experience and technical knowledge of the higher.

Any attempt to use the Constitution to mongrelise the Federation in order to appease our avowed enemies or the insidious fifth column within the gates, would go down to history as a despicable act of treachery and cowardly surrender at the expense of the ordinary peoples of all races living in the Federation.

We would like with all respect to refer the Commission to the report of another Commission; the *Rhodesia-Nyasaland Royal Commission Report* 1939 (Cmd. 5949) or as more commonly known to us the *Bledisloe Report*. We believe that a lot in this report will be of assistance to the present Commission. In regard to Southern Rhodesia we would draw the Commission's attention to Page 170, where a public speech made by the Prime Minister (now Lord Malvern) in the Colony on 30th March 1938 to an audience composed largely of natives is referred to and quoted.

We believe that if Lord Malvern had stuck rigidly to that policy and had gone forward with a sense of purpose from that time on those lines, now, 22 years later, the Africans would not be so dissatified—they would have had their own palatial Hotels, Cinemas, Houses etc.: and would not through natural jealousy be endeavouring to get for themselves what the White man has made for his own uses.

We have discussed this passage (P. 170) with many of the moderate Africans who appear to be in entire agreement with this policy and have put forward the unsolicited view that even now it is not too late to achieve something along these lines.

We have had over the last couple of years a number of U.K. Public men visiting us to ascertain, over their sundowners, whether we are doing things according to plan—*their* plan. It will be a long time before we forget the visit of a Labour ex M.O. named Johnson who did us the honour of looking us up. He according to Press reports, spent some time with the "Africans", and during the rest of his time, he occupied himself criticising the Europeans who had spent their time and money—as they are still doing—in trying to civilise the Africans.

Perhaps the inclusion of the following Press reports which appeared in the *Rhodesia Herald* on the 13th October 1957 and the 20th January, 1960, will give a clearer idea of what the majority, or masses of Africans are like, and will make it easier to understand what sort of task is before us to turn the African into civilised beings:

The Rhodesia Herald—13/10/1957. (Blantyre)

> "*Eight Die in Trials by Ordeal:* There have been eight deaths so far in the wave of trials by ordeal held among local Africans to find witchcraft.
>
> "These grim ceremonies, once very common here, mean either death or prison for the participants, for today they are illegal. Near Chiwawa in the humid lower Shire Valley, three Africans died recently out of twenty-one who drank deadly poison made from the bark of the muabvi tree. The tree, an evergreen, grows profusely along Nyasaland river banks. If the person who drank the poison vomited it he was judged innocent; if guilty—dead anyway.

"In Blantyre, when a young child died, the grandmother decided a spell had been put on it and ordered trial by ordeal. The child's mother, aunt and grandmother drank and the last two died. Nine Africans in court this week were fined £3 each (or one month's gaol) for attending another trial. They told the court that four children of a certain family had died without cause. The father called twelve senior members of the family together to discover the witch. All drank poison and three died. The other nine, after recovering buried the bodies which the police discovered."

The Rhodesia Herald—20/1/1960. (Lusaka)

"*Dishonesty in North's African T.U.s—Registrar:* "Serious examples of dishonesty and incompetence in African trade unions in Northern Rhodesia are revealed by the Registrar of Trade Unions, Mr. J. B. W. Wilkinson, in his annual report for last year. He says although there has been some improvement in the standard of administration of the African unions the entire initiative had come from the Registrar's inspectorate staff and not from union officers or members.

"Apart from some exceptions there had been only grudging compliance with the Registrar's requirements.

"It has been possible to end many improper and undesirable practices in unions ranging from excessive and unreasonable allowances for higher officers to persistent use of union funds on disbursements to officials and employees euphemistically labelled 'loans' or special holiday bonuses."

Lord Home on his fairly recent visit spoke of the many opportunities created for Africans and told us that integration in the workshop would not be the end; Social partnership he said would follow, and what we had to do was to take down artificial and unnecessary social barriers and make a daily practice of good manners. What have the Europeans done who have lived a lifetime in this country to be subjected to this presumptuous advice and criticism from the gad-about political big-wigs. Why didn't they come here with practical assistance 40 or 50 years ago? Those who have lived their lives here have paid the piper and paid dearly.

There is one thing however that these people should never forget:—

"Federation was never accepted by the Native populations of the Northern Territories, and by very few in Southern Rhodesia; they were never given the opportunity to vote on the matter; or to express an opinion in any other direction. The great majority—90% or more—were strongly opposed to Federation, and this being the case, it was forced on them. And, since then they have been trying to bemuse the natives into acceptance of this dictatorship, for that is what it is—the same dictatorship as is intended to be forced on us in this year of destiny 1960".

It has always been plain to us what the U.K. Governments intentions were and it should have been just as plain to all our delegates who went to London to discuss Federation. However, there it is, it will be just another piece of the Empire that the U.K. Government will be giving away—and that was planned to happen whatever Party was in power in the U.K. or what ever Commissions were set up.

We all want to do the best we can for ALL mankind, and it would be well, we suggest, if the telling comment of Somerset Maughan were kept in mind which, quoted, reads:—

"To say that a vanquished barbaric people gain in happiness when the civilisation of their conquerors is forced upon them, is hypocrisy."

Is there any reason to suppose that they are less happy in their primitive state than when compelled to accept a culture they do not want and reforms they see no need for, and they are ruled by an Alien Law. No, in studying and reviewing the Constitution, more thought for the Africans masses should be given in that they should have as much control as we can possibly give them of their own affairs. More thought should also be given to the Europeans, whose sacrifices and hard work have made this Federation possible, and for all time the Europeans should have complete control of their *own affairs*. Why should any of the races be presumptuous enough to believe that they know better how to handle another races's affairs?

If the Africans and Europeans are failed on the Reviewing of the Constitution the only sure way of combating Communism will be lost to us. We cannot expect to reinforce the existing White regimes if we have or quite obviously in the near future are to have Black controlled Governments. This reinforcement of the White population is the only sure way to combat Communism. Those countries that have been granted independence are now looking to Russia and threatening their former leaders who gave them a longer peace in Africa under benevolent White rule than they ever enjoyed before.

Christmas is no longer officially recognised in Ghana—is this the spreading of Christianity or is the "dark continent" reverting to its former savagery? All these things should be taken carefully into consideration when deciding on the future of this country.

If the few hundred Agitators in the Federation who are the only ones who get platforms in Britain, America and elsewhere and who are the only ones interviewed by prominent Public men on their visits to the Federation and who claim to speak for the African masses are in fact listened to, it would appear that we have raised a soulless Monster, a type of Frankenstein, whose only wish is to destroy its creators—but this is not so, as we have cause to know by the pathetic appeals made to us against these self-imposed Leaders.

The British could never have established themselves on the African Continent had they not had the ability and the guts to stay here. The policy being forced on all races of integration is obnoxious in sentiment and destructive of loyalty to the British World. Would it not be better if all the thought and good intentions which are being devoted to turning the African into a synthetic European were used to encourage him to be a Good African?

We respectfully suggest the Commission ascertain whilst in the Federation what contribution has been made by African *brains* to the building of our cities and the making of this glorious country? The answer they will discover is none. This being so how can we expect the far more complicated issue of the running of our country to be handled by African brains? It would be in effect to call for British Africa to revert to barbarism. If any members of the Commission are in doubt as to the rights and wrongs of Africans Governing, we can only cite to them the plea made by a Northern Rhodesia M.P. in 1957 that "African Members be not asked to take the oath of allegiance, because it is their belief that by so doing they place themselves in the power of the person to whom the oath is made! The world of magic is the African's natural habitat—how is it possible to share the responsibilities of Government of our country with a people so steeped in crude superstition?"

As for what the Colonial Office describes as "partnership", this is only another word for integration which seems to be quite abhorrent to the masses of Africans as well as to the Europeans. It is only the few hundred Agitators who want this so called integration as a forerunner to the breaking down of the fair rule of the White man, for their own intrigue and scheming, which would in turn lower all the standards of both White and Black.

In the words of our late King-Emperor, George V, our duty and hope should be that "we may still further strengthen, or at all events, pass on unimpaired, that pride of race, that unity of sentiment and purpose, that common feeling of loyalty and obligation, which knit together, and alone can maintain, the integrity of the Empire." And, in the words of Mr. H. Wood Jarvis in his enthralling Book *Let the Great Story be Told:* "To this end, one of the primary necessities is that the history of the British Empire should be comprehended; and that our own people in England should cease to echo grotesque misrepresentations which whether originating at home or abroad, are devised by those who plot and fight to deprive us of the heritage we have from our predecessors, and which we should determine to transmit unbroken to our descendants."

The words of His Late Majesty, King George VI are also worth recalling: "What each one of us will have to determine is whether to consolidate what past generations have achieved for us, or to consent to its being brought to nought; whether to preserve the spiritual inheritance common to our Mother Country and her kindred nations, or to witness its extinction."

Finally, if it is the British Government's intention that the two Northern Territories are to have Black Governments—then it leaves no alternative but for the Federation to be broken up and for Southern Rhodesia to secede, as the position would be intolerable with the Federal Governments being Black controlled by the two Northern Territories representatives.

Salisbury

Oral Evidence

THE LEAGUE OF EMPIRE LOYALISTS—Represented by Mrs. Wemyss and Captain MacMahon

Captain MacMahon thanked the Chairman for being allowed to appear before the Commission to give evidence. The President of the League was at present ill in Durban, and he had been asked to represent him.

The League of Empire Loyalists was only interested in upholding the prestige, dignity, power and honour of the Empire. He personally had come to Africa sixty-six years previously and was the oldest survivor of the British South Africa Police serving at the time of the Jameson Raid. When the early pioneers, with the authority of the British Government, entered Southern Rhodesia, they found a beautiful wilderness occupied by numerous tribes generally at loggerheads with one another. In particular, the

Matabele looked on the Mashona as their dogs. The early pioneers came to make their home in Southern Rhodesia in the same way as the Pilgrim Fathers had made their home in America; unlike the Pilgrim Fathers, however, they had not come to exterminate the local people.

Captain MacMahon then gave an outline of conditions applying in the early days in the area of the Federation. Slavery had been endemic and had only been wiped out in 1912; stronger tribes raided the weaker tribes to secure cattle, slaves and women. All lived in terror of witch doctors. They were not bad people, but they were at a very elementary stage.

In the course of years, relations between the settlers and the natives became very satisfactory. It was not necessary for the natives to remain in the areas occupied by white men, but they settled down and multiplied. Indeed, Africans from far away came to work for the white men. This provided proof that they were satisfied with the conditions they found.

Nevertheless, in the last few years, there had been tremendous agitation against the settlers. This had been caused by democracy and the British political system under which a dictatorship of the majority was imposed on the people. Such a system was not entirely suitable in Africa at the present time. The tribes had been under the spiritual and temporal guidance of the Chiefs for many years and they were not prepared for a system in which they were expected to elect their own leaders. Democracies outside Britain had never been a great success—African countries in particular were used to rule from the top.

Since the Europeans had arrived in the Federal area, they had spent millions of pounds and many lives to bring Africans up to their own level. Assertions that they repressed or suppressed Africans were simply not true.

In the old days, justice was immediate and certain. Now, a man who committed a trivial offence which could be expiated by a few strokes was sent to jail for months.

What was necessary now was to encourage the Chiefs to administer their own territory. Where they were de-tribalised in the urban areas they should be allowed to manage their own affairs as far as possible in local councils. This provided good training in government. It would then be possible to select from men with experience of local councils members of a higher council whose advice would receive close consideration by Governments.

In recent years, a determined effort had been made to depreciate the work done by Europeans in Africa. If the Europeans now handed over 95 per cent. of the country to persons who had no claim to the support of the majority of their own people, they would rightly be accused of abandoning their responsibilities. The present rulers were more qualified to rule while an African Government was being built up than the so-called popular leaders.

There were five branches of the human race: white, brown, yellow, red and black. Four of these had in their time built up high civilisations; only one—the black—had never developed through its own efforts. Africans had been in touch with the white, brown and yellow branches for thousands of years, but they had never benefited very much.

The Europeans of the Federation would welcome the African's ideas and assistance—they needed his aid and goodwill. They were not unapproachable masters, but good partners in trying to create a mutually satisfactory partnership. At the present time so few were doing so much for so many in so short a time with very inadequate means; if that was being a Colonial he was proud of it. He hoped that those who followed on would not betray the early pioneers or throw them to the wolves to placate political dogmas evoked in a distant country.

Mrs. Wemyss said that the questions the Commission were having to consider affected vastly more than merely Africa. Africa itself was seriously affected by events in the rest of the world—in particular. the American passion for "democracy" was completely illogical, and one which they did not follow in their own country. Their aim was to find a market for American production. The closing of the market in China had caused them to look around for new outlets, and they were desperately trying to off-load their surplus production in Africa, and at the same time obtain minerals for their own use. The resources of Africa should be for the Empire and not for a foreign country.

This outside interference made it all the more essential that black and white should pull together in the Federation. Their cultures were different; but a system could, and should, be devised under which each race had prime responsibility for its own affairs.

Memorandum

H. D. WIGHTWICK, M.P. Member for Salisbury South in the Federal Assembly

The Commission will have received evidence from the Dominion Party in the Federal Assembly, setting out its proposals for a Central African Alliance (see footnote 2), as an alternate means of maintaining association between the territories, instead of the present Federal System. As I was originally responsible for drafting this Plan, I should like to make some comments on it.

The Plan is, in my opinion, capable of a number of variations and alterations which should be considered in the light of objections which may be raised to it. These variations or alterations would not, as I see it, alter the principle of the Plan—which is political independence for the territories whilst maintaining economic interdependence. On a broader canvas this is in fact the principle behind the existence of the British Commonwealth of Nations.

The title under which an association of these territories continues is perhaps of importance. Due to propaganda, with a deplorable absence of counter-propaganda by our Governments, the name Federation has, amongst the simple minded masses of the African, fallen into disrepute. If a satisfactory alternative can be found it should be adopted—even if the present Federal System persists. If a system similar to the Central African Alliance Plan is adopted, the title is not of such importance as it would in fact merely be the name of a Treaty—the Zambesi Basin Treaty if you like. The term Commonwealth would appear to be an alternative both to the terms Alliance and Federation.

The boundaries of the territories, as they exist in the present Federation and as they would exist under the Central African Alliance Plan, are capable of adjustment. Alternatives are shown on the Plans attached to this evidence.

As an instance of this the Central African Alliance Plan shows a "Northern Territory" which it is proposed should be administered, and developed, by the Dominion of Rhodesia, and then, after a period of time should have the right of self-determination or affiliation. This area, the present North East of Northern Rhodesia, is a comparatively empty area. It is adjacent to Nyasaland where the problem is basically one of land and over-population. The natural expansion of Nyasaland should be into, this territory. This "Northern Territory" might well be combined with Nyasaland into one Colony under the British Government.

The reason why such a suggestion was not made in the Central African Alliance Plan was the confirmed belief (perhaps a somewhat cynical one) that Britain wanted only to get rid of obligations not asume them, and that any suggestion that laid even a slight burden on the British taxpayer would be rejected out of hand. Britain's original insistence on Nyasaland's inclusion in the Federation is of course the basis of this belief.

Despite the difficulties of finance, for the overcoming of which suggestions are made later in this evidence, the combining of the "Northern Territory" with Nyasaland has certain obvious advantages. Neither in this Territory nor in Nyasaland are there any large numbers of permanent European settlers. No insuperable difficulties would arise in adjusting the present administration in Nyasaland and the Territory to cover the combined Colony. The frontier with the proposed Dominion of Rhodesia would be a short and manageable one across from the Congo pedicel to Portuguese East Africa. Geographically the natural outlet from these territories is to the East Coast by rail to join the Tanganyika system. (Reference to Economic Co-operation in such projects is made later in this evidence.)

If the present Federal System were retained it would still be sound to combine these two territories into one Colony. A curious result of such a combination might well be that Nyasaland's objection to the use of the name "Rhodesia" would to a large extent fall away as the majority area of the new Colony would in fact be North East Rhodesia. It would however be better to apply the Native name of the Lake. Another result of such a combination of these territories would be to force compromise and a more responsible attitude on Nyasaland extremist leaders, who would be faced with very keen competition from African leaders, such as Mr. Yamba, in the new Colony.

It is not suggested that this new Colony, whether within an Alliance or Federation or outside of either, should be given full independence. It would remain as a Colony under the British Government and gradually advance to more responsible government but in the interests of its inhabitants control must still be exercised over it for a very long time to come. If there is no objection to still primitive African peoples being controlled by civilised white people, there is an even stronger objection to their being prematurely controlled by a small oligarchy of their own race.

One of the objections which is raised to the Central African Alliance Plan is that if an area such as Nyasaland were outside the Federal System that it would become prey to Communist influence and probably have Communist legations. This objection is, in very truth, a Red Herring. It completely ignores the fact that Nyasaland would still be controlled by the British Government and that there is no more chance of Communist infiltration under British Control than there is under Federal Government Control. For that matter under an Alliance, instead of a Federation, control of Nyasaland's external affairs would still rest with the British Government in consultation with the Dominion of Rhodesia.

The principal problem of the Federation is the problem of Nyasaland and North East Rhodesia. This area contains roughly half the total African population of the Federation and a negligible number of Europeans. It is an area which, unlike other parts of the Federation, has not to the same extent absorbed "Western" ideas of life, and is unlikely to do so without greatly accelerated development by Europeans with "risk" capital. It is now certain that such European "risk" capital, other than perhaps Mining capital, will not enter this area except under heavy government guarantee or protection.

It is, I think, perfectly true to say that an overwhelming majority of Africans and the great majority of Europeans desire to see Nyasaland outside the present Federal System. A referendum of the electorate if taken today, would without much doubt produce a large majority in favour of getting rid of Nyasaland from the Federation. Outside of the immediate circles surrounding the Federal Government nobody wants to keep it within the Federation.

One of the objections, probably the principal one, raised against the Central African Alliance Plan is that the Copperbelt is included in the Dominion of Rhodesia and that thus the other territories would be deprived of their present share of the revenues from the copper industry.

This objection is not a valid one because the Plan provides for these revenues being made available to the other territories in the form of grants-in-aid. Morally the area termed the Dominion of Rhodesia has every right to the Copperbelt because it was developed by the people within that area. Nyasaland received no help from Copperbelt revenues prior to Federation. Southern Rhodesia made the Copperbelt possible with her railways and her coal.

If however the inclusion of the Copperbelt in the Dominion of Rhodesia is regarded as an insuperable obstacle to the creation of a Dominion of Rhodesia and the Central African Alliance, then there seems to be no reason why the Copperbelt should not be treated as a separate area, at least for a period of time. The Copper is, after all, a wasting asset.

The Copperbelt could easily be administered as a separate territory under a condominium of the United Kingdom and the Dominion of Rhodesia with a Resident Commissioner. The revenues from the Copperbelt would be apportioned to the territories on an agreed percentage basis. At the expiry of a period of thirty years the Copperbelt would become part of the Dominion of Rhodesia. Alternatives to this suggestion are, that the Copperbelt should be administered by a High Commissioner, as the High Commissioner Territories are administered in South Africa.

The above suggestions for separating the Copperbelt are merely designed to meet what I regard as quite groundless objections to its inclusion in the Dominion of Rhodesia, because the Central African Alliance Plan makes it quite clear that the Treaty would provide for the revenues of the Copperbelt to be applied for the benefit of all the existing territories and not for the Dominion of Rhodesia only. It is essential in considering the Copperbelt to realise that its population is, in the great majority, neither native to the area nor permanently resident in it. The African labour is, for a great part, domiciled in areas remote from the Copperbelt. When the copper deposits are ultimately worked out the majority of this population will move elsewhere.

A point which is not always clearly grasped relating to the Central African Alliance Plan is that it provides for the appointment of a High Commissioner for Central Africa by the British Government, whose functions would be somewhat similar to those of the High Commissioner in South Africa, in relation to the territories in the Alliance, outside of the Dominion of Rhodesia. This High Commissioner would also be the link between the territories and the Dominion—as he is today in the Union of South Africa. One appreciated that the existence of a Governor in Nyasaland raises difficulties with regard to a High Commissioner, but a formula can probably be found to overcome this difficulty. You could of course have someone who was Governor of Nyasaland and High Commissioner for Central Africa.

The appointment of such a High Commissioner raises the possibility of including Bechuanaland in the Central African Alliance (or Commonwealth). It seems probable that Bechuanaland would benefit by such inclusion which would not in any way prevent its progress towards responsible government. Its inclusion would also simplify the problem of the High Commissioner Territories within the Union of South Africa. This is a point which should certainly receive careful consideration by the United Kingdom Government.

Another objection which is normally raised, by United Kingdom circles, to the creation of a Dominion of Rhodesia as proposed in the Central African Alliance Plan, is that the Dominion would still contain some 3,000,000 of the Federation's 7,000,000 odd Africans, and that these three million Africans would not have the same chance as the Africans in the territories outside of the Dominion of creating purely African Governments. This is of course true, but one assumes that the object of any constitutional exercise is not merely to eliminate European political influence—particularly in those areas where the European has large interests and has gone a long way towards "Westernising" the peoples.

It is always pointed out that the British Government has certain obligations and a position of trust towards the African peoples in Northern Rhodesia and Nyasaland and to a lesser extent in Southern Rhodesia. It should be clear to the Commission that the Central African Alliance Plan takes careful note of this. Under this Plan, the African peoples of Nyasaland, North East Rhodesia (the "Northern Territory") and of Barotseland will progress, under the British Government, as African territories, ultimately having predominantly African Governments. This is not only keeping trust with them—it is probably more than they hope for at present. It must be pointed out that these Africans constitute the great majority of the Africans within the present Federation. What will be left in the Dominion of Rhodesia will be the present inhabitants of Southern Rhodesia, over whom the British in strict fact have ceased to have any control, and approximately 500,000 Africans only in that area of Northern Rhodesia which will be included in the Dominion of Rhodesia. It would therefore be possible for the British Government to say with a clear conscience that it had more than fulfilled its trust to the majority of the Africans in the territories.

But in case the British Government should have any twinges of conscience relating to treaties which were originally entered into with the object of acquiring control over territories largely for the purpose of trade, it is suggested in the Central African Alliance Plan that safeguards for the Africans who remain in the Dominion of Rhodesia should be incorporated in the Constitution of the proposed Dominion. Really these safeguards are only necessary for the 500,000 Northern Rhodesian Africans who will be included for their domicile in the Dominion; and indeed if the Copperbelt were excluded and a careful study of boundaries made, the number would probably be much less than 500,000.

The principal safeguard suggested in the Dominion of Rhodesia is the creation of an Upper House or Senate. The composition of this House is important and below I give my own view of what it should be and what powers it should have.

The Senate in the Dominion of Rhodesia should consist of a President appointed by the Governor-General who would not be a Senator and thirty or more Senators. Half the Senate would be Europeans and half would be non-Europeans. Representation would be given to all races, including Asiatics and Coloureds. Senators would be elected for a period of six years, but initially one third would retire every two years. The President of the Senate would be appointed for six years and could be reappointed. He could have a casting vote.

At least one Senator would be a Cabinet Minister and one Senator would be designated Leader of the Senate by the Government of the day.

The composition of a Senate of say thirty members might well be, 1 Asiatic, 1 Coloured, 13 Africans, and 15 Europeans. Of the 13 Africans, 3 might well be Chiefs.

The Asiatic Senator would be elected on a roll compiled from all the Asiatics on the Common Roll. The Coloured Senator would be elected on a roll composed of all the Coloureds on the Common Roll. The Euorpean Senators would be elected on the Common Roll. The Special Federal Roll and the lower bracket of the Southern Rhodesia roll would fall away and a senatorial Roll with lower qualifications would be created to elect the African Senators, other than Chiefs. The Chiefs would be elected by a special roll of all recognised Chiefs in the Dominion.

Alternative methods of election are of course possible. It might be advisable to elect African Senators representing rural areas and do so through a College elected by District Councils. However this restricts the vote and the idea should be to give as many Africans as possible a vote for Senators.

The powers of the Senate would be restricted as with other Upper Houses. It would have no power to hold up money Bills. It would however have power to hold up other legislation, other than legislation declared by the Governor-General to be Emergency Legislation, for one Session.

Apart from these normal restrictions on an Upper House the Senate would have special powers to replace the African Affairs Board in the present Federal sphere and the reserved clauses in the Southern Rhodesian Constitution. It would be able by a two thirds majority to declare a Bill to be discriminatory on the grounds of race—any race. When this occurred the Bill would be referred back to the Legislative Assembly or House of Representatives (or whatever the Lower House may be called). If not amended to satisfy the Senate it would only then become law if passed by a two thirds majority of the two Houses sitting together. The same powers of the Senate would apply to Constitutional Bills and to any legislation relating to Native Trust lands. The alienation of such lands could only be effected by a Bill passing through the Senate.

It is probable that in the future the Senate might cease to be of the value it will be at the present. Provision should therefore be made for it to be possible to abolish their Senate after a period of not less than 25 years. This would be done by a majority of the two Houses sitting together.

Apart from the fact that the Senate would provide a watch-dog for all racial interests it would provide a voice and a vote for masses of people who are not yet ready for full political power.

The Lower House of the Dominion (which should I think be called the House of Representatives) would consist of not less than 60 and not more than 80 Members, elected on a Common Roll the qualifications for which would be not less than the Upper Bracket of the present Federal Roll. Special Racial representation as now would be abolished, but provision would be made for the delimitation of a certain number of constituencies at below the prescribed minimum to effect the election of some Africans to this House, via the Common Roll. This provision should fall away after a period of years, and in any event would be reduced as soon as an African was elected for a constituency having the normal number of voters.

There are alternate and perhaps better methods of dealing with the problem mentioned above. In strict fairness no racial advantage should be given in a House elected on a Common Roll, particularly if special racial representation is given in a Senate. However there are already African Members in the Federal House and as a matter of politics it would be necessary to have some in the new Lower House. They should however be elected on the Common Roll and if special methods to elect a number of Africans are devised, then those special methods should fall away as Africans are elected by normal methods. This is of course already provided for in the Federal House today.

The Legislatures of Southern Rhodesia and Norther Rhodesia and the Governors of Northern and Southern Rhodesia will of course disappear. There will be one Parliament with two Chambers and one Governor-General in the Dominion. There will also be one Civil Service instead of three. There will be a considerable saving and a considerable increase in efficiency in administration.

The constitutional progress of Nyasaland (and N.E. Rhodesia if joined to it) would of course be a matter for the British Government. The same of course would apply in Barotseland—which however it is assumed would become an African Kingdom. The Dominion Government would only be interested in the constitutional advances in these countries to the extent which such advances effected the provisions of the Treaty of Alliance with them.

It would be necessary to have a body known as the Council of the Central African Alliance Treaty. This would consist of representatives of the Governments of the Dominion and the other territories who would meet periodically under the Chairmanship of the High Commissioner. The discussions of the Council would be limited to those subjects defined in the treaty and to economic cooperation. The internal affairs of the territories or of the Dominion would not be open to discussion at meetings of the Council.

The terms of the Treaty between the Government of the United Kingdom and the Government of the Dominion of Rhodesia will probably have been suggested to the Commission by evidence given by the Dominion Party. It would seem that Defence of the Treaty Area and Civil Aviation within that area should be the responsibility of the Dominion in consultation with the British Government. Posts and Telegraphs and Railways need not be controlled by the Dominion, but a centralised control of these would probably be to the advantage of all the teritories. In the case of the Railways they are already separate as the Nyasaland railways are run by a Private Company. The area would be a Customs Union and there would need to be centralised control of Customs and Excise. Apart from these all functions of Government would be performed by the Governments of the territories themselves.

The great merit in a looser association of these territories, such as the Central African Alliance Plan, or something similar, is that the territories would feel that they could ultimately attain to full independence. The mere fact that they could do so, and thus satisfy the ambitions of their African politicians, would tend to bind them to the Alliance. The effect would be very much the same as the Statute of Westminster. It would come to be a free association instead of one which, quite frankly, can probably only be held together by force.

I come now to what I believe to be an essential to any plan for these territories—whether Federation persists or whether some other system of association takes its place. Whatever happens it is essential that an Organisation for Economic Cooperation in Central and Southern Africa be set up, somewhat along the lines of the Colombo Plan.

The subscribers to such an Organisation should be the United Kingdom, the United States, the Union of South Africa, the Dominion of Rhodesia, Belgium and Portugal and possibly France, since Madagascar should be brought into any sphere of economic cooperation in Southern Africa.

The Commission may well think that such a suggestion lies outside its terms of reference, but I do not think that it is possible to consider recommendations for the Constitutional future of a country without also considering its economic problems and the extent to which they are influenced by neighbouring territories.

Vast sums of money and technical knowledge and services on a great scale are required if the territories of Southern Africa are to develop more rapidly than they are at present doing. It is essential to political success that the standards of living of all the peoples in these territories be raised. To realise what has to be done one has only to look at the map. In the field of communications alone an enormous amount of work remains to be done. More links are required to the Atlantic, the East African System must be linked with the Rhodesian system. It will be apparent to the Commission at a glance that the New Colony I have proposed of N.E. Rhodesia and Nyasaland, is largely undeveloped because there are so few communications. Quite apart from Kariba there is a vast power and water potential as yet untapped. Housing, harbours, pipelines, technical education and vocational training, encouragement for basic industries—the list of what remains to be done is almost endless. And if it is not done, then no political solution you offer will really have solved the problems of this part of Africa.

But what cannot be done by one state can be done by a consortium of states working together to raise standards of living, and through essential developments to broaden the whole economic picture, to create new markets, to the benefit and profit of all concerned.

I seriously suggest that your Commission should make a recommendation to the Government of the United Kingdom that it should take the initiative to call a Conference of the countries I have named to consider the setting up of a permanent organisation for Economic Cooperation in Central and Southern Africa, such a Conference to be held in Salisbury and the permanent Headquarters of the Organisation to be established there.

I feel that I must add to the evidence offered above, a few remarks of a more general nature.

There is I think a very real danger that if the present Federal System persists, a Constitutional position may be created which would be quite unacceptable to the majority of Europeans and that, under such circumstances, much against its will, Southern Rhodesia might be forced to secede from the Federation. This is not desired. It is merely a statement of what might happen.

If Southern Rhodesia seceded from the Federation then there might be a grave danger that it might be forced, through economic circumstances, to seek closer association with the Union of South Africa; again this is not desired but circumstances might force it to happen.

I have fears that these dangers may be greatly discounted to the commission. I would assure you that they are very real because the Europeans you are dealing with here are people of British and Afrikaner stock—both very determined breeds, who in the final event will not hesitate to take quite extreme measures to secure their future. It is also my hope that the Commission will realise that there are very strong ties, economic, cultural, sporting, and family with South Africa. The European resident of Rhodesia, even if he is a recent immigrant from England, does not look upon South Africans in the same light as an Englishman resident in England. They are close to us, we mix with them and holiday in their country, they are in fact our friends and we regard them as very much the same people as ourselves—even though we may not like their politics. Our natural inclination is to side with them against extreme criticism from overseas. This goes, I think, for 90% of the European population in the Rhodesias. It would be quite wrong to assume that in dealing with the European in the Rhodesias you are dealing with the average "Englishman". It would equally be wrong to assume that Rhodesians feel any affinity to the Europeans in East Africa, and no solution that involves any tie up with East Africa would be considered. Whether you like it or not you have got to accept that the ties between South Africa and Rhodesia exist—even though they are not political ties. We are even now much closer to South Africa than we are to the United Kingdom. It would be a grave mistake to think otherwise.

Whilst I think it is true to say that most people in Rhodesia neither believe nor advocate that it would be a good thing for Southern Rhodesia to join the Union of South Africa, they nevertheless believe that if the political future of Southern Rhodesia were to be dominated by African majorities in the other two territories, that Southern Rhodesia could not remain in association with them. If you force Europeans to a choice between Black Nationalism and White Nationalism, you can take it as quite certain that the vast majority will choose White Nationalism.

In the event of the "framework" of the present Federation

being adjusted to an Alliance or to any altered form of association, the redistribution of National Debts will of course present a difficult, though by no means insuperable problem. The problem would not be very great if a Dominion of Rhodesia were created which included the Copperbelt, because in that event the Railways and Kariba would remain within the Dominion and serve the Dominion only. They do not serve the other areas directly. If on the other hand the Copperbelt were excluded from the Dominion then a substantial part of the debt relating to both the Railways and Kariba would have to be funded from the revenues of the Copperbelt. It must be realised that Kariba was largely built for the Copperbelt. It is not necessary to labour this point here—it is a study which can only be made when a decision on political divisions has been arrived at.

One thing which is certain is that whatever decision is reached about the future association of these territories, it will not be a lasting and successful decision unless a massive propaganda campaign is mounted to reconcile the inhabitants to it. In the past both the British and local Governments have shown great weakness and timidity in this. I am personally of the opinion that, with the human material you have to work upon in Africa, almost anything can be "put over", as advertising people would say. But of course it must be put over by experts in the art of propaganda, not by a bunch of completely untrained Civil Servants lumped together into an "Information Department". At the moment the wrong sort of propaganda is succeeding merely through lack of any other sort of propaganda and the short sighted parsimony of governments.

A political point which I have not included in the above evidence is the possibility of including Nyasaland and N.E. Rhodesia in a system with Tanganyika. This seems to be a popular idea with Nyasaland natives and there is much to recommend it from the geographical point of view. It would certainly be much to the advantage of a Dominion of Rhodesia whose only frontier with such an area would be the short one across whose only frontier with such an area would be the short one across from the Congo pedicel to P.E.A. The only objection I can see to it is a financial one—the determination of Britain not to assume a financial obligation for the area. However, the solution to this problem clearly lies in a Organisation for Economic Co-operation in Central and Southern Africa to which the Dominion of Rhodesia would have to contribute. In any case the Dominion of Rhodesia would probably be prepared to pay quite well to get rid of the area, because what would remain of the present Federation would be a more compact, viable, and manageable area, which would in consequence leap ahead in development and rising standards of living. It would do so if for no other reason than that investors would have a confidence in it which they will never have whilst it is joined to Nyasaland. Even deprived of Nyasaland and N. Rhodesia markets, the Dominion and Barotseland would be much better off. Incidentally relations between Barotseland and the Dominion would be extremely cordial—as they are today.

It would perhaps be wrong to conclude this evidence without some reference to Social as distinct from pure political problems.

The main Social problems arise from what is referred to as the "Colour Bar". Whether you like it or whether you don't like it, the fact remains that there is a certain natural antipathy between people of different colours—on both sides. A conscious effort has to be made, on both sides, to overcome this—even by people who regard themselves as being particularly free from prejudice. It is better to acknowledge that this difficulty exists rather than to pretend that it does not exist. It is of course breaking down and will continue to do so and the calmer and more prosperous the atmosphere of a country is, the sooner will the "Colour Bar" disappear. One of the dangers of precipitate change is that one type of "Colour Bar" may be replaced by another.

As far as Rhodesia is concerned the real problem is the difficulty of distinguishing the civilised African from the primitive and still uncivilised masses. Because of this difficulty there is a tendency for people overseas, and for that matter for people here, to generalise about the African—when in fact they are talking about, or dealing with, particular cases amongst the Africans. Because of this also the more civilised African feels constantly frustrated for he is lumped together with the primitive masses of his own people with whom, socially, he has little in common. Because of this also the Asiatic and Coloured are frustrated and bewildered because they too are placed in this lump category. Because of this also the European fears to make social concessions for fear of being swamped by primitive masses, whose behaviour would outrage a fastidiousness which the average European has acquired by many hundreds of years of what we call civilisation.

The solution therefore does not lie in the generalisations which people indulge in without any knowledge of a multi-racial society, set in a country where the majority of people are still, in their habits, very far from civilised. Such generalisations may apply in Ghana, where in fact the same problem does not exist or they may equally apply in England where again the same problem does not exist.

The only really satisfactory solution, as an interim measure until the standards of the masses advance very considerably, is to find a means of recognising the African who has advanced to a reasonable standard of civilisation and behaviour and to accord to him the full social privileges enjoyed by the European. This has of course been done elsewhere, notably in the "assimilado" system of the Portuguese territories. This suggestion, of course, normally brings screams of anger from people whose real object is not to solve the social problem, so much as to advance one race, regardless of its development, at the expense of another. Whilst one concedes that there is some slight embarrassment attached to a civilised person having to carry some mark of distinction to indicate that he is civilised, this is considerably less embarrassing than being treated as uncivilised. Reasonable people of all races realise that it is almost impossible to distinguish at a glance between the "garden boy" dressed up in his zoot suit and the barrister who may have leanings towards Hollywood fashions. Let us be practical. It certainly does not lie beyond the wit of man to provide a solution and a reasonable test—and it merely begs the question to say that that test must be applied to all races. anybody who suggests that the average European is not more civilised than the African is merely being stupid—or stubborn.

A fairly simple method of solving the difficulty lies in the issue of a Full Citizenship Certificate, which would be granted on an application supported by four Europeans of different professions, say one Clergyman, one lawyer, one Chartered Accountant, and one Director of a registered Company with a certain paid up Capital. The Registrar of Citizenship would normally accept this, but if he was not completely satisfied he could have the right to refer the case to a Board consisting of himself and two assessors. There would be few such cases for no four Europeans of different professions would behave other than with responsibility. The holder of the certificate would be supplied with a small badge to be worn in his lapel—merely to avoid his having to produce the certificate. A little propaganda would lead to such certificate holders being accepted without question in all public places and the possession of the badge would avoid incidents.

There would of course be people on both sides who would dislike this sorting out, but the general feeling amongst Europeans would be one of immense relief, that the problem had been solved and that the danger of their social life being swamped by the uncivilised, had been overcome. From this there would be a natural acceptance of the Asiatic and the Coloured.

To solve these problems it is however necessary to give assurance to the European that he can face the future with the certain knowledge that he has a measure of political as well as social security. Without some political security he will not be prepared to make social concessions, but given it his whole attitude towards the "Colour Bar" will change and he will develop a tolerance which would otherwise be impossible.

Salisbury

15th January 1960

Enclosures*

1. Set of three maps attached and marked A, B, and C.

2. The Central African Alliance Plan as published by the Dominion Party.

3. A number of copies of two articles by Mr. Wightwick published by the Central African Examiner and entitled, "Where do we go from Here?" and "A 'Colombo Plan' for Africa".

Annexure I

Extract from "The Central African Examiner" January 3rd 1959

WHERE DO WE GO FROM HERE?

by Humphrey Wightwick, O.B.E.,

Dominion Party M.P. for Salisbury South

This is intended to provoke thought. It is not an expression of political Party opinion or policy. It is, in fact, an exercise in crystal gazing at problems which confront, or which may in the near future confront, us.

In 1960, less than two years hence, a conference will be held to decide what the future political structure of the countries of Central Africa is going to be. What will be discussed at that Conference? Who will attend it? What are the results likely to be? All these questions are of the most vital importance to the people who live in Central Africa.

The Conference itself will consist of delegations from the Government of the United Kingdom, the Federal Government of

*1. *The maps are not reproduced.*

2. *The Central African Alliance Plan is reproduced under the Dominion Party's evidence at Lusaka, Northern Rhodesia, on 15th March* 1960. (*Vol. II p.* 71.)

3. *The two above mentioned articles are reproduced as Annexures I and II to Mr. Wightwick's memorandum.*

Rhodesia and Nyasaland, the Government of the self-governing Colony of Southern Rhodesia, the Government of Northern Rhodesia, which is not self-governing, and the Government of the Protectorate of Nyasaland.

I have said that the delegations attending the Conference will be from these various governments, but that is not necessarily strictly correct, for it is not unlikely, say in the case of Southern Rhodesia, that the delegation may include people who belong to Opposition Parties. In the past the Southern Rhodesian Government has made a practice of inviting Opposition Leaders to take part in discussions relating to the future of the Colony, and it may well do so at this Conference. Sir Roy Welensky has made it clear that the Federal Government will not follow this practice, though Opposition Parties may be consulted prior to the Conference. In this respect Sir Roy will be departing from tradition.

It will be seen that, at the outset, this will not be a clear-cut meeting of the Heads of Governments. Indeed the functions of the various governments taking part overlap to such an extent that the only delegation which will clearly represent one government, one electorate and one territory, will be that from Southern Rhodesia. The other delegations will, by the very nature of our systems of government, represent overlapping and sometimes conflicting interests.

The United Kingdom delegation will obviously be representative both of the office of the Secretary of State for the Colonies and the Secretary of State for Commonwealth Affairs. The Federal Government and the Southern Rhodesian Government are responsible to the Commonwealth Office whilst the Governments of Northern Rhodesia and Nyasaland are, even more directly, responsible to the Colonial Office. The weakness of the United Kingdom delegation will therefore lie in the fact that it will be composed of parallel but sometimes conflicting interests. This weakness might, in itself, lead to a rigidity of attitude which could well render the conference abortive because the other delegations at the Conference will not, in fact, be negotiating with the Government of the United Kingdom but with two separate organizations of that Government, each backed by its own advisers and each having different responsibilities in Africa.

It might be argued that, because of this, the United Kingdom delegation should consist of people who have no connection with the Commonwealth Office or the Colonial Office and that the delegation should be headed by a completely neutral Minister. There would be considerable merit in such a suggestion but even a neutral Minister would have to draw his advisers from the Commonwealth and Colonial Offices.

The Northern Rhodesian delegation will almost certainly consist of part official, part non-official members, and there is sure to be one or more Africans. The Official members will be Colonial Civil Servants and thus, in fact, subject to influence, if not orders, from the Colonial Office. In fact, therefore, part of the Northern Rhodesian delegation will be part of the United Kingdom delegation—an odd situation, but one of politically great significance.

Nyasaland is likely to send a delegation in which Colonial Civil Servants will be even more prominent than in the Northern Rhodesian delegation. These negotiators representing a part of the Federation will also, in some cases, be subject to the orders of the people with whom they are negotiating from opposite sides of the Conference table.

The delegation from the Federal Government will consist exclusively of members of one political Party and will almost certainly contain Africans. It will be a difficult delegation to choose because every Member of the Federal Parliament has a territorial affiliation. It is probable that the delegation will be chosen so as to maintain the accepted territorial balance which seems to have permeated Federal politics to the exclusion of pure merit. If this should be the case, the Federal Government delegation might contain the seeds of weakness and a tendency to over-compromise.

The Southern Rhodesian delegation will certainly consist of Cabinet Ministers and one (or perhaps, because of its strength, more than one) member of the Opposition Party. It will be the strongest of the delegations and, due to the strong Opposition in Parliament, the least likely to lean towards over-compromise where Southern Rhodesian interests are concerned.

There will be a number of interests who will not be represented at the Conference but who will—by lobbying, by propaganda and by many other means—seek to influence the deliberations. These interests include such organizations as the African National Congress, the Capricorn Africa Society, a number of meddling clerics—and in fact all those people who seek to influence politics in any way except through the ballot box.

The Press will also play its part, not only here but abroad, and the views it expresses and the manner in which it presents other peoples' views will have varying effects upon the public and the Conference. Overseas papers will affect the Conference to the extent that they influence the views of the United Kingdom Government—and one should not underestimate that influence. Generally speaking, the overseas Press will be extreme in its support for African political aspirations.

It is against this sort of background that the Conference will be held and it is at once obvious that the composition of the Conference will bring forth opposing views and that, by that very composition, the scales will be weighted in favour of the views of the United Kingdom delegation because that delegation will, in fact, be duplicated in part by the delegates from Northern Rhodesia and Nyasaland.

The trend of the discussions will, of course, be conditioned by the Government which is in power in the United Kingdom at the time the Conference takes place. If a Labour Government is in power, then the local delegations will be faced with greater difficulties in putting across their point of view, than they will be if a Conservative Government is in power. But, whether the Government of the United Kingdom be Labour or Conservative, it can be anticipated that there will be serious differences between the views of the United Kingdom delegation on the one hand and the Federal and Southern Rhodesian Government delegations on the other.

Broadly speaking the approach of the Federal Government supported by the Territories (but opposed by some interests outside the Conference) is likely to be that of demanding full self-government within the Federation and the complete withdrawal of the Colonial Office from the affairs of Northern Rhodesia and Nyasaland. This measure of independence would in fact create what is called a "Dominion". Within that Dominion we would manage our own affairs and shape our own political systems subject only to "reservations" within a constitution, or a treaty with the United Kingdom. External affairs would continue to be handled, in the main, by the United Kingdom Government.

The United Kingdom Government will, probably, in broad principle, be prepared to agree to these demands, despite outside pressure for the dismemberment of the Federation but—and it is a most serious *but*—they will lay down conditions and reservations for the attainment of this degree of independence, which will be very hard pills for the existing electorates of the Federation to swallow.

It is around these conditions and reservations that discussion at the Conference will rage—and *rage* is probably the right word. The conditions will be more stringent if a Labour Government is in power in the United Kingdom, but whether the government be Labour or Conservative, very much the same conditions and reservations will be demanded.

What are these likely to be?

The United Kingdom delegation will be insistent that African political advancement must proceed at a pace which they (the U.K. Government), and not we, consider to be reasonable.

Whilst they will probably accept the franchises as they exist today in the Federal and Territorial spheres, they will undoubtedly (and to some extent paradoxically) insist on a greater degree of African representation in our legislatures. In Northern Rhodesia and Nyasaland they will probably not be content with less than parity of representation within the near future, though they will not insist on this in the Federal legislature and will be powerless to insist on anything in the Southern Rhodesian legislature. Where there is insistence on parity of representation, or measures leading to it, there will also be insistence on the inclusion of Africans in government at Cabinet rank.

It can be taken as almost certain that the United Kingdom delegation will seek safeguards to ensure that qualifications for the franchise are not altered in the future so as to prevent larger numbers of Africans qualifying for a vote. In other words, the present franchises will have to be regarded as the very minimum concession to African political advancement.

The United Kingdom delegation will clearly state that African political advancement cannot be halted. *They will want to be assured that it is accepted that, when the African forms the majority of the electorate, his political views will prevail and that he will be able, if he so desires, to form predominantly or even exclusively African Governments. They will want to be assured that any idea of permanent European political domination has been abandoned by our governments.*

This is, of course, putting it quite crudely. It is however the essence of what will be demanded, and what may be conceded. It will, of course, be wrapped up in the language of diplomacy—the icing to hide the bitterness of the pill.

There will be many other conditions and reservations. The United Kingdom Government will wish to preserve the spirit, if not the letter, of treaties concluded with Native Authorities such as the Barotse, and it will probably seek the abolition of any colour bar or racial discrimination in a variety of ways. But these, and other points of discussion will be entirely subordinate to the central question of African political advancement.

Unless satisfactory agreement is reached on this central pivot of the discussions, then it is unlikely that the Colonial Office will withdraw from Northern Rhodesia and Nyasaland and it is also unlikely that the Federal Government will be granted full control over the internal affairs of the Federation.

Of course, various compromises will be put forward. The Commonwealth Office may replace the Colonial Office in Northern Rhodesian and Nyasaland affairs, but still with the demand for parity or near-parity of representation. The tendency in compromise will be to give the appearance of concessions to European opinion by retaining a substantial European majority in the Federal legislature and by extending in some directions the powers of the Federal Government. But parallel with this there will still be that insistence on rapid increase in African representation in Northern Rhodesia and Nyasaland, leading to parity and, ultimately, through the ballot box to political dominance. It is unlikely that any compromise, when carefully examined, will be found to exclude this, for the United Kingdom delegation will, by its very composition, be sensitive to African demands in Northern Rhodesia and Nyasaland.

Every device of government will doubtless be examined to overcome this central problem, and amongst these devices the Second Chamber will almost certainly be examined as being, at least for a time, the possible solution. Indeed it may prove to be the only possible solution, despite the fact that, so far, our politicians have rejected it out of hand. Yet in examining solutions it is unlikely that the central objective will be lost sight of by the United Kingdom delegation.

The attitude of the Federal Government to compromise will undoubtedly be conditioned by its majority. As its majority is a large one, it will feel that it can go further in concessions than if its majority was a narrow one. In matters which gravely effect the future of the country and of the European in particular, perhaps not every Member of the Federal Parliament will be prepared slavishly to follow the Party Whip, but with its present majority the Government can ignore any need for caution on those grounds.

The Southern Rhodesian delegation will be less prone to concession than any other. With a narrow majority it will tend to resist any compromise which would be distasteful to the Southern Rhodesian electorate, and it would be most unlikely to agree to any move which, within the foreseeable future, would put the African in the position of dominating the governments of the other territories or even playing a part in them which amounted to parity.

It can therefore be seen that the deliberations of the Conference are going to be long and difficult and may end in deadlock.

The last possibility is one which cannot be ruled out, but it would not necessarily mean the end of all negotiation. Indeed, with an intervening election within the Federation, it would almost certainly lead to a further Conference with a completely new approach to the problems involved.

The Federal Government is a United Federal Party government and will seek at all costs to keep the Federation, as at present constituted, intact. *That is the avowed policy of the Party. Indeed by public utterances it has tied its own hands in this respect, before it goes to the Conference. It cannot now agree to any dismemberment of the Federation or even toy with the Dominion Party's ideas of separate Protectorates carved out of part of Northern Rhodesia and the whole of Nyasaland.*

The possibility of deadlock with a United Federal Party government in power is, therefore, not only possible, but quite likely, for its may not be prepared to pay too high a price for independence with the Federal state as now and cannot agree to any form of dismemberment. Its attitude is such that it must either over-compromise or reject unless it is prepared to do a complete *volte-face* and adopt something very like the suggestions of its opponents.

This is perhaps over-simplifying what may happen, but the consequences of disagreement at the Conference are worth considering, merely because they will almost certainly occur.

If a U.F.P. government were to over-compromise in order to keep the Federation intact, it might well face defeat, if not in the Federal House, at least at the next election. If, bearing this in mind, it stood firm and, due to the inflexibility of its views, brought about a deadlock (albeit the deadlock was not of its own making), then again it might face defeat. If it accepted something like the views of the opposition, one assumes that there would be a political realignment, though, political consciences being what they are, this is by no means certain. The majority of politicians are more concerned with where they sit than what they believe. Nevertheless it seems fairly certain that deadlock at the Conference would result in a general election in which both sides would seek to woo the electorate by saying how tough they were going to be.

Against the background of such an election, the Opposition Party would have a great advantage but, whatever the results of such an election, the subsequent actions of the Federal government would be even more interesting. Whatever talk of toughness there might be and whatever actions might be contemplated, there would, of necessity, be certain preliminaries to action. We should not just slip into chaos overnight.

There would undoubtedly be a further Conference and one more determined to find solutions, but it would be a very different Conference from the first one. The approach of the parties concerned would be based upon a determination to find practical solutions to differences rather than, as will be the case at the first Conference, to attempt to reconcile those differences to ideals or existing systems.

If, following a deadlock, we ultimately proceed to a second Conference of this nature, it is probable that the only solution left which would be capable of retaining the Federation as it now stands, would be a solution based upon the use of a Second Chamber. Only by this means would it be possible to satisfy the desires of the African, and perhaps other racial elements, for greater political advancement without placing in their hands what might to the European, and indeed to the African, prove to be disastrous political power.

The objection to such a solution is that it would be a frank acknowledgment that racial and not non-racial representation is desirable at our present stage of development. Actually, this acknowledgment already exists in our present Federal Constitution and in the Federal Franchise. The devices which have been designed to eliminate it are at present more pious than real.

It may well be that the only path towards non-racial representation may lie in a more frank acceptance that it can only be attained through the satisfaction of racial aspirations. Only perhaps when there is some such measure of satisfaction on a racial basis, can we proceed to the evolvement of a non-racial basis. It is a matter of the creation of a political climate. It is as well to bear in mind that there are more ways of killing a cat than by choking it with butter.

One cannot, of course, be certain that the Second Chamber would in fact provide the solution to racial aspirations or the solution to racial aspirations or the solution of a deadlock. It would depend entirely upon the circumstances. Nevertheless it would be worthy of thought and study, for it provides an elasticity not otherwise attainable and even permits of sections of the Federation having looser ties with a Central Government of limited but vital and independent powers.

(In case of any misunderstanding, I should make it clear that there is no suggestion that we should provide a political home for our growing number of Peers).

If we rule out this type of solution, then there is little doubt that we shall be faced with the partial or whole dismemberment of the Federation.

This is a thought from which people at present shrink, but to which they may yet have to apply their minds. There is really nothing terrifying or disastrous about the thought—when one approaches it without political hysteria. The Territories which form the Federation were, until five years ago, separate territories each having its own form of government and its own measure of development. They existed as separate entities before and they could, of course, exist as separate entities again. Such a step would be regrettable and perhaps even injurious to certain interests, but it would not by any means be disastrous.

Partial dismemberment need not really be dismemberment at all. It could take the form of the creation of two or more Protectorates within the boundaries of a Federation, which would, within certain limitations, be allowed to develop along lines of their own. The details of such a plan, and its implications, are worth examining; but, before doing so, it is as well to consider the main objections which have been raised against it.

The principal objection to any plan of this nature has, strangely enough, come from the European and the more liberal sections of the European at that. It is held that any such plan would create "Black States"—which is said to be unthinkable. Why it should be unthinkable to the ultra-liberal section of the Europeans and yet possibly acceptable to the more conservative of the Europeans is something not very easy to understand. The answer probably lies in a determination, instinctive rather than reasoned, to maintain the territorial *status quo*. We cannot, however, assume that it can be maintained, to the satisfaction of all its peoples.

Indeed, a dispassionate view of the future seems to indicate that the feared "Black State" will, in one form or another, develop, whether inside or outside of the Federation.

European immigration into Nyasaland and parts of Northern Rhodesia is negligible and shows no signs of increasing. Whether we like it or not, there are areas which are going to develop under any Federal system into areas in which the African is going to be politically dominant. It will perhaps take a long time, but it will happen. *The "Black States" are going to appear whether they are inside or outside the Federation. It is only a matter of time.*

The problem is hardly political; it is ethnological. Weave fairy stories as we may, it is obvious that European settlement and

interests lie in Southern Rhodesia and a portion of Northern Rhodesia alone. Outside of that area there is a minimum of European settlement and interest and a maximum of Native interests. If we are merely going to draw lines on a map, that is the logical division of interests and, it can be argued, should be the logical composition of a Federation, if a Federation is going to persist. Any other division places European interests in Northern Rhodesia in the position that they will, almost certainly, be swamped politically in the Native interest—in other words be incorporated in a "Black State".

Of course, any plan which envisages the drawing of lines on a map to separate predominantly Native areas from areas in which the European has maintained, and must maintain, a substantial interest and political control, must be accompanied by some outline of the political system under which such a "reconstructed" Federation would function.

Obviously the Native areas or Protectorates would have a form of government best suited to their needs and state of development. In Barotseland that form of government already exists. In Nyasaland the limited legislature would from time to time be modified to meet changing conditions. The main areas of European interest in Southern Rhodesia and Northern Rhodesia would best be combined into one State.

The question, of course, would be responsibility for the "Protectorates". Would a Federal Government control these? Would the Colonial Office or the Commonwealth Office control these? Would it be a Condominiom of some sort? The answers could be varied, but I think are likely to be as follows.

It is extremely unlikely that the United Kingdom Government would consent to full control of such "Protectorates" by the Federal Government. It is equally unlikely that the Federal Government would agree to Colonial Office control over the "Protectorates" and still have them within the Federation. There remains some form of Condominium. This could be exercised by the Federal Government and the Commonwealth Office, not the Colonial Office—merely as a face-saver. In practice it would amount to little more than the functions apportioned to the Government of South Africa in the High Commission Territories. It is possible that there might be additions to these functions, such as Defence, Police and even Justice, in addition to Communications, Posts and Telegraphs, Customs, etc., and such additions would make a material difference to the measure of control. In effect, however, the "Protectorates" would be *outside* the Federation, unless they possessed representatives within a Federal Legislature. Without that they could not be regarded as being fully under Federal influence.

It is difficult to see how one could justify the creation of these "Protectorates" and at the same time give them representation in a Legislature of the rest of the Federation. Without largely destroying any political balance in the European influenced area this could really only be done under a system incorporating a Second Chamber. There would seem to be grave dangers in giving a Federal vote to people in "Protectorates" not fully under our control.

There would be established a Second Chamber in the Rhodesian Parliament and representatives from the "Protectorates" would sit in that Chamber. The discussions in the Upper Chamber would be confined to Legislation which had force both in Rhodesia and in the "Protectorates". The second Chamber would be known as the Federal Council. The second Chamber would have no powers to hold up money bills, but it would have powers to refer other Bills back to the Rhodesian Parliament for further consideration. It would in any event be unable to hold up any Bill for more than one session of the Rhodesian Parliament. No person born in or resident in a "Protectorate" would be entitled to vote in Rhodesia. The "Protectorates" would not return any representatives to the Rhodesian Parliament, only to their own Legislatures and to the Federal Council.

The second plan is somewhat similar to the first but is likely to be more acceptable to Europeans and Africans alike. It envisages a State of Rhodesia with full Dominion Status, and the two "Protectorates", but it assumes that no legislation passed by the Rhodesian Parliament would have force of law in the "Protectorates" unless passed by the Governments of the "Protectorates". The Rhodesian Government would assume responsibility by treaty with the Government of the United Kingdom, for Defence, Main Communications, Posts and Telegraphs and Customs—but not Law—in the Protectorates. The only grant-in-aid would be made in respect of the cost of Defence which would be carried out exclusively by the Rhodesian Government. There would be no second Chamber and no person born in or resident in a Protectorate should be entitled to exercise a vote in Rhodesia.

In other words Nyasaland and Barotseland would be cut off from the existing Federation and there would be an enlarged Rhodesia which would adopt a "friendly neighbour" policy to these Protectorates, until they ultimately attained to full self-government. It is probable that for a period of years the Dominion of Rhodesia would have to finance development in the Protectorates and give technical assistance and advice.

The new Dominion of Rhodesia, would, in fact, buy its independence by subsidizing the Protectorates for a stated period of time, say at the rate of £6,000,000 a year for ten years. Faced with the alternative that the British taxpayer should subsidize the Protectorates, the ideological outlook of the United Kingdom Government might well undergo a subtle change. Herein lies a solution whereby, with a little mental adjustment, "face" can be saved all round and everybody including the bulk of the Africans can win what they want.

Annexure II

Extract from "The Central African Examiner" February 28th 1959

A "COLOMBO PLAN" FOR AFRICA?

by Humphrey Wightwick, O.B.E., M.P.

Whilst the plans of political parties and of the British Government for the future of Central Africa will not be known for some months, the ball has at least been set rolling. The Dominion Party have come out with their plan which involves the creation of a Dominion of Rhodesia, and a number of allied but separate Protectorates which will ultimately reach maturity as states, and will be known as the Central African Alliance. There is much to be said for free as against compulsory association and, whether you agree with it or not, the term *Central African Alliance* has a ring of greatness—and of hope.

I think we are gradually reaching a stage where a solution to the political problem of Central Africa will be found, if for no other reason than that, if it is not found, the present structure will crumble altogether and there will be nothing to take its place. Out of that solution there will, I am sure, grow a Dominion which will rank with the other nations of our Commonwealth and of the world.

As a Dominion we shall have reached political maturity and our politicians will have to live up to that maturity; their feet will have to tread paths which hitherto have been reserved for the United Kingdom. We shall have to turn our minds to wider issues than has been the case in the past.

It will be of little use to have solved the great political problem of Central Africa unless we bend our energies to solving the economic ones. It costs nothing to write a new political constitution but it costs a great deal of money to build a railway, to set the wheels of industry turning, to set oil flowing through pipelines, to turn arid wastes into gardens and to harness great waterways to the use of man.

It is to the advantage of all of us that the States of Central and Southern Africa, be they States under strong European influence or be they almost purely African, should develop at a pace which will insure ever-rising standards of life and ever greater prosperity for their inhabitants. Yet the developments which will bring these things about are only too often of such magnitude that no one State can undertake them.

Looking at a map, for instance, it is obvious that the arteries of development, the main lines of communication, in Central and Southern Africa are far from complete. It is also obvious that, as things stand, it would be economically impossible to complete them until the development of some areas appeared to justify it. It is only too often a case of which comes first, the chicken or the egg. If we are to hasten the development of Central and Southern Africa to the benefit of all it must be done to a grand plan to which the various States concerned are prepared to contribute.

A logical development must be some form of "Colombo plan" to cover the less developed areas of Central and Southern Africa. The subscribers to such a plan would have to be the Dominion of Rhodesia, the Union of South Africa, Britain, Portugal and perhaps Belgium, with interested benevolence, if not active participation, by America. Only with the backing of a consortium of states can a grand plan of development be contemplated and only with such backing will some projects, vital to the overall development, become possible inside individual States or areas. What cannot be done by one small State can be done, in the interest of themselves as well as the State concerned, by such a consortium. For instance, the 21 Colombo Plan countries are spending £1,000,000,000 a year on development.

Once an organization were set up to implement a "Colombo Plan" for Central and Southern Africa, there would flow from that organization other avenues of co-operation and goodwill. One can even visualize an ever-spreading Alliance. After all, it is the system which works so well in our Commonwealth—economic inter-dependence coupled with political independence.

The participation of the Union of South Africa would be essential to such a plan, and her politicians would not be slow to see the eventual economic benefits which would accrue to her. There would, however, be a much wider benefit: for South Africa's participation might well contribute to an eventual change in the political climate of a vast area of Africa, a lessening of tensions

and a growth of goodwill. It is difficult to continue to dislike a man who extends a helping hand, even if you still disagree with some of his views.

The initiative towards this plan should, rightly, come from the Dominion of Rhodesia, and it is perhaps interesting to note that under the political plan of the Dominion Party there is already a start by the help to be given to neighbouring territories. True, that help is already being given in the existing Federation, but until we are an independent State we cannot take the initiative to extend the principle on a wider scale. (An important example of this wider-scale help was in the headlines last week—the Warsak Dam in Pakistan, which is costing £22 million and which Canadian technicians and money are helping to build).

Not entirely unconnected with a grand plan for development in Central and Southern Africa is the part it must play to preserve itself and to contribute to the preservation of western civilization. We cannot close our eyes to what has been happening elsewhere—in Egypt, in the Middle East and in the countries which border the Persian Gulf. The time has come when we must prepare against eventualities which we hope will never occur.

Just as we need a "Colombo Plan", so we need a Southern African NATO. In this case it would have to be a SATO—South Atlantic Treaty Organization—to which the United States, Britain, France, Belgium, Portugal, Spain, South Africa, the Dominion of Rhodesia and Ghana would subscribe, as well as other countries on becoming independent. Northern Africa is, of course, already within the scope of NATO.

Within the last year or two we have had practical demonstration that our own frontiers are as far away as Aden and, if the Middle East of Europe are ever overrun, Africa will be the last base of the western countries, as, to a large extent, it proved to be in the last war. We should have to consider a much greater "defence in depth" in Africa than we did last time. The time has come when we must prepare for this, you cannot build bases and communications overnight, and the Western Powers must no longer delay in planning and co-ordinating the defences of Central, South, East and West Africa—not to mention the South Atlantic.

The obvious centre from which to do this is right here in Salisbury, and we should do what we can to encourage it. The establishment of a SATO organization here would bring in its train considerable economic advantages, not only in the inevitable establishment of bases, but because strategic requirements would dictate some of the major developments which would become necessary to carry out a full economic plan.

These are broad views, far removed from the hitherto somewhat parochial run of our politics, but they are the sort of things we shall have to turn our minds to, if we achieve the status of an Independent State.

Oral Evidence

H. D. WIGHTWICK, M.P.

Mr. Wightwick made the following points in amplification of his memorandum:—

1. As he saw it, there were only three courses open to the Federation. The first was to keep it roughly in its present form; the second was to adopt some alternative form of association on the lines of the Dominion Party's Central Africa Alliance plan; the third was some compromise between the two.
2. Federation could only remain as it was, if a civilised form of government was maintained in each Territory. If this did not happen, it would fall to pieces. At the present stage of development of the African, this implied a European majority at the present time. If this were acceptable, then Federation could remain as it was.
3. It was logical that if Southern Rhodesia were given full self-government in the Territorial sphere, similar powers must also be given to the Governments of the two northern Territories. There was some doubt whether African majority Governments in the two northern Territories could provide stable government and such a system could only work if the Federal Government had the majority of powers.
4. If stability could not be maintained in Nyasaland, it would become increasingly difficult to maintain Federation. The logical alternative was some form of alliance on the lines of the Dominion Party's plan. Alternatively, Federation could be maintained between Northern and Southern Rhodesia with an alliance under treaty arrangement with Nyasaland and Barotseland. Such a treaty would provide common services in the fields of defence, civil aviation, posts and telegraphs etc. on an agency basis.
5. Any solution arrived at in the 1960 review must be lasting. For this reason, the majority of the electorate should be in agreement so that the opposition party could not, as a result of a general election, upset any decision arrived at.
6. Although the Dominion Party contained a number of extreme elements, it was not an entirely reactionary party. It had in fact polled the largest number of votes in the last Southern Rhodesia elections and it was essential that its views should be taken into account at the Review Conference.
7. One of the great tragedies of the present century was the haste with which Europeans had got out of Africa. If there had been a little more time, Africans could have been brought up to something like a European standard of civilisation; as things were, they would probably never become civilised. If the Federation could find a way of building up a multi-racial state, Africans in the Federation would be far better off than Africans who had obtained their independence elsewhere.
8. If the country were divided on the lines he had in mind, it was not an essential part of the scheme that the Copperbelt should become part of the "Dominion of Rhodesia". In any case, revenues would still be distributed over the whole alliance. Alternatively, there would be no great difficulty in treating the Copperbelt as a High Commission Territory or condominium. It could be administered by the High Commissioner for Central Africa in parallel with Nyasaland and Barotseland.
9. Although there were a number of people in Southern Rhodesia who regarded Nyasaland as a burden, Southern Rhodesia would only wish to "go it alone" if African majorities took over the northern Territories before they could provide civilised governments. If African majorities were established in the Legislature, it would not be regarded as a safeguard even if the Executive Council continued for the time being to have a "civilised" majority. Speaking personally, the witness felt that there would be no objection to African majorities in the northern Territories if these were achieved over a period of years through the existing arrangements.
10. There would need to be some redistribution of land, particularly in the eastern part of Northern Rhodesia, where some land was not in use and could be developed by Africans from Nyasaland. It was wrong that people should hold on to land which they failed to develop; this applied to Europeans in Southern Rhodesia as much as to Africans.
11. The franchise for the Senate (paragraph 24 of his memorandum) should be as wide as possible so that Africans could feel that they had an active part in the government of the country.

Memorandum

ASSOCIATION OF RHODESIAN AND NYASALAND INDUSTRIES

The Association of Rhodesian and Nyasaland Industries (ARNI)

As long ago as 1922, the year before the Colony became self-governing, manufacturing industry in Southern Rhodesia had made such a promsing beginning that the employers concerned banded themselves together in Salisbury and Bulawayo to form Chambers of Industries. These two Chambers, while maintaining their separate identities and their local autonomy, came together for national purposes in a rather loosely-knit organisation known as the Rhodesian Manufacturers Association.

In the early post-war years, Chambers of Industries were also formed in the Midlands (Gwelo) and in Umtali and the central association was re-organised to bring them in. The new body, known as the Federation of Rhodesian Industries, thus covered the four main centres of industrial development in Southern Rhodesia.

With the advent of Federation in 1953, consideration began to be given by F.R.I. to the question of broadening the basis of the organisation to cover manufacturing industry throughout the three territories. In the result the Association of Rhodesian and Nyasaland Industries was formed in 1957.

The membership of ARNI consists of the following:—

(*a*) about 350 firms who acquire membership by virtue of being members of their local Chambers of Industries (Bulawayo, Gwelo, Salisbury and Umtali);

(*b*) a few direct members in Northern Rhodesia and Nyasaland;

(*c*) about 30 associate members, consisting of employers in primary industries or who serve the interests of or are otherwise clearly connected with industry; and

(*d*) 13 affiliated organisations catering for the interests of individual branches of manufacture, e.g. clothing, textiles, paint, etc.

The paucity of members in Nyasaland is due solely to the

fact that, except for the processing of tea and the packing of tobacco and the repair and servicing of motor vehicles, there has been virtually no development of manufacturing industry in that country. In Northern Rhodesia, too, the development of secondary industries has lagged far behind that of Southern Rhodesia. There are in each of the main centres of population in Northern Rhodesia too few manufacturers to justify or support a local Chamber of Industries and those manufacturers who have not thought it worth while to join ARNI direct are, in so far as they are organised at all, members of a joint organisation catering for commerce and industry (COMINOR).

The ordinary membership of ARNI embraces a wide range of manufacturing activities, including, *inter alia*:—beverages, building materials (including asbestos products, cement, ceramics), chemicals (including fertilisers, paints, soap, cosmetics), footwear, textiles and clothing, agricultural machinery, engineering (including boat building, body-building, foundry work), furniture and upholstery, rubber tyres, plastics, ball-point pens, radio, batteries, paper, cardboard and packaging materials, brushware, tobacco and cigarettes.

Amongst the associate members are numbered the British South Africa Company, Rhodesian Selection Trust, Anglo-American Corporation of South Africa, all the commercial banks as well as a number of finance houses, and the leading industrial consultants.

The membership of ARNI is steadily expanding and each of the four Governments in the Federation, who each year send representatives to attend the Annual Congress and to take part in its deliberations, recognise ARNI as entitled to speak on behalf of manufacturing industry throughout the Federation. It enjoys a permanent form of liaison with the Federal Government on industrial and economic affairs through the medium of an Industrial Consultative Committee, the Chairman of which is the Minister of Commerce and Industry. ARNI is also represented on the Labour Advisory Council established by the Southern Rhodesian Government, and has recently taken part with other employers organisations in setting up in Southern Rhodesia a Committee to consider and advise upon the recommendations and conventions adopted by the I.L.O. in so far as they affect the Federation.

The foregoing brief account of the origin, membership and activities of ARNI indicate that industrial organisation has reached an advanced stage amongst employers of labour in the Federation and that developments in this field are already comparable with those in more highly developed countries such as the United Kingdom and the Union of South Africa by which they have largely been inspired. It should be emphasised that by its constitution ARNI is open to membership by any employer engaged in or associated with manufacturing industry without regard to race or colour. It is, however, the fact that so far no manufacturing industries under African management and control have developed to a stage at which membership of ARNI would have a realistic appeal. But ARNI will not fail to encourage such membership when the opportunity offers.

Brief review of economic development in the Federation

The Commission will no doubt have been supplied with a great deal of information from official sources about the economic development which has taken place in each of the three constituent territories of the Federation. There will, therefore, be no need to labour the matter in the present memorandum. Nevertheless some mention of certain salient aspects may perhaps be permitted in order to set the problem of the future in its proper perspective.

The following tables show the estimated population of the three territories and the total for the Federation by racial groups for the years 1954 and 1958 (Table I) and the numbers gainfully employed similarly displayed (Table II).

It will be noted from Table I that although the size of the African population in each of the three territories is roughly the same, the number of Europeans varies considerably. There were in 1958 nearly three times as many Europeans in Southern Rhodesia as in Northern Rhodesia, and over twenty-five times as many as in Nyasaland. From Table II it will be seen that the total numbers of all races employed in the money economy in 1958 in the three territories taken in the same order is in the ratio 7 : 3 : 1·8. Practically the same ratio applies if the African sector alone is considered.

It would appear, therefore, that to a first approximation the greater the depth of European settlement the greater the economic development, measured in terms of the amount of employment given generally and to Africans in particular.

If we consider manufacturing industry only, we find that there are three times as many Africans employed in Southern Rhodesia as in Northern Rhodesia and four and a half times as many as in Nyasaland. If the manufacture of pig-iron and steel-smelting are excluded in Southern Rhodesia and the refining of copper in Northern Rhodesia, the figures should be reduced by about 3,700 in each case, but this has only a slight effect upon the relative proportions.

It is, we submit, no mere accident that economic development and the expansion of manufacturing industry in Southern Rhodesia has far outstripped that in Northern Rhodesia and Nyasaland. Southern Rhodesia became a self-governing Colony in 1923 and the whole process of development became the responsibility of the European population who had made their homes there. It is true that in respect of certain legislative functions an ultimate power of veto lay in Westminster, yet never once has that power had to be exercised. Moreover, as was shown by the preliminary factual studies undertaken for the Conference on Closer Association in Central Africa held in London in March, 1951, Southern Rhodesia has never been less solicitious for the welfare of its African population than has the Colonial Administration in the two Protectorates. Indeed, so far as educational, health and agricultural services for Africans are concerned, Southern Rhodesia spent in 1950 over £2 m. out of a total revenue of just over £16·5 m., while Northern Rhodesia spent nearly £980,000 out of a revenue of just over £11 m., and Nyasaland about £532,000 out of a revenue of just under £3 m.

Table I

Population

Territory and Race	1954	1958
S. Rhodesia		
European	158,000	211,000
African	2,150,000	2,590,000
Other	12,000	14,900
Totals	2,320,000	2,815,900
N. Rhodesia		
European	53,000	72,000
African	2,010,000	2,250,000
Other	5,800	8,400
Totals	2,068,800	2,330,400
Nyasaland		
European	5,200	8,600
African	2,470,000	2,720,000
Other	8,500	11,500
Totals	2,483,700	2,740,100
Total Federation		
European	214,000	291,600
African	6,630,000	7,560,000
Other	26,000	34,800
Totals	6,870,000	7,886,400

Table II

Persons in Gainful Employment
(receiving salaries and wages—i.e. *not* Employers)
(*Includes* refining and processing of copper)

Territory and Race	1954		1958	
	Total	*Manufacturing Industry*	*Total*	*Manufacturing Industry*
S. Rhodesia				
European ...	63,200	10,500	81,300	14,600
African ...	544,700	65,000	616,800	81,200
Other ...	2,930	720	3,700	880
Totals ...	610,830	76,220	701,800	96,680
N. Rhodesia				
European ...	23,800	2,140	29,400	3,100
African ...	244,000	22,000	267,400	27,100
Other ...	1,320	110	1,660	155
Totals ...	269,120	24,250	298,460	30,355
Nyasaland				
European ...	2,990	280	4,000	390
African ...	134,800	15,000	174,200	17,600
Other ...	1,360	180	1,840	230
Totals ...	139,150	15,460	180,040	18,220
Total Federation				
European ...	89,990	12,920	114,700	18,090
African ...	923,500	102,000	1,058,400	125,900
Other ...	5,610	1,010	7,200	1,265
Totals ...	1,019,100	115,930	1,180,300	145,255

Expressed as expenditure per head of African population these figures work out at 27s. 3d. in Southern Rhodesia, 18s. 11d. in Northern Rhodesia and 6s. 0d. in Nyasaland.

So much for the nonsense one frequently hears about the exploitation of the African by the white settler! The aspect of the country in which the Africans are now living and multiplying in peace and growing prosperity is due entirely to the energy, initiative and organising ability of the white man. It bears not the slightest resemblance to the country as it was and as it would have remained had it been left to the black man with his tribal wars and his devastating methods of tilling the soil. The white man alone has been responsible for bringing the country to its present state of civilisation. With the help of the Africans as unskilled labourers, he has built 2,700 miles of railways in the two Rhodesias, and about 53,000 miles of roads in all three territories. He has opened up and developed the mineral resources of the three territories to such an extent that the total value of mineral production increased from about £23 m. a year in 1946 to roughly five times that figure in 1958, viz.:—£103 m. And the same story can be told about agriculture, forestry, fisheries, the building of schools, hospitals and houses, the development of electric power and so on through the whole gamut of activities that go to make up the economy of a modern state.

The demographic problem

With the above brief glance at one or two of the salient features of the past, we now turn to the future. The problem of the future which overshadows all others and in our view takes absolute precedence over any kind of political reforms is the problem of finding employment for the thousands of Africans who are now added annually to the population of the Federation.

It is estimated that the African population is growing at a rate which at the present time is close on 200,000 a year. A total net increase of this size means an annual net increase of about 50,000 African males seeking employment.

Past experience suggests that some 10,000 of this total may remain in the subsistence economy in Southern Rhodesia, although the day is not far off when according to expert opinion the Native Areas of that territory will have reached saturation point. Something may yet be done to postpone the full impact of this event by splitting up the larger European estates into smaller farms more intensively cultivated and by encouraging the establishment of rural industries in the Reserves.

So far as the two Northern Territories are concerned past experience again suggests that some 4,000 to 5,000 may be absorbed in the subsistence economy. It is possible that with the developments foreshadowed or actually in progress in the rural areas of those territories, that rate of absorption may be maintained for some years to come.

While it must be admitted that the calculations are highly speculative, it looks as if we must look to the money economy to absorb anything from 35,000 to 60,000 a year over the next decade. Reference to Table II above indicates that total African employment in the money economy rose in the four year period ending in 1958 from 923,500 to 1,058,400 or by 134,900, which is at the average annual rate of about 34,000. Making due allowance for a substantial margin of error, it looks, therefore, as if the expansion of the African population during the years in question was more or less matched by the economic expansion.

During the four-year period under review the rate of expansion of total employment for all races in the money economy was 3·8% per annum compound, whereas the rate for employment in manufacturing industry alone was 5·7%. If, therefore, we are to provide sufficient avenues of employment it appears that we must aim at achieving the expansion of manufacturing industry at a rate of 6% per annum measured in terms of employment. This rate of expansion should be sufficient so long as total employment continues to grow at a rate of 3·8–4% per annum *and* the subsistence economy continues to absorb the residue. But as we approach saturation point in the Native Areas of Southern Rhodesia, in, say, about five years' time, the tempo of industrial development will clearly have to be increased to something like 7% to 8% per annum.

It is not easy to estimate the additional capital which will be required to be invested in manufacturing industry year by year if the desired rate of expansion is to be attained. The amount of capital required per employee varies enormously with the type of industry. A modern fertilizer factory may require capital expenditure of the order of £50,000 per employee, whereas in the clothing industry the amount may be as low as £500. According to the statistics available it appears that for manufacturing industry taken as a whole throughout the Federation, the average amount of capital required per employee has been around £1,600. Allowing for some slight increase per head to cover rising costs it may be calculated that to achieve the required rate of expansion manufacturing industry will require a capital accretion per annum of the order of £16 m. rising to £20 m. or £25 m. over the next decade. This is a modest sum and should be obtainable, provided only that the political stability of the Federation is maintained.

African Advancement

Before we deal with the question of political stability, we should like to say a few words on what is generally referred to as African advancement.

We have already said enough to show that we are fully alive to the paramount necessity of expanding the opportunities of employment in secondary industry in order to provide a livelihood for the thousands of Africans who will year by year be unable to find employment in agriculture, mining or the subsistence economy. We are also aware that the labour force thus made available to industry will be wholly unskilled, except for the very limited number who may have had school instruction in the use of hand tools. It will, therefore, be necessary for us to continue and extend the practice of training on the shop floor, until step by step we have developed the whole apparatus of technical schools, evening classes, specialist training and so forth which is a characteristic of the modern industrial state.

We wish to put it clearly on record that as employers of labour we have no desire to do what we are often charged with attempting to do, and that is to undermine European standards both of life and of work by the exploitation of cheap black labour.

In the first place it is fallacious to assume that black labour is cheap. The African has no deep-rooted tradition of industry and, speaking generally, is incapable of sustained effort, with the result that output per man is low, and far more bodies have to be employed to secure a given output than in a corresponding factory in, say, the United Kingdom.

In the second place we should be very foolish if we brought about a diminuation in the standards of life and conduct of that section of the community upon whose shoulders the main burden of past development has been borne and to whom we shall for many years yet have to look to supply the bulk of the skilled craftsmen and technicians necessary to our future expansion. Our aim must be not to depress the European but to raise the African, and in this context we welcome the initiative taken by the Southern Rhodesian Government towards the development of multi-racial Trade Unions.

On the question of wages we hold the view that wage-differentials between black and white for work of the same quality must in the long run disappear. In the meantime, while Africans are acquiring those qualities and skills to which we have already referred, it is our view both morally wrong and socially absurd to insist on payment at European levels, apart altogether from the inflationary effect of raising wages quickly to such levels without a corresponding increase in individual productivity.

Political Stability

We have referred above to the need for political stability if we are to secure and retain the capital necessary for the development of a healthy and prosperous and contented people. We are aware that "Africa is on the march" and that African nationalism is advancing under the banners of freedom and democracy. Indeed were we inclined to be complacent or ignore these manifestations, we can be sure that a number of organs of the United Kingdom Press or a posse of visiting Members of Parliament or liberal reformers of one kind or another would soon remind us of their existence. But in spite of all this, we remain obstinately convinced that political stability is not to be bought or secured by handing out concessions to a tiny but vocal minority of educated Africans in a hurry.

In particular we are convinced that there is no better passport to anarchy or dictatorship in Central Africa (as indeed has happened and is happening elsewhere in Africa) than a rapid broadening of the franchise. It is to us astonishing how persistent is the belief that the forms and practices of democracy as they exist in the United Kingdom after centuries of evolution, are articles of export. It should be borne constantly in mind that at present far more than half the total African population of the Federation still lives in the subsistence economy. You cannot expect those who live in that way or have recently emerged from that way of life into urban and industrial surroundings and wage-earning employment to understand and be able to follow the principles and practice of democracy as they are followed in the United Kingdom. To expect them to do so is as sensible as to imagine that Britain might have jumped from the tribalism of the days of Boadicea into the democracy of Elizabeth II without the hundreds of long and sometimes painful years of political experiment and development which in fact have separated the two eras.

In our view it is essential that Government should remain in the hands of civilised men and that to ensure that this is so, the qualifications for the vote—particularly the educational qualifications—should be fixed and maintained at a standard no lower than those applicable to the Federation as a whole. Moreover, the freedom of the territories to fix their own franchise qualifications combined with the vulnerability of the two Northern Territories to pressure from the United Kingdom, may easily, jeopardise any attempt to retain Government in the hands of civilised men. Indeed, in our view an attempt should be made to devise machinery for ensuring that the maximum degree of uniformity is attained in the structure of the electoral rolls for all four Parliaments.

Each of the four Governments in the Federation has control over certain aspects of economic policy and administration. General responsbility for economic development lies with the Federal Government but direct responsibility, for example, for labour supply, wages, housing, African education and vocational training, is vested in the Territorial Governments. Transport by rail and the distribution of Kariba power are matters for the Federal Government while the responsibility for urban development and the location of industry lies with the Territorial Governments. We are aware of the historical and constitutional causes of this dispersion of responsibility, but it would be difficult to devise a scheme more capable of putting obstacles in the way of a coherent and co-ordinated plan of industrial expansion of the Federation as a whole. It seems to us that it is of urgent importance to set up some inter-Governmental organisation, analagous to the Loan Council, to bring together the development plans of the four Governments, settle orders of priority, co-ordinate the parts to be played by different authorities and ensure that action is substituted for correspondence and "passing the buck". We may add that in our view nothing but good would come from associating representatives of industry and commerce with such a body.

Returning again to the theme of political stability, from which the preceding paragraph was to some extent a digression, we wish to put on record with all the emphasis at our command the view that stability is never likely to be achieved in Central Africa if one section of the population feels that at any time it can invoke the intervention of authority in London. To us it is intolerable that a sincere desire on our part to help to build a prosperous and contented multi-racial state in the land which is our home, should be so frequently denigrated in the public utterances of politicians and liberal sentimentalists in the United Kingdom. Even more intolerable is it that for lack of a sufficiently controversial domestic issue the future of our homeland in Africa and all we have done for it should be made the shuttlecock of British Party politics.

But we cannot emphasis too strongly the influence for good which private enterprise exercises, and must increasingly exercise, in securing the welfare and advancement of all the Federation's inhabitants. As a general rule the educated African puts political progress first in the mistaken belief that all other progress will flow from it, whereas it is in fact economic progress that opens the door for social and political advancement. Secession by any one territory would, we believe, tend to bring about the total collapse of the Federal structure. The consequent instability and uncertainty would unquestionably be accompanied by a collapse of confidence on the part of the overseas investor, and any hope of solving the increasingly acute employment problem which we have described above, would be lost. Even if by some miracle the political and psychological impact of secession could be reduced to negligible proportions, we believe that on purely economic grounds the individual territories would not attract investment at the rate which one might anticipate if they remained within the Federal framework. In short, the Federation can only be broken at the peril of severe economic repercussions which are bound to affect adversely the present and future well-being of all its people.

Salisbury

January 1960

Oral Evidence

THE ASSOCIATION OF RHODESIAN AND NYASALAND INDUSTRIES—Represented by Sir Thomas Chegwidden, Mr. Aldrige

In amplifying the memorandum, Sir Thomas Chegwidden said that the membership of the Association was well over 500 firms, many factory and industrial, with about 80% representation in Southern Rhodesia but, not as much in Northern Rhodesia and Nyasaland. The Association covered the whole Federation. The associate members had no voting rights. The memorandum had been approved by the Executive Council, and Sir Thomas Chegwidden had no doubt that although the associate members had no voting rights they would probably make their views known.

In the last sentence of the memorandum "the Federation can only be broken at the peril of severe economic repercussions," the witness thought those would be felt in Southern Rhodesia for a time; but they would not be so severe in Southern Rhodesia as in the other territories, particularly in Nyasaland. He considered that a number of firms looked for establishment here because it was a Federation, and they had a wider market. There would be a possibility that the two northern Territories might set up a customs barrier again, if instead of the Federation there was some form of economic association. It would be difficult to generalise on any repercussions because there were all sorts of curious things that Government could do which would not necessarily be covered by economic association.

Sir Thomas Chegwidden agreed that he wished to see a franchise which would be no lower than the present Federal franchise. If there was a franchise to win the widest measure of popular support in various parts of the Federation there would be bound to be very serious repercussions on the whole Federal organisation, which would be detrimental to its future.

On the assumption that the present political stability of the Federation could not be maintained without considerable political trouble in the north, and possibly riots and disturbances, the witness thought it might be advisable to have some other form of association rather than a political one; but he did not consider it would be easy. He did not believe there was genuine widespread opposition to Federation in the northern Territories. In order to maintain the maximum amount of economic stability there would have to be arrangements for freedom of trade freedom of movement, some co-ordinating machinery which would enable conditions as far as the African was concerned to be kept in line in the three Territories, something like the East African High Commission. It would be very difficult to work out an economic association because the whole thing would tend to be coloured by racialism which would cause a break-up. He considered any organisation of an economic nature would creak and groan all the time and would not be very effective.

He did not think that the Central African Council had been made to work. One reason was that the Governors were not altogether free agents, being under instructions from London. In addition Southern Rhodesia ministers did not think much of the Council.

General responsibility for economic development lay in the Federal Government but the division of responsibility was difficult. In the Association's opinion it was of urgent importance to set up some inter-governmental organisation to bring forward development plans of the four Governments. Certain functions which affected industrial development were purely Territorial and certain others—customs, taxation, trunk roads, rail and so on, were Federal. The making of trunk roads was a Federal responsibility, the regulations which governed axle-loading of the vehicles which ran over the trunk roads were a Territorial responsibility. There were at least three different axle-loadings existing in the Federation. All that led to difficulties. There was competition between the three Territories to attract new industry and it was the feeling in Northern Rhodesia certainly that Federation was the cow which was fed in Lusaka and milked in Salisbury. They considered they were supplying all the financial sinews for the Federation, but were not getting more secondary industries, simply because Southern Rhodesia, being so close to the Federal Government, took all the opportunities for their development. The ideal was to have some liaison such as an Economic Advisory Council, although the Governments might have to deal with it in the end. The recommendation was that there should be greater co-operation among the Governments, and not only a transfer of powers.

Sir Thomas said that democracy as it existed in the United Kingdom was not an article for export. The witness wondered how many people who mentioned "one man, one vote" realised that 1832 was the date of the Reform Act, before which the number of voters was but 1 in 24. It was many years after that Act was passed, in fact, the early '20's before there was anything even approaching general democracy. It does not work amongst people who do not understand what the vote is about as has been demonstrated in other African territories. It would be impossible to set a programme for the adoption of British democracy, for it depended on education and the development of the democratic tradition. In referring to the practices of democracy, the witness said there was so much that could not be found in the rules and which took time to build up.

Sir Thomas Chegwidden said that there was practically no system of apprenticeship for Africans, although there were the beginnings of it in the mines. The system had to be geared to the educational system because it was a waste of time without an educational basis for the apprentices. One of the obstacles to the implementation of a system was represented by the people who would be the Labour Party's supporters if they were in England, in other words, the European artisan, not the employers of labour.

Memorandum

THE SALISBURY BUSINESS AND PROFESSIONAL WOMEN'S CLUB—D. P. Cooper, M. Bratley and E. Wilkin —Members; E. McQuade and J. R. Innes—Secretaries.

(The Club is affiliated to the National Federation of Business and Professional Women's Clubs of Rhodesia and Nyasaland).

Aims and Objects of the Organisation

1. To awaken and encourage in business and professional women a realisation of their responsiblities in their own country and consequently in world affairs.
2. To promote the interests of business and professional women and to secure combined action by them.
3. To facilitate effective co-operation between business and professional women throughout the world.
4. To extend the facilities for education and training of business and professional women.

5. To work for high business and professional standards.
6. To work for the removal of legal, economic and social disabilities of women.
7. To make available and to ensure the use of the specialised knowledge of business and professional women in public affairs and in policy-making positions.

Introduction

1. The Salisbury Business and Professional Women's Club is concerned primarily with the status of women in employment, their working conditions, their training and education, and their general well-being. It adheres to the principle of equal pay for equal work on a non-racial basis and without discrimination on the grounds of sex—all things being equal, i.e. qualifications, integrity, responsibility, and the ability to conform with the standards demanded by professional and business ethics. (See attached memorandum on women in employment in the Federation). It is non-partisan.

2. It has therefore approached the problem of amendment or re-arrangement of the Constitution of Rhodesia and Nyasaland with these principles in mind. As an Association, it has always taken an active part in national affairs, and has afforded a public platform on such vital matters as the Federal Referendum (1953), the Urban African Affairs Commission, the Tredgold Commission on the Franchise, the Commission of Enquiry into the Legal Disabilities as between Men and Women, etc.

3. The Salisbury Business and Professional Women's Club wishes to record its concern at the approach to our problems by many overseas critics, whose whole attitude is based on racial issues and not on practical facts of general progress, and are aware that if the peoples were all of one colour or race this country would have had independence within the Commonwealth some time ago. It therefore deplores this racialism which continually condemns the Europeans who bear the burden of responsibility and which expresses the opinion that they are not to be entrusted with the responsibility of attaining independence and assisting with the management of a Dominion on behalf of all the inhabitants. It feels that to delay the attainment of complete independence until the more backward peoples have caught up with the more advanced sections may so undermine responsible Europeans' confidence in the Federation's future that they will gradually withdraw their capital and their great stabilising influence in this primitive country. Further, in considering the future of the Federation, it is felt that no single Territory should, by its backwardness, hold back the economic and political development and status of the whole; e.g. a family does not restrict its growth to that of one of its infants, nor does a business hold back the progress of the whole because one of the departments does not pay.

4. Are the "aspirations" for incomprehensible goals of the vast majority of the inhabitants, whose chief characteristics are a childlike lack of inhibition, indolence, cheerful disregard for integrity in the best sense and a gullible excitability which changes with every irrational appeal to their immature emotions, more important that the firm, steady and courageous purpose of those experienced in constitutional Government? The indulgence of violent political whims of people who do not understand elementary principles of democracy, let alone of federation, nor the purpose of a commission, and whose tribal life has been so disrupted that they are undergoing a turbulent revolution, not altogether appreciated by the academic theorists, can only lead to political hooliganism and eventual tyranny.

5. There is no doubt that the sentimental "multi-racial" approach of certain extremists is more racial than the most ardent segregationist.

6. This Club therefore urges the Commission to regard the problem on a non-racial basis, in the knowledge that in the fullness of time the differences will right themselves—only with harmony if there is no interference from outside, and to recommend the full independence of the Federation in 1963 in the faith that those who at present lead the Communities will fulfill their responsibilities with integrity and justice. Such independence would do more to restore a waning confidence among all sections and would unite the peoples in a single purpose. The longer this delay, the more reluctant will investors be to place long-term investment, and the present Europeans will hesitate to consolidate what has become a precarious position. (Demagoguic agitators).

7. The Club will confine itself to the status of Southern Rhodesia, in relation to the Federal Constitution and on general issues within that Constitution since it is not competent, except through the opinion of its members who have visited the Northern Territories, to deal with matters concerning the Northern Territories. It will also endeavour to indicate some measure of wider public opinion.

Race Relations

8. With regard to race relations within these Territories, it has been observed that Northern Rhodesia appears to have more racial tension than Southern Rhodesia. This is understandable because security is handicapped by the presence of large groups of temporarily resident European Miners and Civil Servants whose loyalty cannot be really deep, and large mine compounds where political agitators can enjoy their loquacious idleness in stirring up trouble.

9. Observers state that in that Territory there are four main trends, viz., a Liberal Group embarrassingly desirous of racial integration, an opposite (European) group (found in Lusaka and the Copperbelt) anti racial integration but not against advancement, a violently nationalistic African movement, and a comparatively small moderate body of opinion trying hard to keep a level head in an uneasy situation. The one unifying factor seems to be a dislike of Southern Rhodesia, based no doubt on envy of this Colony which played the decisive part in the establishment of the Federation. It was a pity that the electorate of Northern Rhodesia was not allowed a Referendum in 1953. There are other important differences in Northern Rhodesia, fear being one of the strongest and the political advancement of Africans is too rapid.

10. The Nyasaland position is well-known. In Southern Rhodesia race relations are not now as sound or objective as they have been during the Colony's development. In fact, since the rebellions which occurred in the early days of its history there is no doubt that there has been more emotionalism, distrust, fear and loss of mutual respect among the races in the last four years than at any other time. This state of affairs is to be deplored because Southern Rhodesia has always followed a reasonable policy of progress—(common roll, Industrial Conciliation, reasonable advancement of Africans, etc.). There is no doubt that racial stability in Southern Rhodesia has been upset by overseas pressures especially by irresponsible visitors, certain press attacks, no less than by the forces behind African Nationalist movements which are generally believed to be spearheads of Communist infiltration—which has always followed in the wake of the triumph of modern National movements. In our midst are many Europeans who wish to push integration on an unwilling and unready population. There are Africans who would follow these, but these do not appear to be numerous as the bulk of African opinion still prefers its own way of life. Moderate opinion is stronger in Southern Rhodesia than in the other Territories but there are certain extremists who wish to see complete segregation.

11. At some time the extremes of opinion may meet in a common purpose, viz., self-preservation, the saving of the interests of the European minority. Much will depend on the outcome of the recommendations of this Commission, and the importance of its impact on the people, but more especially on the Europeans, cannot be over-stressed.

12. It is the wish of this Club to see that moderate forces, which will not press for progress beyond the economic capacity of the Colony nor beyond the readiness of its people to co-operate more closely in the future, are strengthened and maintained.

13. It realises that possibly more attention will be paid to African opinion than to European opinion, but it hopes that an unbiased view will be taken of responsible European associations who have the general well-being at heart.

The Federal Concept of Government

14. Assuming that of all systems of Government the Federal form is best suited to territories of widely differing conditions, the present Federation is considered in this context. There is opinion that to federate the three Territories in 1953 was premature, particularly for Nyasaland, and it has become obvious to some that a step by step policy, starting with the amalgamation of Northern and Southern Rhodesia, followed by a transfer of Protectorate Status of Barotseland and Nyasaland to a central Federal Government when the confidence of these protectorates had been gained, would have been the wisest course. However, another Commission advised differently. It is difficult to see what alternative forms of Government are preferable to the Federal form. There is no doubt that people are seeking a more flexible formula than the present one.

15. There has been confusion as to what a Federal form of Government really is and this is due to certain lack of co-operation between the Territorial Governments and the Federal Government. Anomalies in administration have also arisen causing irritation, especially where Southern Rhodesia Government Departments such as Irrigation, Roads, etc., are concerned *(quote examples). In Southern Rhodesia lack of appreciation of the hard-won Responsible Government, especially by newcomers and Salisbury citizens, indicates that Federal and Unitary systems are not understood. But at the time of the Referendum on Federation it was made clear that the Territories were to enjoy the right to develop along individual lines, and that there would be no rigid pattern of forcing the attitudes or policies of one Territory on another.

16. During this time the political leaders were at pains to reassure the people of Southern Rhodesia that they would lose nothing except certain administrative rights, which was small sacrifice for the good of the whole. But a popular move was made on economic grounds to deprive Southern Rhodesia of her Governor whose constitutional position was confused with that of the

**To be used in oral evidence.*

Governor-General, and it was proposed to fuse the two posts. Little regard was paid to the essential relationship between Her Majesty's Representative in Southern Rhodesia and the Africans of that Territory.

17. Some observers feel that the present Federal Government machinery is too rigid, and that many mistakes have been made in trying to level the Territories into one mould in order to achieve administrative smoothness, e.g. the Federal Ministry for Education strove to bring Northern and Southern Rhodesian Education into line by depriving the North of free milk and bus schemes, and did not want Southern Rhodesian Nursery Schools because there were no subsidised ones in the North.

These factors have caused much friction and open ill-feeling towards the Federal Government.

18. In matters of Public Health, there have been examples of Federal interference in the work undertaken by a Territory long before Federation (e.g. bilharzia control in Southern Rhodesia). Doubtless this Commission will discover many such examples in the Report of the Civil Servants' Advisory Committee.

19. There may be some good reason, therefore, for a re-allocation of *powers between the Federal and Territorial Governments in the two Ministries of Education and Health, both of which affect the day to day life, not only of Africans, but of everyone. Social Welfare is bound up with these and should remain Territorial. (See lists of suggested transfers from Federal to Territorial Lists, Appendix II).

20. And examination of other Federal Constitutions suggests that the Commonwealth Pattern which leans more towards a Unitary form than that of the United States, may not be the ideal one for this part of Africa. The United States does give greater autonomy to its States than do most Commonwealth countries. There is no doubt that in Southern Rhodesia, which is politically more mature than its associated Territories, there is a growing attitude that its independence must mean more than just towing the line of the Federal Government; that it is entitled to its own pattern of life, and its own institutions; that it should be ready in the event of the Federation not succeeding to be able to carry on as a Sovereign State. Therefore it seems competent to suggest that your Commission be asked to give this aspiration serious consideration, and that Southern Rhodesia's powers be strengthened and not weakened.

Rights of Minorities

21. One very important factor has emerged since the establishment of the Federation, viz., the need to recognise the rights of minorities and to safeguard these in any amended Constitution.

22. A new Federal Constitution could well consider a dual House (Upper and Lower House system), in one or other the Europeans and other non-Africans should have safeguards against any Africanisation of the Federal Government and administration of the Dual House, with an Upper House which could have the right of veto or restraint on discriminatory legislation. Such a device could replace the African Affairs Board. But such a device needs close examination.

23. The time, thought, finance and effort put into the organisation of the Federation of Rhodesia and Nyasaland is greatly appreciated. It is disquieting, therefore, that the weakness of the Preamble, which implies either a long delay to await the pleasure of a decision by "all the inhabitants" as to their ultimate destiny, or a too hasty conferring of franchise powers on these inhabitants, is being used by the United Kingdom to create further doubts as to the integrity and ability of the Federal and Territorial Governments to make wise decisions.

24. The financial obligations of each Territory, which has benefitted from the economic alliance, and investment of taxpayers' money, especially in Nyasaland, should be considered with a view to the refund of that portion of Federal funds which has been taken from general revenue for administration in the Territory concerned

The Federal Government's Contribution to Achieve the Objects of the Preamble

25. *Economic and Financial* benefits of pooled resources have been published from time to time. Northern Rhodesia suffers a grievance that she gets less than she deserves or has earned; Southern Rhodesia feels that she could do with more, and Nyasaland does not appreciate that of the three, she has gained far more than any Colonial Office Government has given in the past.

26. A popular slogan at the time of the Referendum was "Vote Federal and keep down the cost of living". The cost of living index has risen to an alarming degree since Federation. Even the Federal Government has noted this. But whether this rise can be attributed to Federation, or whether it would have risen despite it is a debatable point. The fact remains that from the economic point of view Federation has offered security.

The Federal Government's administration has:—

(*a*) Advancement (Political)

By introducing a common qualitative Federal Franchise to all inhabitants whether citizens or British Protected Persons; by permitting the entry of all races into the Federal Public Service; by promoting instruction on the benefits of Federation to ignorant masses; by its general endeavour to encourage non-Europeans to participate in Party Politics, and to encourage all races to become responsible citizens that Federal Government has done much for general advancement. It is limited to non-African activities. African affairs should be left to the territories as at present.

(*b*) Security

The Federal Defence Force did excellent work during the recent emergency. All races enjoyed this protection and participated in defence. There is no doubt that all three Federal Territories have enjoyed better security than previously. The pooled resources of manpower are helping to build up a common loyalty. The establishment of a mobile separate Federal Police Force as envisaged in the Constitution would add to internal security.

The greatest forces against this are the political agitators who should be dealt with far more severely than they have been. The African best understands hard justice-rule by example rather than by pious precept, and it should be remembered that respect for authority is still bound up with the concept of the Big Chief.

(*c*) Welfare

In those Government Departments entrusted to it, namely Posts and Telegraphs, Health, Higher Education, the Federal Ministry has shown a sense of responsibility and in spite of mistakes has done much for the welfare of its inhabitants and has deprived racial groups of special amenities on the Railways and in the Post Offices by removing discriminatory practices.

(*d*) "Co-operation and Partnership"

This phrase would be improved, in the eyes of some, without "partnership". However, basing the practice of partnership on the definition accepted during the first Federal General Election (quoted above) the Federal Government has promoted the advancement of all races in its employ.

One of the weaknesses in the Preamble is the suggestion that full independence should rest with the desires of all the inhabitants. To responsible people the phrase would have been better appreciated had it read: "with the decision of a responsible electorate answerable to the inhabitants". The majority of Africans cannot understand the meaning of local Government, let alone a Federation, and to expect the destinies of this great country to rest with millions of tribal, ignorant and gullible primitive persons is as shortsighted as it is absurd. The principle of a qualitative franchise is essential to the proper management of Central Africa, and a liberalisation of the franchise would undo much material progress. Very few non-Africans have confidence in African Governments—there has been little time to test existing "liberated countries" but there is a certain cynicism in the assumption that it will be a case of the survival of the fittest and a return to the rule of the Big Chiefs, particularly if European control ceases to be effective. Even responsible Africans share this view.

(*e*) Federal Franchise†

The Federal Franchise has a dual role and was so devised to embrace the different franchise systems of the three Territories. It tries to keep Government in responsible hands by a qualitative franchise. The conduct of the Southern Rhodesian African Members of Parliament in the Federal House indicates the political maturity of this Territory in which these men were elected by all the voters so that they feel responsible to all and not merely to Africans. Southern Rhodesia can well be proud of their African Federal Members of Parliament. There is no doubt that the Franchise system in Southern Rhodesia has greatly influenced the Federal pattern.

Application of the Principles Embodied in the Preamble to the Constitution, with Particular Reference to Southern Rhodesia

27. The comments concerning race relations in the Introduction are indirectly relevant to this part of the preamble "... a Federation ... Commonwealth".

28. When one considers the overall picture since the Federal Referendum, certain conclusions may be drawn. A brief resume of the trends since April, 1953, give some clues to the present situation.

29. It will be recalled that the 1953 Referendum was fought on the White Paper which set out the practical, economic, and political

**Administrative functions.*

†Appendix III(c).

advantages of Federation. Much emphasis was laid on security, economic advantages, etc., it took the leaders, Sir Godfrey Huggins, Sir Roy Welensky, Mr. J. M. Greenfield and the U.C.A.A. team through a hard and contentious campaign, in which two main issues of doubt and dissent arose, one was the possible effect of such a Federation on Southern Rhodesian Race relations by the inclusion of Nyasaland, and the other was that the electorate was not allowed to vote upon the actual Federal Draft Constitution. When the latter was available in August of that year, followed by the first Federal Election, much opposition was made to the Preamble and the inclusion of the word "Partnership" (a much abused word of many interpretations). The electorate was finally convinced that this meant what Sir Godfrey and the other leaders were at pains to assure them, viz., a sharing in the responsibilities and benefits of Federation by all the peoples according to their capabilities and contribution. Great pains were taken to reassure the Europeans that this did not mean social integration, and on two occasions both Sir Godfrey and Sir Roy (election speeches October and November, 1953) respectively made categorical statements to this effect.

30. These points are made because the question of social integration, more especially residential association of the races is still the burning one in Southern Rhodesia. Many Europeans are fundamentally tolerant about the other races until what has been termed "racial privacy" is threatened. Whenever it is suggested that European residential areas might include an African, or, if Asians move in, there is an immediate reaction by local authorities and European residents. This is no doubt due to a concept that admission might be "all or nothing" and that one must include the masses in the concept of partnership.

31. One member of this Club who is a member of a local Town Management Board can substantiate this. Generally speaking regulations governing such matters as separate toilets for the races, and other amenities are favoured by local authorities on grounds of hygiene, and in the case of Asians, religion.

32. Many Southern Rhodesians favour the economic and political advancement of Africans as long as this does not mean enforced racial integration. There are African doctors, barristers, lawyers, nurses, and other professional people who have become accepted and respected. There never has been a bar to African promotion.

33. The Southern Rhodesian Government has sincerely tried to foster the political advancement, the welfare and security of its peoples, and also their co-operation and partnership in the accepted sense (not meaning social integration). By the following Acts the Africans have been able to enjoy more European amenities (not always to their benefit) Amendment to Liquor Acts (1957) (a dubious concession to "civilised" standards with a consequent alarming change in African communal drinking habits), Amendment to the State Lotteries Act (1959), Amendment to the Land Apportionment Act (1959), to enable an African barrister and professional men to practice in an European area; and to enable hotels to be multi-racial. There is growing opinion that this Act could provide an outlet for those who genuinely subscribe to that concept of partnership currently popular among the demagogues, viz., "racial equality and integration", by the provision of multi-racial areas where such development could take place without offence to those who do not desire it, and where it could evolve on a basis of honest and sincere co-operation instead of the specious relationship it has become.

34. Further testimony is in The Native Councils Act (to encourage self-government among Africans), the new Industrial Conciliation Act, and the Apprenticeship Act both legislate for non-racial participation. All these measures have been designed to bring all races economically into line. It is hoped that European standards will not be lowered. This Club has watched with growing concern the exploitation of cheap and inefficient African labour in competition with European clerks in commerce. Nothing has done so much to impair race relations as this threat to standards and economic security. The Southern Rhodesia Government has embarked on extensive housing schemes for Africans. Home-ownership and freehold tenure being most important.

35. Recent concessions to the Africans, particularly in public buildings, etc., have caused uneasiness and a sense of insecurity among Europeans, who feel a certain cynicism about a future based on a policy of appeasement which does not demand reciprocal standards of responsibility, hygiene, etc., from the appeased. It is felt there is a tendency to press the multi-racial idea to the utmost, and to attempt to enforce it in quarters where it is not wanted or needed, on the alleged ground that political and economic rights confer a natural right to immediate social integration. This idea has been encouraged by certain interests outside the Federation which seem more concerned to embarrass the European than to promote racial harmony.

36. It should be possible for all racial groups to make their contribution to the common good without losing their identity, but they can only do this if they are allowed to retain islands of racial privacy alongside the necessarily increasing number of *multiracial institutions.

37. Some observers feel that Europeans, who had been becoming more tolerant, are now showing a strong reaction against liberal moves. If this observation is correct, there is a need for early action to allay fear and reduce tension. Much is being said about the need to gain the confidence and goodwill of the African, but in achieving this it is surely necessary to retain the confidence and goodwill of the European.

38. The recent trouble in Nyasaland, and, despite the present state of emergency in S. Rhodesia has demonstrated that the most stable part of the Federation is still Southern Rhodesia, which has had no anti-European acts and has experienced more intimidation of Africans by Africans than is publicly known. This comparative stability is attributed to the fundamental difference between the Southern Rhodesian Government, a responsible one, in which all people, regardless of race, can, if suitably qualified, play their part, and the Northern Territories handicapped by Colonial Office rule. (See Appendix IV of S. R. Legislation).

N.B.—"Land Apportionment Act is a basic feature of S. Rhodesian land policy and has been described as the foundation of its native policy. While this is true to a large extent today it must be remembered that the Act is only an instrument of policy and not a final objective. In moving the second reading of the Land Apportionment Bill, 1941, the Prime Minister and Minister of Native Affairs said: "Those who regard this as a permanent solution of some of our difficulties, in other words the ultimate aim, will be making up their minds on evidence which is obviously quite incomplete. The Bill in front of the House is merely a step on the road and required for a period of time which as yet cannot be estimated".

Southern Rhodesia's Constitutional Position and Legislature

39. In view of the increase in population and the advent of Africans more fully into political life, any suggestion that the size of the Southern Rhodesian House of Assembly be reduced should be countered by provision for an enlarged House to which Members are elected on a Common but qualitative franchise, so that only those having a high degree of responsibility and civilisation may govern the country.

Franchise

40. This Club assisted with a joint memorandum to the Tredgold Commission of Enquiry into the Franchise, 1957, with the Salisbury Women's Institute and the Salisbury Branch National Council of Women (S.R.). It was gratifying to note that certain of its ideas were accepted in principle by the Tredgold Commission. We were concerned that the Government of S. Rhodesia should remain in the hands of "responsible and civilised persons" and pleaded for the inclusion of those people, e.g. Missionaries, while having high educational but low financial qualifications, should have the vote. If we may judge from what is happening elsewhere in Africa, the Southern Rhodesian Franchise, while not perfect, is a reasonable attempt to do just this. No person of any race is debarred from franchise, provided he or she can show the degree of responsibility expected from them. It provides for the inclusion of many persons of all races in the Special category. If the franchise is made too liberal that sense of responsibility would diminish and the whole political future would be jeopardised.

41. The Common Roll system does help to promote unity and loyalty. The development of the Party system has been possible in Southern Rhodesia because it has never had political representation on a racial basis. With the development of Africans, and their movement into areas which could form constituencies largely African, there is little reason why non-European candidates should not be elected to the S. Rhodesian House.

42. While the recommendations of the Tredgold Commission were not all adopted, its terms of reference are worth quoting:—

"By our terms of Reference we are enjoined to consider 'a system for the just representation of the people of the Colony in its Legislature under which the Government is placed, and remains in the hands of civilised and responsible persons'. We feel that we should emphasize, at the outset, that, in our view, the first requirement is more fundamental and more important even than the second. No system that leaves any substantial section of the people labouring under a justifiable grievance can, in the end, prevail. It must result in a sense of cleavage, which means that consent of the governed, upon which all government must ultimately rest, is withheld. Unless the principle is accepted that all sections of a people have their highest interests in common, that people will perish. A house that is divided against itself cannot stand".

43. The time may come when an African majority could be in Southern Rhodesia, and the protection of the minorities, in respect of land tenure under Land Apportionment and Town and Country Planning Acts (S.R.G.), schools and separate institutions, where

*See Appendix V. Land.

so desired, should be entrenched into the Southern Rhodesian and Federal Constitutions.

44. It is respectfully suggested that comparisons with Kenya and South Africa should not be made with Southern Rhodesia, a country whose policies have been a good compromise between certain types of Colonial Office rule, by trial and error, and the extremes of South African Nationalism. A certain degree of residential and other forms of race segregation has been found necessary for the general well being and has proved successful in what has come to be regarded as the most politically stable territory in Africa.

45. The Land Apportionment Act is a basic feature of Southern Rhodesian land policy and has been described as the foundation of its native policy. Whilst this is true to a large extent today it must be remembered that the Act is only an instrument of policy and not a final objective. In moving the second reading of the Land Apportionment Bill, 1941, the Prime Minister and Minister of Native Affairs said: "Those who regard this as a permanent solution of some of our difficulties, in other words the ultimate aim, will be making up their minds on evidence which is obviously quite incomplete . . . The Bill in front of the House is merely a step on the road and required for a period of time which as yet cannot be estimated".

"In Southern Rhodesia the Land Apportionment Act has brought about a clear-cut division of land between the two races, and each has security of tenure in its own area. In Nyasaland there is no such division and Europeans and Africans may acquire land on the same terms in the same areas, though the Order-in-Council envisages that African interests shall be paramount in African Trust Land. In Northern Rhodesia Crown Land is primarily set aside for non-native settlement; and the reserves are, save in special circumstances, set aside for the exclusive use of Africans. The remaining 60 per cent of the whole land area is Native Trust Land, where permits of occupancy may be granted to non-natives, providing this is in the interests of the community as a whole, on conditions identical with those applying to Africans, should Africans desire a form of tenure other than traditional.

"The greater proportion of land reserved for European occupation in Southern Rhodesia compared to the other two territories should be considered in the light of the declared aim of the Colony to develop European settlement in the years to come to an extent far beyond the present". (Quoted from *Comparative Survey of Native Policy in S.R., N.R. and Nyasaland* (1951), page 15, paras. 45 and 46).

46. Southern Rhodesia should be allowed to control its own affairs, free from outside pressure, or by interference from the Federal Government in its domestic affairs in the knowledge that in the right time, reforms will be made. Any attempt to make it "go like Kenya" will as surely cause a reaction in favour of "going like the South". The reaction has begun. If we were to lose the best of the Europeans, the loss would be greater for the Africans who remain. There is good reason to believe that responsible African opinion understands this. We have enjoyed mutual trust and good faith between the races and this will continue if we are not interfered with.

47. Racial co-operation has been S. Rhodesian policy, and a tribute to the patience of the average Rhodesian whose daily contacts with domestic and other employees must have had some good influence even if only to raise standards of hygiene, and an understanding of our complex monetary system cannot be ignored.

48. It would not be too much to plead for patience from those who would open up all doors to all races against the sincere wish of all to do so. It is hoped that the Commissioners will appreciate and understand the misgivings of the Europeans who in the main, have done well for their fellow men, and whose contributions in money, administrative ability, and integrity to Southern Rhodesia's steady progress have created stability. The fact that Africans from neighbouring territories flock in for work, yet criticise conditions is no argument for lessening control of the entry of these people.

49. All attempts to use grievances about Pass laws etc., for political ends overlook the fact that Africans are not yet compelled to register births, nor to take on surnames.

The matter of African registration of births and deaths is dealt with more fully: (See Appendix 1).

50. A further comment on the preamble refers to independence being "subject to the desire of all the inhabitants". Demagoguic Democracy—the rule by the masses is not suitable for Africans. Our example might well be followed. Remarks in the introduction are relevant to this. Only a responsible electorate should make this decision. A prolonged delay in achieving independence affords time to those who believe that by violence and non-co-operation they will get their own way. A state of fearful anticipation and political unrest is bound to result from a prolonged waiting period. The argument that there will be violence if independence is granted soon can be invalidated by the fact that defence and loyalty can be more easily rallied in a short period when swift action can settle the matter; better a brisk battle than a prolonged campaign in which the present forces of loyalty may be easily dissipated by uncertainty and economic insecurity. The campaign to convince the Nyasaland Africans of the benefits of Federation had not been altogether successful due to a late start and lacking internal co-operation. Perhaps a more salutary—almost disciplinary attitude in the spirit with which the Governor of Nyasaland and the Southern Rhodesian Government met the recent crisis would be more effective than yielding to the emotional cries of ambitious, immature politicians.

51. The above remarks indicate that the full co-operation of the peoples in the present sense of the word "partnership" has not been wholly successful. The people of S. Rhodesia dislike the method with which the Northern Rhodesians have tried to enforce "partnership"—by setting up Committees to report on discrimination against races. The fear of being like the "Black North" was a very real one in 1953. The control of the big financial interests and their influence on the Federal Government's attitude towards African advancement as evidenced in the Railways dispute have not contributed to S. Rhodesia's sense of political security.

52. The "interference" by the Federal Government in S. Rhodesia's anti-bilharzia campaign was resented, and there are examples in the Public Service where inter territorial bickering persists and many curious anomolies have arisen in adminstration which indicate that certain responsibilities should return to the territorial Governments and to S. Rhodesia in particular.

53. The main task of the S. Rhodesian Government has been to provide home ownership schemes for Africans, and to stimulate the growth of a settled African middle class which can gradually learn civic and other responsibilities and so take part in local and national Government.

54. Southern Rhodesians have every reason to be proud of what has been done to implement the objects in the Preamble, but they have been doing such things before Federation. They have learned to recognise and accept the fact that Africans are Africans and will not change their inherent characteristics in one generation. The emergent African has begun to make his mark. It is essential to restore the confidence of the non African groups in the Africans of S. Rhodesia and to re-establish good faith between the races. This will best be achieved by leaving these people to discover their own way of re-adjustment, without misguided impositions from outside. There is more possibility of S. Rhodesians becoming as one nation than any of the other territories because so far the peoples have travelled together, if not in the same coach, then in the same convoy.

55. Of all Government Departments that of African Education in S. Rhodesia—still largely subsidised by European taxpayers, deserves high praise. African schools are as jealous of their identity as are the European and school intregation is not a popular suggestion among African teachers.

Laws, Customs etc., which favour Africans only

56. There are certain laws, customs and practices which are enjoyed by Africans only:—

1. Africans may marry according to native or civil law.
2. They may seek divorce either by native or statutory law, depending under which system a marriage was contracted.
3. Registration of African births and deaths is not compulsory (other races are penalised for failure to act). The unpopular registration certificate is rightly regarded as a substitute for a birth certificate.
4. Africans may continue polygamy, with the emphasis on the saleable value of women who through lobola enhance their fathers wealth.
5. Africans in rural areas are exempt from cycle tax.
6. The use of African surnames is not compulsory so that they can assume aliases with ease.
7. Because of low economic standards Africans are subsidised in housing, transport, and in the case of Africans in most urban townships, free or very cheap meals for their children.
8. Free Health services.
9. Apart from £2 per annum poll tax in S. Rhodesia little income tax is collected from Africans who can plead large family exemptions, and who do not seem to be penalised for keeping inaccurate or no records at all in business transactions. This inability to transact business on efficient lines is an understandable weakness in people so near to a "bartering" economic system.
10. Protection of land tenure under Land Apportionment.

It is not suggested that all these are given up; but as Africans emerge they should try to conform to the accepted legal practices.

Numerical Comparisons as between races in S. Rhodesia with particular reference to Salisbury and District

	Male	*Female*	*Total*
Africans	130,000	50,000	180,000
Europeans	44,000	40,000	84,000

(School children included in Totals above)

School Children:

Africans (Children under 15 years) ...		Total	50,000
Europeans:		Total	29,465
(Day Scholars	23,465		
Boarders ...	6,000)		

57. The numerical ratio of the races is largely responsible for European fears of being "swamped" by Africans should their institutions be open to all races. It should be understood that of all three territories there are a larger number of Africans at school in Southern Rhodesia who can progress in industry and earn high enough wages in the next few years to enable them to patronise cafes, cinemas, in large enough numbers to oust other groups.

Home Ownership for Africans in Southern Rhodesia, and an African Middle Class

58. One of the achievements of the S. Rhodesia Government has been the provision of Home ownership schemes on leasehold and freehold tenure for an emergent African middle class, which can assume civic and legislative responsibilities in time.

59. Mr. Jasper Savanhu, M.P. Parliamentary Secretary for Race Affairs Federal writes in *Rhodesia and East Africa* (1958) in an article entitled "An African Middle Class". To illustrate this:—

> "What we want in the Federation" writes Mr. Savanhu, "is not an artificially propped up select African middle class. It must have its roots firmly embedded in the soil of African society, with its superstructure exposed to refreshing winds and nourishment of Western culture, thus blending into an harmonious whole the best in African and European culture".

60. Mr. Savanhu discusses the difference between "the concept of African social evolution in French, Belgium and Portuguese dependencies, which is a highly artificial pattern imposed on Africans". A pattern of which he disapproved because the "assimulado" . . . has become a black European, and is expected to throw in his lot with white Europeans . . . "

61. After some discussion on the way to achieve this African middle class, viz, by education especially of African women, higher wages, home ownership on a free-hold basis, Mr. Savanhu says:—

> "Fairly and squarely the achievement (of this middle class) must be borne on the shoulders of the European in the Federation. Before he (the European) is half way through his task the emancipated middle class African earning the same wages as the European will have joined forces with him to bring along the mass of the African people. *They may or may not mix socially, but politically and economically the two races will have been integrated. Racial politics will have been a thing of the past. European and African culture will have been blended in their best forms to merge into an harmonious whole, peculiar to the conditions of the country*".

62. May one suggest that the educated African should assist now in the establishment of this middle class and not leave it all to the Europeans? The conditions "peculiar to this country" may be likened to a picture in mozaic in which each piece has its shape and colour and place.

African Housing

63. S.R. Government expenditure: Approx. £4 million (1961). Number of home-owned houses in the four territories: 6,000. Municipal expenditure on African housing through Govt. loans considerably more over the years.

The Federal Legislature

64. The Federal Legislature as it is presently composed contains some anomalies. For example the Northern Territories still have certain nominated representatives for African interests. It has an African Affairs Board which could be replaced by an Upper House. It would be preferable if the African members from the Northern Territories were responsible to the whole electorate as they are in the politically more mature South.

The Constitution provides adequate machinery for amendment and adjustment.

The List of Powers (See Appendix II)

65. Certain suggestions have been made that the Federal Ministries of Health return to territorial control and in the case of Southern Rhodesia European and non-African Education, should return to that Territory.

66. There is real antipathy to possible racial integration in schools, and strong resistance can be expected from all races if this were forced. There are many good reasons for keeping European schools separate. There is no reason why races should not meet in inter school debates, and certain forms of sport. But somewhere in the Constitution it should be laid down that no racial integration of European and non African schools should take place without first holding a referendum among the racial group concerned. If such integration in schools were contemplated, it is suggested that they be built in multi-racial zones when no one need be offended.

67. Health, Welfare and Education should enjoy closer territorial ties and powers than at present. One of the weaknesses of the Federal administration has been this division. Conditions vary in the territories and Southern Rhodesians in particular are apprehensive about probable future Africanisation of the Federal House.

68. Certain opinion feels that National Parks in Southern Rhodesia should become Territorial, and that all Land Administration should be Territorial.

69. It is desirable that powers such as are now enjoyed by the Responsible Government of Southern Rhodesia should be transferred as soon as possible from the United Kingdom to the Governments of Northern Rhodesia and Nyasaland, so that their Civil Services can be responsible to the Territorial Governments and not to the Colonial Office. The influence of District Commissioners who know that they can leave the territory cannot be in the best interests of the people. Long distance administration has proved the weakness of the United Kingdom administration in other parts.

70. The relationship of the Protectorates to the Federal Government may have to be revised. The question arises would that part of Northern Rhodesia largely inhabited by Europeans be better constituted as the self-governing territory within the Federation, and Barotseland become a Protectorate of the Federal Government? Should Nyasaland continue to be a Protectorate until the full transference of powers, and then be allowed to seek membership of the Federation? Or, should this territory face the prospect of having to assume responsible Government within the Federation?

71. Much will depend on the handling of the political situation in the next two years. Southern Rhodesians have their reservations about Nyasaland. This Club, for example, in examining the flow of migrant labour from outside Southern Rhodesia at the time of the Plewman Commission on Urban African Affairs (1957), felt that inter territorial control should restrict Nyasaland labour on a quota system if it ousted local African labour from industry. It suggested that this control also be enforced on medical examination of migrants.

72. There is also the opinion that British Protected Persons should not be allowed to vote in Southern Rhodesian Federal Elections, but should have a postal vote to elect their Members in the countries of their origin. The infiltration of Northern Rhodesian and Nyasaland natives has not been devoid of problems, not the least being political agitators. This is a matter in which the necessary protection should be given to Federal Citizens in Southern Rhodesia. There is no question of disenfranchisement, but a control in Federal Elections. If the privilege presently enjoyed by British Protected Persons of voting in the election of S.R. Africans to the Federal House persists, then it would be possible for a Nyasaland African to be nominated as a Southern Rhodesian candidate and a Nyasaland Government may introduce universal adult suffrage on a territorial level which could have serious repercussions on the Federation. It could act as a pressure group to introduce one man one vote throughout the Federation. This would be unwise for a considerable time.

73. This Club is not competent to go into administrative details, but asks that these points be considered when administrative powers, and the matter of Franchise are considered by your Commission.

74. Franchise is a key to political stability in Africa, and this Club had studied its implications. That "the Government must be retained in the hands of responsible and civilised people" is no idle cliche. The rights of non-African minorities are bound up with Franchise. Some system, based perhaps on the Electoral College system, might be evolved—if universal suffrage were ever to be introduced. Safeguards for the minorities and their representation should be envisaged and cannot be over-emphasised.

75. Common loyalty to the Federation can be attained, not necessarily through trying to make one integrated nation one of many people, but by enlisting their loyalty through their group affiliations. The spontaneous growth of nationalist or tribal loyalties arises when these affiliations are threatened, but when these elements are used to constructive purpose, loyalty to the whole can be achieved. Some opinion, based on work among the different racial groups, has found that the non-Europeans prefer to run their own group activities, and while they appreciate

European help which works *with* them, they do not like being under an obligation to the Europeans, many of whom, unfortunately, leave an impression of patronage in their wake. This Club is affiliated to the International Federation of Business and Professional Women, and at its international conference peoples from all nations, and races, represent their own countries. They discuss mutual problems and form fast friendships.

76. They have mutual respect for one another's differences, and interest in customs etc. No one ever expects them to become moulded into the same pattern. They are bound to a common cause, and are loyal to it. No one suggests that they give up their national or racial characteristics in order to belong to the association.

77. Could it be that the constant and insiduous pressure to make the diverse racial groups in the Federation conform to the same social pattern, to Europeanise the Africans, or to create a mixed community without first enlisting the loyalty of each group, through its chiefs and leaders and through its tribal or race loyalties, has contributed to unrest and insecurity?

78. It is believed by some observers that the attempt to mould a new nation without due respect for the natural desires to retain certain familiar patterns is psychologically unsound, and a fault on the side of certain Europeans in particular who can see no way in which to adapt different peoples to a common goal by agreement, rather than by coercion or imposition of one way of life upon another.

79. As in marriage, so in racial patterns there are incompatibilities which must be accepted, and used, not to destructive ends, but to preserve certain freedoms within the union.

Contribution by Women to Better Understanding and Co-operation among the Races

80. The influence of voluntary women's organisations among non-Europeans cannot be ignored. Their approach is sensible, practical and sincere. There is neither sentiment nor patronage, and mutual respect forms a basis for practical partnership, without fear of imposing one way of life on another.

81. Tribute is paid to the Federation of Women's Institutes for the establishment of African Homecraft Clubs and training centres, and to the untiring efforts of Lady Tredgold in the Federation of African Women's Clubs. These two associations train African women in rural areas in the essentials of hygiene, and home-making. These women are encouraged to run their own affairs, and to become self-reliant, needing limited guidance from the Europeans. Good African habits are encouraged, and bad substituted by better recognised habits. They learn to sew and to look after children and handle simple money problems. In the remotest reserves these activities are helping to raise standards and to promote friendship between the races. The Africans are proud of their simple achievements and interclub competition stimulates interest and enthusiasm.

82. The National Council of Women S.R. has assisted with the formation of African Outposts, Coloured and Asian Branch Councils, meeting together in conference, but always respecting the autonomy and understandable pride in each group. Warm friendships have sprung up as a result of this work, but there seems little evidence of wanting to live on each others doorstep. The example of this co-operation teaches one lesson which the women of Southern Rhodesia have learned, viz. that it is happier and better to work *with* each other and not *for* each other. There is a lesson in this which politicians could profit by. There is also scope for more intellectual non-Europeans in other associations.

83. The Salisbury Business and Professional Women's Club has studied working conditions for women of all races, but the nature of its objects limits its scope. But it has co-operated in a survey of African women and their Tribal Status to send overseas, and adopts a non-racial approach to employment and training problems.

84. In their quiet unspectacular way, through African broadcasts, talks on nutrition and other kindred subjects the women of Southern Rhodesia have done much towards creating a stable rural African community and are assisting many of adjust to urban life.

85. This comment has been included in this memorandum to illustrate a practical method of co-operation which does not worry about the theoretical implications of existing "discriminatory" legislation but gets on with the job of home-making where people are most content—among their own kind.

Recommendations and Conclusions

Introduction

While this memorandum is largely one of ideas and opinion factual evidence has been included. But, as Sir Robert Tredgold said in the Report on the Franchise, memoranda which gave ideas and opinions were as valuable as cases based on facts, for these reflected sincere and mature consideration and a desire to explore and understand the problem under discussion.

The Salisbury Business and Professional Women's Club Study Group has attempted to gather and formulate its evidence on a strictly non-partisan basis. Being domiciled in Southern Rhodesia it has dealt mainly with the position in Southern Rhodesia and with Federal affairs as seen from Southern Rhodesia, feeling that detailed evidence relating to the northern territories can be given more effectively by voluntary organisations operating in these territories.

Importance of Ideas and Opinions: Account has been taken of the main facts relevant to the enquiry, but much of the evidence also refers to ideas and opinions. In such a complex undertaking as the building of a multi-racial state, *the way people think and feel about the facts may be almost as important as the facts themselves.* The Club membership includes women following a variety of trades and professions and having contacts both social and professional with different sections of the population. It was therefore considered that any attempt to ascertain majority opinion and present it as the opinion of the Club was neither practical nor desirable. Opinions which are believed to be widely held, either in or out of the Club, or which have been expressed by influential people or associations, are quoted where appropriate but not necessarily endorsed by the Club.

1. Federal System and Modifications

The Study Group of the Salisbury Business and Professional Women's Club makes the following recommendations on behalf of the Club. These are based on certain conclusions arrived at after general and specific discussions:—

(i) That in view of the economic and political achievements of the Federation, and of the sincere attempt to pursue the principles of the Federal Constitution as set out in the Preamble, a Federal form of Government should continue, with certain modifications. These include:—

(*a*) Confidence and Loyalty: Confidence in the ability of the Federal Government to defend and control internal affairs. Therefore a transfer of Powers from the United Kingdom Government to the Northern Legislatures, as has been done with Southern Rhodesia, and to an independent Federal Government, as soon as possible would restore internal and external confidence in the Federation. Better a swift battle than a prolonged campaign.

(*b*) Loyalty to the Federal Government is best achieved through group loyalties.

(*c*) Permanently domiciled local Civil Services should be introduced.

(*d*) Re-allocation and decentralisation of Federal administration of Health and non-African Primary and Secondary Education, and a return of these to Southern Rhodesia.. (Ref. Federal and Territorial lists).

(ii) Withdrawal by Territories: That in the event of any of the Territories withdrawing from the Federation either by force or due notice, such Territory should refund to the Federal Treasury such administrative funds as have been invested by the Federal Government in that Territory. The investment of taxpayers money in a dubious enterprise merits certainty of financial guarantees.

(iii) Strong S.R. Government: That the Southern Rhodesia Government should be strengthened by the return to it of Public Health and non-African Primary and Secondary Education. That the rights of minorities in respect of land tenure and residential areas, of education and hospitalisation be safeguarded, and that these rights be enshrined in the Territorial Constitution. (Rights of minorities be entrenched in Federal Constitution.)

(iv) Multi-racial: Because of the unique position of Southern Rhodesia, whose political stability is due to its traditional pattern based on territorial separation and on political and economic co-operation that a new feature be introduced within the framework of the Land Apportionment Act to provide areas for multi-racial development, without upsetting Europeans and Africans who may prefer to live in their own areas. This would establish the freedom of choice of association essential to good relations; moreover the justifiable fears of European property devaluation and of exploitation of African areas by other wealthier groups would be dispelled and present tensions eased.

The multi-racial areas could be the bridge between existing separate areas, neither of the major race would feel it was being called upon to make undue sacrifices, and the spirit motivating people who live in these areas would reflect a sincere desire for social partnership.

In these areas multi-racial schools, hospitals, residential and business areas could be developed. It is felt that Southern Rhodesia can avoid the extreme emotionalism aroused by State intervention in schools, e.g. Little Rock, and the hardship such as is found in the application of the reverse policy found in the Union's attempt to enforce complete segregation by adopting its own system.

These multi-racial areas could act as the leaven to the whole, and in time the separate areas may disappear.

As far as is possible attempts to implement "partnership" should avoid friction. This Committee does not subscribe to the suggestion that the social patterns of the West Indies is necessarily the best one for this country. The psychological factors in race relations are of utmost importance and are often overlooked by theorists and planners. There should be common meeting places for all races but not at anyone's expense.

(v) Franchise: That the franchise should be qualitative and that the principle of "good government by responsible and civilised persons" should be the goal.

That British Protected Persons should vote only for Federal Candidates in the country of their origin and that arrangements be made for postal ballot when absent from that Territory.

That no British Protected Person should be eligible as a Parliamentary candidate in Southern Rhodesia.

(vi) Migrant Labour: That inter-territorial control of migrants be retained by the Territories and that such control be exercised in Southern Rhodesia on a quota system when industry warrants this, and on medical examination before entry.

(vii) Registration of African Births and Deaths: That the compulsory registration of African births and deaths be transferred from the Federal to the Territorial African administration. The use by Africans of African surnames should be enforced. (Long term policy).

(viii) Game Reserves: That consideration should be given to the return to Southern Rhodesia of its Game Reserves; that anomalies between the Governments be adjusted and if necessary certain functions be restored to the Southern Rhodesian Government (e.g. roads).

2. S. Rhodesia

This Committee has confined itself to Southern Rhodesia in relation to the Federal Government and it has commented on the other Territories only in a general way.

It feels that a strong Southern Rhodesia, which can pursue its level headed way along established patterns, which are flexible enough to be modified with changing conditions, is essential to the well being of the whole.

It would like to see a prompt decision about the future of the Federation since procrastination will be of little benefit to anyone.

3. Contribution by Women's Organisations

The importance of the contributions made by women has been stressed, particularly in the sphere of practical racial co-operation.

4. Outside Influences

Outside influences have been deplored and it is suggested that strong comment be made by the Commission regarding the adverse influence that irresponsible deeds and actions have had on race relations in this country.

5. Race Relations and Social Integration

This aspect of the national life needs to be handled with the greatest care, because it concerns a sphere in which the imponderables of thought and emotion are particularly powerful. Much attention has been directed, both within and without the Federation, to discriminatory laws and practices, and there has been pressure for their immediate abolition. Many such laws and practices have been abolished since Federation, and others probably will be. Indeed the rate of progress in this matter has caused alarm in certain quarters. It should be realised, however, that there are also certain laws and customs which discriminate in favour of Africans. The pace at which further action to abolish racial barriers should proceed should be determined by the needs and desires of the people actually concerned and not by the wish to placate outside opinion or to conform to a "fashionable" philosophy. Interference with established social patterns is liable to create tension and should be only undertaken if absolutely necessary.

The current tendency to place undue emphasis on the racial aspect of public affairs is deplored. The nature of racial and other group loyalties, and their proper place in the Federal system, need to be considered, in order that they may be used to strengthen the Federation and not to weaken it.

6. Legislatures

Certain anomalies, such as the presence of nominated members, still exist in the Federal Assembly. These were introduced to meet certain specific needs, but it is worth considering whether they are still the best way of meeting those needs.

The possibility of abolishing the African Affairs Board and transferring its functions to an Upper House should be investigated.

An alternative could be an Upper House or Senate with restraining powers on all discriminating legislation. It has been suggested that the size of the Southern Rhodesian House of Assembly should be reduced, but such action is not recommended. The growth of the population and the probable increase in the number of African voters might well justify an increase.

This Study Group recognises that the existence of treaties between the U.K. Government and the Territories is a matter for special knowledge and it is not competent to deal with this.

7. Protection of Minorities

When the Federation first came into existence, it was considered necessary to make certain arrangements to protect the interests of Africans. This is the reason for most of the limitations of the Federal and Territorial constitutions, and it is evident that Africans set great store by these safeguards.

The rate of African advancement, however, has led members of other racial groups to fear that they may be swamped. As a result there is a growing demand for the protection of minorities, to ensure that Europeans and other non-Africans will be able to preserve their racial identity and their individual rights. The desire to return control of European primary and secondary education to the Southern Rhodesian Government, while leaving higher education to the Federal Government stems from the fear of an African majority in the Federal House.

It is therefore recommended that provisions to safeguard the rights of non-Africans should be entrenched in the Federal constitution and legislature.

8. The Case for Independence

It is submitted that the record of the Federation to date has given ample proof of its fitness to manage its own affairs. Had the population been homogeneous, there would have been little difficulty in attaining independence within the Commonwealth. It is alleged that the granting of early independence to the Federation would result in internal strife, but on the other hand undue delay can enable various species of trouble-makers to consolidate their own position and hamper the development of a common loyalty. The Federation has earned the right to independence.

9. Tribute

Finally a tribute is paid to the years of effort which has gone into the Federation and to those who are presently working for the 1960 conference. It is hoped that the suggestions and recommendations put forward in the memorandum will not be swamped by the mass of facts, etc., which will confront the Commission. They reflect what the authors believe to be not only a cross section of one association's views but of much that is currently discussed.

Index to Appendices

Appendix I

Registration of African Births and Deaths

The proposal to separate registration of African births and deaths from those of other races will be opposed on ideological grounds, but the present difficulties of doing it are not serious at present.

The registration of African births, in particular, has now become an urgent necessity. The lack of registration facilities means that hardly any Africans have birth certificates, and in the near future they will be seriously handicapped without them. Birth certificates are required for school entry and leaving, often for admission to higher education institutions, employment, insurance, establishment of age for pension purposes, proof of date and place of birth for passports, establishment of identity for inheritance, etc. All of these matters are beginning to affect Africans in ever-increasing numbers. Even if a fairly comprehensive system of registering African births came into existence immediately, there would be need for some transitional arrangements to meet the needs of African adults who are unable to obtain birth certificates. It is therefore desirable to make proper arrangements for the necessary registrations as soon as possible.

The existing position is as follows:—

As far as I am aware, there is no registration of African births or deaths in the Northern Territories. Some records are kept, but they do not amount to registration and I am under the impression that no birth or death certificates relating to Africans are issued. The relevant legislation in those Territories certainly excludes Africans from any compulsory registration.

Southern Rhodesia has no compulsory registration of African births but it is compulsory to register African deaths in all areas under the jurisdiction of municipalities, town and village management boards. Compulsion can be imposed by proclamation in other specified areas, but I am not aware of any instance in which this has been done. Registrations of African births are accepted on a voluntary basis provided that the information is given by one of the parents or some other person who is acceptable as a "qualified informant". The details are entered in the birth registers in the usual way and the people concerned can obtain birth certificates on request and payment of the fee of 5/-. I am informed, however, that the legal warrant for such registrations is very dubious. The Federal and Southern Rhodesian Governments have been considering possible legislation, but I cannot say how far they have progressed.

It would not be practicable to make registration of African births and deaths compulsory throughout the Federation in the immediate future. The question of trained manpower alone would be a serious obstacle. It will therefore be necessary to introduce compulsion at first in restricted areas and extend it as circumstances permit. Some arrangements should be made for voluntary registrations in areas where compulsion does not apply.

Compulsory registration might be introduced at first in local authority areas and possibly within a specified radius of such areas and the conditions under which it would be applied to other areas should be defined. The registration offices should be staffed by trained African clerks but subject to regular inspection by a suitable European official. Such arrangements would be practicable in Southern Rhodesia now but I have some doubt whether either the registration systems or the Africans in the Northern Territories are sufficiently advanced.

It seems possible, therefore that the registration of African births and deaths would progress more rapidly in Southern Rhodesia if this territory were permitted to deal with it as a territorial matter.

Any separation of African from non-African registrations should, however, be subject to the proviso that the same forms and registers should be used as far as possible for both kinds of registration. In particular, the forms of birth and death certificate should be the same for all sections of the population. This would help to refute the allegations that are sure to be made that the Africans had been given an inferior registration system, as well as obviating the queries that might arise abroad if the certificates issued to Africans were different from others.

Appendix II

References to Constitution

The Administrative Lists

1. Section 32 (Page 38).

   Section 33 (i) Minorities: Safeguards for Europeans and non Africans land tenure. The Federal Legislature shall not acquire European lands set aside for European use under Territorial Laws for non-Europeans. (i.e. African use, settlement, occupation etc.).
2. Section 10. Voting. Control of British Protected persons who are working or living outside their territory of origin or where they have temporary domicile. These persons shall not vote in Territorial or Federal Elections, nor shall they be eligible as candidates for election in that Territory, but shall vote by postal ballot for candidates in their country of origin. This applies particularly to Southern Rhodesia, where Federal Citizenship is a necessary qualification for the vote. This does not imply disenfranchisement of British Protected Persons but the control in Southern Rhodesia.
3. Sections 23, 1, 53.
4. African Affairs Board. If this is to continue, then protective Boards may have to be set up on a racial basis, to protect minorities. However, this is not advocated but some form of non racial body, perhaps an Upper House with powers to veto and restrain should be considered.

The Federal List

5. 19. Roads: Possible transfer of all major roads to S.R. Government might be considered.
6. 28. Subject to anomalies between Federal and S.R. Governments.
7. 30. Non African Primary and European schools should be transferred to Southern Rhodesia. Racial integration of these schools with Africans should not be undertaken except at express wish of the people concerned, and should be subject to a referendum by Europeans and non Africans. It is interesting to note that African Educationalists in S. Rhodesia do not desire integration for obvious reasons.
8. 31. Higher education of Africans return to S.R. Government.
9. 34. Independent powers to the Territories.
10. 36. Mobile Federal Police Force to supplement Territorial Forces.
11. 42. Return to Southern Rhodesian Government.
12. 43. Return to Southern Rhodesian Government.

Concurrent List

13. 64. Health: Return to S.R. Govt. since it concerns day to day life of Africans (Nyasaland should be responsible for its own Health.)
14. 65. Return to Southern Rhodesia Government.
15. 73. Registration of Births and Deaths be divided so that Compulsory registration of African births and deaths be undertaken by the Territorial African Affairs Dept. to assist statistics.

Appendix III (a)

Franchise

Number of Voters, by Race, on the Federal and Territorial Rolls

The following schedule shows the position on the dates given, dividing the numbers into General and Special voters.

	General Voters			Special Voters		
	E.	*As. & C.*	*AFR.*	*E.*	*As. & C.*	*AFR.*
Southern Rhodesia						
Federal (as at 28/2/59)... ...	64,465	1,638	1,024	161	49	750
Territorial (as at 30/4/59)... ...	64,116	1,746	1,931			
N. Rhodesia						
Federal (as at 1/6/59)	19,534*	1,814	626	22	*11	4,264
Territorial (as at 1/6/59)	20,964*	2,057	785	32	* 8	7,504
†Nyasaland						
Federal (as at 1/6/59)	2,177	475	14	1	1	24

Note: There are no general or special voters as such in Southern Rhodesia. Voters holding lower and higher qualification are included on the same common roll, the figures for which are given above. *E* = European; *As. & C.* = Asian & Coloureds; *AFR.* = Africans.

Territorial Totals	*General*	*Special*	*Total*
Southern Rhodesia			
Federal	67,127	960	68,087
Territorial			67,793
Northern Rhodesia			
Federal	21,974	4,297	26,271
Territorial	23,806	7,544	31,350
Nyasaland			
Federal	2,666	26	2,692

Appendix III (b)

Federal Assembly

Composition of the Federal Assembly and Qualifications for Voters on the Federal Roll

The Federal Assembly comprises 59 Members—44 "ordinary Members" of any race. 12 African Members and three European Members with special responsibilities for African interests. These three European Members represent each of the three Territories and are nominated, in the case of Northern Rhodesia and Nyasaland by the two Governors; in Southern Rhodesia all the voters together elect this European Member.

There are two separate voters' rolls—the special roll and the general roll. Both are open to Africans as well as to persons of other races who are either British Protected Persons or citizens of Rhodesia and Nyasaland and who are aged 21 years or more. Voters must be able to speak, read, write and understand English and be able to fill in the voter's registration form without help. The residence qualification is that the voter should have lived in the Federation for two years and for at least three months in the electoral district in which he is applying for a vote.

The special voters are entitled to vote for an African Member and also, if they live in Southern Rhodesia, for the specially elected European Member. The general voters, too, will be entitled to vote for an African Member and in Southern Rhodesia for the specially elected European Member. They will, in addition, have their vote for an ordinary Member. Thus the special voters have one vote (for an African Member) and in Southern Rhodesia an additional vote (for the European Member for African interests). The general voters have two votes (one for an African and one for an ordinary Member) and in Southern Rhodesia an additional vote for the specially elected European Member.

**The Coloured voters are included in the European figures.*

†Numbers of Territorial voters in Nyasaland are not given because there is not at present a common roll of voters of all races in that Territory. The Constitution and franchise of Nyasaland are awaiting review.

As regards both the special voters and the general voters there are certain income or property qualifications. For the special voter there are two alternatives:

1. he must have an income of £150 a year, or own land worth £500, including buildings;
2. if he has completed a two-year course of secondary education, it will suffice if his income is £120 a year;

General voters must also have certain income or property qualifications, or be deemed to be exempt from this requirement. There are four alternatives:

1. he must have an income of £720 a year or own land worth £1,500, including buildings;
2. if his income is between £400 and £720 a year, or he owns land worth between £1,000 and £1,500 he must, in addition, have completed primary school education. In the case of an African this is Standard Six;
3. if his income lies between £300 and £480 a year, or he owns land worth £500, he must, in addition, have completed a four-year course of secondary education;
4. if he is a minister of religion and has had the requisite training and experience, or if he is an African chief, he will be deemed to have an income of £720 a year and so will be able to qualify as in Group (1).

Appendix III (c)

Southern Rhodesia

Voting Qualifications in Southern Rhodesia—Question of whether Colony has always had a Common Roll

All voters must be citizens of the Federation and be able to speak, read, write and understand English and be able to fill in the voter's registration form without help. The income and property qualifications are as follows:

(*a*) an income of £720 a year or ownership of property to the value of £1,500;

(*b*) an income of £480 and a primary education, or £1,000 property ownership and a primary education;

(*c*) an income of £300 per year and four years' secondary education or ownership of property valued at £500 and four years' secondary education;

(*d*) an income of £240 per year;

(*e*) an income of £120 per year and two years' secondary education;

In general, registered voters have qualified in the following categories: (*a*) mostly Europeans, with a few Africans and Asians, (*b*) young, single Europeans and some Africans, (*c*) Articled Clerks and similar workers, (*d*) mainly African teachers and clerks, and (*e*) African clerical classes and self-employed artisans.

Since its inception Southern Rhodesia has had a voters' roll common to all races and there have always been Africans registered as voters.

A Legislative Council with some nominated and some elected members was constituted in 1898. Every male person over 21 years of age was entitled to register as a voter provided he was a British subject and had taken an oath of allegiance and permanently resident; could write his name, address and occupation, occupied premises worth £75 or had a bona fide wage of £50 per annum. Subsequently women were admitted to the franchise.

Appendix III (d)

New Constitution which Northern Rhodesia obtained in 1958

Northern Rhodesia is governed by a Legislative Council and an Executive Council presided over by the Governor.

The Legislative Council: Under the new Constitution the Legislative Council has 30 Members, of which no fewer than 22 are directly elected in single-member constituencies by an electorate consisting of voters of all races. Six of the remaining eight are appointed Official Members, all of whom are members of the Northern Rhodesia Government. The other two are Members nominated by the Governor and, although not nominated specifically to represent African interests, as was formerly the case, they have been retained "as an assurance that the increased requirement for Ministers who are not officials, and in particular the need to find two Africans for Ministerial office, can be met in the conceivable circumstance that the elections fail to return a sufficient number of candidates who are both willing and able to devote their full time to Ministerial duties."

The 22 constituencies are made up as follows:

12 ordinary constituencies in generally urban areas;
6 special constitutencies in generally rural areas;
2 reserved seats for Africans in urban areas;
2 reserved seats for Europeans in rural areas;

22 elected members

The two reserved seats for Africans cover the same areas as the 12 ordinary constituencies in which the greater part of the European population lives and which are therefore likely to return European members.

The two reserved seats for Europeans cover the same areas as the six special constituencies which are inhabited mainly by Africans and therefore likely to return African members.

A candidate standing for election in an ordinary constituency must have the qualifications of an ordinary voter. A candidate standing for election in a special constituency must have at least the qualifications of a special voter and must, in addition, have a certificate from not less than two-thirds of the recognised chiefs in the constituency that they have no objection to his standing as a candidate. This latter provision is intended to act as a bridge between the two concepts of direct election and the traditional rule by chiefs.

The Executive Council: Under the new Constitution this has 10 Ministers, consisting of four officials and six others, of whom for the time being four will be Europeans and two will be Africans. The choice of Ministers is in the Governor's discretion, but before selecting the unofficials whom he will recommend for appointment the Governor is bound to consult with and pay due regard to the advice of the Member of the Legislative Council who, as party leader "is in the Governor's opinion most likely to command the support of the majority of the elected members of the Legislative Council" and in making his selection, he will first consider the elected Members.

Appendix III (e)

Franchise in Northern Rhodesia

Qualifications for Voters and how Franchise Works in Northern Rhodesia

The common voters' roll contains the names of ordinary and special voters. The means qualifications for registration correspond to those required for registration of Federal voters.

Special voters have to satisfy registering officers that they possess temporary and lower qualifications designed to allow the enfranchisement of "a fair proportion" of Africans of whom most would not otherwise be able at present to fulfil the permanent voting qualification. There is provision for a review of the special qualifications at set intervals, and they will be raised in steps until they conform with the ordinary qualifications, when special registrations will stop. The qualifications may not be raised, however, unless the number of special voters at least equals the number of ordinary voters on the roll.

Basic Qualifications: In order to be registered as a voter a person must know enough English to complete the claim form in front of a registering officer without help; must be at least 21 years of age; must have lived in the Federation for at least two years and in his or her particular constituency for at least three months; and must be either a citizen of the United Kingdom and Colonies, a citizen of the Federation of Rhodesia and Nyasaland, or a British Protected Person by virtue of his or her connection with Northern Rhodesia.

Ordinary Voters: In addition, an ordinary voter must have the following qualifications:

four years' secondary education *and* an income of £300 a year *or* ownership of property worth £500;

full primary education *and* an income of £480 a year, *or* ownership of property worth £1,000;

less than full primary education *and* an income of £720 a year *or* ownership of property worth £1,500.

Certain classes of people who are providing full-time service for the community for little or no pay are exempt from these qualifications. Chiefs can become ordinary voters without normal income or property qualifications, and so can ministers of religion and certain lay members of religious bodies who can meet certain stipulated requirements in regard to training and length of service. The wife of an ordinary voter may register as an ordinary voter herself.

Special Voters: In addition to the basic qualifications, a special voter must have: Either an income of £150 a year, or ownership of property worth £500 or two years' secondary education and an income of £120 a year.

Hereditary councillors and certain headmen of two years' standing who are in charge of important villages, and certain pensioners, do not need the normal income or property qualifications in order to be registered as special voters; the wife of a special voter may herself register as a special voter.

Voting Rights: Every voter may cast two votes. The first will be for a candidate seeking election in the ordinary or special constituency in which the voter lives. The second will be for a candidate in either the reserved European or reserved African constituency of which the ordinary or special constituency in which he lives forms part.

In all constituencies ordinary votes will always count in full, but in the 12 ordinary constituencies and the two constituencies reserved for European special votes may not in total count more than one-third of the total of ordinary votes cast.

Appendix III (f)

Voting Qualifications for the Election of Members of the Nyasaland Legislative Council

There are 11 elected members—six non-African and five African. The non-African members are elected by all non-Africans who:

(*a*) are 21 years of age or over:

(*b*) were born in the Protectorate or have resided there for a continuous period of two years;

(*c*) have occupied, for three months prior to claiming registration, as a voter, property valued at £20, or have earned in the Protectorate an income of not less than £200 per year;

(*d*) have an adequate knowledge of English (be able to speak, read and comprehend English) and are able, unassisted to fill in the Voter's Registration Form.

The African Members are elected by the members of the African Provincial Councils of the Northern (one member), Central (two members) and Southern (two members) provinces.

Appendix IV

Miscellaneous Statistics

	1951	1956	1957
African Population	1,838,311	2,219,997	2,282,823
Acreage Cultivated Native Areas	2,814,000	3,568,000	3,103,574
Africans in Employment ...	530,203	609,953	629,000
African Owned Cattle... ...	1,809,600	1,937,200	1,980,928
Total African Cattle Sold ...	121,985	116,010	128,312
Cattle Dipping Tanks ...	1,051	1,232	N/A
Native Purchase Area Farms...	2,984	4,669	5,051
Agricultural Demonstrators (African)	419	700	816
Government Aided Mission Schools	2,264	2,604	2,617
African Pupils	232,556	360,641	413,860
Government Grants-in-Aid to	£	£	£
Missions	553,500	1,265,565	1,355,525*
Native Tax Collected	534,000	709,000	820,243*

Appendix V

The Federation—Land (with Particular Reference to Southern Rhodesia)

The *Comparative Survey of Native Policy in Southern Rhodesia, Northern Rhodesia and Nyasaland* (prepared by the Committee of the Central African Council for the 1951 Conference on Closer Association in Central Africa) reveals some interesting facts which indicate that the system of land allocation and tenure in Southern Rhodesia has largely contributed to the gradual introduction of systems of Local Government to Africans at a slower but more realistic pace than in the Northern Territories. This steady progress towards political development has been undertaken in the full knowledge of the limitations of the African people. It has led to the stability and comparatively good race relations that have characterised Southern Rhodesia.

Time will not be wasted on an historical resume which will be well known by your Commissioners, but it would, it is suggested, be a guide to the solution to the problem of co-operation between the races if the practical progress of Southern Rhodesia was regarded in the context of its history, and not in relation to conditions in the Northern Territories.

In the appendix (No. 4) there are tables which indicate the work done in Southern Rhodesia for its African people. There is also a list of comparative figures to show what money has been spent on their advancement in the three territories.

The fact that under the Land Apportionment Act this progress was made possible because the drive and inherent abilities of the Europeans was not hampered by having to live among and literally carry the Africans. It is because of the degree of separateness that each group has lived in such amity over the years. This basic pattern should not be changed until the Africans are ready to live in a more closely integrated community or until the Europeans are ready to accept them. There is still a strong instinct of group self-preservation which will harden the more pressure is brought upon it.

And it is because of the Southern Rhodesian policy over the years to bring the Africans along with the population as a whole that there has been no real racial problem. [illegible]as only become a "problem" since everyone began to stir up emotions and interfere. If races, which are as different and incompatible as are the Europeans and Africans at present, are thrown into too close contact, respect falls away and it becomes a case of "familiarity breeds contempt".

The downward pull of millions of illiterate and semi-literate people can prove disastrous to the whole. It is firmly believed that with the flexibility of the Land Apportionment Act in Southern Rhodesia, that the gradual consolidation of the peoples into a heterogeous nation, bound by a common loyalty to their country, through their group loyalties, will eventuate. Press too hard and the clock will go back 50 years. Pride of race and other human factors are psychologically important and the concept of racial harmony based on the false precept that peoples of different races can become homogeneous except through miscengenation is unsound.

> "It has been Southern Rhodesian policy to concentrate on the Africans' material and economic development and his political development has been of set purpose to depend on the rate of his advance in those other fields. Moreover great emphasis is laid on the consolidation of each step before the next is taken." (P. 17 the above Report).

These words were written in 1951. They are relevant today because the real progress of the peoples has not been too fast. A great deal has been done to advance the Africans and would have been done in Southern Rhodesia whether federated or not.

Reasonable people have accepted these changes but they fear the fallacious utterances that "time is not on our side". It should be on our side. It could be if the United Kingdom Government trusted us and allowed the rightful "consolidation of each step first".

The proof is there—it is in the Northern Territories where political powers were over-stimulated that unrest and emotional extremes are all too apparent.

The suggestion has been made that under the Land Apportionment Act and other legislation in respect of Town Planning—there could possibly be a new Urban Areas Act—multi-racial areas be set aside.

These multi-racial areas would assist in the gradual evolution of the solidarity of the Rhodesians. They could bridge the gap between the races, by evolving voluntarily rather than compulsorily. They would follow the proven progress step by step of Southern Rhodesia. Common meeting places, schools, etc., on a multi-racial pattern would grow spontaneously, and the mistakes of enforcement as seen in the U.S.A. could be avoided. It is the uniqueness of Southern Rhodesia that has made it stable.

The management of the land and its peoples is of the utmost importance. Southern Rhodesians would do well to retain their independent outlook and not be brow-beaten either by world or Federal pressures.

Appendix VI

Extract from Memorandum Submitted by the Salisbury Women's Institute with their kind permission

Health

An assessment of the Health Services as they are at present must begin with a comparison of the existing services in the various territories prior to Federation in 1953. It was then clearly recognised that the provision of Health Services, and in particular of hospitals, and clinics was far more advanced in Southern Rhodesia and that greater expenditure would be necessary in both the northern territories in order to meet their requirements more adequately and to bring them closer into line with the services available in Southern Rhodesia.

The level of inadequacy in the northern territories, considered in the light of their respective populations, is clearly reflected in the comparative expenditure on health services in 1953, as shown in the following tables:—

Recurrent Expenditure		*S. Rhodesia*	*N. Rhodesia*	*Nyasaland*
		£	£	£
1953		2,202,245	995,199	267,000
1958		3,780,095	2,069,973	815,794
Capital Expenditure		544,521	177,120	40,000
		142,429	818,920	198,554
Population				
1953 ...	African	2,210,000	1,960,000	2,420,000
	European	157,000	49,000	5,000
1958 ...	African	2,550,000	2,220,000	2,690,000
	European	215,000	72,000	8,800

By the above figures it will be seen that the pendulum has now swung in completely the opposite direction. Thus whilst recurrent expenditure has increased by about ⅓ in S. Rhodesia it has more than doubled in N. Rhodesia and more than trebled in Nyasaland,

**The change in the value of money over the period should be taken into consideration.*

and capital expenditure having dwindled to almost ¼ of its previous total in Southern Rhodesia has soared to 4½ times its pre-Federation level in both N. Rhodesia and Nyasaland.

One of the most reliable guides to the adequacy or otherwise of a health service is the level of bed occupancy in hospitals, a safe maximum being usually considered to be 75% and an absolute maximum 80%. Figures for African hospitalisation are either non-existent or misleading for all the territories but at the time of Federation it was suggested that the budget for the African hospital in Bulawayo compared closely with that for the whole of Nyasaland, and N. Rhodesian Africans were to a large extent cared for in mine hospitals. Southern Rhodesian African hospitals were grossly overcrowded prior to Federation. The position in all three territories has been greatly improved, but the demand for increased services grows greater daily. There is no doubt that the level of African services has enormously improved in the two northern territories since Federation.

The comparative figures for European hospital services are much clearer. Bed occupancy in Nyasaland and Northern Rhodesia prior to Federation were about 30% and while the overall figure for S. Rhodesia at that date is not available the figures for Salisbury and Bulawayo hospitals were 87·3% and 79·3% respectively, in 1958 they were 80·2 and 83·8 and in 1959 had risen still further. Salisbury hospital for that year is reliably reported to have been 90%! The comparative figures for the three territories in 1958 were:

S. Rhodesia 69·2% N. Rhodesia 40·4% Nyasaland 44·0%

and these figures are further reinforced by the number of beds per 1,000 (European) of the population in that year, these being:

S. Rhodesia 4, N. Rhodesia 6·9 and Nyasaland 7·5 respectively.

There appears to have been a distinct retardation of services in Southern Rhodesia particularly in respect of services for Europeans.

Conditions led to a commission of inquiry whose findings have not yet been published. Dissatisfaction arose from several factors. To begin with the size of the Federation as a whole and the differing levels of urbanisation make for an unwieldy organisation which has to be geared to meet vastly different needs. Nevertheless all personnel are recruited on a Federation wide basis, and may be drafted to any part of any of the three territories as the need arises. This results in the lack of stability and a wastage of highly trained personnel, who may (because of seniority and other service considerations) be placed in situations where their special skills are of no use. This is particularly prevalent in the nursing service where, for example, there is no continuity of theatre staff, and no possibility of building up surgical teams. Likewise medical officers with surgical or other qualifications may find themselves in an isolated station where no opportunity exists to make use (or proper use) of them.

Recruitment meets resistance when it is realised that living conditions may vary from the ultra rural to the highly urbanised and through a wide range of climatic conditions with enormous distances between possible stations. This is clearly reflected in the fact that throughout its short history the Federal Health Service has been under-staffed and the position is steadily worsening.

In the National Health Service in the United Kingdom it was recognised that a service of such a personal nature as Health should have as much local autonomy as possible, and such was in fact provided by the Regional Boards. This is not the case in the Federal Service, where, more and more, the direction has been increasingly centralised.

A further cause of difficulty arises in that whereas Health is a Federal responsibility Social Services remain under the aegis of the Territorial Governments. These services are so inter-related and so dependent the one on the other that this division has made for nothing but frustration and difficulty in both.

There is one other aspect of the Health Service to which perhaps attention should be drawn. African health services of every kind are provided free of charge. It is thus, as far as the African population is concerned a *non-contributory free* medical service. Such provision was readily understandable when the African population was still living a rural tribal existence, and not within a money economy—when European medicine was distrusted and shunned, and the provision of services was dictated by urgent public health requirements or on humanitarian grounds. Now however the African is clamouring for more and more services and for every kind of specialist facility. That such services are available in the quantity and at the level at present enjoyed is one measure of the Europeans' willingness to assist the African to a better standard. It would therefore appear that direct contributions from African wage earners towards their health service should be considered.

Finally there is a general feeling throughout both medical and lay opinion in Southern Rhodesia that allocation of health funds as between the three territories has been dictated by political expediency rather than by medical necessity and this would seem to be borne out only too clearly by such figures as are available.

Summary

It is therefore recommended that Health should become the independent responsibility of each of the three territories of the Federation.

Oral Evidence

SALISBURY BUSINESS AND PROFESSIONAL WOMEN'S CLUB. Representatives: Mrs. Cooper, Miss Wilkin, Mrs. Bratley.

The witnesses had submitted a memorandum with six appendices.

Mrs. Cooper stated that she and her colleagues now represented the Club as a whole, as their paper had been circulated and examined; they had the backing of four other Clubs in Southern Rhodesia and five in the North, including Blantyre, and of the National Executive. The Club in Salisbury had 80 members, 60 paid up. It contained a diversity of professional and executive women, including employees in commerce and civil servants, doctors, teachers, accountants and the like. It was a non-racial organisation, but at present there were no non-European members. One Asian lady had applied for membership, and it was expected that she would be admitted.

They thought it right to point out that there had been controversy among their members on the suggestion made in the memorandum about the transfer of education from the Federal to the Territorial Governments; there had been a balanced difference of opinion on this point. It was thought that if the function were not transferred to the Southern Rhodesia Government, nevertheless there should be a greater allocation of powers to the Territorial divisions of the Department. Education had previously been more advanced in Southern Rhodesia than in the northern Territories, and there were feelings among parents that Southern Rhodesia had been obliged to stand still while the other Territories caught up.

In referring to the conclusions and recommendations of the memorandum they said that they were mainly based on Southern Rhodesia experience, of which they were most competent to speak; but their observations on Territorial matters were based on full contacts and research.

In answer to questions the witnesses made the following points:—

1. They were in favour of Federation, although it should be adjusted in matters of detail.
2. Recommendations and Conclusions (*ii*). This recommendation had been inserted in relation to current talk about secession. The "dubious enterprise" referred to meant "secession". The funds to be reimbursed would go back to some central organisation, and not necessarily to a Territory. They were questioned as to whether if Southern Rhodesia were to secede it should pay back to Northern Rhodesia the funds received from that quarter. They did not directly answer this question, but said that they did not know how practical their general suggestion was. They only wanted to make the point that financial obligations and arrangements had to be borne in mind when questions of secession came up.
3. Recommendations and Conclusions (*iv*). In speaking of "areas for multi-racial development", it was only the big towns such as Salisbury and Bulawayo which came to mind. They thought there should be a special separate area for both races to live in, particularly residential: that is to say "open areas". They agreed when it was pointed out to them that research had established that in Salisbury at present only 69 Africans could afford a building clause of £2,500; but they thought that the matter should be thought out and the provision should be made for the future, even though the idea might not be economic at this stage.
4. Recommendations and Conclusions (*v*). The franchise. Miss Wilkin stated that she considered the present franchise reasonable, although it might be modified in detail. She would not like the qualifications to be lowered, nor to be at present materially higher. She was talking of both the Federal and Southern Rhodesia franchise, although aware of certain differences. The fact that a number of Africans had in fact qualified was an indication that the qualifications were not unattainable by Africans. There was a big gap between the most and the least advanced Africans. In an under-developed country with a diversity of population there should be minimum qualifications. Members of Parliament in the future would have to make decisions on an international scale. In the election of village management boards unqualified people might no doubt make sound individual choices. But for national affairs people must be able to depend on the written and spoken word, since they could not have direct personal experience of the issues involved. They must therefore have educational qualifications for voting in order to understand such affairs. The financial qualification, on the other hand,

catered for those who, through no fault of their own, had had little education. However, people who had some economic success in life were likely to be sounder in their judgments. For these reasons she considered the qualifications to be reasonable as they were at present.

5. Same reference. On the reference to British Protected Persons voting for Federal candidates, the point was that they wanted British Protected Persons to be prohibited from voting *in Southern Rhodesia*; they were thinking of people who came in from other parts of the Federation to Southern Rhodesia. Such people could, of course, vote if they applied for Federal citizenship.

6. Recommendations and Conclusions (11). "The case for independence". They would like this for the Federation as soon as possible; but in the meanwhile Southern Rhodesia should have full independence inside the Federation. But meanwhile also the ties of the Colonial Office in the North should be loosened, otherwise there would be no hope of the Federation ever becoming a Dominion.

7. Being referred to Section 25 of the Federal Constitution, they doubted the practicability of its removal at present, that is to say before the Territories had their independence. While they wanted independence for the Federation as soon as possible, Southern Rhodesia should get its independence now, that is to say in 1960.

8. Paragraph 34, last three sentences. The opinions stated in this paragraph were founded on experience of the effects of the entry into commerce of Africans. Africans should obviously come in with as much training as possible. When Africans were really competent and reliable, then they should have the same emoluments as Europeans. They mentioned an instance where four African clerks had been taken into employment in the place of two European women, each being paid one third of the European wage. They regarded this as exploitation, and felt that it was not a good principle. They thought that the Africans should have the same rate of pay as Europeans during the testing period. They agreed that the same principle should apply in the field of railway development.

9. Paragraph 37, first sentence. "Some observers feel that Europeans, who had been becoming more tolerant, are now showing a strong reaction against liberal moves". They were asked to relate this judgment to events in South Africa. They replied that European opinion was extremely reserved about recent events in South Africa. People had had experience in Nyasaland of the bias and unreliability of press reports. They could not therefore say what the reaction was to the South African situation. They thought that the Europeans in the Federation were still set on separateness from Africans, but that did not mean intolerance.

10. "Partnership" had become a political catchword. Its original intention seemed to have become lost. It had become an expression more misleading than helpful. At the time of Federation the Europeans had been assured that nothing was intended to force social and racial integration. False meanings had since then been given to the word "partnership", for example by the Church. They objected to the word "*partnership*". They also observed that it was people outside the Federation who wanted the Europeans to go faster with the advancement of Africans.

11. The Club had no African members. It had not gone out to get any. There was the question of premises. There were also few African women capable of joining. They thought that only two were likely to qualify. The question of premises arose because of the Land Apportionment Act. But the witnesses had worked with African women in other organisations to which they belonged.

12. They were questioned on "equal pay for equal work" in relation to African nurses, fully qualified, although serving in their own racial hospitals. They appreciated the difficulties of the Health authorities. Unless African nurses could undertake full responsibility they should not get the same pay as Europeans. African nurses were liable to fail to go on night duty at the right time, and have other defects. They were asked if African nurses with the necessary three certificates failed in such ways. They replied that they could only go on what they had heard, but they knew of an example in which a highly qualified African nurse at Domboshawa had been found to be negligent. It was a question of evolution towards responsibility.

13. The significance of asking for independence for the Federation in 1963 was that it was ten years from 1953. They thought that the northern Territories could achieve complete independence if given a fair chance, that is to say if the same pattern were followed as in Southern Rhodesia. It was necessary however to prevent politicians from coming in to spoil it.

14. Asked if they would persist in their demand for independence if it were violently resisted in the northern Territories, they replied that it would depend on how deep and genuine that violent resistance was. If the authorities in the northern Territories had been more successful in explaining Federation, violence would not have occurred.

15. Paragraph 9 of the memorandum. They made an assumption that one unifying factor in the North was a dislike of Southern Rhodesia based on *envy* of Southern Rhodesia. There had been a feeling in the North that they ought to have had a say at the time of the Southern Rhodesia referendum before Federation. They thought there was envy of the stable government in Southern Rhodesia. There was a feeling in Northern Rhodesia that Southern Rhodesia had benefited at their expense. Nevertheless Nyasalanders were now doing their best to stay in employment in Southern Rhodesia.

16. They thought unfair the accusation relating to the fact that there were no Southern Rhodesian Africans in the Southern Rhodesia Parliament. They thought there would come a time when African constituencies would return Members to Parliament, even under the present arrangements. Reference was made to some figures in Paver's "His Own Oppressor" which estimated that there could be 25,000 African voters in Southern Rhodesia.

17. They thought they would still be in favour of Federation even if there were African majorities in the legislatures of the northern Territories. Bearing in mind that Southern Rhodesian Africans were further advanced than those in the North, they thought they would also accept that situation if it affected the Federal Assembly, but in that case they would wish to have safeguards for Europeans, for example an Upper House, to give protection to minority groups.

18. Paragraph 26 (*b*), second sub-paragraph. In speaking of "agitators" they did not necessarily mean only Africans. An "agitator" was a person out to make trouble. They thought summary trial preferable to procedure through tribunals and the like. Punishment for agitators should be short and sharp. Young people would benefit from rule by example.

19. Paragraph 26 (*d*), second sub-paragraph. They thought that in the Constitution's preamble reference to "desire of all the inhabitants" there must have been some implied reservations. Babies were inhabitants, but they supposed that it would not be necessary to seek their views. Therefore "inhabitants" must mean informed adults. They thought that it should really mean people on the electoral roll. But something like the elementary form of franchise used in Native Authority areas in Southern Rhodesia might be employed. The enquiry might be done through local government bodies, which they understood to be even more evolved in Northern Rhodesia. The franchise for this purpose need not necessarily be related to the franchise for Parliament. The Africans should have their say on the basis which is suggested. It was suggested to them that this might mean "one man one vote" on the question of remaining in the Federation.

20. They would accept African Governments in the northern Territories, so long as there were safeguards.

21. They said they had no social contacts with Africans, although they did have contacts through educational groups. They did not claim to understand Africans.

22. They did not advocate the return to the Territorial Governments of education in order that there might be multi-racial schools, since they did not approve of multi-racial schools.

23. On the question of safeguards they did not want a Bill of Rights: they thought that would be dangerous.

24. They were not quite happy about present trends of developments so far as they affected Federation; but they had to accept them. Much would depend on the form of Federal Constitution which would emerge. The present Federal franchise should certainly remain. Indeed they would be happy to have higher qualifications for the franchise. A number of functions should go back to the Territories, for example Education and Health Services.

Addendum to Oral Evidence

SALISBURY BUSINESS AND PROFESSIONAL WOMEN'S CLUB.

My Committee would appreciate the opportunity to clarify certain points arising from our oral evidence:

1. Franchise (see paragraph 26 (*e*)). Mr. Katilungu asked re our reference to the phrase "all the inhabitants" being a weakness

in the Preamble, whether by substituting "the electorate" would not the majority of Africans be excluded from making their wishes known regarding Federation?

In reply it was suggested that they need not be excluded from a referendum to decide this issue, if they voted through local councils and similar methods. This applies only to seeking the will of all the inhabitants through such a referendum and not to the election of M.P's who should be elected on a qualitative vote territorially and Federally. The Federal franchise should remain separate from the Territorial franchise as at present. This also applies to Sir Victor Robinson's question re one man one vote.

2. Southern Rhodesia's Status. Sir Victor Robinson and Mr. Ellman Brown asked whether we in Southern Rhodesia would accept black Governments in the North and hence in the Federal Government. We approached this on the assumption that such Governments would be elected by a civilised and responsible electorate (see paragraphs 39 and 40) and therefore acceptable. We would repudiate any association with African wholly nationalistic Governments elected on universal adult suffrage and which may be created for political expediency. A Federal outlook is essential in all Governments associated in a Federation.

Salisbury

21st April 1960

Memorandum

A. J. A. PECK

I have the honour to make the following submission to you and to your Commission:—

African's Out-voting of European Foreseeable

Taking into account the number of Africans presently being educated, it is a distinct possibility, if not a probability, that in the absence of further amendments to franchise qualifications, the African voter will be able to out-vote the European voter in General Elections for the Southern Rhodesia Legislative Assembly within fifteen to twenty years. It is possible that, in the Federal sphere, the African will be able to out-vote the European even sooner than this.

The European Attitude to this Contingency

Speaking as someone who was born in this country in 1922, and who has since been educated and has lived in this country, my attitude towards this is perhaps typical of that of a large body of Rhodesians.

We fully realise that this country is as much the African's country as our own. For this reason we sympathise fully with the aspirations of the African to complete equality with the European in every way.

At the same time, we regard this as being as much our own country as that of the African, and were any attempt to be made either to exile us or to deprive us of rights, whether this attempt were to have a local or an overseas origin, we would even be prepared to take up arms should such an extreme course of action appear to be necessary.

We therefore seek absolute guarantees of our own rights both in Southern Rhodesia and in the Federation.

It is indeed a distinct possibility that, should political power fall into the wrong hands, the European might be evicted from this country, or—at best—be permitted to remain in this country only on sufferance. *Such a state of affairs we cannot and will not permit to arise.*

But it is not only the position of the European minority that must be safeguarded. It is of the utmost importance that the Commission should not overlook the need for the mass of Africans to be protected from possible tyranny by groups and cliques of their own race. A third aspect of the matter is that such civilised values and institutions as have been introduced into this country since the Occupation are equally in need of protection and preservation.

The Various Safeguards Suggested

It appears that the various safeguards suggested in this connection may be summed up under seven headings, and I shall deal with each of these in turn:—

(*a*) The African Good-will Theory

This theory appears to be the only solution offered by the Central Africa Party. In brief, exponents of this theory hold that the European should set about treating the African well now, trusting that this will create so much good-will on the part of the African towards the European that the question of the eviction of the European will never arise should the African gain political power.

However delightful this theory may be, and however necessary it may be to gain African good-will, the validity of the theory can hardly be supported in the light of general human experience. We have before us, for example, the treatment of the European in the East, in Egypt and to a lesser degree in other countries. No wise man would dream for a moment of entering into any very important contract in his private life without having that contract committed to writing. Still less would be he prepared to commit his whole political future, his very right to remain in the country of his birth, to the whim of a Government formed of members of another race, and speaking quite candidly, if I were an African, I am not at all sure that I myself would not be strongly tempted to vote for the eviction of the European from Southern Rhodesia should the occasion arise.

It is mere superstition to assume that since the universal franchise has worked well in the United States of America and in Great Britain, it will necessarily work well in Africa. The citizen of the United States and of Great Britain has become imbued down the centuries with certain values, such as a belief in the Second Great Commandment, in the Rule of Law, in the sanctity of human personality, in fair play, in traditions of liberty, free speech and opportunities for free self-expression. The African has no such traditions. His outlook has been conditioned by an authoritarian regime; and the fact is, not so much that the opinion of the African is unreliable concerning political matters, as that he has *no opinion at all.* He will thus uncritically and fervently adopt political beliefs that are as unbalanced as they are pernicious, simply because some extremist "leader" has preached them. He has no apprehension, by and large, of constitutional measures designed to protect the liberties of the individual and, were power to be placed ill-advisedly in his hands, it is quite possible that civil liberties would rapidly disappear. Liberty is like the air we breathe, unnoticed because we are so accustomed to it—it is only when it has irretrievably gone that we remark its absence, and lament its loss.

I speak, I may add, as someone born in the country, raised on a farm, with one year's service in the Native Affairs Department, with three years' experience as a farmer and native trader, with three years' experience as an advocate practising in Salisbury, and with one and a half years' experience gained from practising as an attorney in Salisbury. Hence I think it may truly be said that I have had a very wide experience of the Rhodesian scene from many points of view.

In my opinion it would be utter folly and completely disastrous to replace uncontrolled political power in the hands of an African electorate at the present juncture.

(*b*) The "Civilised Man" Theory

It is a widely-held theory that political power should be retained in the hands of "civilised men".

In my own view this principle is a myth. Doctor Banda, for instance, is a "civilised man", by any ordinary rule of thumb that can be applied in the making up of electoral rolls. So, too, in all probability, were many of the more ardent supporters of the Nazi regime and the Italian Fascist regime.

In the prescribing of standards for the compilation of voter's rolls, which is the acid test, there is hence really no practicable way of defining a "civilised man", and the theory is in practice of little value.

(*c*) The Upper House Theory

This theory appears, like the last, to be favoured in the highest quarters, but it is inadequate as a means of safeguarding the rights of the individual. British history shows that an Upper House can be "packed" and recent events in the Union of South Africa shows that this method of dealing with an Upper House has not altogether been forgotten. All that an Upper House can do, at best, is to *delay* the passage of legislation. It cannot prevent the passage of that legislation ultimately. Hence the Upper House Theory as a means of safeguarding the rights of individuals is untenable.

(*d*) The Basic Rights Theory

This theory is that certain basic rights should be written into the Constitution, such as rights to liberty and to free speech and so forth. In practice, however, the theory does not work out. It has always been found necessary in times of national emergency to curtail, for example, the rights of free speech drastically. This was the position in Britain during the last war. This, equally, was the position in Southern Rhodesia during the last Emergency. In my view it would exhaust the ingenuity of Man to devise a system of basic rights, with all possible exceptions and eventualities allowed for, that would meet the situation in this country today. I personally take the view that if the basic rights of many Africans had not been suspended during the last Emergency, there would have been bloodshed, perhaps widespread bloodshed, and if any provision had existed that had prevented the Government from suspending those rights, that provision would in the circumstances have been merely vicious.

(*e*) European Trusteeship

I would, with the greatest respect, urge the Commission to give this possible solution its most serious consideration.

It is perfectly true that the African suffers many hardships today, but it is equally true that such hardships as he does endure are primarily, not due to European ill-will, but to the country having developed at such a pace that the Government has hardly been

able to keep abreast of developments. Much of the hardship as exists springs, for example, from the provisions of the Land Apportionment Act. This Act was, however, a completely fair and just Act when it was introduced. If reference is made to the report of the Commission which brought about its introduction, it will be observed that the primary purpose of the Act was to eliminate friction between the races. The policy was thereafter adopted that Europeans could only enter the African areas for the benefit of the African and vice versa. What upset things was, firstly, what has been termed the "population explosion", which caused the reserves to become overcrowded; and, secondly, the fact that European-introduced commerce and industry caused the European towns to increase beyond all anticipation, so attracting the African to those centres.

However, many of the African disabilities—such as his treatment perhaps in shops and restaurants—will fall away with the passage of time for the simple reason that the African comprises the mass market, and hard economic facts will cause the European entrepreneur to extend that courtesy to his African customers that is so desirable.

Apart from the part-failure of the European to keep up with the extraordinary onrush of events (which has, in any case, only taken place since the war) the record of an entirely European-dominated Government in Southern Rhodesia has been astoundingly good. His provision for African education is the best in Africa even though the European has been well aware that he is thereby putting the African more and more in a position to out-vote him. It is to be wondered whether such an example of magnanimity is to be paralleled in history.

The African has a system of clinics ministering to his health that is extraordinarily fine. The African Agricultural Department has done wonders. In making jobs available for Africans, the Government has done everything that can be done—the Civil Service is open to Africans; the Land Apportionment Act was amended to permit African professional men to practice; the medical profession has recently been thrown open to Africans on equal terms, again, with Europeans; and in the recently enacted Industrial Conciliation Act there is no distinction whatever drawn between Africans and Europeans—and, again, the whole field of industry is thus thrown open to Africans on the same terms as it is open to Europeans.

The Commission is humbly invited to consider the term "ethnical suicide" which is a term that was coined, I believe, by the late Dr. A. N. Whitehead. In their anxiety to do the utmost for the African, the European electorate of this country has shown itself prepared to risk precisely this.

Therefore, it is submitted with the utmost respect, that the European in Southern Rhodesia at any rate, should so be permitted to amend his own Constitution if necessary as to ensure that control of the country shall remain in the European hands or in the hands of Europeans together with such Africans as the European shall have deemed to have proved themselves until circumstances indicate to the Europeans that a wider basis for the franchise is advisable.

(*f*) Restricted European Trusteeship

The Commission may feel, however, that having regard to comparatively recent events in a neighbouring territory, it does not feel justified in leaving the country under an unlimited European Trusteeship. In that event, it may be possible for the Commission to recommend a limited form of European Trusteeship, somewhat as exists today. Here the European would be left predominantly in control, with the ability to retain that control, but with stringent safeguards against his passing of discriminatory legislation. In short, the European should be left in control, but with a rein kept on the way he exercises that control.

It need not be thought that the European would retain control for ever. In an industrialised society, as this is rapidly becoming, the Trade Unions as such have far too much political and economic power for any Government to deprive them of their due recognition. The African today possesses a very large proportion of the land area of Southern Rhodesia for his exclusive use. (It may be remarked that I am thinking primarily of Southern Rhodesia at this present juncture). These are distributed evenly throughout the country. The European could no more keep the African in permanent subjugation than he could control the tides.

What we are asking for, in essence, is simply the opportunity to go ahead in the future in the same magnificient way in which we have gone ahead in the past. If Her Majesty's Government feels it necessary to retain a certain slight sanction for protection of the African, then it seems that the European has no option but to assent to these. But the European does ask for the opportunity to be able to proceed as before, taking the African with him in more and more equal partnership as time progresses.

(*g*) A Basic Law Forbidding the Introduction of Discriminatory Legislation

It would seem that the writing of such a measure into the Constitution is a *sine qua non*. Certainly, if the African is to be left in a position whereby he can out-vote the European, either in the Territorial or the Federal spheres, such a provision must be made the foundation-stone of the Constitution.

The provision must be couched in the widest terms possible. It must make completely illegal any discriminatory legislation or subsidiary legislation on grounds of race. It must also ban any ways in which people or persons can be *indirectly* penalised on grounds of race. It should, perhaps best of all, be couched in positive terms in some such form as "All citizens of the Federation shall have equal rights in the eyes of the law and it shall not be competent for Parliament to diminish those rights on grounds of race either directly or indirectly". It would seem that this measure should be enforced, not merely by its being written into the Constitution, but by permitting of an appeal if necessary by those prejudiced by discriminatory provisions, to Her Majesty's Government perhaps, to the International Constitution of Justice at the Hague, or to the United Nations but these latter alternatives are perhaps not so desirable as provision simply permitting Her Majesty to disallow the measures.

It must be emphasised that the measure would in fact have to be couched in very wide terms indeed since it is fairly easy to penalise a section of the population indirectly by, for instance, altering the boundaries of electoral districts, although on the surface there may appear to be no discrimination whatever.

We may conclude our discussion of these various safeguards by remarking simply that perhaps some combination of two or more of them may be desirable.

Attitude to Federation

I have always myself been an ardent supporter of Federation, feeling that it would have been a major disaster had the confederate states been permitted to break away from the United States of America, since it would have derogated enormously from the economic prosperity and the stature of that great country, and that, similarly, it would be a disaster were the Federation to break up.

Nevertheless, I would prefer to be a free man in a small country rather than a slave in, or an exile from, a large one. For this reason, and with the greatest respect, I endorse the demand, recently expressed by an eminent member of the Southern Rhodesia Government, that the rights of civilised men in this country be adequately guaranteed.

Giving the Federal Government a Chance to "Sell" Itself

One factor that has militated greatly against the popularity of Federation in the eyes of the African populace is the fact that the Federal Government has had no opportunity to "sell" itself. The various Federal concerns, such as the hospitals and the Post Office, are not departments in which officials come into day to day *personal* relationships with Africans as does, for example, the Native Affairs Department and the Native Agricultural Department in Southern Rhodesia. For this reason, some thought might perhaps be applied to the problem of re-organising Territorial and Federal responsibilities with a view to giving the Federal Government scope to "sell" itself to the general populace.

Officials to have a Stake in the Country

It is generally felt that the time has passed when a country can be governed efficiently by persons who do not regard the countries concerned as their permanent homes. Certainly the management of matters appertaining to the recent emergency aroused fury in the hearts of many Southern Rhodesians since they felt that the opportunity for them to make a success of the Federation was being wrecked by utter mismanagement on the parts of persons from overseas. It is submitted that this Federation has no chance whatever of success while any officials employed in this country still do not regard this country as their home. The Commission should give the most earnest attention to the problem of ensuring that all officials shall be domiciled in this country before they can obtain posts here.

Dangers of Leaving European Education a Federal Responsibility

It is possible that the Federal Government will be dominated by Africans far sooner than the Southern Rhodesia Government. In that event it is questionable whether it is wise to leave the European Education a Federal responsibility. Such position might give rise to considerable friction in the future.

English the Official Language

A final point is that the Constitution might provide that English shall permanently remain the only official language. This suggestion is put forward in no spirit of partisanship, but in order to suggest an avoidance of the enormous *waste* entailed in having two or more official languages caused by the need for duplicating all documents etc.

Salisbury

26th February 1960

Oral Evidence

A. J. A. PECK

Mr. Peck left with the Commission a pamphlet prepared by himself on African town planning (not reproduced).

He made the following points in amplification of his memorandum:—

(*a*) There were two main requirements in the Federation:
(i) the prevention of racial discrimination;
(ii) the preservation of a civilised way of life.

(*b*) The Federation must be protected from the whims of the British electorate and British administration.

(*c*) There was a current naive belief in the United Kingdom that the characteristics of the mass of Africans were similar to those of the mass of Englishmen. This was very far from the truth. Africans were totally ignorant of the need for safeguards for personal liberty and freedom from corruption.

(*d*) With regard to discrimination, there should be a basic law on the lines of parallel provisions in the Nigerian and Malayan constitutions forbidding any increase in discriminatory practices or any subsidiary legislation. Such discrimination must be defined so as to include any practices calculated to prejudice the position of one race relative to another, and to exclude discrimination calculated to benefit the weaker partner. It should apply to commercial and industrial matters, but not social matters which were a matter for the individual.

(*e*) The civil service, police, etc. must be staffed entirely by persons domiciled in the Federation. This would not preclude recruitment overseas.

(*f*) As the value of the pound went down and the minimum wage rose, it was quite logical to raise the franchise qualifications to keep roughly the same number of Africans on the rolls. It was not unreasonable that the number of African voters should remain smaller than the number of European voters so long as there was the present disparity in the level of civilisation between the two.

Memorandum

C. KIRKPATRICK

On the Proposed Formation of A.D.F.C. (African Development and Finance Co. Ltd.)

Object

The proposal is to form a company to specialise in the provision of finance, in various forms, to Africans.

In the initial stages it is proposed to concentrate on the provision of finance and credits to African Farmers (i.e. those in possession of Master Farmers Certificates and those who are holders of Registered Rights), and to African Farmers Co-operative Societies.

Directors

The following have agreed to serve on the Board (without remuneration until such time as the profits justify the payment of fees).

N. R. Bertram, C.M.G., M.B.E.
Colin Kirkpatrick
A. E. P. Robinson
R. M. Taylor, C.B.E.
A. N. African (to be selected at a later date)
A. N. Other (Representative of Northern Rhodesia)
A. N. Other (Representative of Nyasaland).

Managing Director and Agricultural Adviser

It is believed that Native Agriculture presents the most immediate, pressing and promising field for finance. Accordingly, it has been considered essential to secure the services of individuals with wide knowledge and experience of Africans, African Affairs and African Agriculture in particular. The following have agreed to accept appointments with the Company:—

As Managing Director—Mr. J. M. C. Cramer. (Until very recently Head of the Department of Native Agriculture and Lands).

As Agricultural Adviser—Mr. R. M. Davies. (Formerly Director of Native Agriculture). Mr. Davies is presently employed by the Natural Resources Board on specialised work in connection with Native Agriculture (including the formation of African Farmers Committees, the equivalent of the European I.C.A. Committees). Since Mr. Davies' work for the Natural Resources will be so very closely connected with the work he will do for A.D.F.C., Natural Resources Board have agreed to his appointment as Agricultural Adviser to A.D.F.C. and his remuneration will be divided equally between Natural Resources Board and A.D.F.C.

Details and Particulars

These are set out on the following pages.

1. Preamble

For some time past the thought has occurred to me, as I am sure it has to many others, that sooner or later, there will be scope and need for a Finance Company which is prepared and equipped to provide finance to Africans engaged in commerce, industry and agriculture.

Professor John Fox of the Harvard Graduate School of Business recently made a survey into the whole question of Management (European and African) in the Federation. This survey was financed by C.I.P.M. (Council for International Progress in Management) of New York and was the result of certain discussions between the writer and Mr. David Rockefeller during the course of the latter's visit to Salisbury in March 1959.

During the course of Professor Fox's investigations I accompanied him on a number of occasions; and, in particular, during the course of his visits to Africans who were conducting their own businesses, (i.e. as storekeepers, transport operators, carpenters, farmers, etc.).

We came across a number of instances where success had been achieved (or was in process of being achieved) in spite of many handicaps i.e. lack of "know-how" and business training; and, of course, a desperate lack of adequate capital. Sources of financial facilities are almost totally lacking to the African "businessman" or farmer, excepting perhaps in one or two isolated cases where an African has "made good" and has been able to obtain limited facilities from a commercial bank. In the field of Agriculture in Southern Rhodesia, good and responsible African farmers are catered for, to some extent, by the Native Development Loans Fund Committee; but the resources of the Fund are limited and are inadequate to deal with existing requirements, let alone the requirements over the next five to ten years when the number of African farmers (in the Native Purchase areas and elsewhere) is likely to increase two or threefold.

As a result of Professor Fox's observations, and as a result of subsequent discussions with Mr. Jack Quinton (Parliamentary Secretary to the Ministry of Native Affairs) with Mr. J. M. C. Cramer (formerly Head of the Department of Native Agriculture and Lands) and with various leaders in commerce and industry, I came to the conclusion that the time was ripe for the formation of a Finance Corporation which would be equipped to cater for Africans and which would be prepared to take the obvious risks involved. Furthermore, the existence of a Finance Corporation of this nature would certainly engender goodwill amongst the African people.

This conclusion was most strongly supported by Mr. Quinton and he immediately arranged an appointment with the Prime Minister of Southern Rhodesia (Sir Edgar Whitehead) with whom the proposal was discussed at some length. The Prime Minister was enthusiastic in his support of the proposal. He gave it as his opinion that while there was a developing, but as yet limited field, for financing African businessmen, there was immediate and very considerable scope in the field of (African) agriculture. He mentioned, for instance, the need for the provision of financial facilities (comparatively short term) to finance crops and to enable Master Farmers to purchase items such as fertilisers, agricultural plant, equipment and machinery, etc. He stated that he himself and his Ministry (through Mr. Quinton) would back the proposal to the hilt and give every possible assistance to its implementation.

2. Shareholders

A.D.F.C. will be operating in a new and uncharted field. The risks may be considerable; and in many cases, loans (or whatever the form of financial assistance) will, of necessity, have to be made on an unsecured basis. While the number of advances might be well spread and small in individual amounts, and while the Management would exercise every care and precaution, the fact must be faced that losses will almost inevitably be encountered on occasions.

Under these circumstances it is essential that participants come in "with their eyes open"; and the proposal is that individual subscriptions be confined to relatively small amounts. Invitations to subscribe to the intial share capital are therefore being confined to a number of the larger concerns and to those who might be inclined to regard the proposal on a "pro bono publico" basis.

3. Share Capital

After consultation with Sir Edgar Whitehead and Mr. Quinton and others, it is proposed that the initial issued capital of the company consist of:—

200,000 Shares of £1 each (10/- paid) = £100,000.

Note (*a*) It is visualised that financial facilities will normally be granted on a comparatively short term basis. Accordingly a fair proportion of the advances might reasonably be expected to revolve fairly quickly. It is considered that the issue of 200,000 shares of £1 each (10/- paid) will provide sufficient funds to cover the first 18/24 months of operations.

Note (*b*) In the light of experience gained and if the financial results make it possible, then the intention would be to consider the possibility of equity participation by individual Africans, and by African Farmers Co-ops.

4. Expenses and Income

Estimated Expenses (for details see Appendix A*) amount to £7,000 p.a. It is considered inadvisable to make any detailed estimate of income other than to say that it would seem reasonable to estimate that borrowers would be charged rates of interest carrying between say 6% and 8% per annum.

Thus, in order to cover the estimated expenses A.D.F.C. would need to have out on loan a sum of £100,000 for a period of 12 months at an average rate of 7%.

It seems reasonable to suppose that, in due course, sums considerably in excess of £100,000 will be out on loan. (In this connection the Agricultural Branch of Native Affairs Department state that, within two years crop and seed finance of not less than £150,000 will be required for the Turkish tobacco crops alone.)

(N.B. The above estimate of income does not take into account any income which would be derived from inspection and negotiation fees.)

5. Modus Operandi

It is intended that A.D.F.C. should operate on a Federal-wide basis but in the early stages A.D.F.C. will concentrate on Southern Rhodesia. However, steps have been taken to ensure close liaison with various Government lending organisations in Northern Rhodesia and Nyasaland, details of which are given at Appendix B.

Southern Rhodesia

(*a*) African Businessmen (Storekeepers, Builders, Transport Operators)

It is visualised that applicants will be mainly those in the Urban areas, and that applications will be made DIRECT to A.D.F.C. It is, however, being arranged that close liaison will be maintained at all times, with Native Commissioners; and it is anticipated that a number of applications will be submitted to A.D.F.C. via (and with the support and recommendations of) the Native Commissioners. All such applications will, of course, be subject to the same sort of "vetting and investigation" as would be undertaken by any reputable Finance Corporation.

At this stage, this particular field is considered to be limited and somewhat hazardous; but it is one which may develop.

(*b*) African Farmers

Here the field is considered to be wide and immediate. The following remarks are extracted from the Report on an Economic Survey of Nyasaland 1958/59.

"We have already indicated our view that the primary purpose of Nyasaland's general economic policy as well as of its agricultural policy should be the stimulation of agricultural production. We think that this should be achieved mainly by increasing crop yields . . . and, whenever possible by the introduction of new agricultural products . . . To some extent this result must depend on technical factors but there are many instances where the African farmer *is unable to introduce improvements which would increase his output because his own resources are few and he is unable to borrow for the purpose.* The ordinary commercial credit agencies are only prepared to lend against securities of a kind which the African does not possess."

The above remarks can be said to be applicable to the situation in Southern Rhodesia. It is intended to adopt the recommendation made by Sir Edgar Whitehead that A.D.F.C. *makes it a point of policy that no loans be made to African farmers other than:*

(i) Those in possession of a *Master Farmers Certificate*, who are farming in the Native Purchase Areas and in the Communal Areas. The capabilities of those Farmers have been proved. Most of them farm between 100 and 250 acres. There are already 7,000 of them; and there are a further 5,000 *Approved* applicants who are only awaiting completion of surveys. The numbers are certain to increase considerably over the next decade.

(ii) Those who are *Holders of Registered Rights* (under the present Land Husbandry Act) in the Communal Areas. There are approximately 126,000 of such farmers and it is anticipated that the numbers will increase to over 250,000 within the next three years.

(*c*) African Farmers Co-operative Societies

In Northern Rhodesia this movement has reached important proportions. For example, the value of the ground nuts produced by the Eastern District African Farmers Co-op, and sold on the London Market, amounted to over £500,000 in the 1959 season.

In Southern Rhodesia the Co-operative Movement is in its infancy but is developing rapidly; and opportunities are almost certain to arise in the comparatively near future, whereby A.D.F.C. would have opportunities of offering short term facilities to the African Farmers Co-operative for bulk purchases, bulk sales, etc.

The Southern Rhodesian Government is encouraging the development of the African Farmers Co-op Movement; and it is believed that when it becomes known that credit facilities can be made available there will be a marked acceleration in the expansion and development of the movement as a whole.

(*d*) African Farmers Committees

These are in process of being set up by Mr. R. M. Davies (who is to be A.D.F.C.'s Agricultural Adviser). The intention is that these Committees should perform similar functions to those of the (European) Intensive Cultivation Areas Committees. It is considered likely that these African Farmers Committees will provide a most useful source of applications; and Mr. Davies' intimate knowledge of them should prove to be a valuable asset.

(*e*) Native Development Loans Fund Committee

At the present time the only source of finance available (for financing items such as crops, fertilisers, machinery, stock, fencing, land improvements and development etc.) is the Native Development Loans Fund Committee; but the funds are strictly limited. And there is the point that many African farmers would probably prefer to deal with a private enterprise concern rather than through a Government agency. Nevertheless it has been agreed that A.D.F.C. will work in the closest co-operation and association with this Committee. The Committee (when short of funds) will pass on to A.D.F.C. approved and recommended applications; and it will also pass on to A.D.F.C. such applications as would seem more appropriate for financing by A.D.F.C. rather than by the Committee.

Arrangements are also being made whereby all Native Commissioners, Provincial Commissioners and Land Development Officers will co-operate to the fullest possible extent by ensuring that suitable applications for finance are passed on to A.D.F.C. either direct, or (if thought preferable) via the Loans Fund Committee. In addition, arrangements are being made whereby Native Commissioners and Provincial Commissioners will, whenever and wherever practical, assist in the collection of interest and repayments; and also assist, via the Land Development Officers, in ensuring that loans are properly utilised for the purpose for which they were granted.

6. Scope for other Operations

Discussions have taken place with certain other financial institutions and in view of the fact that A.D.F.C. will have special facilities for checking and vetting applications from Africans it is considered that there may be come scope in the following spheres.

(*a*) *Hire Purchase.* Possible guarantee of H.P. Contracts.

(*b*) *Commercial Banks.* Possible guarantee of Bank overdrafts.

(*c*) *House Purchase.* Possible guarantee of Building Society advances.

(*d*) *Insurance.* Possibility of agency agreements with Insurance companies.

(*e*) *Savings.* There would seem to be opportunities, particularly in the Rural areas, for A.D.F.C. to attract African Savings. After all, after an African has borrowed from A.D.F.C. (for example, to finance his crops) and after he has repaid his loan; a mutual feeling of goodwill will have been established; and a logical result would be for the African to lodge his surplus savings with A.D.F.C. in the absence of any other similar facility.

It is, however, appreciated that this is a field which might grow only very gradually; and it is certainly a field into which A.D.F.C. could not enter prior to careful examination of the requirements of the Bank Act. Alternatively, A.D.F.C. might decide to enter into some form of Agency Agreement with one or more of the Building Societies.

7. Conclusion

It is suggested that this is a worthwhile project and one which, though it may never earn large profits, has reasonable prospects of, at least, breaking even.

It will certainly fill a gap which will need to be filled, with increasing urgency in the years to come.

In the political and social field it will certainly engender goodwill amongst the African population.

The fact that it is a private enterprise project, sponsored by leading concerns, all of which have an important stake in the Federation, will not go unnoticed overseas. (See Appendix C†).

* Not received.

† Not received.

The Prime Minister of Southern Rhodesia has promised that every possible assistance will be rendered by the Ministry of Native Affairs.

The Constitution of the Board should ensure that the affairs of the company are conducted with vision, with prudence and with financial acumen.

Those better qualified to judge than I will, I think, confirm that on the whole the African is not a bad borrower.

Salisbury

24th March 1960

Appendix B

A.D.F.C. will concentrate, in the early stages, on Southern Rhodesia, and, in particular, on the Master Farmers, the Holders of Registered Rights, and on the African Farmers Co-operatives. It is, however, intended that A.D.F.C. should operate on a Federal-wide basis as soon as possible and practicable.

Thanks to the help and assistance of the Governors of Northern Rhodesia and Nyasaland, contact has been established and discussions have taken place with those responsible for various Government lending agencies in both of the Northern territories.

Northern Rhodesia

There are the following Government lending agencies:—

(*a*) African Farmers Improvement Fund—financed by proceeds of a levy on sales of maize. It is a Statutory Board and caters for Improved (or Master) Farmers.

(*b*) African Businessmen's Co-operative Credit Association—This comes under the orbit of the Development Commissioner, Northern Province (Mr. M. Halcrow). The Manager, Mr. C. P. Kinmont, states that his funds are limited and that he would be pleased to co-operate with A.D.F.C. whenever and wherever possible. He also reports that since the Association started up some 18 months ago 122 loans (out of 618 applications) have been approved; and that in only one case extended terms of repayment of loan have had to be given.

(*c*) African Housing Revolving Fund—Loans are made to Native Authorities who re-loan to individual Africans for house-building in the rural areas. The Native Authority takes full responsibility for repayment of each loan. Approximately £50,000 has been loaned out over the past two years.

(*d*) African Businessman's Loan Fund—administered via the Native Affairs Department. The funds are extremely limited (£15,000) and I was advised that at least four times this amount could immediately be utilised, provided satisfactory arrangements could be made in respect of administration and after care. Government would like to see this organisation taken over by private enterprise.

(*e*) Rural Development—The Commissioner for Rural Development provides funds which are utilised for land settlement and development and to assist peasant farmers.

Nyasaland

A "Central Board" was established two years ago to supervise the making of loans (to African Farmers and Businessmen) out of the funds which were placed at its disposal. After a trial period, the Central Loans Board delegated District and Urban Boards the authority to make individual loans up to £250 in the case of farming loans and business loans, and up to £350 in the case of housing loans.

The rates charged were:—

5½% for agricultural loans,
7½% for business loans.

To date and in spite of very limited funds and the exercise of extreme caution (on account of the conditions prevailing) loans have been granted as follows:

336 agricultural loans	... ... Total	£18,760
136 business loans	... ... Total	£23,140
		£41,900

The experience of the lending authority has, to date, been satisfactory.

Discussions have taken place with Mr. Phillips (the Financial Secretary) and Mr. Pincott (Manager of the Central Board). They are anxious to co-operate in every possible way and have gone so far as to suggest that a representative of A.D.F.C. would be welcome to attend any meeting of the Central Board.

As their funds are very limited they would like to pass on to A.D.F.C. approved applications which the Board (through lack of funds) were unable to finance.

Local Committees

Until such time as A.D.F.C. is able to operate effectively in the Northern territories it is proposed to set up small local Committees in both Northern Rhodesia and Nyasaland. These Committees would liaise closely with the existing lending agencies and pass on to A.D.F.C. such applications as might be considered suitable.

Oral Evidence

C. KIRKPATRICK; J. A. C. CRAMER; A. JACHA

Mr. Kirkpatrick had produced a memorandum.

He said that he was a director and financial adviser of the Rhodesia Selection Trust Group. Mr. Cramer was until recently head of the Department of Native Agriculture and Lands, now retired. Mr. Jacha said that he was President of the African Farmers' Union, and a member of the Agricultural Research Committee.

Mr. Kirkpatrick wished to draw attention to a possible source of friction and frustration involved in the inability of the more advanced Africans to get finance. His idea represented some attempt to get local private enterprise to recognise that the need existed. He had hoped that before he came before the Commission the scheme would have been cut and dried; but it had had to be shelved until September or later while some of the Directors referred to the United Kingdom. Two of the Directors were also on the Monckton Commission.

Mr. Cramer explained that the idea was primarily for Agriculture in the African areas. They were feeling their way first in Southern Rhodesia. The African farmers did not often rise above a subsistence level of agriculture. This constituted a drain on the economy, rather than an assistance. Under such a system much development of the productivity was not possible. With a higher productivity the African farmers would be in a better position to contribute to the national economy and to increase the circulation of purchasing power. Loans were needed for fertiliser and seed and so on; but finance was not available because the African farmers could not apply to recognised lenders, as they did not know them. But finance companies would lend to Africans very largely on their personal integrity. The African farmers had the benefit of the Government Advisory Services. But finance should be used to assist private enterprise. There was now a small Government Revolving Fund for loans, and that had been useful. But he and his colleagues felt that the proposed new Company could better meet the need, and would help the African farmers to get above subsistence level by improving the land. It would also educate Africans in the wise use of money.

Agricultural Committees were operating at present and doing good work. The witnesses thought the Company would be able to make direct contacts with original borrowers. The business risks which they would take were no greater than they would normally take as business people. They felt that the African was not a bad borrower.

Mr. Cramer said that he had been speaking about the agricultural side of the scheme; but it also applied to traders, store keepers and other African businessmen. Such people subsisted on the purchasing power of the community in which they lived. They too required capital for stock in trade. The Company would deal with them on the same basis as the African farmers. It was unfortunate that such people could only hold land on annual rentals which made it impossible for them to pledge their land. The Company would be prepared to deal with these people on the basis of their integrity, so that the need to pledge land would not arise.

Mr. Jacha said that he had been a farmer since 1932. African agriculture in Southern Rhodesia was still in a very primitive state. Nothing had been done to encourage it. He concerned himself solely with Southern Rhodesia, and the consequences of the Land Apportionment Act. Reserves and Native Purchase Areas had been started in 1932, but very little real development had resulted.

There were 6,200 members of the African Farmers' Union. But they had not achieved much, the reason being that they could not develop land without capital. He had been given figures by the Ministry showing that the few European farmers in Southern Rhodesia had a joint income of £66m. per annum, while the African farmers only earned about £3m. per annum.

The Land Bank had been originally started for Europeans only. As a result of his own efforts its facilities were now given to Africans; but only for loans up to £500, and only for fencing purposes. He agreed that the Government Native Affairs Department had also a development fund from which loans were given for the marketing of maize and other produce. He had also heard that a sum of £80,000 was being raised in America to help African education.

Through the operation of the Land Husbandry Act 8–10 acres would be given to each man. Money for land development was insufficient: but now this Company was coming into the field and the Africans welcomed it.

There were many delays when the Africans applied for loans from the Government. They were sent from one office to another, and then at the end most of them did not get any loan. There was also a stipulation about a 25% deposit, which made borrowing difficult for many Africans.

The witness felt that the proposed Company should not confine itself to Southern Rhodesia, but should spread throughout the Territories. That was what he called real partnership when Europeans made efforts to help Africans in this way.

An African trader in the town might have some European friends to stand behind him financially. But this was not so in the Reserves. The Government had trained Agricultural Officers and Land Development Officers to teach the Africans how to work the soil; but there was also a need for machinery and implements. It was useless to call the African a bad farmer if he had not the tools with which to work well. The Company could help not only Africans but the whole community by financially assisting Africans and thus removing longstanding grievances.

In the African townships there was no security of tenure. Ninety-nine years leases did not meet the need. The Government should give African traders in the townships freehold title to the land which they occupied, in order that they would be able to mortgage it when necessary.

In reply to questions, Mr. Cramer made the following further points:

1. The scheme would not be confined to master farmers only, but would also apply to Agricultural Right Holders.
2. He did not think that the Company would be hindered by the operation of the matrilineal system in Nyasaland. It was proposed in Nyasaland to use the existing Government land system at first.
3. They knew that in Nyasaland European carriers had given long-term credit to Africans. They thought that the new Company might help on a similar basis.
4. The rate of interest in Nyasaland would be 5½% for farming loans, and 7½% for business loans. But the rate of interest was less important to the African than the ability to get an answer to his application within a week, instead of in nine months.
5. Mr. Jacha said that Africans were not afraid to borrow money. If they appeared to be afraid it was because of the channels which they had to follow at present in Southern Rhodesia for getting loans. Applications were often turned down by the agricultural administrators through which they had to pass. In fact many applications might never reach the actual lending body.
6. Mr. Jacha stated that he had been a voter on the ordinary roll since 1951.
7. Mr. Kirkpatrick added that he thought that the real value of the scheme was that it would be seen that Europeans were genuinely taking on the risk of trusting the Africans' integrity, and that it would also lead to day to day relations with African borrowers. If he could not get in the United Kingdom the additional £100,000 which he required for the scheme he knew that he could get it in America; but he would prefer to raise it in the United Kingdom.

Memorandum

NATIONAL COUNCIL OF WOMEN (SALISBURY BRANCH)

Mrs. J. Cowie—President

Mrs. D. P. Woods—Hon. Secretary

The following notes are submitted as a result of a Special Meeting held on 19th February 1960:—

1. Federal System

The Salisbury Branch of the National Council of Women subscribes to the concept of Federation, with modifications, on the following lines:—

(*a*) (i) African Affairs: Should remain as at present—a Territorial responsibility—but decisions relating to alterations in policy should be taken within the Federation.

(ii) Machinery should be set up to study and arrange for a uniform African Policy to operate in the three territories. (It is realised that this would present difficulties, bearing in mind Northern Territories' treaties with the U.K. Government, but nevertheless the goal of a uniform African Policy should be aimed at and machinery for study along these lines should be implemeted.)

(*b*) Civil Service: There should be a permanently domiciled Civil Service.

(*c*) Health: The financing of health should remain a Federal responsibility but administration should become territorial. (This was not a unanimous opinion).

Further, in view of the African's growing awareness of the benefits of health services and increasing demand for all the benefits of health services and increasing demand for all the specialist services, a small financial contribution from Africans would do much to imbue them with a sense of responsibility for their own welfare.

(*d*) Franchise: In view of the education and sociological gap in the population, the franchise for the time being, should remain qualitative.

(*e*) Births and Deaths: The registration of Births (particularly) and Deaths should be compulsory and put on a territorial basis, preferably with the help of well-trained Coloured and African personnel. Compulsory registration is considered necessary in view of the increasing participation of these people in the higher spheres of employment, overseas study, etc., where establishment of identity is essential.

2. Education

Because of the cultural and economic differences between the two main races, primary and secondary education should not be multi-racial at present.

It is suggested however, that serious thought should be given to the inclusion of a clause in the Land Apportionment Act to allow for the setting-up of areas for multi-racial development. These areas could incorporate schools, hospitals, business and residential areas, etc., without arousing the emotionalism which legislation would occasion. The psychological factors in race relations cannot be discounted, but the freedom of choice of association by providing multi-racial areas would engender good relations and allay fears of devaluation and exploitation of property.

Multi-racial areas would do much towards the voluntary lowering of racial barriers, the abolishment of which should always be governed by the needs and desires of the people.

3. Minorities

Provision for the safeguarding of the rights of minorities should be entrenched in both Federal and Territorial Constitutions. (In the past emphasis has been laid on the safeguarding of the majority).

4. National Parks

Consideration should be given to the return to Southern Rhodesia of its National Parks, with adjustments of anomalies between Governments (i.e. land and road control).

5. Independence

The Federation should be granted independence with the minimum delay in order to prevent power-hungry ill-wishers from achieving their ends, and cognizance should be taken of the efforts and achievements of the Europeans in Central Africa during their seventy-year sojourn, in raising a primitive indigenous population from a state of barbarism to a state where they can begin to understand the meaning and enjoy the fruits of Western Civilization.

Salisbury

Oral Evidence

NATIONAL COUNCIL OF WOMEN (SALISBURY BRANCH)

Mrs. D. P. Woods—Hon. Secretary

Mrs. Hickman—Past National President

The witnesses emphasised that they were speaking only for the Salisbury Branch of the National Council of Women. The National Headquarters, which were at Gwelo, had already given evidence independently*.

The following points were made in amplification of their memorandum.

(*a*) Legislation regarding African affairs should be settled wholly within the Federation and not after reference to the United Kingdom.

(*b*) On the subject of a locally based civil service, it was assumed that enough civil servants from the two northern Territories would be willing to transfer to the Federal service. Civil servants who had their roots in the country could put more into their jobs than those who looked to the United Kingdom. Moreover, as Africans entered the higher branches of the civil service, they would gradually replace civil servants from overseas.

Memorandum

DR. A. PALLEY, M.P. (SOUTHERN RHODESIA)

Establishment of the Federation extended the Southern Rhodesian concept to the two Northern Territories.

(*a*) Prime Minister of Southern Rhodesia became Prime Minister of the Federation.

(*b*) Southern Rhodesian cabinet ministers took over Federal portfolios.

* See Evidence at Gwelo on 19th April 1960 (p. 106).

First Federal Cabinet: 5 Southern Rhodesian Ministers holding key portfolios
2 Northern Rhodesian Ministers
1 Nyasaland Minister

(c) Political party forming the Southern Rhodesian government became the Government of the Federation.

(d) Senior civil servants of the Southern Rhodesian Administration took over the administration of Federal Government Departments.

Strong African opposition in Northern Territories to the establishment of the Federation: viewed as Southern Rhodesian "colonialism". This has grown with the urge for political emancipation and self-determination. Northern Rhodesian Europeans favoured Federation as it strengthened their position by allying them with the Europeans in the South.

Apprehensive European reaction in Southern Rhodesia to growth of African political power in the North.

Today, development of power politics in Federation between the two racial groups.

Inevitable political development of African in the North must lead to African majority government. This is obviously correct, and the only policy possible, because Europeans form an insignificant percentage of the population.

Franchise

(a) Declared policy of the United Kingdom Government to extend the franchise in the Northern Territories—a political inevitability—opinion varies merely as to timing.

(b) Declared policy of the Federal Government not to extend the Federal franchise.

Paradoxical position created whereby Africans will have franchise and control territorially, but no franchise federally.

This will result in a political struggle by Africans to obtain the Federal franchise, with strong possibility of disorders and political unrest leading to economic recession.

Political pressure, by Africans locally, by the U.K. Government and world opinion, will probably force an extension of the Federal franchise, and thereby create an African majority in the Federal Assembly, and an African dominated Federal Government.

Southern Rhodesian Europeans are adamant against an African dominated Federal Government, and demand high qualifications for the Federal franchise.

Possible approaches to the Federal franchise

1. Maintenance of the *status quo:* this will lead to political strife with the Northern Africans.
2. Separate Federal franchises for each Territory on a territorial basis: this hastens the process of nomination by Northern Africans.
3. General lowering of qualifications: on a sheer majority basis this completely swamps the European.
4. Indirect representation of Africans by tribal representatives to an electoral college. This is an antiquated idea which has no place in a modern industrial money economy. This is possible only in a peasant subsistence economy, but there is a tendency even there to elect nationalistic leaders and to displace the chiefs.

Aspirations of the Africans and European fear of African domination create a politically insoluble dilemma in respect of the federal franchise.

Strong secession movements developing in both North and South. Africans wish to avoid "white" domination, and fear they will not acquire legitimate political and property rights.

Europeans are fearful of "black" domination, and fear that they will lose property and political rights, and remain merely a technically skilled element of the population. They feel they will cease to exist as a political force in the Federation in the long run.

African Nationalism seeks expression by independence outside the Federation. It is not concerned with economic benefits until its political objects have been achieved. Nationalism drives moderates to the wall, and they become rejected by their own people. African M.P.'s in "European" parties are considered renegades by the mass of the African population. A common nationalism is essential for the creation of any modern state. In the Federation only divergent nationalisms exist.

Safeguards

Constitutional safeguards, vetoes, entrenched clauses, bills of rights, reserved parliamentary representations have scarcely been protection for minorities in mature, sophisticated communities, and certainly give no protection in an emergent society, such devices rest on respect for individual rights, rule of law, judicial and administrative impartiality. These concepts have only been adequately absorbed by Anglo-American communities and hardly elsewhere in the world. No matter how skilfully a constitution may be drawn, it must fail if it does not allow for fears, prejudices, ethnical and cultural differences. Men and their ideas are the eventual constitution makers, and constitutions must be fitted to the patterns of the local environment. Without a minimum common idealogy no constitution will survive. In the Federation differences between the various groups makes it virtually impossible to establish a common patriotism.

Southern Rhodesia

The position of the European in Southern Rhodesia is unassailable for a very long time.

(a) He owns adequate and agriculturally rich lands.

(b) He controls the means for the production of wealth.

(c) He has technical skills and superior education.

The European can afford to make concessions to Africans and still retain power. He cannot do this in the Federation because of the overwhelming disparity of numbers. Physics of numbers will swamp them. In Southern Rhodesia he can make social, industrial and political concessions and still retain a high qualitative franchise with a common roll. The establishment of a senate with possible racial representation, but limited legislative power, might further satisfy demands for African political advancement. Southern Rhodesian history shows that both races can co-exist peacefully, but this has not been the case in the short history of the Federation.

Justification for Federation

Only advantage and justification for the Federation is economic. but as long as political aspirations of Africans in the North remain unsatisfied there will be recurrence of the emergencies of last year, which will vitiate economic advantages. Without political stability there can be no economic progress.

No historical or political justification for the creation of Federation. No external pressure, such as fear of a common economy, and politically there is no homogeneity of race, culture, language, or political institutions. Federation is an administrative federation, not an organic federation.

Nevertheless aim must be to preserve economic structure and advantages.

Suggested Constitutional Development

Political Development

(a) Transfer of functions by United Kingdom Government to Northern Territories leading to responsible government.

(b) Transfer of power back from Federal Government to all Territories.

Territorial Governments

Increased legislative powers by:—

1. Exclusive competence to legislate on all matters set out in the Concurrent Legislative List (Part II of 2nd Schedule).
2. Retransfer to Territorial Governments of legislative powers enumerated in the Federal Legislative List (Part I of 2nd Schedule) except those matters reserved for the Federal Authority (*vide infra*).
3. Residual powers to be Territorial.

Federal Authority

Overriding authority in matters affecting customs, railways, transport, communications, currency, banking, and all matters incidental thereto.

There should be Territorial Representation on such Authority.

Indirect election?

Direct representation?

United Kingdom Government

To retain control for all Territories in:—

(a) Foreign Affairs

(b) Defence

This ensures strategic control of Central Africa by the United Kingdom.

These proposals may be the only means of maintaining an association between the three Territories. They allow political expression both to Africans in the North, and to Europeans in the South, while attempting also to maintain the economic advantages of Federation. Should this fail and eventual dismemberment of the Federation occur, the economic disruption would not be so great, as there would have been a two-phased process.

The aim should be to give each Territory political self expression but to maintain the economic ties as closely as possible. A Federation with loose and malleable constitutional links will last, but if rigid, will crack.

Salisbury

21st April 1960

Oral Evidence

DR. A. PALLEY, M.P.

Dr. Palley presented a written memorandum. He said he was a Member of the Southern Rhodesia Parliament. He originally came to this country from the Union in 1952, went back to the Union and returned here permanently in 1956. He was elected to Parliament in 1958. He was qualified both in medicine and in law; he belonged to no political Party at the moment. He had previously belonged to the Dominion Party, but had resigned about 18 months ago.

The witness considered that the Federal franchise offered an insoluble problem, and there was no political justification for Federation, but very good grounds for the continuation of an economic association. He felt that the political situation at the moment was that there were such diversive forces in the Federation that if a fairly rigid political concept were held, the Constitution would inevitably crack. He did not consider it had a long political life. The justification for the Federation was primarily economic in the sense that it was an effort to raise the standard of living of the African peoples. If the political structure could be preserved, it was necessary to loosen the political bonds in order to preserve a loose federation, realizing that something must be created whereby some economic elements were sustained. That would not be easy but if that were not done a situation would arise where there were political disorders, emergencies and unrest. Without political stability you could not have economic stability. The objective must be to allay the political fears, and the witness considered one had to realise the legitimate political aspirations of Africans and the legitimate fears of the Europeans. The only way to do that was to give both groups the right of political self-determination.

Nobody could stop the African from advancing politically, and in the north it was fairly obvious that within a short time the franchise would be extended. These people would be advanced politically to a stage where the Federal Government would have within the Federation a political administration which was not bound by the Federal franchise because, politically, the Federation could not exercise any control over the northern franchises. If it lowered the Federal franchise it was only a matter of a short time before there would be African majorities in the two Northern Territories and the African majorities would then control the Federal franchise, which would produce a tremendous reaction from Europeans in Southern Rhodesia. If the Federal franchise were not extended, there would be African political pressure, U.K. political opinion and political pressure; and the witness did not think the franchise could withstand it. The witness suggested that everything should be done to preserve the economic advantages, and try to allow political self-determination in the various Territories.

Where there was conflict under our present Constitution, as to whether a matter should preferably be Territorial or Federal, Dr. Palley said under our present Constitution the Federal Government could override the Territorial Government. The witness considered that was a wrong slant; it should have been the other way round. There was this unusual situation that Europeans were not prepared to make extensive concessions to Africans in the Federation because they were a small group, under a quarter of a million as against eight and a half million. They feared the sheer physical force of numbers against them. In a smaller community they might well make concessions which they would not be prepared to make in a Federal sphere. Southern Rhodesia was in the best position to make real concessions.

Dr. Palley considered that Federation had worsened race relations in Central Africa, in spite of the official and formal policy bringing some measure of co-operation between the two races. In his opinion racialism had increased substantially in Southern and Central Africa since Federation. There was little in common between the two racial groups who were worlds apart, and the witness did not think the gap was bridgeable.

The witness was in favour of the United Kingdom Government retaining certain elements of control, limited to foreign affairs and defence. He emphasised he did not mean Commonwealth affairs but foreign affairs, because for various reasons, race relations, fears of Communism, it was inevitable that Central Africa must follow the United Kingdom Government's line.

On the subject of having a Federal Authority with overriding control over economic matters such as customs, transport, banking, currency and so on, the witness queried the desirability of having direct elected representation on that Authority as this would be one of the most crucial problems. One might have indirect representation whereby each Territorial Government nominated a member or was represented in an overall Federal Authority. That had advantages in so far as that when economic problems arose in the three Territories, the spokesman in the Federal Authority would be representing Government opinion within the Territories; and therefore that might be better in the sense of sustaining conformity to general policy. That idea perhaps had a weakness in that it was not the creature of a direct election; but the authority's composition would be tied up to the Territorial electorates. If there were a Federal Parliament representation in it, it would be on a Territorial basis in which event the northern Territories could outvote Southern Rhodesia.

The witness said he had not considered the constitution of the old Central African Council to see how a constitution such as it had could operate the economic functions. That Council, he understood, would have had no control over customs, which was always one of the big revenue raisers. He would be very loath to suggest the Federal Government should not have the right of customs because it would be vitiating the whole concept of economic strength.

Dr. Palley considered immigration would have to be Territorial. If it was Federal it would stimulate opposition. There was strong opposition to immigration from certain groups. It would be dangerous to put it with the Federal Government.

On the assumption that there should be separate Federal franchises for each Territory, this would hasten the process of domination by Africans from the Northern Territories. The witness said the qualifications might vary in each Territory or even be the same, but whichever way it was inevitable that there would be a rapidly increased African representation from the two northern Territories; but it was his view that one should not even try to stop that; it would be unrealistic. This would produce repercussions in Southern Rhodesia, who would not subscribe lightly to an African-dominated Federal Assembly. That was why one must not find oneself in a position in which one was creating an African-dominated Assembly which could determine political matters in Southern Rhodesia or in Northern Rhodesia; one had to create a Federal Assembly which could control only economic affairs or rather the economic "advantages". One was more likely to be able to sell advantages than disadvantages to the Territories, and therefore the witness considered that the Federal Authority should retain for its administration the advantages which were common to the three Territories. This idea, he thought, could be got over to the Territories, and particularly to the Africans.

At the conclusion of his memorandum, the witness had said the aim should be to give each Territory political self-expression, but to maintain the economic ties as closely as possible. He did not agree that you could not retain an efficient economic unit without an elected political control in the central Federal Government. You would have your political control at the Territorial level and the witness could see no reason why an acceptable Federal Authority should not impose its economic policies over the three Territories.

Dr. Palley said that today his tentative view was that ordinary taxation should rest with Territorial Governments. This matter worried him a great deal; but it might lead to difficulties it you had the decisions with regard to financial matters in the hands of the constituent Federal Authority. For that reason he thought it better to save the situation with certain advantages even though there were defects in it. He had no doubt at all that customs should be Federal, and exclusively Federal. The witness thought that the Federal Authority would have to finance itself to a substantial extent from customs revenue plus a percentage contribution from the Territories—a reversal of the present situation.

In regard to concessions by Southern Rhodesia, Dr. Palley said at the present moment, as soon as there was a suggestion of a concession of any sort to the African, there was a reaction because, through it, Southern Rhodesia saw the European group getting swamped; but in the witness's view an extension of the franchise would nevertheless be acceptable. The Europeans in Southern Rhodesia today viewed the Federal set-up as a danger to their political future, which was not the case when Federation was constituted in 1953. The European then did not consider the African had a political power that was able to overthrow him; but that position had completely changed today. The European in Southern Rhodesia felt that it was only a matter of time before he would lose his position, and that the only avenues left for him were those of the highly skilled technician, executive and administrator.

Dr. Palley wished to indicate his view that some good could still come out of Federation, because there were certain definite advantages to the three Territories, and at this stage he would not like to see a complete break-up of the Federation. If the total break-up did come it would not necessarily result in such a tremendous economic upheaval. He pleaded that once the African had been given a substantial degree of representation, the country should be given a long breathing space, which was essential if things were to get on to an even keel.

Memorandum

REV. DR. J. KENNEDY GRANT

I am a Minister of the Presbyterian Church of Southern Africa, and have been at work in the Presbytery of Rhodesia for the past 18 years. The Presbytery covers the congregations—European and African—from Livingstone, through Southern Rhodesia, to

Northern Rhodesia. The Church is multi-racial, but the multi-racial character is more in evidence in the courts of the Church than in local congregations. This has historical background—and includes differences in language, custom, dress, etc. Africans so far prefer to worship in their own churches—though there is a growing number able and ready to unite with Europeans in their services . . . and there is nothing to prevent that except perhaps the attitude of some reactionaries in every congregation.

Two things should be borne in mind: 1. that Europeans have been settled in these territories for many years and have been the chief agent in the economic development of the country—including all its inhabitants. Europeans are here to stay and any plan that omits that fact is bound to founder. The second thing to have in mind is that Africans at the moment are affected by the upsurge of Nationalistic feeling sweeping not only through Africa but through the world and some of them have clearly got hold of a weapon which they mean to use to the full—some with a real desire to further the good of their fellows, some with the desire to further their own ends, while the large mass of the people remains more or less untouched. Many are ignorant of the emotion, many are indifferent to it, and many remain unmoved by the fiery eloquence roused by it. Yet nationalism has not been unknown in the past—as we Scots and others know well—and nationalism has its part to play—and we in these territories will have to face it and come to something like terms with it. In order to do that certain things may be set forth—first political and then human.

Political

We of the West have been inured to political thinking—and have made great play with democracy—until we reached the belief that it is something that should be acceptable to the nations—and should be workable everywhere. One of the dominating ideas of democracy has been declared in the phrase "one man, one vote". And it has been accepted almost without question—though the political situation even in Britain hardly seems to justify any great pride in the idea! Yet it has been taught by us to the peoples of the various colonies and dominions until today it has become a slogan capable of rousing the passions of all and sundry. Such a slogan is a menace—especially when it is taken as a fundamental definition of democracy. There are reactionaries among the Europeans who simply refuse to face the issue, as there are wild men among the Africans who are unwilling—or may be incapable—of appreciating the possibility of a better definition of democracy. The ultimate goal must be universal suffrage since the vote has now come to be a badge of manhood, but it is surely necessary that we envisage the need for one and all to be educated up to the use of the vote. Otherwise there can be nothing but confusion and worse. It must be possible for us to arrive at a just expression of democratic rights which shall make for sane government.

Turning to the human aspect it is here that we in the churches have the best right to speak and the most urgent need to be heard. More and more are we coming to realise that there are discriminatory laws and customs that have to go—even though the process hurt those of us who are White. There are all kinds of pin pricks which the African resents, and rightly resents, even though they have a history behind them. Pass laws call for reconsideration, the amendment of the Land Apportionment Act is overdue, and the need for African men and women to live in settled conditions giving reasonable access to the spiritual and cultural as well as industrial facilities which go to the making up of the life of us all. This last point is particularly important—present conditions, in many places, still militate against the upbuilding of a stable home. There are other things we have to change, but the point I am making is simply this that all that seems to dehumanise men and women must go from our social set up. There must be the recognition of the value of personal living—and personal liberties. And that will demand that there be a bill of human rights incorporated in any scheme of settlement in the future. My own personal belief is that it is quite impossible to lay down a policy which can be followed for the years ahead. Men and women change, therefore their situation constantly changes, and what we need in dealing with a human problem is to be alive to fundamental principles of human worth and right and then to meet each situation as it arises in the light of these principles. I am against any attempt to legislate finally—unlike the laws of the Medes and Persians our laws must be flexible so that we can meet the changing conditions of a multi-racial society with courage and with wisdom.

There is one final point I would make—linked with the strengthening of home life—and that is that the status of African Women must be raised. They are really the heart of the problem—and African men themselves have hardly begun to realise the fact!—and the education of the women to take their place in the social life of the country must be advanced quickly and effectively.

Further I believe that there are still enough men of good will both White and Black to get together and reach something like a *modus vivendi* even in the Federation.

Salisbury

Oral Evidence

REV. DR. J. KENNEDY GRANT

The witness spoke for the Prebyterian Church, but stated that his memorandum was supported also by the Congregational Church in Salisbury.

The witness, when asked which discriminatory laws he would like to see amended, cited the Pass Laws and the Land Apportionment Act, which were thought by many Africans to be directed against them and not to be designed for their own good. He did not think there would be any objection to an identification certificate for both Europeans and Africans; but that before a system of compulsory registration of births was introduced the people would have to be educated up to it. The feature of the Land Apportionment Act which Africans found objectionable was that it restricted them to certain areas. There were also the question of land rights. The Act had been intended to help the African, for example to protect the position of African traders, but many now felt that it was directed against them.

The witness said that there had been a marked change of attitude in recent years and the atmosphere was now more liberal. There was still, however, a long way to go, and the establishment of natural personal relationships was still difficult. On the question of a Bill of Human Rights the witness considered that the rights of man should be categorically stated in the Constitution. This would be welcomed by many Africans, quite apart from the legal effect that any such provisions might have. He added that he was thinking of an assertion of principles rather than the prohibition of certain acts.

As regards the status of women, the witness said that some Africans were not willing to see their wives educated, but it was chiefly through the women that one could get at the family. The present low status of women affected the growth of contact between the races, because it was much more easy for Europeans to meet African men than African women.

The witness thought that the widening of the franchise would be inevitable, as the general standard of education was levelled up. He thought that "one man, one vote" would come ultimately if the Western theory of democracy were to be adhered to. The present franchise in Southern Rhodesia was not acceptable to Africans, and many did not register as voters. He thought, however, that some held back, not because they objected to the standard, but in order to "make things difficult". There were also others who did not care.

The witness said that his Church conducted missionary activities mainly in the area around Bulawayo. It also had Churches and schools in Salisbury. There were about 200 and 300 African scholars in these schools in the Salisbury area. There had been no real difficulty over discipline, and so far there had been no political activity or intimidation within the schools. The witness thought that there was a long way to go before multi-racial education either in primary or in secondary schools would be practicable, since questions of differing social life and background were closely involved.

Memorandum

WOMEN'S VOLUNTARY SERVICE, CENTRAL AFRICA—Mrs. Z. Shearer—President

You will surely recall that eloquent phrase "*ex Africa semper aliquid novi*", which we translated at school as "out of Africa always something new!" The translation has never altered; it remains the same. It read "*out* of Africa . . ." not "*in* Africa . . ." Here *in* Africa . . . all remains unchanged . . . as yet, but those who look in on us . . . make analyses of theoretical origin without the substance of practical experience, and naturally, their findings continually vary.

It has to be accepted today that we live in a world that knows no boundaries and that here, on this, the last continent of the world, we *also* will encounter the death struggle of many an old-time ideal. Ideals that have to make way for new idealogies to keep pace with modern progress. And so, in the interim, social problems remain the same here as anywhere else. If objectors in England become troublesome and demonstrate against the law, the British police are as efficient in their method of control as are ours. In London, the source of trouble is removed even if it takes two men to one woman, and of course, we here who endeavour to emulate the positive correctness of England, would not be permitted to send a Commission to enquire into the apparent misdeeds exercised in the name of law and order. You see, we too are supplied with both photographic and verbal evidence through the columns of *our* press. But . . . that's how it is.

We, who are citizens of the Federation know the danger, the country's economic danger which lies in a mono-economy. We know that prior to Federation copper belonged to the North, tobacco to the south, and a bit of tea to Nyasaland, and of course, we are now in a position to acknowledge that we can very easily become a very certain power in the world of sugar and citrus, and

further, we know that the hidden mineral wealth of this Federation cannot even be calculated. *It is so vast*! But experiences over the last few years have proved how important it is to make preparations to contend with the attendant effects of wildly fluctuating mineral markets, and of uncontrollable droughts affecting our agricultural calculations. We already know the effects of tightening belts, unemployment, bankruptcy and so on, and so we have become aware of the dire necessity to promote secondary industry to its fullest extent. We know that once we have established secondary industry equal in strength and value to our primary industries, the future of our people will be secure, they will be materially safe and content, and this state will bring in its wake peaceful reasoning, calculation and understanding. It is the lack of *certain* security *material* security that has bred restlessness and unhappiness . . . *not Federation.*

I recall immediately prior to Federation, Southern Rhodesia endeavoured to raise a £10 million loan. The underwriters were left . . . holding the issue. And immediately *after* Federation became a fact, a similar public loan was over-subscribed within ten minutes of the lists opening, with our present constitution in force. In force, because those on whose behalf you are today seeking information, not only approved and advised us on this constitution, but were in fact a party to it. And the success of this loan, furthermore, was a material indication that the outside world approved of Federation.

We in this Federation are complimentary to each other. The South needs the North, just as the North needs the South, and as both North and South need Nyasaland. We need each other to form that geographical block, where supplies for the greater part of Africa's markets can be manufactured *in* Africa for export *to* Africa. With our markets in order our politics will be right for politics don't make markets, rather do markets make politics.

If our markets are wrong, then a recent loan of some £x million to Haille Selassie, followed post-haste by some 600 Russian experts arriving to watch the correct handling of this investment from Addis Ababa . . . all nice and friendly, can and will in fact be a type of investment that will spread to other corners of this magnificent continent, the last continent whose untold wealth could cause it to become the battleground of the world's scavengers unless we in the Federation *remain a Federation.*

To remain a Federation, one important factor presents itself. We must develop that, which through its absence, has brought about a state of affairs resulting in your presence here . . . a *strong solid African middle-class.* In one five-year period, the outside has expected us to develop in our country that which has taken other . . . some six five-year plans. Even England had to experience her industrial revolution before she developed that asset. The first three years of our existence was devoted to tying up loose-ends which were the legacy to us from previous governments. Then came world confidence. Immigrants poured in . . . Strangers to our way of life . . . and a thousand and one difficulties had to be unravelled by our authorities. We were a new country with a new idealogy . . . and the outside world sat in its comfortable armchair of uni-racial experience, deciding how we should solve our problems, without even setting foot in this country, where we have lived and died for sixty years and more, building a new nation in a new world.

If there *is* real racial difficulty here, then I say it has developed through the wholesale influx of "strangers" some thirty years too soon . . . those who are as yet uneducated to our mode of life . . . who have not lived in our multi-racial society . . . who cannot recognise the bewildered African frame of mind . . . that very African whom the world wants us to plunge, without preparation, into a specialised competition which control society today. A type of life he cannot yet handle or understand. Of course he'll be able to do that in the future. He's not a fool . . . but what right have we to *inflict* the responsibility of self-government on to a people who have not the protection of a strong middle class . . . A people who have really only one class . . . from which a very low percentage has yet emerged . . . Originally a warlike-agrarian people, who were not even able to invent for themselves anything as simple as a wheel.

Is the critical world asking the Federation to permit the development of dictatorship amongst our Africans . . . because only *that* can develop in a nation without a middle class! Does the world want us to permit this in order that our Africans should *fail* . . . in order that our Africans should plead for return to control . . . so that we can say to them . . . "it serves you right, you kicked us out, and if we return we'll call the tune". No true Rhodesian would agree to this. We think too much of our Africans. Or is it possible that the underlying principle of those who criticise would decide on any means to retain *their own* markets on this continent . . . markets that can become ours! *Markets that will become ours*!

I know the African as I know the Coloured, the Asian and European. I work with them all day and night. I know the African for whom I have suffered untold embarrassment, for whom I have bought a home, paid medical expenses, and who in turn repaid me by stealing several thousand pounds worth of goods! That very African who telephoned me a few months later to say that despite everything he is making amends and naming his new daughter after me! You might call him naive . . . I call him a thief! I also know the African who found me at the roadside one morning at 1.30 when my car let me down on a return trip from a case. The African who came to my assistance, repaired my car and followed me back to Salisbury, some twenty miles out of his way just to see that I had no further trouble. You may call him a fool . . . I call him a gentleman! I know the African who refused to do anything at all for anyone without being paid for his efforts . . . the African without the slightest vestige of generosity . . . but I also know the African group whom I put on to a stage, presenting them in a musical revue . . . when every penny of the proceeds went to two of their charities. In Ndola hospital recently I met the African whose little baby was receiving relief in the local hospital from expert medical people. The child's over-enlarged head was not reduced in size by the European, and so the baby was stolen out of the hospital to receive treatment from the tribal witch doctor. I go into their townships alone at night . . . rehearsing them for stage presentations and I have seen how they behave on a stage intermingled in a cast comprising European, Coloured, Asian and themselves . . . I have seen the effects of culture as an equaliser!

I know those who are unable to understand the simple courtesy of keeping an appointment . . . but I also know those who will stand in the streaming rain to meet me. In this country I know them, I work with them, and understand that our weaknesses are theirs . . . but that our strengths could be theirs if properly handled.

We accept that we are a "push-button" nation. We accept we cannot even pretend to calculate the material value in terms of labour of our male domestic servants. But it must also be accepted that despite these factors the earning capacity of our African has, according to our statistics, increased far beyond the European.

That education offered them has likewise increased beyond that available to the European, and the same applies to medical services. But this point may and must be made clear. Our Africans are no different from any other uneducated people . . . any other peasant class . . . but it is only we who know how to educate them, we who live with them as they live with us . . . and to leave them to their own resources at this stage of their development would be the greatest cruelty possible . . . perhaps on a par with one of their own . . . now extinct customs . . . that of flinging a law breaker from a cliff to his death on the rocks below.

We, the Federation, have a duty to the whole of Africa. We are enacting the greatest experiment of modern time . . . and I sincerely appeal to the Commission to consider these recommendations, bearing in mind the following facts:—

A. That as a young women I lived in an African kraal for six solid months without seeing a European. I learnt to know the African, and I learnt to respect him.

B. That I was born in England, but was brought up and educated in South Africa, which country I left to come here some nine years ago, because of its racial policy.

C. That I have no *material* stake in the Federation, so that what I suggest can be of no *material gain* to myself.

D. That I am the "man in the street" mixing with and working for the people in the street, and I know them.

E. That I have no idea of politics, but am purely applying logic as I see it.

I suggest:—

1. That Federation must remain a fact with whatever modifications are found necessary by those who *know*. *We know*! May I bring to your notice that those who knew both here and overseas were all a party to the present constitution . . . and therefore I suggest . . .

2. Another five years, to be followed by a further five-year development plan, be instituted without delay.

3. That the Federation be induced to send a well-informed multi-racial selling panel into the outside investment world to attract capital for the promotion of large-scale industry. We are the last manufacturing country between ourselves and Europe, and a potential 200,000,000 market is ours for the taking.

4. That our Federal financial geniuses be strongly advised to be courageous and budget for deficits of some £44 million rather than struggle through credit squeezes and suchlike . . . to obtain a pitiful £2 million surplus. A deficit of £44 million would establish the credit-worthiness of the country. £2 million surplus could never do that.

5. That the Federation throws its doors wide open to wholesale but selected immigration. The age of specialisation is here, and we need specialists in this country where we already boast world-famous inventions.

6. That the African citizens of this Federation be encouraged

in our pattern of partnership, but that everyone must accept the natural immediate reaction of emancipation . . . which is *abuse*. That's a fact that has repeated itself time and again. Why . . . even when we women first achieved the power to vote, a necessary qualification was a background of being chained to a fence . . . and the ability to sustain a hunger strike. Today . . . we merely go to the polls, if it doesn't interfere in our daily routine.

7. That our African citizens are encouraged to make demands relative to their ability on a competitive basis. If their ability is not as evident as we would wish it . . . the deficiency be corrected with all speed through the compulsory education of the race. Naturally it will take some three decades to reach perfection . . . but it can be achieved . . . and the "rate for job" would be an automatic result.

8. That those powers watching the Federation, and hoping for a debacle, in order to control their own markets on this continent, be made to understand that Federation is here to stay, and that if internal disturbances should re-occur . . . it is purely progress, growing pains. But just as England through lack of understanding lost her American colonies, so she can lose her African possessions. We here respect the Englishman's claim that his home is his castle! . . . Our home is the Federation . . . We want the world to respect that claim!

9. That our African schools be induced to teach the future generation what the vote means, and how precious such an advantage is. That Governments be induced to permit this privilege only to those who can pass a relative means test. After all, even though I can read and write a little, I am not eligible for American citizenship until I pass a test, and if I pass that test, I am considered able to handle a vote.

10. That our African population be made to understand once and for all there is nothing new in nationalism . . . that nationalism is an old as Adam . . . but that our modern world calls for internationalism . . . and that is why we are here to stay!

11. That our African citizens be made aware of the dangerous influences that can be introduced by people who are strangers to us . . . even those who were born in the country . . . of African blood . . . who lose personal and lingual contact through living a lifetime in other countries, and then come back to yell "Kwacha" to a disturbed and innocent people . . . through interpreters.

12. That . . . perhaps more important than anything . . . is the protection the Federation offers Africans from inter-tribal attack. A like coloured skin does not make for national alliances. We have fought our own colour . . . China fought Japan . . . India did the same . . . and now we have the Congo!

I ask the Commission to call for evidence from those people who visited the Federation prior to 1953 . . . and have since revisited the country. Their decisions as to progress or retrogression would be of vital importance.

I further ask the Commission to bear in mind that we *live* here, right in the Federation. We are, rightly, proud pioneers of this new ideal. We don't have to "job" backwards . . . but would rather deal in "futures". If we have erred in the last five years, we will never repeat those errors (!).

We, the citizens of the Federation, consider ourselves a privileged people . . . participating in the making of modern history . . . and a component part of the Commonwealth.

With all goodwill, you can . . . as a Commission . . . advocate that we be given what Cecil Rhodes lacked . . . He said—"So much to do . . . such little time to do it in". Time is what the Federation and its people need.

Salisbury

Oral Evidence

THE WOMEN'S VOLUNTARY SERVICE OF CENTRAL AFRICA—Mrs. Z. Shearer, President

The witness stated that she had lived in Southern Rhodesia for nine years.

Mrs. Shearer read from her memorandum and made the following further points:—

1. The W.V.S. of Central Africa has 10,000 members, ready to be called upon only in the event of a national emergency. In that situation their role would be similar to that of the W.V.S. in the United Kingdom. While there is no emergency they have a different job from the W.V.S. in the United Kingdom.
2. She saw signs of the emergence of a strong African middle class. At present Northern Rhodesia (which she had visited) and Southern Rhodesia were on a par in this respect, but she had not seen the same progress in Nyasaland.
3. The organisation tried to encourage the spread of culture for two reasons. First as a form of occupation for youth to prevent delinquency. It had been impossible to get energetic support from African women until recently, when they had put on a musical show with their support. In her analysis the support then given derived from a desire to receive applause, and she hoped that was so. They were also trying to give women some basic training for domestic service, but there had so far been little favourable reaction. She herself was opposed to the system of having male domestic servants. She also now saw strong evidence of the African woman progressing in the matter of her clothing, and she considered this psychologically important.
4. The Service was 100% voluntary, a full time service day and night. It constituted a heavy job. The staff were all European (they handled African and Coloured cases).
5. One of the objects was to teach the man in the street how to pay his debts.
6. Mrs. Shearer had said that "culture was an equaliser in a multi-racial community". How could this be squared with the Land Apportionment Act? She did not agree that the Europeans and Africans lived in different compartments. The majority were at liberty to select people with whom they would mix, and she saw a mutual desire of the races to visit each other. Culture could be spread if we could make the Africans understand that if we made an offer to help them there was nothing behind it but the desire to help. She distinguished culture from education, meaning the arts, which were international.
7. She found the term "partnership" difficult to interpret. She did not think that partnership had really yet come about because the African could not yet assume the European's responsibilities. The African would be as able as the European given the education. There was no limit of his educational potential, and she cited the examples of Bunche and Robeson. But Africa was the "last continent". If African women came forward with the right qualifications she would accept that as a true example of partnership.
8. She had concluded her statement by saying that the Federation needed time. She meant that it was too early to make any major changes. She did not object to criticisms of the Federation.
9. Asked if the time was opportune or not for the Africans to be given self-government in the Northern Territories, having regard to the political tides there, she replied that she could not answer as she had no knowledge of politics.
10. Her memorandum had laid emphasis on material advancement. Was that because of her lack of concern with politics? With material security there would be a rise in the standard of living, and hence a desire for culture and education. That would give rise to calm, clear understanding of affairs. Ten years was only a day in the building of a country. She had been in Northern Rhodesia recently, and she knew of the African demands there, but could not say whether they were right or wrong.
11. She knew that Africans were frustrated by the colour bar. She claimed to be ignorant of their being prevented entry to places of public entertainment. She herself put on shows multi-racially. But she agreed that she could not recall ever having seen an African in a cinema. She thought these prohibitions wrong.
12. On the assumption that the Africans in the Northern Territories did not want Federation, should they be held in by force, if necessary be shot? She would not like to see that.

    She thought Federation was right, and that it should be maintained. She did not believe that Northern Rhodesian opposition would lead to war. It was necessary to keep Northern Rhodesia in the Federation, and also Nyasaland, which needed it very badly.
13. The rise of the African middle class could be fostered by the compulsory education of all up to the age of 18. That would be one of the reasons for having a £40m. deficit in the budget.
14. The Service was not getting co-operation from the Africans in its endeavours. There was wholesale suspicion. Although she had innumerable friends in Harare, she found it difficult to organise even so simple a thing as a play-reading. She had tried eight times recently to organise one, without success. The African attitude was always (i) Why are you doing this? (ii) Is there anything in this for us? And (iii) What is the message? She had tried hard to allay this suspicion. She agreed that it was difficult to induce the idea of reading for pleasure. She denied that they were asking Africans simply to simulate European culture. They were engaged in a search for the indigenous culture. She considered rock and roll a degenerate form of African dancing.

15. She mentioned four Africans who had composed beautiful indigenous music. She was hoping for one such member of the staff to go to America for a year's tuition, but he would be tied by contract to return for service in Central Africa.

16. She was against large-scale immigration, because new immigrants often displayed their ignorance and said unwise things. She was referring mainly to Italians and Portuguese.

1. A EUROPEAN RESIDENT OF SALISBURY*

2. MRS. SPILHAUS

The first witness stated that he was employed in a wholesale chemist's firm. Mrs. Spilhaus was concerned with family planning.

The first witness then made a statement. In this statement the expression "this country" meant the Federation as a whole.

He had been in the country for two years, after eleven years in South Africa, and before that, eight years in India. In all these three countries he saw the same problems being tackled in different ways.

Overseas the newspapers often linked this country with South Africa in regard to treatment of the blacks. (He explained that he would refer consistently to "blacks" and "whites").

He had come to this country in July, 1958. He knew it as the country of smiling faces. In the Union of South Africa there were no smiles. They had lost their sense of humour. He had noticed a marked change on coming to this country. People were free to say what they liked. There were smiling faces, both black and white. It was like coming out of a Police state to a free country. He felt that it was a young country going ahead, with everyone being looked after.

He then drew the following particular points of contrast between South Africa and the Federation:—

1. There were no shanty towns in the Federation. He had been through the African housing. It was excellent with good schools and playing fields. This was a great contrast to the Union where he had seen the shanty towns. They were just sheds or shacks thrown together out of old petrol tins and the like. The shacks were not waterproof, and had no sanitation, and were flooded out in winter. Conditions were shocking.

2. The attitude of the Police was quite different in the two countries. Union Policemen had no time for the blacks. If a black was caught without a pass he was manhandled. Blacks were manhandled on the slightest provocation. He had seen slightly-drunken blacks thrown into a van and the door shut on one of their hands.

3. There were no vicious Police raids in the Federation.

4. No black prisoners were killed whilst awaiting trial. Instances of this were sometimes published in South Africa. He had no doubt that others were hushed up.

5. There was no forced farm labour in the Federation. This was the Union system of farmers taking over black prisoners. The circumstances were often bad. The blacks were often tortured and sometimes killed.

6. In the Federation there were no repressive laws which could send a black back to his birthplace after twenty years or more without having committed any crime. He knew an example of a hotel servant in Somerville West who had been sent back thus to his birthplace after twenty years.

7. There was freedom in the Federation for a black to choose his place of work. This was not so in the Union.

8. In the mines in the Union there was no family accommodation. This was a big point. In the Union the black was looked on as a bird of passage in the white areas. He could not buy land, or bring his family to his place of employment.

9. In the Federation blacks were represented by their own Members of Parliament.

10. In the Federation there was freedom of speech. A man might say what he liked, while even whites in the Union had to take care otherwise a man could be named as a communist. The Act which provided for this was also made retrospective.

For himself he had no strong political views. He had been brought up to the Federation on a normal transfer and not to escape from South Africa. He had not in fact wanted to come.

He thought that the Europeans had done much for the Africans.

The British post-war settlers in the Federation had been energetic and go ahead. They had made this a thriving country out of apparent jungle. In addition to building the beautiful cities of Bulawayo and Salisbury, there were good roads and all the amenities of civilisation. They had also looked after the Africans. There were beautiful African townships with good flats and agreeable hostels. There was also good schooling. There were excellent, free hospital services, for instance in the African hospitals at Harari and Mpilol There almost seemed to be a colour bar against the whites if anyone were to inspect the Salisbury General Hospital. There were subsidised bus services for the blacks. There were excellent sports facilities. The blacks were free to take on any job—there was no reservation of jobs as in the Union.

He listed some of the problems which faced Europeans in their dealings with Africans. He agreed that there were a few white nationalists. But the average white settler wanted to advance the blacks, although without lowering his own standards of living. But to a large extent it was an economic question and not a political one. In any business you could not pay a man more than he was worth. He thought that the real contact between blacks and whites in the country had only taken place since the last war. When the Europeans were first in contact with the blacks they had found that cannibalism was still practised in the country—it was occasionally reported in the papers. There was also witchcraft and the influential witch doctors. This was the mentality which the Europeans had to educate.

Compared with the Union the Africans were, however, less well developed physically. There used to be much malaria, sleeping sickness and bilharzia. Malaria was now under control. Sleeping sickness was confined to the Zambesi Valley and was generally under control. The biggest problem in the country was bilharzia, which was increasing, There was little that Government could do about it: to eradicate it would cost millions of pounds. It was a problem for the Europeans because bilharzia was carried through Africans urinating in streams or lakes. Only by education could the problem be solved.

Another problem was that a large number of blacks were polygamous. They knew little or nothing about birth control. Their families were large, possibly of eight or ten children. Hence there was a tendency for their standard of living to fall.

A further difficulty was the vicious anti-white propaganda put out by self-seeking blacks, who saw themselves as future presidents of future black states. This was only based on self interest.

Finally, there had been gross distortions by overseas newspapers. The best example of this was the outcome of the Southorn Commission in Nyasaland.

In his opinion the whites had also in various ways fallen down on the problem:

1. There was a lack of counter-propaganda against the anti-white propaganda which he had mentioned above. It was not enough to do good; one must also appear to do good.

2. There were too many Commissions and this caused unrest. He thought that what was wanted was less publicity and more hard work.

3. Everyone was forgetting the conditions before the whites came into the country—the tribal wars, the raids, the women stealing, and the prevalence of disease. The whites had not made sure that these facts were taught in African schools.

4. Whites and blacks sometimes failed to get on well together in this country.

Mrs. Spilhaus said that she did not want to be involved in politics. But she had been persuaded to come to give evidence. She had visited many African homes and talked with many African men and women. She had no connection with either the municipality or the churches. Her aim was to try to put over the idea of planned families and responsible parenthood. Over half of the Africans would not have anything to do with this idea, but the more advanced were becoming interested. It was a purely voluntary matter. But with the high mortality rate in the country, the birth rate was going up, and in consequence the standard of living was going down. The Africans were beginning to accept the idea that the notion was being put to them in an altruistic spirit. The difficulty was that Africans were full of good intentions, and were willing to start on committees, but not to go on with them. She was anxious to get committees going so as to be able to work not *for* but *with* Africans. But after a few meetings they always tended to drop out. They had not realised how much hard and tedious work would be involved, and when they did they simply did not turn up again. One African had told her that this was because there were only a few of them trying to do too much.

She herself thought that everyone needed patience. She had met few people who wanted to keep the Africans down. They all knew that the Africans were not paid enough money. But there was an economic balance to be considered, and she thought that the Government was doing its best. Many Europeans were now

* Name withheld at the request of the witness.

becoming genuinely interested in the welfare of the Africans. Many of her women friends were now prepared to help her. She thought that the time had not yet come for black self-government. The Africans had not yet enough background to cope with the heavy responsibilities of Government.

Her work was in affiliation to the International Planned Parenthood Association in London. Only about ten women such as herself were doing this work in the Federation. The work was going much better in Bulawayo, where there was a much better African Affairs Department and a better Medical Officer of Health in the municipality.

The questions were addressed mainly to Mrs. Spilhaus who, in reply, made the following points:—

1. She had come from South Africa. In the last few years she had seen a definite breakdown in the colour bar. There was a much pleasanter relationship between Europeans and Africans than five years ago. (Perhaps that was because her own white hair caused Africans to respect her). But she would say that there had been a steady improvement. The difficulty was always to get over the first stage. But she thought the Africans had fundamentally the same sort of ideas as the Europeans, and were affected by the same sort of domestic troubles.
2. In her work she did not experience much opposition from the Catholics, and none from any other church.
3. Her association dealt primarily with women, although the men were more evolved. She talked to African men, but never to the men and women together. The ideas she was putting across were new ones for the Africans, and against their *mores*. They believed in large families.
4. Education generally should be brought on as fast as possible. Advanced Africans, such as doctors, should be brought into Government. She herself was not against the blacks, and felt that black government was inevitable eventually. But it would have to be based on ability.
5. She did not know that in the Southern Rhodesian Parliament there was no African. She thought they ought to have them in Parliament.
6. She agreed that the basic problem was the emancipation of African women. She was hoping to be able to send an African woman of 30 to the United Kingdom for special training in social science, including the family planning course. When this African woman returned she would be able to assist in talking to African women about birth control. She greatly hoped that this woman would help to put the idea over to African women.

Memorandum

I intend to give oral evidence to the Monckton Commission when it visits Salisbury, Southern Rhodesia.

M. W. MUGADZA

I wish to propose that the Commission recommend:—

1. Easing of the Federal Voting qualifications.
2. The establishment of one educational system for *all* people of the Federation, irrespective of their colour.
3. Abolition of colour bar in public places.

Salisbury

14th January 1960

Oral Evidence

M. W. MUGADZA—Head clerk, Federation Furnishers, Salisbury.

The witness said that he had been born in Southern Rhodesia and schooled to Standard VI in Que Que. He had subsequently taken correspondence courses, and obtained his Junior Certificate, also a diploma for accounting and auditing. He was now taking his G.C.E. and had passed in two subjects. He had been in his present job for the last four years.

The witness stated that he had three points to make:—

1. The Federal Government should be able to legislate against the colour bar in public places in Southern Rhodesia.
2. African education should be a Federal subject.
3. The Federal franchise should be amended.

As regards (1), the witness said he had in mind hotels, restaurants, bars, etc. Federal legislation on this subject should override any conflicting Territorial legislation. The right of admission on social grounds should be preserved.

As regards (2), all people should be educated at the same pace. At present European children had to start their education at five years of age. African children started at seven years of age, and were able to refuse to go to school. This suggested that the education system was organised on a racial basis.

As regards (3), the witness said that the qualification should be Standard VI without any property or monetary qualification. The original qualifications were Standard VI and £20 per month. They were now Standard VI and £60 a month. The witness questioned whether this change was really due to inflation. It was rather designed to protect white nationals, and was causing widespread dissatisfaction, since the Africans knew that they would not get a vote for some time to come. The Federal Government must be a government by all people for all the people of the Federation.

Asked whether the reference to "one educational system" in his memorandum was intended to refer to multi-racial schools, the witness stated that he had no objection to multi-racial education on a voluntary basis, but that he was primarily concerned that there should be a single system with a single curriculum. He would not be in favour of all education being a Territorial subject, even if Africans got the same education as Europeans.

Asked whether he thought that the Federal Government should be required to legislate against the colour bar, the witness said that it should pass such legislation, and that this obligation should be enshrined in the constitution. There had been some improvement as regards the colour bar in recent years, and this, in the view of the witness, was due to influence from the northern Territories. Asked if he believed in the continuation of Federation, the witness said he would be sorry if it went. Formerly Africans had no Members of Parliament; but there were now Africans in the Federal Assembly. He thought that the qualifications he had suggested for the Federal franchise should also be applied in Southern Rhodesia. Asked whether he thought there should be any other safeguards against discrimination in the Federal Constitution (apart from his own suggestions about the colour bar), the witness said that the best safeguard would be an extension of the vote. As regards the European minority which might one day exist, the witness thought that the safeguard should be something along the lines of the African Affairs Board, but with more powers.

R. HORRELL

Mr. Horrell said that he had come from a modest upbringing in a working class family in the United Kingdom. After several years in the army in India and the Middle East, he had qualified as a chartered surveyor and had been in Southern Rhodesia for eight years. He wished to make it clear that he was giving his impressions of Southern Rhodesia, not necessarily factual evidence about it.

His first impression of the Federation was that Africa had not achieved any advance in civilisation comparable with the older civilisations in Asia and the Middle East, even though they had been in some contact with civilisation for several hundred years. Such civilisation as there was had been brought by missionaries and wise entrepreneurs. Otherwise the country remained bascially primitive. For this reason, control must remain for a considerable time in white hands. Although many Europeans were inefficient, their general standards were much higher than those of the African. Technologically, moreover, the African was a very long way behind the European; it was significant that there were no African architects or civil engineers at the present time.

The witness made the following additional points in answer to questions:

(*a*) To divide the Federation on Dominion Party lines was not in the interests of the Federation as a whole; it would particularly be to the disadvantage of the smaller Territories.

(*b*) Development must be slow and steady. If advancement were too rapid, it would inevitably break down; the present policy in the Belgian Congo was self-extermination rather than self-determination.

(*c*) Government must remain in civilised hands; this meant in hands strong enough to take a full part in world affairs and be able to defend the Territory against external aggressors.

(*d*) In preparing Africans for self-government, politics should be taught first at the local government level. For example, control of African townships should be put into African hands immediately. In the rural areas, Native Commissioners should be retained until they had worked themselves out of a job.

(*e*) The African peoples should be told clearly what the implications of breaking up Federation would be. For example, they must realise that if Nyasaland withdrew from Federation, Nyasaland labour might have to be returned to their homes from Southern Rhodesia.

(*f*) The witness recognised that extremist opinion often showed what was on the other side of the street. For this reason it was of considerable value and must be put into proper perspective. Such opinion should, however, be given only limited representation in Government, not full control.

R. M. MORTIMER

The witness said that he had come to Nyasaland from German East Africa in 1919, and had been in the Ncheu district until 1938 when he had moved to Southern Rhodesia. Although he had been a tobacco grower for forty years, he was now an estate agent dealing with farm property. He regarded himself as liberal minded.

The witness said that he had very friendly feelings towards Nyasaland, and would be very sad if it decided to leave the Federation. This would be greatly to its financial disadvantage. Overcrowding in Nyasaland was largely due to the numbers coming in from Portuguese East Africa to avoid forced labour. Nyasaland Africans themselves provided a large part of the farm labour force in Southern Rhodesia.

It was difficult to obtain a straight answer from Africans as to why they supported Dr. Banda, or whether they wanted to remain in the Federation. Not all the Africans he spoke to supported Banda. Many thought on the contrary, that he had come from England only to stir up trouble. There was a great need for Africans to take a larger part in the conduct of affairs; but in order to do this they must be educated.

Africans in Southern Rhodesia were in many cases dissatisfied with Federation. The Southern Rhodesia Land Apportionment Act should be amended to give more land to Africans. He personally would be in favour of areas in which Africans could sell their land to Europeans. Meanwhile, it was a fact that not all European land was fully used. There were a number of European areas where more land could be made available for African farming. Nevertheless, there were very few Africans at the present time who could afford an average farm of say 2,000 acres, even undeveloped land cost on an average between £2 10s. to £6 an acre.

K. J. C. FOX

Mr. Fox said that he had been born in India and had come to Natal. He had been educated at Sidara Agricultural College. He had come to Nyasaland in 1927 where he had been engaged mainly as a tobacco farmer. Subsequently he had grown tobacco in Southern Rhodesia, where he was Chairman of the Turkish Tobacco Growers' Association. The witness said that the Federation's only hope of success was as a multi-racial state. This demanded that there should be sufficient Europeans to make it work. He had left Nyasaland because it was very difficult to make a living there. At the time he left there were only 37 tobacco farmers out of 600 who had been there in 1927. The Malawi Congress Party was the logical successor of the Zinyaw Secret Society which had demonstrated that intimidation could take place without interference from the authorities. Such a stage had now been reached when no African dared open his mouth unless he were a member of Congress.

Southern Rhodesia had made great progress since the war. The price of tobacco had been going up and up, and, for the first time, the price of maize had risen in line with world prices.

Further advancement now depended on the availability of capital. There was still room in Native Purchase Areas for perhaps 12,000 African farmers owning 200 to 300 acres each. 5,000 such farms had already been allocated. The difficulty was that it took a capital of some £8,000 to build up an efficient farm of that size, and Africans found it difficult to raise that amount of money. What was necessary now was to supply capital and know-how, and this could only be done by Europeans who had faith in the future of Southern Rhodesia.

There would be no future happiness for the Territory unless Europeans and Africans lived and worked together, one helping the other. The establishment of a black state in Nyasaland would only give happiness to a very few. It was significant that all the main leaders in Nyasaland from came the Tonga tribe; they were clever and had a lot of pride and a lot of guts, but they also were difficult to work with, and tended to become agitators. If the Territory was to develop, law and order must prevail; the country could not be left to bands of brigands. At the present time everybody in Nyasaland was affected by intimidation: the police, government officials and the ordinary man. If this was to be rectified, it was necessary to show that intimidation did not pay. The Chiefs could do a lot to improve the position if they had their old authority restored to them.

J. D. W. SELKIRK

Mr. Selkirk said he had been educated in England and served in East Africa and Burma during the war. He had been in the Federation since 1948, and had a family of six children. He was aged thirty-six and his occupation was that of interviewer and recommender in the personnel selection field.

Mr. Selkirk said that the burden of his comment was on the question of the United Kingdom connection. He thought that English practices were no doubt sound in the United Kingdom but they were not in tune with the situation in the Federation. He said that the only freedom of the individual was the freedom of conscience and human dignity, and that liberty of the subject was something best guarded by people of conscience who were backed by basic independence.

The United Kingdom was in the fortunate position of having a wealth of human talent to call upon; but the position in the Federation was just the reverse. The Federation was a large but poor country with very little human wealth. It was understandable that the indigenous population should want a voice in the government of the country, and that it should feel the need to be recognised. He thought that in the Federation the electorate tended to be narrow-minded, and this was something that probably arose from the trend of a new country to grow very much faster than its human element.

The witness thought that the problem in the Federation in a nutshell was one of fear, a universal fear borne by all living here, and that to get over this it would be necessary to have some sort of Privy Council for the Federation. This was a body that would oversee any projected legislation, take up discriminatory legislation at an early stage, bring to an end all existing discriminatory acts and it would advise on the Royal Assent. It was a body which would be above politics, and one that could even represent the interests of the unborn. Today any elected assembly merely represents the current population. The Privy Council he had suggested was a body that would hold all the powers at present reserved to the United Kingdom Government. Indeed, it would be a form of star chamber comprising the Governor-General, Chiefs, Bishops, Judges, Privy Councillors, etc. It would thus be self-appointed or oligarchic in character, although it would be within the power of the government of the day to suggest nominations to it, but the body itself would elect its own personnel. It was not intended that the body should be democratically elected. Mr. Selkirk said that the African Affairs Board had been tried, but had been found wanting. What he had suggested would provide a very much better solution to many of the ills of the Federation. It would remove the fears that the indigenous population had of a legislative body elected by the popular vote.

In answer to a question Mr. Selkirk said he had no doubt that various proposals had been put forward to the Commission; his was another one, although there was no existing example of it, but equally there was no problem such as that obtaining in the Federation elsewhere. His Privy Council was nearer to the sovereign power than the House of Lords was. The reason he disposed of the idea of something akin to the House of Lords was that there was no justification in having a body representing landed and other interests.

Memorandum

H. REEDMAN

1. Introduction

Very simply I wish to put before the Commission a scheme which will provide for complete adult suffrage, together with a progressive selection of able men in order to provide a Best Man Government

Both Franchise and Government will be non-racial, non-sectarian and non-party.

I enclose herewith various papers* which illustrate the arguments for this and the machinery to put the scheme into effect.

I have not indulged in compromise in establishing the principles of the scheme, but realise that compromise will be necessary in achieving the machinery. This I would like to deal with more fully in oral evidence.

I trust that, as a former Member of Parliament, I may have the privilege of discussion on this fundamentally important matter which, once settled, will ensure a spirit of co-operation and friendliness between the races in the Federation.

2. Evidence

That rule by Caucus is not Democratic rule.

That adult suffrage should be put in its proper perspective.

That in Democratic Countries the thinking and the unthinking have equal voting powers.

That by pressure of World opinion we will have absolute adult suffrage here, either immediately or by the progressive moves of appeasement by Governments.

That much more important than adult suffrage is the system of selection of Candidates for Parliament.

That with a system involving minimum qualifications and progressive selection leading to the election of a "Best Man" Government, we will have nothing to fear from adult suffrage, but we will ensure a Best Man, Non-Party, Non-Racial Government for all time.

That Rhodes's dictum of "Equal rights for civilised men" is as sound today as when he said it.

* Not reproduced.

That we need only be afraid of the future if (a) we are spineless, (b) we allow outselves to continue to be governed by Caucus.

That alone of all published policies the policy of a Non-Racial, Non-Party, Best Man Government is scrupulously honest.

That neither Dr. Verwoerd, Mr. Macmillan nor Garfield Todd could deny the soundness of my scheme.

That you, Sir, are seeking the answer to the problem of how disparate races can live together in amity.

That history will not help you, but that history will be made if we look deep down to the fundamentals of this problem.

That this problem came about firstly, through the advent of Christianity to this once wholly barbaric country, and, secondly, through the adventures of empire builders.

That each of these forces, blest by Her Majesty's Government has had the effect of detribalising the indigenous peoples and encouraging people, previously held in utter subjection by their own leaders, to become individuals in their own right.

That a return to black demagogism would be the meanest trick we could play on these people.

That we can evolve a system of Government suitable to this unique product of civilising influences, which will take into account the further evolution, not only of the black man, but of the white man and all other races.

No race will or can stand still in this process of evolution.

We are already an integrated community of complementary parts, not one part is less essential than the others.

That there is only one sound system of legislation—that it shall be fundamentally Non-Racial (not multi-racial).

That there shall be equal opportunity for all irrespective of race.

That no one race will be in a position to assert itself over the others and that fear between races will entirely fall away.

This, Lord Monckton, is what I and my colleagues of the Electoral Reform group will ask you to closely consider.

We will be forthright but not hysterical since hysteria is not necessary to our cause, but we will ask you to consider the present lunatic set up which has been bequeathed to us by the Mother of Parliaments.

We have inherited Party Politics which provides a quinquennial crisis in the affairs of the British people, does little harm to the phlegmatic British race but never any good.

We will show that the Party system bequeathed us by our Mother Parliament, is now not merely outdated but relies for its continuance on the division of peoples. This organised division of thought has laid a pattern which has developed into division of thought on racial lines.

Party politics is the evil behind our racial problems—while the European engages in this lunatic process of government by Caucus, we can expect no equilibrium between the races and you, Sir, I submit, cannot advise liberation from our maternal legislator until we show we have a pattern for Government which will have lasting value.

It is up to us to put the case and the solution and the Electoral Reform Group promises to do this without subterfuge or self-seeking.

To my fellow Rhodesians I would say—forget the Party cry for Dominion Status, this will not solve your day to day problems any more than did the achievement of Federation.

Let us instead, achieve between us common ground and commonsense, and we will not need the carrot of Dominion Status dangling before us.

Marlborough

7th April 1960

Annexure to Memorandum by H. Reedman

The Reedman Scheme—
"Proposed Electoral Reform to provide
Adult Suffrage with Responsible Government"

Introduction 11th April 1960

In submitting my scheme, I have pondered on the best means of presentation since in private and platform discussion I am frequently asked a question which makes it clear that the fundamentals of my scheme have not been understood—such as—"If you were to seek nomination alongside of your cookboy, would he not receive most votes by virtue of his numerical superiority by race?"

I have therefore set out in graphical form the substance of my scheme together with a reprint of various papers I have published from time to time, which I trust will further illuminate my plan for sound, honest Government. Some reiteration results, but my hope is that the theme will establish the new reasoning I claim is necessary in our unique problem.

I show a schedule of occupations of present Members of Parliament and what the "spread" of knowledge and ability should be in a Best Man Government.

I include a population table indicating when a Black National Government would take over under the present franchise and/or with the reasonable and unavoidable demands for the franchise under the present system. I also show the incidence of an immigration scheme related to 10% of the standing European population.

The scheme generally is shown on the "Tree" indicating the progression from the family unit with its voting powers to the Prime Minister, who is appointed directly as a result of the voters' choice of Councillors and then on to the Executive and finally Parliament.

After more than 3 years' study of this problem, inside and outside the House, after argument and analysis with many of the best brains in the country, I believe the scheme I put forward is sound and if adopted will bring in the best form of Government and freedom from racial and related problems for all time.

Way to free Federation of fear and political disharmony

There is a wonderful future in Central Africa for all races and for every individual, subject to one condition—the elimination of fear. I claim this can be eliminated with the introduction of certain honest-to-goodness legislation, the passing of which will need the ultimate in courage and self-sacrifice by certain people, but the end result will deserve the illumination of our Federal maximum—"Let us deserve to be great."

Let us forget "1960" and party hecklings and deal with this one problem after which all other problems would fall into proper perspective. Our basic fear is related to the franchise. The Electoral Act is trusted by no one.

In the Southern Rhodesia House debate on the Electoral Act I protested at the method of relating white votes to black votes, which was devised to maintain an overwhelming majority of white votes. That was neither democratic nor fair. If you wish to override a section of the public, exclude him altogether, don't bait him.

That was a measure of the time being, but what do we anticipate in the future? A continual clamour for adult suffrage as the cornerstone of the democratic system we brought to this country. Can we refuse it?

Not attracted

Now, no one will dispute the fact that the selection of candidates is even less scientific than the voting system. There are men who would make first-class parliamentarians, Cabinet Ministers and leaders of the nation, who are in no way attracted to politics, but these are the people who could be relied on for sound judgment.

Now let us dovetail adult suffrage with the election of sound and proved candidates to a Government of the People by the People, with no fear of suppression by a minority race or oppression by a majority race—not merely for today, but for all time.

> Whoever you are, you have a vote providing you have an occupation and you will vote for the leader of your trade or profession who, having become the leader as chairman or president, will function as such and be next in line as the representative of your trade or profession in Parliament. Every such leader will become your Member of Parliament and, as such, you will elect him carefully. He will be well-skilled, he will be the best of you and cannot reach such a position except by having become extremely proficient.

Consider the improvement in Parliament when every Member is a potential Minister, each exceptionally skilled in his own studies but, being a leader, will have a general knowledge of so many other subjects. There would be no dull debates and no party nonsense.

Country before party

However difficult we may find it to cast aside convention and do something intelligent, let us do this thing. Let us turn to our present leaders and say: "We will help to establish sincerity in Government, we will put country before party, we will give every aid and not resort to mischief. We will build a foundation of trust in Central Africa that not all the theorists together can break; we shall be strong within because we shall be right. We can examine our methods with anyone and we shall be fair because the system will be fair."

This scheme would give you proved and able men, and their successors would be, too, so that the best material is there for the choice of Prime Minister and Cabinet. There will be men of vast experience for the specialised studies of Select Committees and Members who will be available full-time to serve the electorate irrespective of Constituency boundaries.

My scheme is based on proportional representation through trades and professions related to the Census of Occupations.

Everyone will have a vote and he will not be required to vote for a party but for particular people who understand his day-to-day problems.

Qualifications

Qualifications for Members of Parliament: Previously held position as President or Leader of his Section.

Qualification as President: Previously been Member of Executive of his Section.

Qualification as Council Member: Elected to serve as Councillor by majority vote and holding position of either executive in adminstration or Foreman.

Voting would be part of a progression resolving in the election of a M.P. through stages. A prospective candidate is therefore proved at various levels which gives him experience in Council and Executive work, later as President which automatically elevates him to Parliament.

> The current President would be a Member of Parliament elect and would be ready and able to step into his place as M.P. as soon as such position was vacant, but the sitting Member would stay in Parliament until either he chose to retire or his section appointed his successor.

This would provide continuity of Parliament without recourse to unnecessary changes in Cabinet, but would provide each Section with powers to withdraw their Member subject to certain safeguards which would provide against parochial or sectional control of a Cabinet Member.

Conclusion

There is today unwarranted fear of the future and there is no case for complete trust in any one person to allay such fear. We may very well have an excellent pilot but what is the state of the craft? I put it to you that the only prime fear there is is related to future control of the country.

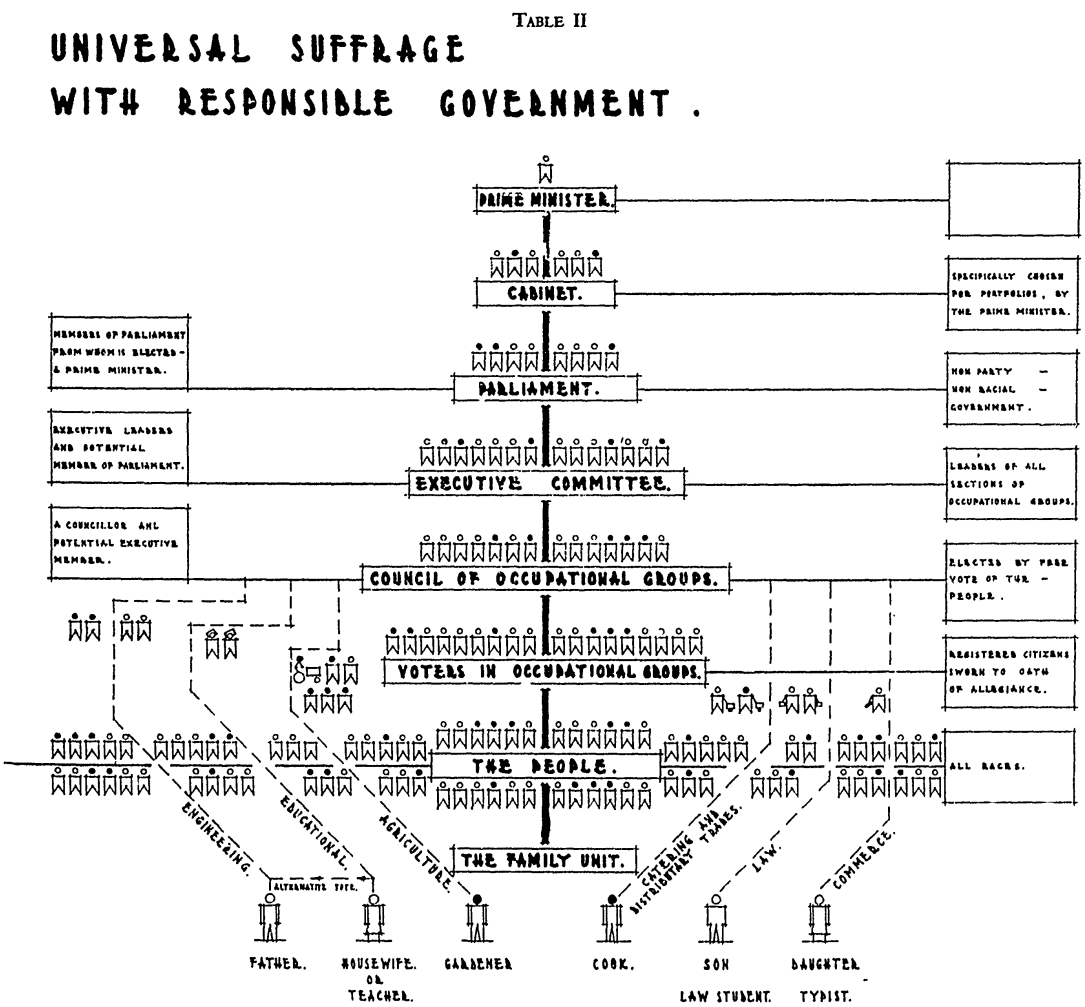
> Shall it be by a majority, irrespective of right and in face of demands by Russia, America and our own kinsmen in the United Kingdom, and shall we forever be open to "inspired" advice and denunciation from the varying crusaders using racialism as an advertisement for their particular sects?

No, we can do better than this. We can legislate with complete honesty and ensure the basic principles of democracy and with our unique problems we must be basic. We must ensure that

TABLE I

Southern Rhodesia House			*Federal House*	
Members based on Proportional Representation	*Members Elected on Present Electoral System 1958*	*Main Group Headings by Occupation*	*Members based on Proportional Representation*	*Members Elected on Present Electoral System 1958*
1	3	Medical Service	2	–
3	1	Manufacturing	6	1
3	8	Agriculture Forestry & Hunting	6	17
4	1	Construction	8	–
1	2	Architects Surveyors Engineers	2	1
1	–	Mechanical Engineers	2	–
3	3	Commerce	6	3
1	2	Mining	2	3
1	–	Education	2	–
1	–	Public Utilities	2	–
2	–	Civil Service	4	3
1	5	Law	2	8
1	–	Printing	2	–
2	–	Transport	4	–
1	–	Banking & Insurance	2	–
4	5	Others (*d*)	7	23 (*a*)
30 (*a*)	30 (*b*)		59 (*b*)	

TABLE II



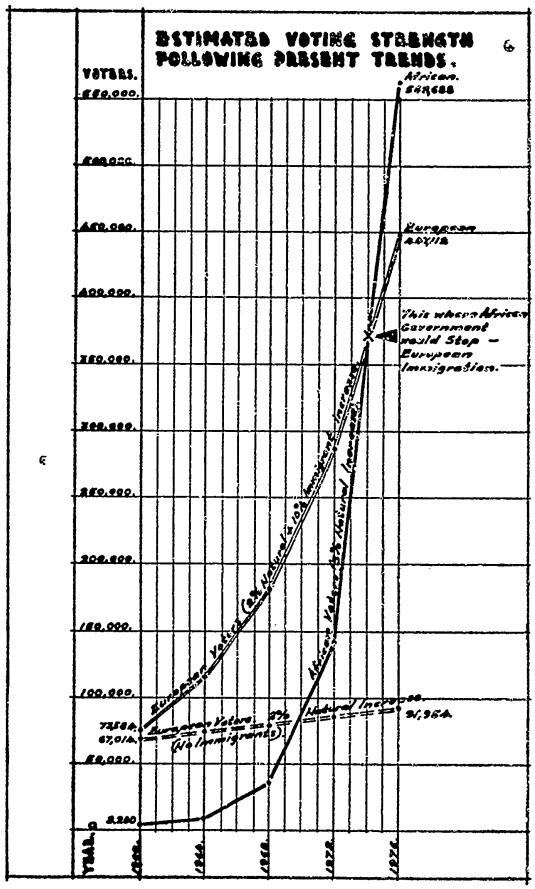
what we do today is going to be sound tomorrow and indeed for all time.

If we have established a truth it will always be true, whereas a device will in time lose its purpose and we will be proved to have been wrong and not having taken thought for the future. Our problem is unique; there is no similarity in history.

In Table I above the breakdown of occupations is related to:—

(*a*) Known occupations as given in Central African Statistics and the remainder apportioned between the known occupations.

(*b*) This schedule is based on the Southern Rhodesia breakdown of occupations but this would vary due to the large Agriculture section of Nyasaland and the Mining section of Northern Rhodesia.



The Field of the Voter

7th September 1959

How we exhort the voter to attach more credence to what we have to say than the other Candidates. We cannot be modest—somehow we must convince him that we, the disciple of such and such a Party, are his salvation. By and large this is indecent.

We must advertise our answers to problems not yet discovered. We may talk on the rights of certain classes of the public, but there are few who are brave enough to declaim on what is *fair for all.* And when he has said it—can he do it?

Is it not better to ensure having the best brains and proved ability of men with sufficient variety of calling to ensure that whatever problem is brought forward some Members will have intimate knowledge. We cannot have better than the best of us and this is what I promise in my scheme. Not to give judgment in advance of the evidence but to be able to deal with the evidence and comprehend it as and when required.

The field of the Voter—what is to be? Is he required to read Hansard to see what the sitting Member did in the previous Parliament, is he to scrutinise the background of the new Candidate or will he ignore both and adjust his sights to the Leader of each Party and declare either for the Government of against it?

I put it to you that the plight of the Voter is a real one—he can only guess and hope and whatever study he has made he has no assurance that his Party will put up a good performance—he has every reason to be apathetic.

Have you thought of what our problem would be if we had no racial problem—almost everything palls at the size of the racial problem—and yet our kinsmen in other countries would say their problems are many and acute—we have these, too, added to racialism!

These varied and manifold problems can only be dealt with by having as Members a cross-section of men trained in all walks of life. How do we get them?

Let the Voter choose his man—someone likely to do him the most good and understand his main problems—to ensure his full employment. Let him choose the best of his own people—someone already proved as a leader—someone who has done something for him already—has bettered his working conditions, established benevolent schemes and so on.

Let this be his field. Politics will not then be such a puzzle, will not savour of chicanery, will not require hysteria, but will be everyday politics as our problems are everyday.

Voters should have some power to replace their Member if he puts up a bad performance whereas, presently, he can be absolutely useless and get away with it until the next quinquennial crisis and even then be returned if he is lucky enough to be with the popular Party. You can say with every justification—*This is not good enough. Party politics has failed.*

My system takes no account of devices to prevent any race achieving a majority of votes—it does not need to. Cecil Rhodes' maxim will do for me—"Equal rights for civilised men". Let the leaders climb to the top by their own initiative, but with the support of their fellows, not by wagon-jumping or intrigue. This will sort the wheat from the chaff and only the best will get there.

In pursuing the field of the Voter, I have first involuntarily secured the ultimate in the study—the best and most suitable Member, which establishes a valuable point—a study of one without the other is impossible and yet on today's set-up the two are entirely separate. There is indeed no legislation determining the qualification of the Candidate apart from the fact that he must be a voter and has not been caught in any criminal act!

To pursue the initial study. I am asked—"What about weight of numbers—will not the larger body of the unskilled outvote the skilled in the nomination of the Leader-cum-Member of Parliament?"

In answering this we should consider the moral before the machinery. It is morally sound that weight of numbers should out-manoeuvre the minority intelligentsia or the labourer the craftsman? By any standards the answer must be *no.*

With the moral established it is now a matter of machinery. I have made the point that your Member is elected purely on ability and leadership with no discrimination as to colour or race. As Member elect he would be the Chairman or President of his Association. Previously he would have served as a senior executive.

The executive is voted from the Association Council. Councillors are voted into office on proven technical or administrative ability.

The Council will be invested with certain powers, but primarily to deal with conciliation within its Trade, Industry or Profession —certain matters will be resolved with the further adjudication of the Executive—certain matters will be dealt with solely by the Executive.

The field of the Voter therefore is to elect his Councillors as and when vacancies occur. Councillors and Executive officers will elect Executive Officers as vacancies occur and the Executive will elect its President, who will automatically become Member of Parliament for his Association on a vacancy being declared.

In this way we elect a leader from amongst ourselves, which must be surely more democratic than any existing system, but, of course, is the usual method in other walks of life.

The President of the B.M.A. is not voted into office by passers-by. The Chairman of the B.S.A. Company is elected by his fellows—some content to serve as Executive without thought or wish to become President—others content to wait for opportunity to take the Chair.

This is the system I recommend to you—*complete adult suffrage with a Best Man Government* without fear of the future and an opportunity for everyone to progress according to his ability.

The resulting attitude of people and state of mind will be *genuine liberalism* with no fear of—are we going too far or too fast?

Man's morals are eroded through fear and anxiety. Everyone with whom I speak admits to the feeling of uncertainty as to the future. *Not one race is happy with the present set-up.*

We should now abandon fear and hypocrisy and legislate for the future in complete honesty of purpose. I shall work for this

ceaselessly, whatever the cost, and look to each and every citizen to give calm consideration to this scheme with the object of putting new legislation forward in the very near future, to ensure the good will of all people in working to that bright future and prosperity which is ours by every right.

Liberalism

12th February 1960

1. Liberalism signifies tolerance, liberty, generosity and, in politics, progressive reform—largeness of mind and view.

Liberalism is presently being stifled through fear of the liberals themselves being swamped by the masses they have educated.

2. Every Political Party claims to be liberal in some degree, but wishes to preserve its own particular brand and so avoid identity with other Parties.

3. It is this schism, brough about by Party Politics, which has accentuated what might be called common differences in opinion, fostering the difference rather than resolving.

4. It is inevitable that such differences should find the greatest harvest in racial distinctions, leading finally to Nationalism. This, in fact, is our present position.

5. *I claim that the cause of this diseased state of mind is Party Politics.* Party Politics, therefore, cannot be said to be the cure for the disease—neither one Party nor another.

6. Whether we like it or not we have a multi-racial set-up and to continue to live together closely or loosely there must be harmony.

7. This harmony can be brought about by providing equal opportunity for everyone irrespective of race, to create for himself and his family a better living. So much has been done in this direction already; if agitators would leave well alone this progression would continue, but Political Parties rely for their survival by and through their skilled agitators, whose main exercise is not to see their opponent's point of view.

8. Inequality of opportunity is the main plank of friction between races and whilst this can be pinpointed people who would never take an opportunity offered now shelter behind the lack of opportunity which they say exists.

9. It is a feature of human nature that what should be of first importance—opportunity to earn a better living—is overlooked or considered secondary to the cry for one man one vote. Universal suffrage, it may be thought, will smooth out all other problems.

10. If this has become of first importance, then the problem must be dealt with, not, however, as an isolated study, but together with the study of good Government.

11. Leadership in the Armed Forces, in Medicine, in Science, in Industry, in Education, is by those proved and worthy to lead. Such choice of leadership is accepted in the Professions and Industry, but equally necessary is it that our Legislators are chosen for their competence and worthiness.

Leaders must not be self-chosen or installed by ballot among Party Leaders or for excessive contribution to Party Funds or other such arrangement.

12. Our study, therefore, is to couple the desire of the masses for adult suffrage with the necessity of the masses for good Government.

13. Adult suffrage, proportional representation, Councils for occupational groups and a Non-Party Best Man Government form a mosaic, a cohesive pattern.

14. Each group by occupation will elect its Council to deal with domestic matters related to its Industry or Profession. The cream of such Council progresses to the Executive of such Group, from which is selected its President, who, in turn, becomes a Member of Parliament.

15. The Elected Leaders, as Members of Parliament, elect their Leader, who will become Prime Minister and who will then choose his Cabinet. (The Cabinet could be elected by Members—the one to receive the highest number of votes to be Prime Minister.)

16. This Parliament, for ability, would be unique—each Member capable of taking a Portfolio. No time wasted in Party manoeuvre, but every effort directed towards sound legislation.

17. All Bills, Budget proposals and Motions would be subject to full and free debate and vote and division without fear of the fall of Government or censure of Member.

18. The result of such Government would be to eliminate racial strife and to continually examine and eliminate causes for discord until fairness was an accepted attitude of mind.

19. Fairness is a science—Judges practise it—it can only be practised by those skilled in mind and experience. Let us have the Best; we cannot manage or survive with less.

20. From the example of such sound and honest Government a pattern would be set for other States and Countries in Africa and abroad.

P.S.—We cannot look to Dominion Status to put our House in order. We must first put our House in order before seeking Adult Status.

Oral Evidence

H. REEDMAN

Mr. Reedman had produced a memorandum, and associated documents. He stated that he had once been a Member of the Southern Rhodesian Parliament in the time of Mr. Garfield Todd. It was at that time that he had first taken up the serious study of the franchise problem, on the lines indicated in his memorandum. He took the Party through his memorandum and explained a number of points, particularly relating to the tables and graphs in the centre of the document. He produced the following additional explanation of the graph:—

1. The figures shown were from statistics supplied by the Central African Statistical Office.
2. Figures of European Voters were calculated on 30% of the Euorpean population registered as voters. This per centage was from figures supplied by the above department.

   In one graph the voting total was based on population+ natural increase only. The other indicated voting strength based on population + 2% natural increase and 10% immigration.
3. African voting figures were also based on statistics obtained from The Central African Statistical Office and were calculated on present trends. For example, in 1956 there were 560 voters and in February 1960 there were 2,200 (4 times the 1956 total). This upward proportional increase would level off in time, but this was not expected to occur for the next 20 years because of the increasing number of Africans who were receiving education.

He also answered some questions to clarify a number of points; but indicated that his views were fully expressed in the memorandum taken as a whole.

Memorandum

L. TUCKER

During the life of the Northern Rhodesia Legislative Council previous to the present one, I was a Member and also a Member of the Federal Party. Since then I have taken no active part in Party politics but wish to put forward certain independent views of my own.

I believe firmly in the Federal concept and in the partnership approach to the multi-racial problems of this territory.

One of the matters requiring the most careful attention during the transition stage to political maturity is the question of proper representation for those who are not yet equipped to take part through the normal political machinery and franchise.

Unfortunately, the trend during early years of Federation in the political sphere has been the strengthening of racial divisions and deterioration rather than progress towards the objective, of a non-racial approach to politics.

To quote one example, I should like to refer to African colleagues who served with me during the time I was in Legislative Council. In the early years there was will on their part to work with the Europeans but later there was a gradual withdrawal and a growing bitterness towards the Federal set-up. This coincided with political developments outside the Council and in my opinion some of the main contributing factors to this were:

> Happenings in other parts of Africa. A growing feeling that the Colonial Office was the protector of Africans and the Federal Government (and in particular the Federal Prime Minister) the protector of Europeans. At political meetings, politicians were obliged to pander to the feelings of the electorate, which includes Africans in such small numbers as to give them negligible influence. African advancement appears to have gone forward very slowly with considerable resistance at every turn, both as regards employment and in the removal of discriminatory practices. The approach generally appears to have been unsympathetic and, although much has been accomplished, there is no doubt that African opinion has not been conditioned to give credit for this. The handling of the Federal Franchise and Constitution when the House was enlarged had a particularly harsh effect on African opinion. What I might call "bickering" in Parliament on racial matters has also had a marked effect.

One of the major necessities, as far as the Federal Government is concerned, is that there should be substantial changes to give Africans a greater influence. The Northern Rhodesian Franchise offers a general pattern that might well be followed with advantage.

I feel that it is essential at this stage not to lower the ordinary qualifications for voting because I think it is necessary to be able to ensure that Government could not come under the control of those

not yet suitably equipped to handle a very complex situation in the best interests of all concerned.

It is particularly necessary to avoid racialism gaining control in Government at a time when a non-racial approach to politics, though desirable, is as yet a long way from being established. I do, however, feel that it is very necessary to introduce temporary measures which will give Africans a wider influence on the representation in Parliament while their numbers qualifying for the ordinary voters' roll are so limited.

I believe that the original concept of Federation which, in my mind, was to work towards more subjects coming under the control of Federal Government with consequent lowering of the status of the Territorial Governments—will have to be reconsidered. I now feel that it should be the aim to have permanently strong Territorial Governments responsible, as far as possible, for all matters which affect the people i.e., the human aspects, and that the Federal scheme should be modified along these lines.

I firmly believe that success in Northern Rhodesia is a prerequisite to the implementation of a non-racial approach to politics and a proper implementation of a reasonable partnership within the Federation. I feel that if Northern Rhodesia as a territory fails to accomplish this, the position could not be reversed by the Federal authorities. It is therefore particularly important in my mind to move from the Federal Government as far as possible the stigma of having a controlling influence over the territories.

It is obvious that the United Kingdom Government will have lasting responsibilities, particularly in the Northern territories, and that as time goes on it will prove necessary to have the strongest possible links with the United Kingdom. However, I feel very strongly that these links must be only those which are essential—and that the move towards complete local autonomy, with only certain matters reserved—should be the urgent objective.

In order to remove one of the very strong objections to Colonial Office remote control, I should like to suggest that a Board of an advisory nature should be set up to operate in the Federation with representatives from the United Kingdom, from each of the territories, and from the Federation. It would have the responsibility of keeping a "watching brief" and reporting to the Governments concerned (in some cases a Territorial Government and the United Kingdom Government; and in other cases possibly the Federal Government and United Kingdom Government, and so on). Their reports would be made with the object of bringing independent, objective opinion to the attention of all concerned, upon Constitutional matters and other items falling within the reserved list. This would naturally include discriminatory legislation based upon race alone.

Representation on this Board should specifically exclude Members of any of the Parliaments or Legislative Councils, or any politicians holding office in a political organisation. It should be non-racial with men chosen particularly for wide experience in various spheres of activity and with a Judge or ex-Judge as Chairman. The appointment of the various Members might be from a variety of sources. The Members should retire by rotation so that there will be continuity and no complete change-overs.

This body should normally sit in private. Reports should be unanimous if possible, although including pros and cons in addition to recommendations. The machinery should be set up so that action or legislation within the prescribed field might be temporarily delayed for a not unreasonable period, to give time for a Report to be prepared and considered by the Governments concerned. This suggestion would not, of course, preclude having an Upper House in one or more of the Governments.

Government-sponsored development will require considerable expansion in the vast, undeveloped areas. Members may have seen the type of development which has been started in the North-Eastern Province of Northern Rhodesia. It seems necessary to increase the tempo of this type of work and expand it into other parts of the territories.

This places a great responsibility on the Territorial Governments and also a great financial burden, but I believe that it will have quick and lasting benefits on the political situation and might well help to save this most vital outpost of the Commonwealth for democracy.

Another matter which in my opinion requires very much greater attention is "public relations". We have not only to improve conditions in the Federation but let be known that the improvements are occurring. The benefits of Federation must be sold, like any other product.

Earlier in this submission I mentioned that quick progress towards local autonomy should take place. The time for disturbing the present Northern Rhodesian Constitution might not be right now, because of its recent origin, but nevertheless action should not be unduly delayed when it is decided that it would benefit the territory. More responsibility could be granted without major consequential changes.

I feel that at the next Revision, nominated Members should disappear and Civil Servants should be drastically reduced in the Northern Rhodesia Council. I do feel, however, that there will be need for some key men to remain as they are so much more in touch with the rural areas and have a vast fund of experience in these areas.

One of the worst evils that has developed out of the recent trends is a type of professional African politician, having no other interests whatever and living on the fruits of agitation. In fact, I think the only way to counter this is to show that the only chance of influencing Government decisions is from the inside, and the only chance of political advancement for individuals is in Government.

I should like to repeat that I feel the strongest possible link with the United Kingdom will be needed even more as we progress, to counter the severe strains which are bound to occur during the period of transition. It will be needed to preserve the stability without which the tempo of advancement in the economic sphere would slow down to a disastrous degree.

In conclusion I should like to suggest that serious consideration be given to the merits of a permanent Federal type of link between United Kingdom, and the Federation (and possibly some other Commonwealth states in Africa).

This course would seem to offer great prospects for the removal of racial fears and the creation of stability and strength.

The proposed advisory Board might be the start and Federation at a high level of limited special subjects the ultimate goal.

Salisbury

26th April 1960

Oral Evidence

L. TUCKER

Mr. Tucker said that he wished to highlight the need to make changes in the Federal Constitution with the aim of giving Africans greater influence. If possible, a racial pattern of representation should be avoided. Africans did not regard their present representation in the Federal Assembly as satisfactory. Those members who had been added when the size of the Assembly was increased had, by belonging to particular political parties, decreased the real representation of Africans in the Assembly.

There was a case for varying the form of African representation as between the three Territories. At present, the system whereby Africans were returned to the Northern Rhodesia Assembly was fairer than that under the Federal system. This was a pointer to the need to turn away from purely racial representation.

In answer to questions, Mr. Tucker made the following additional points:

(*a*) In any amended form of Federal association, the economic links should be retained but at the same time the political links should be weakened. It was not possible or desirable to get rid of the political links altogether.

(*b*) It was desirable to return some of the functions of government to the Territories—in particular, the split between European and African education was not natural and led to the perpetuation of differences in policy. With regard to health, the arguments were more open. The training of nurses might well have been carried out better on a Territorial basis.

(*c*) It was inevitable that in the Territories to the north of the Federation, African control would take place in the immediate future; in South Africa, white domination could be expected to continue. Thus, two worlds met in the Federation and it was vitally important that the Federal concept should survive, even though this might be difficult.

(*d*) Partnership was implemented more genuinely in Northern Rhodesia than in Southern Rhodesia. But if Southern Rhodesia failed to establish a true multi-racial community, the rest of the Federation would fail.

(*e*) On the economic side Federal control should move from the field of taxation alone towards a more direct control of spending. Financial stability was of supreme interest to the Federal Government and the borrowing power must remain Federal. The Federal Government must be in a position to regulate effectively the economic activity of the Federation as a whole.

(*f*) If the Federal Government wished to discharge fewer functions, they could either keep a smaller share of the total taxation or reduce income tax and allow a greater margin for the Territorial surcharge. The Federal tax code should be uniform throughout the three Territories and should be sufficient to cover Federal expenditure plus a Federal pool for distribution to the Territories. This would enable development between the three Territories to be evened up.

SALISBURY

23RD APRIL 1960

Memorandum

W. J. and I. V. SAMPSON—Registered Voters, Salisbury South Constituency

A. Introduction

We do not feel that a case has been made out for dismemberment of the federation, although we sympathise with those who, in exasperation or despair, wish to dismember it. We consider that the last six years, a time when vigorous attempts should have been made to get inter-racial partnership and co-operation, have been largely wasted.

For economic reasons we consider that the three territories should remain associated; indeed we hope that in time other territories may join in our association. We are not, however, satisfied with the present federal system and we later propose two alternative forms of association. Nor are we satisfied with other aspects, in particular the colour bar, the restrictive franchise, the tribal/chiefly system and the distribution of the national fiscus.

Members of the Commission may ask what is our motive or reason for giving evidence. Our reason is probably stronger than that of almost any other individuals. We intend to remain in Rhodesia and we hope that all or most of our six children will choose to remain. One of us was born here and the other has spent thirteen years in Africa, of which over ten have been in Southern Rhodesia and we hope that all or most of our six children will of us works for a prominent company with interests in all three territories, but particularly in Northern Rhodesia.

B. The Situation in the Federation

Part One: Brief Historical Review

The immediate post-war period, from 1946–1953, was one of rapid economic advance in all the three territories now comprising the federation. This advance has continued since federation though at a rather slower rate. The slowing down is probably due more to world than to local economic conditions.

Economically federation has benefited all three territories by virtue of the fact that a broadening of the economic base has dampened down the effect, particularly in taxation revenue, of fluctuations in world commodity prices. This is not to say that some other form of association, e.g. unitary government of Rhodesia and Nyasaland or a federation of Northern Rhodesia, Nyasaland and Tanganyika might not have had a similar effect.

Nyasaland has benefited financially from federation, to the extent of about £2·8 million p.a. in current revenue and about £1 million p.a. in official capital. Unfortunately not much of this benefit has reached Nyasaland's African people in terms of increased real earnings. Between 1954 and 1958 African real personal income (money plus subsistence) per head only increased by about 4% or by an average of only 1% p.a.

There has been little, if any, improvement in race relations since federation and in some respects relations have worsened, culminating in emergency. This we discuss in greater detail below (see part four).

In the period since our federation the doctrine "that economic advance must precede political advance", favoured by Sir Roy Welensky, has been shown to be disastrous to our neighbour, the Belgian Congo. In Tanganyika, a poor country, political advance is apparently successfully preceding economic, whilst South Africa, where non-Europeans have had some economic advance but no political, is one of the world's unhappiest countries.

Since 1953 little has been done except in Southern Rhodesia (Land Husbandry Act) to break down the archaic and backward tribal/chiefly system. This we blame on the Colonial Office.

The division of revenue between the federal and territorial governments has worked unfairly. The federal government gets, relative to its responsibilities and to the total fiscus, too much and the territorial governments too little.

The federal constitution has been clumsy in its operation and has led to inefficiency in government, wrong allocation of priorities, buck-passing, lack of co-ordination and so on.

Part Two: Partnership

The preamble to the federal constitution includes the words "and in particular would foster partnership and co-operation between their inhabitants".

None of the political parties in the federation has officially defined the word "partnership." According to the Oxford English Dictionary the word essentially involves association, sharing, participation and/or partaking. The O.E.D.'s commercial definition of "partner" is "one who is associated with another or others in the carrying on of some business, the expenses, profits and losses of which he proportionately bears". In normal commercial practice voting power is also proportionate and partnership essentially implies agreement between partners. In commercial practice a dissatisfied partner can leave the partnership if he so wished.

The present situation in the federation, and more particularly in Southern Rhodesia, is one in which the essential elements of partnership—association, sharing and agreement—are largely absent. *Association* between individuals of different races is discouraged and/or prevented, in many cases with legal support, by the colour bar (see part three on colour bar below). *Sharing* of economic benefits is weighted in favour of Europeans who are in many cases over-paid by world standards and job-content criteria, whilst Africans are under-paid. Sharing of the benefits of governments, which in nearly all the countries of the world is based on equality of treatment between individuals, is also weighted in favour of Europeans, e.g. in education. *Agreement* between our partners is poor, hence the recent emergencies.

Amongst individuals (i.e. excluding companies etc.) Africans' contribution to federal nett domestic output in the money and subsistence economy is 47% and this figure is an under-valuation because wages are valued at actual, that is at under-paid rates. On this basis, that of a commercial partnership, Africans should have at least 47% of voting strength—this they do not have.

We consider that partnership cannot be said to have been properly attained until (a) the colour bar has gone, (b) there is a more equitable distribution of government revenue (e.g. in education) and (c) wage-rates are related to productivity and job-content and not to race.

Part Three: The Colour Bar

Rhodesia is a good country to live in. The main drawbacks are racialism and the colour bar. Racialism will not disappear until the colour bar has gone, since it is largely the colour bar that is responsible for race-group identification on the part of Africans. No country can progress far whilst a large section of it labours under a serious sense of grievance.

The colour bar causes economic distortions; these distortions are particularly associated with the dual sense of values. In general, economic distortions and a brake on progress are inherent in any rigid social system. One has only to recall the economic advances which followed the break-down of the pre-revolutionary French social system, or the disappearance of the petty German principedoms, to realise the advance that will follow the removal of the colour bar and also of the tribal system.

We accept the judgment of the United States Supreme Court to the effect that facilities described as "separate but equal" never are equal. In practice in the Federation separate facilities are usually very unequal. It follows that racial segregation of any sort is discriminatory and constitutes in itself a denial of the concept of partnership.

In 1953, at the time of federation, there was a rigid colour bar in Southern Rhodesia approaching that of South Africa. In Northern Rhodesia and Nyasaland the position was less severe; indeed in Nyasaland the bar was to some extent economic rather than racial.

The colour bar is applied most severely against Africans; Asians and Coloureds occupy an intermediate position. The appendix shows in simplified tabular form the extent of colour bar, both official and customary, in late 1959, in the federation and also for comparative purposes in South Africa. The following table has been derived from the appendix by an arbitrary system of points and weights; it shows the slow rate of progress made in removal of colour bar during the six years since federation.

With the coming of federation, the responsibility for the removal of the colour bar became divided. At present the federal constitution enforces segregation in two fields, agriculture and education; division of responsibility federal for non-African, territorial for African) for education other than higher education is an example of serious racial discrimination—what makes the situation worse is

that it is enforced by the constitution. This is an obvious anomaly which the Commission must recommend to be removed.

Table: Extent of Colour Bar

	1953 %	1959 %	Eventual elimination at 1953–59 Rate Year
Asians and Coloureds			
S. Rhodesia	51	45	2005
N. Rhodesia	41	27	1973
Nyasaland	30	18	1968
S. Africa	72	76	Never
Africans			
S. Rhodesia	79	74	2050
N. Rhodesia	63	56	2006
Nyasaland	34	21	1969
S. Africa	85	86	Never

In the federal field little progress has been made in the removal of the colour bar in spite of all the United Federal Party propaganda that has been put out. Indeed in two federal spheres the colour bar has intensified since 1953; these are:

(*a*) Non-European immigration.

(*b*) Deportation of persons sympathetic to aspirations of non-Europeans.

Racial discrimination has remained virtually unchanged since 1953 in the following federal spheres:

(*a*) Non-African Primary and Secondary Government Schools. Asian and Coloured children are still segregated from European ones in separate government schools. This has been stated both by the Minister of Education and by the (at the time) Acting Secretary for Education as being a political and not a technical matter.

(*b*) Defence.
Segregation by units; job allocation by race; different scales of pay and allowances for different races.

(*c*) Job Reservation in *Rhodesia Railways* (this is currently under review).

(*d*) Government Hospitals.
Segregation by race.

In only four federal spheres has racial discrimination been completely or virtually removed since 1953: public counters of Post Offices, treatment of diplomats, the university (other than agricultural colleges) and air travel. In certain other spheres there is still a large measure of discrimination although there has been some improvement. The present position in these is:

(*a*) Federal Public Service.
European new entrants are automatically accepted into the higher paid branch one, whilst non-Europeans with similar qualifications have to undergo a probationary period in the lower paid branch two. Few promotions from branch two to branch one have in fact been made. This is a strong grievance amongst teachers and nurses. The only exception to our knowledge is that of qualified doctors, who are accepted into branch one irrespective of race.

(*b*) Rhodesia Railways.

(i) In railway restaurants non-Europeans have to produce a first or second class ticket to get service, whilst Europeans do not.

(ii) Sleeper accommodation is normally segregated by race, i.e. an African travelling first-class will not normally be booked in the same compartment as a European.

(*c*) Non-African Teacher-training.
Asian and Coloured students now attend the same college as Europeans, but they are still segregated residentially.

The reasons for the slow rate of progress in removing the colour bar in the federal field are clear. They are:

(i) Of the twelve federal ministers and parliamentary secretaries, six (Welensky, Eastwood, Greenfield, Owen, Coldberg and l'Ange) are segregationist, four are moderate and only two are liberal.

(ii) 44 of the 59 federal seats are "ordinary" seats elected by general voters only; special voters, the majority of whom are Africans, have no voice in these 44 seats. The Africans, although 96% of federal population, only form 2% of the general roll.

(iii) On the general roll segregationist Europeans outnumber non-Europeans. The government party, therefore, pays more attention to the views of the former than of the latter. It is significant that territorially in N. Rhodesia, where the non-European vote approaches parity with the segregationist vote, government is making faster progress in removing the colour bar.

Sir Roy Welensky has claimed in a reply to criticism by Roman Catholic bishops, to the effect that he has no electoral mandate to move fast in removing the colour bar. This is partially true, although the electoral results for the federal general election suggest that he is exaggerating. However, the partial lack of mandate is largely due to the United Federal Party's own action in drawing up the federal franchise which is so restrictive. The exclusion of special voters from any voice in ordinary seats was done by the United Federal Party. The partial lack of mandate therefore follows from the United Federal Party's own actions and cannot be pleaded as an excuse for slow removal of the colour bar in the federal field.

In the territorial field, and also in the local government field subject to territorial law, there has been some, but not much, progress in removal of the colour bar, with the exception of N. Rhodesia. In Southern Rhodesia there are certain laws that are reminiscent of barbaric or feudal days, or alternatively of war-time occupation of an enemy country; these include:

(*a*) Pass laws and regulations.

(*b*) Immorality and Indecency Suppression Act.

(*c*) Restrictions on movements (e.g. of non-Africans visiting friends in African areas).

Certain other Southern Rhodesian laws, although discriminatory and therefore immoral, are not barbaric in themselves but are made barbaric by the rigidity of their application; an example is the Land Apportionment Act.

The reason for the continued existence in Southern Rhodesia of barbaric laws and practices and for the slow rate of progress in removing the colour bar lies quite simply in the restrictive franchise; segregationists, although comparatively few in population, outnumber non-Europeans on the voters' roll. The governing party hence pays more attention to the former than to the latter.

Part Four: Race Relations.

Race relations in the federation cannot be described by any other word than poor. There are several reasons why this should be so; most include the element of fear. As we see them, the reasons are:

1. The colour bar is resented by non-Europeans.
2. Many Europeans consider Africans non-human or sub-human.
3. Nyasaland Africans, aware from working there of conditions in South Africa and Southern Rhodesia, are afraid of any northward extension of apartheid. Statements by pro-federationists at the 1953 S. Rhodesia referendum such as "we want to kick the munts around in the North the same as we do here" and "we don't want a Gold Coast on our doorstep" did nothing to allay this fear. Nor now do (a) reactionary public statements by D. P. and U.F.P. leaders, (b) the fact that the U.F.P. is the governing party both in Southern Rhodesia and federally, nor (c) European outcries at siting of African suburban facilities.
4. Many Europeans come from South Africa and retain the traditional South African attitude.
5. Africans are afraid of losing their land. This fear is exagerated under present conditions, although there are sound historical reasons for it. It seems likely that present removal of all land restrictions would result in a greater movement of Africans into present rural European areas than vice versa.
6. Europeans have invested large sums of capital in the country and are afraid of losing it, e.g. as in Indonesia.
7. Early atrocities by both Europeans and Africans have caused resentments on both sides amongst older people.
8. The survival of tribalism means that sexual customs, particularly around the age of puberty, vary widely as between Europeans and the more primitive African. The former are therefore afraid for their daughters. The remedy however does not lie in racial restrictions but in the abolition of tribalism and in the spread of education and religion.

Race consciousness is not inborn: young children have little or none. It is instilled into children by race-conscious parents and neighbours and also by the practice of school and residential segregation. It is this intense race consciousness or race-group identification that is the curse of Rhodesia, as also of South Africa. The remedy to this curse lies in the removal of all racial discrimination (including all forms of segregation) and in the stressing of

national unity at all levels of government, education and journalism. Some short word, acceptable to all, must be found to identify and unite inhabitants of Rhodesia and Nyasaland, similar to the word Brazilian for an inhabitant of Brazil of whatever race. The words "European", "African", "Asian", "Coloured", etc., must be stricken from the official vocabulary as soon as possible.

Part Five: Education.

Non-Africans number about 4% and Africans 96% of federal population. In spite of this total government expenditure on non-African education is more than that on African. This disparity can be shown in another way, in the proportion of school-age children that go to school. If we take the normal needs of a child in an industrial society—and Rhodesia and Nyasaland must expand industrially to avoid stagnation—as extending to form four or school certificate standard, we find that in 1957/8 the proportion "actual of normal need" was:

Table: Percentage School Enrolment of School-age Children, K.G.—Form IV

S. Rhodesia:	Europeans (1957)	96%
	Asians and Coloureds (1957) ...	84%
	Africans (1958)	52%
N. Rhodesia:	Africans (1958)	38%
Nyasaland:	Africans (1958)	37%

The African position is a big improvement on the past, particularly in S. Rhodesia, but it still falls far short of normal need. Universal education can be a big strain on the resources of an under-developed country, but we believe that the federation is strong enough economically to take this strain and to educate all children through to form four. Indeed in the long run the country cannot afford not to do so.

Government expenditure per pupil is roughly ten times greater for Europeans than for Africans though the inclusion of mission funds might roughly halve this proportion. Government obviously could not yet afford to spend as much per head on all pupils as it now does on European ones. We suggest that the following as a suitable interim method until government can afford it.

We suggest that all schools be desegregated forthwith. There shall be two classes of school, one fee-paying (corresponding to present European government schools, charging, say, ten pounds per term primary and fifteen pounds secondary) and one free (corresponding to present African schools). Any member of any race shall be entitled to send his children to either class of school. At the same time the system of charging income-tax on individuals should be altered to give much greater relief to families with children. The present rebate system does not conform with the taxation canon "each according to his ability to pay" and we suggest its substitution by an abatement and family-unit system.

Finally we consider that the federal education department is inefficient, though this may well be partly a legacy from Southern Rhodesian administration. There is a marked tendency for headmasters and teachers who do not make a success in schools through poor discipline or teaching ability to move Parkinson-wise to posts as school inspectors and senior administrative officers (e.g. teachers involved in murder case at Enkeldoorn School). The poor quality of administration is particularly evident in the schools inspectorate and in school attendance.

C. Our Recommendations

Part One: The Franchise

1. The key to the whole political future of Rhodesia and Nyasaland lies in the franchise.

2. We feel that although democracy is not a perfect political system, no other system is as good.

3. We dislike the system of "voting by Symbol" and therefore feel that the ability to read and write, i.e. literacy, must be a voting qualification. Literacy in English is not, however, an essential. We consider that completion of primary education is prima facie evidence of literacy. Persons with less education should undergo a simple literacy test in any language in use in Rhodesia or Nyasaland. We recommend the rapid spread of education so that all become literate.

4. We dislike the present practice of an economic qualification; it is particularly unfair on account of the dual wage structure.

5. We do not have strong views on the minimum age for the vote, but think 21 reasonable.

6. We consider that the geographical qualification for the vote should be birth in Rhodesia and Nyasaland, or, if born outside, citizenship.

7. We have no strong views on the exclusion of lunatics, bankrupts, convicted criminals, etc.

8. We feel that the receipt of government assistance (e.g. social welfare rations or funds) should not be a disqualification.

9. We feel that the local government franchise should be open to all parliamentary voters living in the local government areas concerned; we dislike property qualifications. In the term "local government" we include municipalities, town and village management boards, road councils, I.C.A. committees, native councils (which we dislike as at present constituted because they are restricted as to race and often as to sex, etc.).

10. We dislike all forms of special representation such as special seats, nominated seats, dual rolls, racial rolls, etc. We also dislike the idea of an upper or lower house.

We therefore recommend for all forms of government (a) universal adult literate franchise, (b) common roll with no special seats, and (c) one legislature only.

Part Two: The Form of Government.

We have two main proposals as to the form of government. Our first preference is for unitary government. We feel that with a wide franchise (e.g. our suggestion of universal adult literate franchise) unitary government is workable. Our main resaons for supporting unitary government are:

(*a*) It is more efficient than a federal system with its division of responsibilities and difficulties of co-ordination.

(*b*) It is financially and fiscally more equitable.

(*c*) It is simpler.

Our second choice is of a federal or high commission system, also with wide franchise, in which (i) government is mainly territorial apart from research, marketing and external subjects. and (ii) the distribution of the total fiscus between territories is largely related to population. Other subjects should become federal, high commission or administered by a joint public corporation provided each and every territory agree.

The two recommended forms of government are examined in greater detail below (parts three and four).

Finally we do not think that the present Federation should be split. On the contrary, we think that other countries (e.g. Bechuanaland, South-West Africa, Swaziland, Tanganyika) should be allowed to enter. However we feel that a much greater measure of partnership and co-operation is called for than has been shown so far either by the United Federal Party or by African nationalists.

Part Three: Unitary Government

The concept of unitary government is so simple that there is little need to elaborate on it. We therefore discuss the transitional arrangements.

For a limited period (say ten years) the legislature would have power to legislate for each present territory separately, with the proviso that at the end of that period all laws and regulations that were not nation-wide should automatically lapse unless specifically re-enacted.

The prevailing system of law should be English Law. For a period (say ten years) Roman-Dutch law in Southern Rhodesia would be residual, but after that period it would lapse completely apart from contracts arising before unitary government.

The legislature would have the power to delegate legislation, or regulation, to local government or public bodies, with the right to over-ride, supervise and review any delegated legislation or regulation.

Parliament should be elected at regular intervals; the salary of ministers, parliamentary secretaries and members should be high enough to attract top-calibre men (say £10,000 p.a. for prime minister, £6,000 for ministers, £4,000 for parliamentary secretaries and £3,000 for members). We suggest a legislature of about 60, excluding the speaker (who should not be a member).

The allocation of seats for the first unitary government election should be proportionate to total population in each territory. Within a period of between two and four years thereafter, and after every general election a delimitation commission should delimit constituencies on the basis of registered voters, with the proviso that for ten years or for two general elections (whichever shall be the longer) after the first unitary government general election, no constituency shall receive less than 60% and no present territory less than 80% of its total share based on population.

The unitary government should qualify for independence immediately after the first general election, from a common roll in which African voters on the roll are in the majority in not less than half the constituencies. On independence protectorate status in the two Northern Territories and the reservations in Southern Rhodesia's constitution would fall away. Until that time any unitary government legislation or regulation (even if delegated) would be subject to United Kingdom veto.

Part Four: Federal or High Commission Government

As mentioned above, our second choice, ranking below unitary government, is a federal or high commission system. There are many defects in the present system, including:

(*a*) Racial split in government responsibility in agriculture and education.

(*b*) Too much allocation of the subjects of a radically controversial nature to the federal government.

(*c*) Unfair distribution of the total national fiscus.

(*d*) Special seats in the legislature and the presence of the African Affairs Board.

We recommend:

1. That the territorial proportion of seats in the federal legislature shall be proportionate to the total population in each territory.

2. There shall be no special seats, dual rolls or special institutions such as the African Affairs Board.

In each territory registration as a territorial voter will automatically qualify one as a federal and as a local government voter; provided that a qualified voter in one territory who moves to another territory and is not qualified to vote in the latter, may for a time (say five years) remain as a federal postal voter in his former federal constituency.

We recommend that the territories by mutual agreement have identical franchise qualifications and our suggestion is a full adult literate franchise.

4. The federal legislature shall, under the constitution, be prohibited from passing any law or promulgating any regulation that discriminates between or segregates, either legally or in practical effect, individuals of different races. The ruling as to what constitutes racial discrimination or segregation shall be determined by the speaker or on appeal by the Federal Supreme Court.

5. No speaker nor member of either the federal or any territorial legislature shall be subject to any law of a discriminatory racial nature in any territory.

6. The following subjects shall be federal:

External Affairs
External and Internal Trade
Business Law and Finance for commerce, insurance, building societies, banking, etc.
Currency Issue and Credit Control
Marketing of all products
Immigration and Deportation
Higher Education
Air Transport
Railways
Trunk Roads
Water Transport
Customs and Excise
Supreme Court
Posts, Telegraphs, Telecommunications, Broadcasting and Television.

7. Certain subjects shall be concurrent though we recommend that administration shall be federal:

Government Audit
Statistics
Information
Tourist Development
Research, Specialist, Co-ordinating and Advisory services (all subjects)
Provision of Secretariat for joint inter-governmental committees, boards, etc.

8. All other subjects shall be territorial.

Note:—apart from marketing (federal) and services such as research (see concurrent list above), some subjects now wholly or partly federal will become territorial; the most important are education, agriculture, health and defence.

9. It shall be open at any time for a territorial responsibility to become either (a) a federal responsibility or (b) federally administered on behalf of territorial governments. The conditions for such change are (i) that suitable financial adjustments are agreed on, and (ii) that agreement as to the change is unanimous between the federal government and each and every territorial government and (as long as protection lasts under the constitution) the U.K. Government. Any territorial responsibility that becomes federal or federally administered may revert back to territorial control on due notice (say not less than two years) being given by any government.

10. Any two or more territories may agree to form inter-governmental committees, boards, corporations, commissions, etc., on which the federal government may also be represented.

11. There shall be no restriction on inter-territorial movement of persons with the permitted exception of convicted criminals. The term criminal shall in this context not include persons convicted of political offences or of any offence that is not substantially the same in all three territories (e.g. at present S. Rhodesia's Immorality and Indecency Suppression Act).

12. No person may be deported for any offence that is not substantially the same throughout the federation. Persons due to be deported or already deported shall have the right, under the constitution, of appeal to court.

13. We consider the role of defence forces is to protect the country from outside attack. It is not to support the civil power.

14. Finance and Taxation.

The federal government shall be responsible for raising basic income-tax, customs and excise revenue (less motor spirit duty) and if need be, export taxes. All other taxes and duties shall be territorial, apart from charges made for federal services rendered (e.g. publications bought, postage, etc).. Each territorial government may in addition charge a territorial surcharge on basic income-tax up to a maximum of 25%.

The revenue raised from basic income-tax, customs and excise duties (less motor spirit duty) and export taxes shall be divided between governments as follows:

(*a*) A proportion necessary to provide federal services (see paragraphs six and seven above) with due regard to economy and good government; the proportion to be determined by a fiscal commission.

(*b*) The balance shall be divided between the territories in proportion to the total *de facto* population in each territory.

15. External official borrowing shall be determined by a Loans Council consisting, as now, of the federal and territorial finance ministers or their representatives. The fiscal commission shall determine the proportion of external loans to be allocated to each territory in the absence of unanimous Loans Council agreement.

16. The maintenance of law and order and of all courts will remain territorial with the exception of the Federal Supreme Court. Federal law will be on the English and not the Roman-Dutch system.

17. A territory shall qualify for independence after the general election in which there is an African majority on the roll in not less than half the constituencies. The federation shall become independent when the last territory does so.

Salisbury

27th January 1960

Appendix

Simplified Table of Restrictions on Racial Basis, 1959

Legend L Complete or virtually complete restriction } with legislative or official backing.
l Partial restriction

C Complete or virtually complete restriction } by custom, on "right of admission reserved" basis, etc.
c Partial restriction

* Significant relaxation or removal since 1953.

† Significant increase since 1953.

‡ Little or no restriction.

Restrictions refer to use of "European" amenities, services, etc. Provision of separate facilities is counted as restriction.

	Asians and Coloureds				*Africans*			
	S.R.	*N.R.*	*Nyasa.*	*S.A.*	*S.R.*	*N.R.*	*Nyasa.*	*S.A*
Occupation of Land and Property in "European" Area								
Rural Land	‡	‡	‡	l	L	C	‡	L
Urban property	C,l	‡*	‡*	l	L	C	‡*	L
Trading and business sites	c	‡*	‡*	l†	L	c	‡*	l
Residence in hotels and boarding houses ...	c	c	c	L	L	c	c	L

	Asians and Coloureds				Africans			
	S.R.	N.R.	Nyasa.	S.A.	S.R.	N.R.	Nyasa.	S.A.
Education								
University	‡			l†	‡*			l†
Technical, teacher-training, polytechnic, agricultural college, etc.	l*	C		L	L	C		L
Government schools	L	L	L	L	L	L	L	L
Private schools	c	c	c	L	L	C	C	L
Migration								
Immigration for permanent residence	L†	L†	L†	L†	l†	l†	l†	l
Inter-territorial	‡*	‡*	‡	l	l	l	l	l
Health								
Hospitals, government	L†	l†	l†	L	L	L†	L†	L
Hospitals, private	c	c	c	L	c	c	c	L
Isolation hospitals, maternity homes and clinics	L†	l†	l†	L	L	L†	L†	L
Sanitary facilities	L(?)	c	‡	L	L(?)	C	c	L
Employment, skilled or administrative								
Federal government	l*	l*	l*	L	l*	l*	l*	L
Territorial government	L	‡*	‡*	L	L*	‡*	‡	L
Railways	l	l	‡	L	L	L	‡	L
Local government	C,l	c	‡	L	C	c	‡	L
Mines	c	C		L	C	C		L
Manufacturing industry	c*	c*		l†	c*	c*		l†
Other	c,l	c	‡	c	C,l	C	‡	C
Transport								
Railway travel	c*	c*	c	l	C*	C*	c	L
Railway restaurants	l*	l*	‡	L	l*	l*	c	L
Air travel and facilities	‡*	‡*	‡	l	‡*	‡*	‡	l
Omnibuses	‡*			l	c*			l
Liquor								
Bars	l*	l	c	L	L	l,c	c	L
Bottle stores	l*	l	‡	L	L	l	‡	L
Inter-sex relations								
Marriage with European	c*	c*	c*	L	C	C	C	L
Relations with European	c	c	c	L	l	c	c	L
Amenities								
Swimming Pools	L(‡)	C		L	L(?)	C		L
Cafes, restaurants, hotel public rooms	c	c	c	L	c	c	c	L
Cinemas	c	c	‡	L	l	l	‡	L
Post offices	‡	‡	‡	L	‡*	‡*	‡	L
Hairdressers	c	c	‡	C	c	c	‡	C
Dress shops	c	c	‡	c	c	c	‡	c
Other shops	‡*	‡	‡	‡*	c*	c*	‡	‡*
Lifts	c*	‡	‡	c*	c*	‡	‡	c*
Voters' Roll								
Federal	‡	‡	‡	L†	‡	‡	‡*	L
Territorial	‡	‡	‡	L†	‡	‡*	L	L
Local government	‡	‡	‡	‡	L	‡	‡	L
Other								
Carrying passes	‡	‡	‡	‡	L	l*	‡	L
Poll tax, where not paid by Europeans	‡	‡	‡	‡	L	L	‡	‡
Sport	c*	c*	‡	c	c*	c*	‡	C
Lotteries	‡	‡			‡*	‡		
Firearms	l	‡	l	l	l	l	l	L

Oral Evidence

MR AND MRS. W. J. SAMPSON

The witnesses had produced a memorandum.

Mr. Sampson stated that he was employed as an Economics and Statistics Adviser to a large concern in Salisbury; but he was also permitted to do outside survey work and to engage in journalism. Mr. Sampson stated that he had been born in Southern Rhodesia.

In reply to questions on the memorandum Mr. Sampson, with his wife's concurrence, made the following points:

1. Section C of the memorandum Part I the franchise. As stated the franchise was the key to the situation. They suggested that what was required was universal adult literate franchise. They would remove entirely the present economic qualifications. For a start the dual wage structure in the country (for example differential pay of European and African bus drivers) made this kind of qualification grossly unfair. There was no point in it and it was simply a device to keep Africans off the Roll. But they were in favour of some educational qualification. A person should be able to read and write, so as to read the newspaper, but this might be in the vernacular, and need not necessarily be in English. The present franchise had been based on the Tredgold Commission, although modified. The modifications were there to try to get a balance between the Europeans and Africans. This scheme had not worked, except in Northern Rhodesia where it had in fact operated more fairly. For one thing, the principles of the Tredgold Commission had been largely maintained there, so that the special and ordinary voters could vote together; the Government had also made a drive to get the Africans to register. There was now, however, a tendency of the Government to study more closely the less privileged field of voters. He repeated that the economic qualifications were unnecessary, awkward to operate and unfair in any case. As to education, the present system should be modified. It should be sufficient to fill in a form, and to fill it in in the vernacular. If that person found difficulty in filling in the form, then some simple literary tests might be applied by the registering officer.

2. He was asked whether on the franchise envisaged, he would have any objection if it meant the Africans coming at once into power. He said that he would have none, but that for Southern Rhodesia he had calculated the likely figures for the next election. There could be 20,000 Africans qualified on that basis in the towns and say 30,000 altogether. There would still be 65,000 Europeans registered, so there would be no swamping of the Roll by Africans. He realised that there were 500,000 Africans now at school in Southern Rhodesia. But a person had to be 21. He had, therefore, calculated that an African majority would arrive, in any case, in 1975. He had no objection to that for Southern Rhodesia. His fear was not that of the swamping of the Roll by Africans, but of too slow a process leading to revolution as in South Africa.

3. He admitted that he had done little studying of conditions in Northern Rhodesia. But that Africans whom he knew in Southern Rhodesia were in general prepared to co-operate if given a fair chance. He agreed that in the Northern Territories there was a more militant type of African nationalism.

4. He did not agree with the form of Federation as it was at

present. But he felt that there was difficulty in reconciling economic and political objectives. For example, Nyasaland was poor and could not afford even the necessary education for its people, and therefore it must have some form of help. There had been recent talk about help for Nyasaland coming from America or Britain, or even Russia. But it would be much simpler for that to be done in the Federation. There was the copper in Northern Rhodesia and the industry in Southern Rhodesia which should help to support Nyasaland. There was also the employment of Nyasalanders in Southern Rhodesia and Northern Rhodesia. If these countries drew their labour from Nyasaland, the Rhodesias should make some contribution towards Nyasaland.

5. He was not in favour of the Land Apportionment Act, and considered that it should be repealed.

6. Part Five—Education in the memorandum. They were in favour of the desegregation of schools. In reply to a question about the language difficulty, they pointed out that under the present system of segregation African children did not get the chance of learning to speak English properly. But they agreed that any such education programme must be gradual. It could certainly not be done in one year; for one thing the schools were just not there, nor the teachers, nor the equipment. But you could desegregate in principle forthwith, especially through the introduction of the fee paying principle. Asians and Coloureds could be desegregated immediately.

7. They considered that the colour bar could not be removed completely by legislation. The trouble was that the present legislation actually enforced colour bar—in Southern Rhodesia one had to observe colour bar whether one liked it or not.

8. The excuse of Sir Roy Welensky that he had no mandate to remove the colour bar quickly was only partially correct. If the franchise were changed in the manner in which it was suggested, it would be quite easy for him to get a mandate for the removal of the colour bar. But on the present franchise the United Federal Party were, of course, correct.

9. He was aware of the fears which existed that if the franchise were widened there might be a distinct swing to the Right. He did not think that would happen now since the troubles in South Africa. In 1958 the Dominion Party had had the best chance it had ever had or was likely to get. He had calculated that for the Dominion Party to get a majority in Southern Rhodesia, there would be needed a 12% swing in the voting, in comparison with the Federal elections. He thought they could get a 4% swing and adding to that 5% for the unknowns, that would make 9%, which would not be sufficient.

10. If there were a referendum in Southern Rhodesia on the Federation continuing on the present basis, he thought that the probable voting would be in favour, that is in favour of some form of Federation.

11. Calculating on an Electoral Roll of 65,000, he thought that the Dominion Party could get now 20,000 to 25,000 votes, that would not be enough for an electoral victory. He did not think that in any case there would be an election till April or May, 1961. New voters tended not to vote for the Dominion Party. They were mostly immigrants or Africans coming on to the Roll. Immigrants did not share the hatred of the Africans of the older settlers. The conservative element in the Dominion Party was not really growing very much. Recently it had been calculated 18,000 and it might now be 20,000. The United Federal Party and the Central African Party would tend to grow faster than the Dominion Party in respect of votes.

12. The time when it would be likely for an African to appear in the Southern Rhodesian Parliament depended on constituency delimitations. On the present basis an election next year would not produce such an African Member; but in 1966 he would expect to see two or even more, that is candidates and candidates elected. At the same time he did not expect the shape of political parties to remain constant—they had not done so in the past.

13. He referred to an article by himself in the Central African Examiner, about three weeks ago, forecasting that by 1975 the Africans would have a majority in the Southern Rhodesian electorate, *on present qualifications*, unless, of course, the Dominion Party first got into power. This was also on the assumption that the provision for the "cut off" at 20% of the "A" Roll would disappear.

14. They definitely preferred a unitary government for the sake of efficiency and they thought that the evidence of the Morton Commission on health confirmed this view. Also on the Southern Rhodesian side, there had been recent criticism of the Native Affairs Department.

15. Both the witnesses had formerly been civil servants. They considered that the general standards of government and administration had deteriorated since Federation.

Addendum to Oral Evidence submitting an article printed in the *Central African Examiner* entitled "The Voting Pattern in Southern Rhodesia. Bearers of Many Crosses", and a further memorandum on Electoral Prospects for a Southern Rhodesia General Election.

W. J. SAMPSON

This morning my wife and I gave oral evidence to the group headed by Lord Crathorne, our written evidence having previously been submitted in January. In the course of this morning's questioning I was asked my view on the future electoral development in Southern Rhodesia on the basis of the present franchise qualifications.

I gave my views verbally in summary form, but they are in fact based on two detailed statistical analyses I made recently. Copies of these are enclosed for the information of the Commission.

The longer-term analysis is based on research, carried out up to October last year. A condensed form of this was submitted to the *Central African Examiner* in October but was only published in March after some mutilation which made the article seem disjointed in places. This article was written before Sir Edgar Whitehead's announcement of an election in 1960 or 1961. (Annexure A).

My short-term analysis was made about a fortnight ago, shortly after Sir Edgar's announcement. The condensed form of this is given as Annexure B.

Salisbury

25th April 1960

Annexure A

Bearers of many Crosses

The Voting Pattern in Southern Rhodesia

By W. J. Sampson

Interesting changes have taken place recently in the composition of the voters' roll in Southern Rhodesia, and really important changes can be expected in the next ten years with the growth of the African electorate.

Between the Territorial election in June, 1958, and the Federal election in November, about 10,000 new voters, most of them European immigrants, came on to the roll in Southern Rhodesia. It is estimated, (*Examiner*, November 22, 1958), that 8,260 of these new voters used their vote, 6,440 voting UFP or Constitution and only 1,820 voting Dominion, Confederate or Independent. During the past year, the Territorial roll has increased by about 3,000 to a total electorate of 68,410 made up as shown in Table I.

From the table it can be seen that, contrary to popular belief, there are more Africans on the ordinary than on the special roll. Further, while the proportion of qualified Europeans registered is roughly what one would expect from past experience, that of the non-Europeans is low, with an unregistered potential of 22,000. An increase in the willingness of non-Europeans to register—a change that could happen in a fairly short period—could rapidly modify the composition of the electorate to such an extent that Party attitudes to race relations and the colour bar would be forced to change—as is already the case in Northern Rhodesia.

Difficulty of registration in rural areas is one explanation of the fact that only 12 per cent of Africans entitled to be on the roll have registered as voters. It is felt that many Africans are discouraged from registering as voters because they believe that once an African's name is put on the voters' roll, he becomes the target of salesmen of insurance policies and correspondence courses, who see good business prospects in Africans with comparatively high income and educational qualifications.

And the actual process of registration is easier for the European voter, whose education and income qualifications are usually accepted without question, than for the African, whose qualifications are carefully checked.

Future changes in the relative composition of the electorate will, in the long run, depend upon two factors. First, of those already eligible to be on the roll, a greater proportion can be expected to register as voters. Second, there will be an increase in the number of people who attain the minimum age, income and educational qualifications necessary before they can become voters. As far as European voters are concerned, immigration and the attainment of majority (21 years of age) are the two main factors which will lead to an increased electorate. For Asians and Coloureds, the age factor is the most important; but for Africans, educational and economic advance are much more significant.

African education is sufficiently important to deserve special consideration. The present criterion in most Western countries is for children to study at least as far as Form IV—School Certificate level. If this criterion is defined as "civilized need", the figures for Southern Rhodesia during 1958 show that of the total number of Africans of school age, 52 per cent were at school. This means that if African education up to Form IV level were to be made compulsory, the African school population would be nearly double the 1958 figure. This figure of 52 per cent for Africans compares with 84 per cent for Asians and Coloureds and 96 per cent for Europeans. But it is well above the figure for African education in the two Northern territories, which was only about 38 per cent.

The majority of African schoolchildren are at the junior primary

level (Sub. A to Std. II), though enrolment in senior, primary and secondary classes is growing rapidly.

African Pupils, Southern Rhodesia, 1958

	Thousands
Junior Primary (to Standard II)	359
Senior Primary (Standard III–VI)	83
Secondary	7
Total: ...	449
of whom: Boys ...	258
Girls ...	191

A further important factor is the elimination figure from year to year—elimination being defined as the number of scholars in, say, Standard I in 1958 who did not move into Standard II in 1959. The average elimination figure between one class in 1957 and the class immediately above it in 1958 was 21 per cent.

The main reason for this is the scarcity of places for scholars in higher forms which means that a policy of selection is used. Between Standards III and IV elimination was 52 per cent, between Standard VI and Form I it was 57 per cent, reaching 77 per cent between Forms III and IV. Although so many leave school before reaching Form IV, a considerable number of Africans will still qualify for the vote when they reach the age of 21 (see Table II).

It seems reasonable to expect most, if not all, of the Form IV group to qualify for the ordinary vote. The Form II group should also all qualify, but most of them for the special and only a few for the ordinary roll. The Standard VI group is likely to find income a limiting factor. Figures from the Salisbury area suggest that in 1958 only about 10 per cent of those whose education stopped at Standard VI earned £20 a month or more. This proportion will rise with the general increase in African earnings.

In Table III an attempt is made to estimate the future composition of the electorate in terms of votes cast. The table is based on a number of assumptions including these:

(*a*) Continuation of 1957–58 elimination rate in African schools.

(*b*) That the real income per head of Africans in the money economy will continue to rise at the rate of 5 per cent a year.

(*c*) An average annual increase from migration of about 9,000 Europeans a year in Southern Rhodesia.

(*d*) That 60 per cent of qualified non-Africans ,and 40 per cent of qualified Africans, register as voters.

(*e*) That 75 per cent of registered European voters cast valid votes, with a higher proportion for non-European voters.

(*f*) That elections will be held every 5 years.

(*g*) That the present franchise qualifications will remain substantially the same.

In 1958 the majority of the voters could be classed as conservative: by 1963 the greater part of the country's voters should be in the moderate group, whilst by 1968 the moderate-liberal group should predominate. Between 1963 and 1968 the size of the country's liberal European vote should increase to such an extent that by the latter date it will exceed the reactionary-conservative vote. The Southern Rhodesia Government should then be able to implement partnership with enthusiastic support from the electorate.

Table I

Southern Rhodesia Territorial Voters' Roll—November 30, 1959

Race	*Ordinary Voters*	*Special Voters*	*Total Roll*	*Qualified to register*	*Percentage Roll of Qualified*
European	(64,326)	(196)	64,522	108,000	60%
Asian and Coloured	(1,672)	(57)	1,729	5,000	34%
African	(1,150)	(1,009)	2,159	17,000	12%
Total ...	67,148	1,262	68,410	130,000	52%

Figures in brackets estimated from Federal roll. Special votes have the same power as ordinary votes.

Table II

Probable eventual educational qualification of 1958

African pupils, at 1957–58 *elimination rate*

	Income required for		
	Special vote £ p.a.	*Ordinary vote £ p.a.*	*Thousands*
Education			
Form IV or above ...	120	300	6
Form II or III	120	480	38
Std. VI or Form I ...	240	480	79
Below Std. VI	Not applicable*	Not applicable*	326
		Total:	449

**Assuming not literate in English.*

Table III

Rough Estimate of Probable Votes Cast at Southern Rhodesia Territorial Elections

	Thousands			
	1958	1963	1968	1973
Europeans: Reactionary ...	18	20	21	22
Conservative ...	5	6	6	7
Moderate ...	7	12	15	19
Moderate-liberal	5	12	16	20
Liberal	3	9	15	21
Asians and Coloureds ...	1	4	5	6
Africans	1	7	16	30*
Total ...	40	70	94	125

**Note: Under the present Southern Rhodesian franchise laws the special roll (mainly Africans) will be closed when the number of voters registered on it represents* 20 *per cent of the number of voters on the ordinary roll. This is expected to occur in about* 1970. *If this restriction were to be removed and the minimum qualifications lowered and brought in line with those of Northern Rhodesia or the Federation's franchise laws, the total number of African votes cast in* 1973, *can be estimated at about* 60,000.

Annexure B

Memorandum on Electoral Prospects for a Southern Rhodesian Territorial General Election in 1960 or 1961.

By W. J. Sampson. April 1960

Introduction

The United Federal Party has a small majority in the S. Rhodesia Legislative Assembly; excluding the Speaker, the majority is only 3 in a house of 30. The next general election would normally have to be held not later than 1963.

Sir Edgar Whitehead, the territorial Prime Minister, has announced that he expects to go to the country in 1961, and April or May has been suggested as most likely; if this is so, the election would be held on the roll closing on 31st January 1961.

Two other dates, both in 1960, have been suggested, in September/October (on a July roll) or in May/June (based on the present roll). Though neither of these can be ruled out, the balance of probability appears to favour 1961.

Method of Election

S. Rhodesia's 30 seats are all elected on a non-racial common roll, there are no special or reserved seats. Voting is by the preferential or single transferable system. Although there are two types of voter, ordinary (mainly European) and special (mainly African), each vote has identical power so the difference may be ignored in this exercise.

Recent History

The last two territorial general elections were in January 1954 and June 1958; the last two federal elections were in October 1953 and November 1958. The territorial rolls in both 1954 and 1958 were almost identical, that of 1958 numbering 55,000 of whom 53,000 were Europeans. Between the 1954 and 1958 territorial elections there was an average reactionary swing of nearly 5% as compared to an average swing of 12% in intervening bye-elections; the swing at the general election was the greatest in rural areas—about 10%. There was no general swing in urban areas, where the most successful U.F.P. candidates were the comparatively liberal ones.

By the time of the federal general election, which was based on the roll of July 31st 1958, nearly 10,000 additional voters had come on to the roll. Of these 64% voted U.F.P. and 18% Dominion Party; in addition there was a liberal swing of between 3% and 4%

amongst old voters. The combined effect of these two factors enabled the U.F.P. to win 18 out of S. Rhodesia's 24 federal ordinary seats, as compared with 17 out of 30 territorial seats.

The Present Territorial Roll

Since the federal election nearly 4,000 additional voters have come on to the roll, making an additional 13,600 since the territorial election. New voters were a big factor in the federal election and, presumably, will also be so in the coming territorial election.

The present roll numbers 69,000, of whom 4,000 are non-Europeans (half Africans, half Asians and Coloureds). Non-European voters are largely concentrated in five of the thirty constituencies, though they do not predominate in any.

Prospects for an Election Based on the Present Roll

Experience in 1953/54 and 1958 suggests that S. Rhodesian European voters are more reactionary in a territorial than a federal election; this is perhaps because race relations and in particular African affairs are more important territorially. On this basis we can expect an average reactionary swing of about 4% since the federal election, after allowing for the effect of the 4,000 new voters since then.

In addition, most sources are agreed that there has been a further reactionary swing, the highest quoting 8% making a total swing of 12% since the federal election. Though a swing of this magnitude might well happen in a bye-election, it seems excessive in a general election. At the time of the 1958 territorial election, the reactionary swing (actually 4·54% since 1954) was at its maximum, and it seems unlikely that any further swing would exceed 5% (=9% since federal election).

On this basis the reactionary swing since the federal election should lie in the range 4% to 9% inclusive. In the whole of this range, the U.F.P. would be returned to power as can be seen from the following table. Only in the case of the extreme swing quoted, that of 12% since the federal election, would the Dominion Party be returned to power and even then by a small margin.

Table 1

Probable Election Results on Election on Present Roll

Uniform Reactionary Swing Since Federal Election	Seats by Party (Out of 30) Dominion	United Federal	Central Africa
%			
0, 1	3	25	2
2	5	23	2
3	7	21	2
Likely Range 4	8	20	2
5	9	20	1
6	10	19	1
7	12	18	0
8, 9	13	17	0
10	14	16	0
11	15	15	0
12	16	14	0

Swings are not of course necessarily uniform. However, the results in numbers of seats given by an uneven swing is not likely to vary much from that calculated in the above table using the average swing as criterion. The following table shows the numbers of seats obtainable by the Dominion Party in various types of constituency.

Table 2

Potential Dominion Party Seats on Present Roll by Type of Seat

Reactionary Swing Since Federal Election %	Urban (17)	Mixed (4)	Rural (9)	Total (30)
0	1	—	2	3
4	4	—	4	8
8	5	2	6	13
12	7	2	7	16
16	11	3	9	23
20	13	4	9	26

For example a swing of 4% in urban areas, 8% in mixed and 12% in rural areas would give the Dominion Party 13 seats—a minority. The average swing for this is 7%, which would give the Dominion Party 12 seats according to table I, a fairly similar answer. Detail by constituencies is shown in the Appendix.

Prospects for an Election in September/October 1960.

An election in September or October of this year would probably be held on the roll closing on 31st July. The tempo of new registrations has quickened recently from about 100 a month in the last half of 1959 to about 350 in March 1960. It seems likely that an election in September/October would be based on a roll between 2,000 and 4,000 higher than the present one.

This would give a result substantially the same as that for an election held on the present roll, but with odds against the Dominion Party lengthening slightly.

Prospects for an Election in April/May 1961.

Between now and January 31st 1961, when the roll would close for an election in April or May, there are over nine months during which potential voters could register. The gap between present enrolments and the maximum potential at January 1961 is about 50,000 Europeans and 20,000 non-Europeans. In practice under present conditions when registration is not compulsory 60% is a fair expectation for Europeans, 40% for Asians and Coloureds, and 20% for Africans, who have problems of language and in rural areas distance to make registration difficult. Using these figures the estimate for further new voters is 9,000 (6,000 Europeans, 1,000 Asians and Coloureds and 2,000 Africans).

As far as can be foreseen now, the likely result, after allowing for these 9,000 new voters is:

Table 3

Probable Election Results on January 1961 Roll

Reactionary Swing Since Federal Election %	Seats: Dominion	United Federal	Central Africa or National Democratic
0	2	24	4
1 to 3	3	23	4
4	3	24	3
5	4	23	3
6 to 8	9	19	2
9	10	18	2
10	11	17	2
11	12	16	2
12	13	16	1

The reactionary swing is not likely to be less than 4% since the election is territorial and its subject matter is largely African Affairs. Nor is it likely to exceed 9%, and even the maximum swing envisaged of 12% would still give the U.F.P. a majority. Between a swing of 5% and 6% 6 seats are marginal; if Sir Edgar Whitehead can time his election so that any swing is not more than 5% the result should be U.F.P. 23 or 24 seats, D.P. 3 or 4, and C.A.P. 3 seats. This distribution might well result in some progressive government and legislation.

Summary

1. Since the last territorial election nearly 14,000 new voters have come onto the roll. These voters are expected to support the U.F.P. and the C.A.P. rather than the Dominion Party. A further 9,000 new voters may register before a 1961 election.

2. A 1960 election would give the Dominion Party between 8 and 13 out of 30 seats.

3. A 1961 election, properly timed by Sir Edgar Whitehead, should result in:

U.F.P.	23 or 24 seats
D.P.	3 or 4 seats
C.A.P. or N.D.P.	3 seats

Appendix

Estimated Dominion Party Vote by Constituency Based on Present Roll

Constituency	Type	D.P. Vote %*	Reactionary Swing for D.P. to Win Seat %
Victoria	Rural	63·7	—
Selukwe	Rural	55·8	—
Hatfield	Urban	53·1	—
Bulawayo North ...	Urban	48·4	2
Gatooma	Rural	48·1	2
Rusape	Rural	47·8	3
Gwelo	Urban	47·4	3
Greendale	Urban	46·8	4
Shabani	Rural	45·6	5
Matobo	Rural	44·6	6
Raylton	Urban	44·0	6
Bulawayo District	Mixed	42·8	8
Marandellas	Mixed	42·1	8
Bulawayo South ...	Urban	40·4	10

**Expressed as percentage of total valid vote on second count after elimination of lowest non-D.P. candidate on first count. Assumptions: (a) no swing since Federal election, (b) 18% of new voters.*

Appendix—*(continued)*

Estimated Dominion Party Vote by Constituency Based on Present Roll

Constituency	*Type*	*D.P. Vote %**	*Reactionary Swing for D.P. to Win Seat %*
Que Que	Rural	39·6	11
Marimba	Urban	38·0	12
Lomagundi	Rural	37·9	13
Hillside	Urban	36·7	14
Umtali	Urban	36·5	14
Eastern	Rural	35·9	15
Hunyani	Mixed	34·7	16
Braeside	Urban	34·3	16
Highlands	Urban	34·2	16
Bulawayo Central ...	Urban	33·0	18
Salisbury Central ...	Urban	32·6	18
Mazoe	Mixed	31·8	19
Avondale	Urban	29·6	21
Salisbury City	Urban	28·5	22
Salisbury North	Urban	25·6	25
Bulawayo East ...	Urban	20·1	30

**Expressed as percentage of total valid vote on second count after elimination of lowest non-D.P. candidate on first count. Assumptions: (a) no swing since Federal election, (b) 18% of new voters.*

Memorandum

F. A. ALEXANDER

1. As a son of one of the Pioneers of Rhodesia and having lived in Southern Rhodesia all my life, mainly in the Rural Areas, I feel I have a right to put forward my personal views on matters concerning the future of the Federation.

Beginning of Federation

2. At the time of the Referendum in Southern Rhodesia I was convinced that the concept of a Federal State of the three territories of Northern Rhodesia, Nyasaland and Southern Rhodesia was correct, and was the right step forward to creating a secure Independent Central African State of all Races. Had the preliminary discussions been better handled and the wording of the Federal Constitution been different, the situation today would have been a happier one.

3. Enlarging on this, I venture to state that at least 99.5% of the African Population of the three territories were quite unaware of what was taking place and also had no understanding of the fundamentals of the proposed form of Government for Federation. I would also add that a good percentage of the European population did not really know what was taking place although a good many of them voted one way or other at the Southern Rhodesia Referendum.

4. From the time of the publication of the Constitution which had in it the unfortunate word "partnership" things have not gone well, and it was from then that the so called 'wind of change' started among the small percentage of the politically ambitious African population. Having lived with the African all my life it was very noticeable the change that was taking place. Nowhere in the world did one have such a law abiding people and a people who had made such vast strides from barbarism to civilisation, through the advent of the European, over a period of a short seventy years. What a tragedy that owing to the administration of these people from outside the country, this happy trend has not continued.

The Present Position of Federation

5. What have we got today? A divided people, both black and white, who fear each others actions, and a springing up of various political parties who are by their words and deeds, determined to split up the Federation. Which party is right? Why have we got to this state of affairs? The answer is the misinterpretation of the Constitution. On the one hand we have the African leaders trying to obtain something that they are not yet economically politically or socially ready for, and on the other hand we have some European leaders either trying to bring the African on too fast for his capabilities or trying to keep him back from rights for which he has qualified.

6. Having worked with Africans and dealt with them in other ways there is nothing worse for him than a situation of uncertainty and misunderstanding. If he knows exactly what the position is and what he will eventually get there are no better people to work with. But today he has been offered something he cannot have and it is for this reason that we have gone through the unhappy state in the two Northern Territories over the last fifteen months. No two administrations some five thousand miles apart could possibly be in accord under the present set up and some immediate action is required to rectify this position.

Must the Concept of Federation continue?

7. If any consideration is given to the discontinuation of Federation and this comes about, there will, in my opinion be strife in Central Africa within a very short time. The age of small nations living in seclusion with their own ways of life and still expecting the other countries of the world to provide finance and protection are over. The three territories cannot exist independently and give the necessary advancement to its people. Reasons for this statement will be elaborated at the time of my appearance before the Commission. With all the points put forward I consider that ways and means must be found that will make it possible for all races to live harmoniously in the future.

What changes in the Constitution are necessary for the survival of the Federation?

8. In my mind the most important first step to be taken is to accept the fact that we are now living in conditions that are totally different to those prevailing when certain promises were made to the residents of the countries now within the Federation. These promises are now archaic and must be revoked with the understanding that something better will take place. The repeated statement that no major changes in the two Northern territories will take place, but with the desire or wish of those people is a dream. Who are the people in those two countries that have the knowledge of the complex administrations and financial organizations necessary to bring about their advancement in these modern times. I know they have leaders, but is it anticipated that these leaders, who have had no leadership experience, will be unbiased in their presentation of the case to the masses, without resorting to mass hysteria? If the opinion of the two territories for changes is to be obtained this way, Federation is doomed from the start. Some more realistic approach to this vital matter must be found so that the future prosperity of the Federation can be controlled by civilised and experienced people. This in my mind is the most important constitutional change to be resolved.

9. The second major change which would eliminate all attempts of breaking up of the Federation is complete Independence forthwith. I can see no reason why any probationary period should be necessary. This alone will give a fillip to the Federation by virtue of the fact that all people, black and white will endeavour to make this their country as a whole and not expect legislation policy to be administered from overseas.

10. In bringing about these major changes there will naturally have to be other advances in the franchise to all races. The idea of one man one vote that has been put forward by certain sections is completely unrealistic and cannot be entertained. If the scale of qualifications is made very low, that will inevitably lead to control by the inexperienced mass and will not benefit the Federation. To make the qualification too high will probably meet the present requirements for the immediate progress desired. By raising the standard it will eliminate some of the European voters but this will probably be desirable in a multi-racial state such as this. If it is found a very low qualification is necessary then the necessity of a lower and upper house form of Government is apparent. Some consideration could be given to the multiple vote system.

Rate of advancement of Africans

11. With the education system now prevailing in the Federation, and the increased industrialisation in the Urban areas it must be accepted that the African is advancing rapidly in the economic field. Some means must be found so that the African is not excluded from entering the economic field in competition with the European. I cannot agree that because a person is white that he has to be protected. His answer to that is to be more efficient. With the higher franchise qualification the advanced African must be allowed to enter the political field with no reservations.

12. The final point on which I feel very strongly is the social one. On no account must any legislation be passed to force the pace of social integration. This is an evolution phenomena and the present laws have been accepted quite happily in the past and any change must be left to the persons or bodies concerned, provided they comply with prevailing laws and regulation of the Authorities concerned. I am sure the African is as proud as the European to keep within his racial group and it is only the small percentage of off-types that want to cause embarrassments between the races.

I will elaborate on all these points at my appearance with the Commission.

Oral Evidence

F. A. ALEXANDER

Mr. Alexander had been born and bred in Southern Rhodesia and educated there. He had devoted his life entirely to agricul-

ture, although he had many outside interests. He had been a farmer on his own account for 21 years with some success. He lived about 100 miles from Salisbury in the Rafungura area north of Banket.

He had produced a memorandum, to which he wished to add the following remarks. He had not come before the Commission because of conceit but as an ordinary farmer, since he felt it to be the duty of such people to give evidence. In his life he had spent much time, effort and money on the development of the country. He felt that he had made a contribution to the prosperity of Southern Rhodesia, and latterly to the Federation. He had built up his farm as a form of security for the future and for his children. He had come before the Commission to ensure that this trend would not have any setback. He also felt that he had made a great indirect contribution to African advancement in the rural areas. The African was really a happy person in the rural areas. Only years of extra prosperity in the agricultural sphere would bring the conditions of Africans into line with those of Europeans. For agriculture was one of the poorest industries in the country. He referred to the difficulties being caused by the current drought. He considered that Africans in the rural areas in Southern Rhodesia had been well treated. His experience had been entirely in Southern Rhodesia, and he had had no personal experience of the Northern Territories.

In answer to questions on the memorandum, Mr. Alexander made the following points:—

1. Paragraph 3, first sentence. He had a number of Northern Rhodesian and Nyasaland Africans working for him, and in fact half of his mail was for those people, which indicated that they still maintained close contacts with the Northern Territories. Not one out of 100 of those people with their families and children knew what was taking place. Several of them had radios, and two had motor cars and travelled about; but even they did not know what was taking place, in fact it was difficult for him to explain to these people what was happening. He had gone up to visit Northern Rhodesia and there also he had found complete ignorance about Federation.

2. Paragraph 4, first sentence. The "unfortunate word" "Partnership". He did not think that the Africans had interpreted partnership as meaning amalgamation. That at any rate was only a minor idea. The major idea was that partnership meant complete equality of the races, which was to come through Federation. Because of this misconception he had had to discharge a few of his employees, although he had done this in the proper manner at the end of their contracts; those people had started to strut around his farm and had been a nuisance. He was sure that this interpretation of partnership was the root cause of all the trouble today.

3. When he was asked how the problem should be solved he drew attention to the sentence in paragraph 12, "On no account must any legislation be passed to force the pace of social integration". The pace of the transitional period would only be a happy one if there were some plain speaking at the start. There were several political parties in the Federation all talking in different ways. The plain speaking should be addressed to both Europeans and Africans, and be to the effect that everybody had to reach a certain stage of civilisation without legislation. If there were legislation, and someone found that he was not qualified, he would feel rebuffed and disappointed. He compared the whole situation to that of a child in relation to a fond mother. The child would tend to run to its mother and the mother would give in. The trend of power from overseas was continuing nursing of one particular section of the community. So long as it went on that section would always want to refer to its mother overseas. He added that there were three Africans on his own farm whom he would not mind inviting into his house; but he dared not do that today, because the other 65 would then want to crowd in. If there were legislation, all would want to come in. He felt strongly about the social side of the problem. The economic side was somewhat different. In his view the Federation should administer its own affairs, and should be independent of control from overseas. If something were done on the lines suggested, immediately, he agreed that there might be strife in Northern Rhodesia and Nyasaland.

4. In Northern Rhodesia there was room for everyone; but there was a tendency for the Africans to come to the settled districts, leaving behind vast areas waiting to be developed. All Africans would not be able to be employed on the line of rail. He could not see Northern Rhodesia being developed properly outside the Federal concept. It was necessary for the people of the Federation to become one people, so that there could be resettlement both in the north and in the south.

5. He had never understood the Africans' fears of independence in Northern Rhodesia. He felt that this fear had no backing except in their imaginations. It was true that the majority of the whites lived in Southern Rhodesia. But the fear of swamping by the whites was just mass hysteria fanned by certain African leaders.

6. Paragraph 10. "By raising the standard it will eliminate some of the European voters but this will probably be desirable in a multi-racial state such as this." He was asked whether this would not also eliminate almost all the Africans. He did not answer the question directly but said that what he meant was, that there should be be one qualification if a "multi-racial state" was to come about. It was wrong to have a different kind of vote for lower class people. In this particular case the lower class would be the Africans. This naturally created resentment: therefore there should be one single level of standards for all.

7. Paragraph 12, last sentence but one. He was questioned about integration in cinemas, hotels, etc. He replied that once you brought in the multi-racial state, it would involve economic integration on its own account. If there were amenities in the European area, and the Europeans accepted the situation, it would be all right for them to be shared with the Africans; but if there were legislation there would be economic breakdown of its amenities because of the swamping of them by Africans. He knew of a case where an African family had come into a hotel, and had then been seriously embarrassed by the bill. In due time those who were politically and economically sound would come into such places; but if it were done by legislation, large numbers would want to try something once including many who were not yet socially right for this advance. When it was pointed out to him that there had actually been legislation to permit the admission of Africans into such hotels as the Jameson, he said he was talking of cinemas and theatres. He added that he did not mind sitting next to a clean, civilised African, but not to others. This attitude might apply to Europeans also, but to a lesser degree.

Mr. Alexander then made the following additional points:—

1. His farm specialised in maize and cattle, and he claimed to be one of the main producers of maize in the country. He paid his lorry drivers £15 per month, and his tractor drivers £8 per month. There was no labourer on his farm getting under 16s. per month together with food and accommodation.

2. He would *not* be prepared to hold the Federation together by force.

3. If the Africans of the Northern Territories were not cut away from the United Kingdom, they would never be able to stand on their own feet. As things were, they were half living in the Federation, but were also accepting leadership from elsewhere. On this condition, he would not object to black governments in the Northern Territories.

4. He claimed that no-one had greater pride than himself in his connection with the British Government and the old country. Britain had colonised these countries; if the British had not come no one could foresee what would have happened. It had taken the British people thousands of years to reach their present civilisation; although in an environment different from Africa. Even so the Africans in the Northern Territories could hardly advance quickly enough to elect a government of their own in time to save the Federation. Their tribalism had still to be taken into account, and it would take many years yet to train them.

5. He thought it would be quite fair to impose on the Africans in the Northern Territories an independent Federation, for the advanced Africans would co-operate with the white people.

6. Referring to the question of immigrant labour from Tanganyika and the Portuguese colonies, and from elsewhere, he supposed that a Northern Rhodesian independent government would legislate to keep such people out. He did not know if that would work. But in any case immigration restrictions would have to apply equally to white and black alike.

7. He would not say positively that Northern Rhodesia by itself could be self-sufficient. He had doubts about the future of copper. Times were changing. There could be a turning away from copper to something else, then Northern Rhodesia would suffer.

8. He was aware that the position of Africans in the Northern Territories was based on fear of Southern Rhodesia's repressive laws, such as the Land Apportionment Act and the pass laws. But he had had Nyasalanders serving with him for 21 years, and others had returned frequently from their visits to Nyasaland. Out of his 65 employees, 38 were now married and 28 of these people were Nyasalanders. Therefore he supposed that they were now permanent residents with him.

9. Finally he said that he would not maintain the *status quo* by force; but he also thought it essential to do away with the "mother instinct". He saw that there might be an interim period with the balance held by officials. If officials were from the Colonial Office, there would still be the old connection with the United Kingdom. Therefore they would have to become Federal officials and be appointed by the Federation.

SALISBURY

25TH APRIL, 1960

Memorandum

COLONEL A. S. HICKMAN

Police in the Federation of Rhodesia and Nyasaland

I appreciate that the present system of policing in the Federation are the responsibility of the three Territorial Governments, but have no doubt that the "Advisory Commission on the Review of the Constitution" would wish to take note of the present situation and the possibility of future developments.

I have been resident in Southern Rhodesia for 35 years during over 31 of which I was a serving member of the British South Africa Police, retiring in 1955 as Commissioner. I have wide experience as a policeman and therefore feel I might be of some use to the Commission in answering questions, and in submitting points for consideration.

An outline of my views is contained in an article I wrote for the *Central African Examiner*, Volume 3. No. 6, dated 15th August, 1959, page 16 et seq. With the full permission of the editor I now forward a copy for your information. (Annexure).

Salisbury

18th January 1960

Annexure

Extract from *"The Central African Examiner"* August 15, 1959

Britain's Pattern—Not Canada's
by Colonel A. S. Hickman,
formerly Commissioner, B.S.A. Police

The Report by the Conference on Federation was presented to the British Parliament by the Secretary of State for Commonwealth Relations and the Secretary for the Colonies jointly in February, 1953. The Conference had been held in London during January of the same year and was attended by representatives of the United Kingdom, Southern Rhodesia, Northern Rhodesia and Nyasaland.

I am concerned here only with its attitude towards police, and in this connexion, I quote:

> "An item has been included in the Exclusive List to enable the Federation to establish, train and maintain a Federal Police Force for service or use in any Territory, at the request of the Governor of the Territory, in addition to or in substitution for, the Territorial Police Force. The preservation of law and order will, however, remain entirely the responsibility of the Territorial Governments."

The Exclusive List covers subjects on which only the Federal Legislature may make laws. In addition there is a Concurrent List with which both the Federal and Territorial Legislatures may deal, and subjects which were not included in either of these lists remain the responsibility of the Territorial Governments.

The preservation of law and order was to remain a matter for Territorial control, but in the Exclusive List set out under the Federal Scheme, which was presented at the same time as the Report, Item 35 reads:

> "The establishment, training, maintenance and administration of a Federal police force for service in the employment of any Territory or use in any Territory at the request of the Governor of that Territory, in addition to or in substitution for, the police force of that Territory: and the conditions (including conditions as to payment by the Territory) on which the Federation will make such police available for such use or employment."

There is a footnote to this item which reads:

> "Unless and until the Federal Police are employed by all three Territories, the charge made to any Territory for the services or use of the Federal Police (other than occasional use for emergency purposes) will include a proportionate share of the cost of Headquarters charges and training."

In contrast to its pious hopes for the future regarding Police the conference accepted Defence as a Federal responsibility, and as a result we now have a Central Africa Command, and a Royal Rhodesian Air Force, under an appropriate Ministry, with evidence of marked and increasing efficiency as was demonstrated during the recent emergency.

It is known that those who represented Southern Rhodesia at the conference favoured a police system based on that of Canada, where, in addition to provincial and city forces, the Royal Canadian Mounted Police operates as the Federal force. Without full information about this scheme it would be improper to criticize it in detail, but it must have its weaknesses, emphasised by the recent resignation of its Commissioner, Mr. Nicholson, following a difference of opinion between the Federal and a Provincial authority. Full details of this case would repay study here.

I draw attention, therefore, to an alternative method, which is based on the British, as opposed to the Canadian, system. In Britain the Home Secretary (corresponding to our Federal Minister of Home Affairs) has ultimate authority over any of the numerous police forces, be they county, city or borough. This he achieves through Inspectors of Constabulary who are charged with the duty of inspecting all the police forces, reporting to the Home Secretary on their efficiency, and satisfying themselves that each force is being run to an approved standard.

These Inspectors of Constabulary are officers of wide police experience who have themselves been in practical command, but who have no remaining tie with any force. They are responsible only to the Home Secretary, to whom they report if they find something seriously wrong, and it is then his responsibility to set matters right. This he is able to do because half of the expenditure on each of the police forces is borne by the British Treasury, and thus the Home Secretary can arrange for these funds to be withheld. This application of sanctions is rarely enforced because the local authorities know full well that they cannot afford to lose the Treasury grant. Thus all the police forces in general maintain a uniform standard of efficiency.

In the case of counties, a Joint Standing Committee is responsible for appointments and exercises other control over its police force; in the case of cities and boroughs a Watch Committee performs the same functions, but with somewhat wider powers.

In this way there is ostensible autonomy, but in practice the Home Secretary has the last say through the Inspectors of Constabulary, who in actual practice have no power to direct the local authorities, except by an ultimate resort to sanctions applied through the withholding of funds. Normally a quiet discussion with the Chief Constable concerned has the desired effect. In addition to my reading on this subject I have been told of its practical application by a distinguished Inspector of Her Majesty's Constabulary—a post which was created in 1856 (so it has been well tested)—and I understand that the appointment comes direct from the Sovereign.

A similar system, I suggest, might be evolved for the Federation, where we have three territorial police forces, each at a different stage of development. The British South Africa Police of Southern Rhodesia is self-contained as regards organization and operation. Those who join this force are not subject to transfer to other forces, and their sphere of activity is confined solely to Southern Rhodesia.

The Northern Rhodesia Police and the Nyasaland Police, however, have their personnel recruited, trained and used on Colonial Office lines, and are subject to inspection by the Inspector-General of Colonial Police. Thus they are by no means autonomous, and their officers are subject to transfer to other colonial territories. The present Commissioner of the Northern Rhodesia Police has wide and long experience in that office, but his predecessor came from the Fiji Islands, and found that a land-locked country presented many problems different from those of sea-girt domains. The Commissioner of the Nyasaland Police has quite recently assumed office, though he has previous experience of Africa.

During the preparatory talks on Federation the so-called "Mountie" system was favoured as a basis for a Federal Police Force—to be hired out to the Territorial Governments on the lines indicated in the Report by the Conference on Federation. I understand it was implied that the B.S.A. Police should form the nucleus of such a Force. But no one with any pride in his unit would contemplate with equanimity the domination of his force by a "big brother", however friendly. That is exactly what happened; bad feeling was engendered between the B.S.A. Police and the Northern Rhodesia Police

until the former made it clear to the latter that no ulterior aims existed.

Today the three territorial police forces in the Federation co-operate purely on a basis of goodwill. This is a very fine thing and it has worked well, but it depends largely on personalities, so that the day could come when a rift might arise, causing acute embarrassment to the territories concerned and to the Federation. Let us hope, however, that past co-operation will continue; in the Nyasaland disturbances in 1953 contingents of the Northern Rhodesia Police, the B.S.A. Police and the Tanganyika Police were employed; in 1954, during the Wankie strike, welcome aid came from the Northern Rhodesia Police; and in previous years the B.S.A. Police were called in on several occasions to the Copperbelt.

At the time of discord when it was feared that the Federal Police Headquarters would be at Salisbury (a hint given in the Federal Scheme footnote already quoted, in that Territories would be charged for the services of Federal Police which would include "a proportionate share of the cost of Headquarters charges and training"), Northern Rhodesia was in a very favourable financial position, and considerable sums were spent on building of a police training establishment at Lilayi, near Lusaka. So that the Northern Rhodesia Police could be independent of "big brother". This depot is now a most up-to-date and efficient concern. Nyasaland, in a smaller way, began to develop the training of African Police at Zomba.

To maintain harmony it is obvious that there should be no further suggestion that any one of the Territorial police forces in the Federation should be swamped or absorbed by another. The three police forces must retain their identity partly because of their different stages of development, partly because they would tend to become unwieldy if ultimately consolidated into one Federal Force.

My suggestion is that a Federal Police Authority should be established under the appropriate Ministry, and agreement should be reached with each of the three Territorial Governments that the Federal Government should contribute to the Territorial exchequers one half of the cost of its police force. In order to maintain desirable standards, an Inspector of Constabulary should be appointed, who would have the same functions as the British incumbents.

This plan pre-supposes that the Colonial Office would cease to have a hand in the control of the Northern Rhodesia and Nyasaland Police, which would then stand on their own feet as the police forces of their respective territories. In time this is inevitable, but separation from the Colonial Office will be a complicated process, and will not be possible without Federal backing. The Colonial Office system of policing is different from that in force in Southern Rhodesia, but the basic principles for the preservation of law and order and the prevention and detection of crime are the same, and the Colonial Police give devoted service often in difficult circumstances.

In anticipation of the developments I have outlined there seems no reason why a Federal Police Authority should not be established at an early date (there is already a Federal Security Service) to prepare the ground by the employment of a liaison officer (not the Inspector of Constabulary), who would have the task of maintaining goodwill between the three police forces of the Federation and the Colonial Office. This might seem to be an intrusion at the present time; the official concerned would have no executive authority over the police, but he would be in a position to keep the Federal Ministry in the picture as regards territorial police trends and developments.

His would be a difficult task, but with mutual co-operation and goodwill, it should not be an impossible one.

A prerequisite is that the Colonial Office should surrender its control over the police of Northern Rhodesia and Nyasaland, as it must over the civil servants of these territories. Ultimately the civil service and police must look for advancement only in the territories in which they serve, and in the Federation. However devoted they may be, they cannot, as birds of passage identify themselves with local problems in the same way as officials who are also permanent citizens of the country in which they work.

The police of Southern Rhodesia have a great advantage over their northern neighbours because they can cover the whole of the country on routine patrol visits at regular intervals, so that the population of whatever race sees them as individuals, and the more primitive people are accustomed to the sight of police uniform, knowing that unless they contravene the law they have nothing to fear. These patrols which "show the flag" are valuable in building up a mutual respect between the police and the populace; and there is no doubt that they have been a strong factor in the maintenance of law and order, and the fact that since the Mashona Rising of 1897 there has been no outburst of racial conflict between Black and White.

There are no special riot squads in Southern Rhodesia on permanent stand-by in case of emergency, but the ordinary policeman receives intensive training in security work, so that, should the need arise, he can play his part in a crisis, and then resume his day-to-day duty. Although he is trained in the use of arms he does not carry them normally, and from being a soldier-policeman in the earlier days of this century he is tending more and more to be a constable on the British pattern.

In contrast, large areas of the northern territories are not covered at all by the regular police, but are visited by District Commissioners' messengers and tribal police. It is harmful, particularly in backward places, that the first contact the local inhabitants have with police should be when there is trouble, and they see them for the first time carrying a "big stick". In these areas, the regular police—not surprisingly—are feared and treated with suspicion.

Until routine patrols are authorized to cover all parts of the northern territories it is inevitable that special squads of police should be trained and employed solely to deal with emergencies. These squads are highly efficient, but their personnel can hardly be classed as policemen. They are strong-arm squads to enforce law and order when the situation is likely to get out of hand. They are not police according to the British concept of the term, but their employment is unfortunately necessary until the colonial policy of rural policing is changed. It is to be hoped that there will be no long delay, but it is sad to note that only a year ago no less than 14 rural police stations were closed down in Northern Rhodesia by order of the former Governor, Sir Arthur Benson. These smaller stations have a great value in bringing the regular police in closer day-to-day contact with the people, and should be established more and more until the country is covered by them, in a manner similar to the village constabulary of Britain.

Until there is a change of policy, the Northern Rhodesia and Nyasaland Police, however efficient, are inevitably limited in their scope of operation.

In drawing attention to the use of specialized police solely for emergency measures it is appropriate to sound a note of warning as regards the establishment of a Federal Force—in addition to the existing Territorial forces—on the Canadian plan. This force in terms of the Federal Scheme would be for service in the employment of any Territory or use in any Territory at the request of the Governor of that Territory in addition to or in substitution for the police force of that Territory.

The key words are "at the request of the Governor of that Territory", and since the preservation of law and order is "entirely the responsibility of the Territorial Governments" it seems unlikely that Federal Police would be called in except for an emergency. Therefore they might remain chiefly on stand-by, which would hardly justify their separate existence. I think it would be far better to have the three Territorial police forces going about their daily duties, to be called on for Federal duty only if special circumstances should arise.

It is inevitable that there will be awkward situations whatever police system is adopted, but these will be growing-pains and should be capable of solution with practical commonsense. For instance, when the Prisons Department was federalized in Southern Rhodesia the "raw material" continued to be supplied by the B.S.A. Police through the courts of justice—both Territorial establishments. In the past certain necessary fatigue duties, particularly at outstations, were performed by convicted prisoners. The new management required fees for prison service to be levied, in aid of Federal finance, against Territorial institutions. But when it was pointed out that, without the aid of Territorial police, Federal prisons would cease to function, the payment of fees was waived.

This outline of certain phases of police organization in various parts of the Federation, and my plan for future development, will, I hope, be considered by those who will be responsible for establishing order from what could, all too easily, become chaos; my suggestions will have served their purpose if they provoke thought in the right quarters—followed by action. I do not suggest that my plan is comprehensive, or even entirely practical in present circumstances, but it is worth consideration; and it is based on years of experience as a policeman.

Oral Evidence

COLONEL A. S. HICKMAN

Colonel Hickman said that he was speaking as an ex-Commissioner of Police for Southern Rhodesia. He made the following points in amplification of his memorandum:—

(*a*) He did not advocate the establishment of a Federal Police Force; nor did he think that the responsibility for law and order should be transferred fom the Territorial Governments. The position in Canada under which Federal, Provincial and Municipal Police Forces all existed in the same province, was cumbersome and could be improved on. It had led to major difficulties on one recent occasion in Newfoundland.

(*b*) Nevertheless, co-operation between the three Police Forces of the Federation was at present based entirely on goodwill. The results might be very serious if this goodwill broke down.

(*c*) In the two Northern Territories the Commissioner of Police did not have sufficient power. In particular, he was not in a position to give his Government a report on the overall security position in the Territory, as could be done in Southern Rhodesia, because his policemen did not patrol the whole Territory. The result was that in the Native Authority areas the police were never seen except in an emergency, and they were consequently regarded as enemies of the people.

(*d*) The proposal in the witness's article in the *Central African Examiner* to set up an inspectorate was related largely to the question of redistributing financial responsibility.

(*e*) The main objection to the establishment of a police reserve was that such a reserve would have nothing to occupy it except in times of emergency. Similar arguments applied to the riot squads in the Northern Territories. The British South Africa Police gave all their personnel training in riot control; they did not keep any form of special gendarmerie in reserve.

(*f*) The Inspector General proposed in his memorandum would have no executive functions, but would exist to maintain liaison, to co-ordinate police methods, and to establish goodwill between the three Forces.

(*g*) More could be done in Southern Rhodesia to provide advancement for African policemen. When he had been Commissioner of Police, he had recommended promotion up to warrant rank. This had been met by a compromise proposal to appoint station sergeants; but there was scope for promoting suitable people to the rank of warrant officer. Most constables on recruitment had at least Standard VI education; he thought that educated Africans should be encouraged to join the force to provide future officer material.

(*h*) The police forces in the two Northern Territories should be re-organised to stand on their own separately from the Colonial Police set-up. In this way, all policemen would become Federal citizens. This should not impair promotion prospects, since it would still be possible for policemen to be transferred from one of the forces in the Federation to another on promotion. Recruitment should be carried out wherever the best people could be found regardless of the country of origin.

Letter to the Secretary-General of the Commission from Col. A. S. Hickman, dated 28th January 1960

Sir,

I have been asked by Mr. Hlazo to hand in the attached Memorandum for consideration by your Commission. Hlazo, a farmer has not the opportunity of presenting it himself, but would be pleased to give evidence before the Commission.

For your information the following biographical notes on Hlazo, may be of some use to you:—

Titus John Hlazo. Born at Cala, Transkei on 14th May, 1895. His father was a transport rider conducting his own business in the early days of Rhodesia and when he had settled there he brought his family up to join him in 1897. For a time he was one of the earliest Methodist missionaries until the B.S.A. Company asked him to supervise the settlement of the Colonial Africans who had served the Company as Pioneers. Titus was educated at Lovedale Training School from 1913-1917, and qualified as a teacher. From 1918-1921 he was employed as a teacher at Hgwenya Presbyterian School, Bembesi. In 1922 he was appointed as a teacher at the new Domboshawa Government School. In the same year he married Rachel Masinga, a Zulu, who was then teaching at Hopefountain L.M.S. Mission, near Bulawayo, and who was responsible for establishing the Girls' Boarding School there.

The Hlazos were on the staff of Domboshawa from 1922-1942, when they both retired on pension at the end of 1942. Since 1943 they have been farming at Shangure No. 1 P.O. Melfort.

To my knowledge Hlazo has always taken a close interest in the development of this country, and he is a man of sterling character—quite outstanding.

He has three sons Theophilus, the eldest, is farming with his father, David is on the staff of the Native Affairs Information Department and Alexander is the only African clerk at present employed at the Manica Road Branch of the Standard Bank in Salisbury.

I have the honour to be,
Sir,
Your obedient servant,
(Sgd) Col. A. S. Hickman

P.S.—Hlazo recently contributed Matabelle praise songs (Imbungi) to a publication by the Southern Rhodesia African Literature Bureau entitled "Imbungi Zalamhla Layizulo" (Praise songs of today and yesterday).

Memorandum

T. J. HLAZO

(Annexure to Col. Hickman's letter above)

Case for Partnership

1. The federated states or territories are committed to the policy of partnership, using the colour blind arm of destiny—straining every nerve and muscle to fish out the highest and finest human qualities from every racial group in the federation which alone have transformed nations from the wild laws of the jungle to the elevated plane of the human person which makes life a blessing instead of a curse. Does the African then possess these great qualities? Yes he does, the great story of Dr. Livingstone's death abundantly bears this out. His African colleagues showed their last respect which was the fruit of genuine relationship between the great Doctor and them. Lobengula a celebrated despot but in his darkest hour, when the war that overthrew his reign broke out—the highest human qualities came to the surface when he sent word to all his blood-thirsty armies not even to dare touch his friends the missionaries at Inyabi whose friendship was so deep and precious even more than temporary glory. He sent warriors to escort them unmolested to a place of safety and to a position that they could be able to join their kind.

2. Federation

Is federation succeeding or failing? Federation is succeeding by leaps and bounds. Here are concrete proofs:

Since federation the Post Office has spread its branches to both urban and rural African areas.

The magnificent primary schools in every urban area are under the leadership of African Headmasters.

In Nyasaland assistant District Commissioners have been appointed. In Parliament Africans have been elevated to the positions of ministers.

Conditions of employment are daily being improved.

In actual fact the northern territories are swimming in freedom. There are a number of African M.L.C.s in their territorial assemblies.

While we in the south we have none. All there fruits of federation meet no opposition. Why then cut the tree that gives us fruit? Booker Washington left a great picture to the world when he said:

People were like a ship which got short of fresh water and began to send signs of distress to other ships.

The reply was: "Down with your buckets where you are". The ship had not realised that it was sailing in the waters of the Amazon. We are like that in our battle between good and evil.

3. African Background

The African background is the stumbling block at least for the moment as the old elements are on the way out. According to old African systems what is vice today with them was virtue. The different camps the tribes were divided into—actuated that the vices of suspicion and hatred pervade their minds so much so that they became their second nature. War was the highest tribunal and the referendum after which the vanquished had no voice whatsoever.

In this fashion the land was divided between the haves and have nots in a most animal like form because it did not make any allowances for progress.

The haves had to always keep a sharp look out that the have nots must be kept down in every way by looting everything then endeavoured to raise. Thus the haves found industries in looting which discouraged others to make any headway.

It then becomes plain that the present opposition is backed by hereditary characteristics than by actual facts.

4. The Solution

All the talk of independence and the rest of it, should be dismissed as air and gas and a bark without a bite. Not a long time ago African patients abhored to hear the name of hospital because a strong belief had gone far and wide that whosoever entered hospital was subject to have his stomach cut opened with a bit sharp knife. I remember helping a policeman to persuade a very sick man to go to hospital and the last resort was to put handcuffs on and he was carried to hospital and got

healed. The erection of gigantic hospitals alone is a proof that hospitals are by far better than the cunning witch doctor, and the rush to hospitals is just amazing.

5. The Missing Link

It is some time now that even the great nations have been trying to find the missing link. After World War I, the League of Nations was formed but had one flaw that it was not fully representative of all the Nations.

After World War II, the U.N. came into being in a more progressive way than the league. The U.N. is waiting for us to come to realise that unity among nations means sincere brotherhood.

6. Boycotts

Boycott is one of the weakest weapons of the nationalists.

Boycotting of South African goods got big headlines a few weeks ago. The African in South Africa does not only envy the federation's policy of partnership but employ every means to cross the border, an affair which gives our Immigration Officers headaches.

7. Great Reminders

It should do the federation African a world of good to draw lessons from history.

8. The National Suicide

In 1856 Cape, Xosas listened to an African false prophet to kill their entire herds of cattle and to throw away their corn in anticipation of more and better cattle to come with their dead ancestors. As usual the battle between good and evil was waged. Some believed others did not. The outcome was disastrous to the believers as they died by thousand but those who did not believe were saved to perpetuate the Xosa nation which was on the verge of extinction through self inflicted disaster.

9. Abyssinia

This country has enjoyed independence of long standing but when Mussolini's hordes invaded it in 1935, independence proved to be no shield against mighty odds and the Emperor was forced to exile.

10. A Typical Synonym

The combination of the allies forces at the outbreak of World War II proved that: United we stand but divided we fall, hence partnership will prevail.

11. Franchise

The federations present system of franchise allows plenty of room for evolution so as to cover every step as well as to provide a very good training ground for the masses to learn to value this great democratic privilege which must be responsibly used.

12. Dominion Status

The kind of dominion status we want here is different from some that were obtained which excluded other races from participation. Ours will be more representative and its working will be what races agreed upon.

13. Grand Mother Mentality

Much as we admire the champions of African aspirations but when their stand reaches grandmother proportions we part roads. A grandmother will persuade her son to hand over the sharp razor to her grandson who cries for it though his hand is not trained to hold it in correct angles. Should the persuasion of the old lady prevail the favourite grandson cuts his throat instead of doing what the razor is meant to do.

14. Major Solution

Since the devil will always have something to do with idle hands solutions are absolutely necessary, here experts will know better. The potential African school population should be earmarked in planning ahead. More actual action among Africans is a great necessity.

If industries could so expand as to cover African areas so that apprenticeship absorbs most of them including other industries that will keep the human mind usefully employed and this should go a long way in remedying the present state of affairs.

15. British Leadership and integrity

All good achievements are a fruit of every stormy weathers. In this field the British, no matter where they are have always risen to equal any problems no matter how stubborn they may be.

Typical, the British Prime Minister's recent speeches in the federation show the substance the English are made of.

The creation of a new nation—a multi racial nation will make Central Africa the Bird's Eye of the entire world.

Melfort

January 1960

Letter from T. J. Hlazo to Col. A. S. Hickman enclosing an appendix to his Memorandum dated 13th February 1960

Dear Watcher of the Drifts,

I just wonder whether the enclosed appendix to my written statement will still find room for submission. I am particularly prompted by the fact that time for submitting evidence has been extended and I want to bring home our (Africans) outlook of the situation as actuated by our present state of development.

Imposing as the voice of the majority may be, history proves that the forces of righteousness are always in the minority but they are always on the right side.

Prophets were never in the majority and the Prince of Peace used and left the minorities to spread the truth and the news of salvation on earth.

Federation simply must not break up.

Yours sincerely,

signed T. J. Hlazo.

Letter to the Secretary-General of the Commission from Col. A. S. Hickman, dated 18th February, 1960

Dear Sir,

I submit an appendix at the request of Mr. F. J. Hlazo. His reference to me as "Watcher of the Drifts" arises from his Sindebele "praise song" a copy of which I attach.*

Yours etc.

(sgd) A. S. Hickman

Annexure I

Appendix to Memorandum by T. J. Hlazo

Definition of Partnership

Sometime in the twenties, Father Huss organised co-operative societies among Africans in South Africa. He wrote a pamphlet on the subject. He likened co-operation with two disabled men.

One man was blind but had very strong legs and the other was crippled but had very good eyesight.

One day the two men were brought together and they entered into a very serious consideration of their disabilities. In the end they arrived at a very great decision which soon reclaimed their hopeless lot and their lives became more happier and fuller.

Their great decision was this:

That the blind man should carry the lame man while the lame man had to do all the seeing as they went about with whatever business they undertook and they were rewarded with astonishing success.

Present Controversy

Different Political Parties have different policies which are responsible for the divorce of partnership from its correct definition and application.

Partnership is, "A business Association". One of the best examples: The blind and the lame man.

Indirect Rule and Africans

When Europeans settled in Africa the aborigins had to be led from what they knew to what they did not know, from their simple way of life to the more complex European way. Indirect rule gave birth to Native Policy which works extremely well so long as it was in the hands of a stable, liberal government.

With Party politicians with their different versions of policies Africans are bound to find themselves in deep waters should the government change hands.

The present state of affairs in South Africa bears this out.

The unfortunate thing about Indirect Rule, it threw the Africans into a groove as theirs, for the time being was to express their wishes and troubles, but not to make a contribution in the politics of the day.

Much as this was never intended to be until the African was articulate enough to make an enlightened contribution the African is in the groove because when we are called upon to make a contribution we find ourselves reciting destructive criticisms in so much that the African thinks Politics is to criticise.

Best Policy

No better policy could ever be evolved than the policy of partnership and already the Africans who have been entrusted with responsible work since federation show that we can adjust ourselves to higher levels than ever before.

See Annexures I and II

Hence the most pressing thing above all others is to keep federation intact and the implementation of partnership a Reality—then one of the greatest of human achievements would be added in the Encyclopaedia of the World.

Such Dangers Sidestepped

We as Africans have learned the simple rudiment of driving cars, etc., but when mechanical complications arise which need expert knowledge of the garage man, what next? We must keep to the garage we know best.

The British Prime Minister

During his historic African tour the British Premier, among his great speeches, said this, that the world was divided into three great camps: The free Nations, the U.S.S.R. and the East. From these we must choose our garage to which we would take our car of state when it gives trouble.

We need someone to give a signal, a genuine one for that matter that we must go down with our buckets where we are for why look for a new garage when we are living inside such a good one.

Glorious Independence

A Multi Racial independence is more glorious than one which will not only throw us back but will bring us heavy loads of foreign ideologies plus making our land of birth a dumping outpost for their surplus population.

Federation simply must succeed failing which British Africa as a whole will be the victim of hungry wolves.

February 1960

Annexure H

COLONEL HICKMAN

(A Sindebele Praise Song composed by T. J. Hlazo)

A tiger by appearance yet a lamb by heart, when he appears at a police camp all the police force stand at attention.

The hornless bull calf of Hickman. The superior of the Police Force, right in the capital.

When the hornless calf stands on the Harare Kopje and points a finger the police force from all over the country gather.

The Watcher of the drifts for the Government to keep check on disguised enemies who are bent on spreading the disease of lies.

He who penetrated the wilderness and came to Tuli where he established a new B.S.A.P. Camp. This camp is important because it keeps Tsotsis in their own country. (Transvaal).

The Watcher of the drifts for the Queen. The communists failed to cross the drifts, gates, boundaries in the east, west, north and south.

N.B.—Suitable African name uLindamazibuko in verse 4 meaning "Drift Watcher".

Oral Evidence

T. J. HLAZO

Mr. Hlazo said he had nothing to add to his memorandum (submitted through Colonel Hickman) but would prefer to answer questions.

Asked whether he was acquainted with conditions in the rural as well as in the urban areas, Mr. Hlazo replied that he was a rural resident. He did not think the benefits brought by Federation would be confined to urban areas: he expected them to extend to the rural areas, but he felt it had been right for a start to be made in the urban areas because the younger generation growing up in urban areas would become restless if they were not occupied by education and other things.

He did not think the franchise would remain as it was for ever, but the present system made a good training ground for Africans, especially the Tredgold recommendations, though it was difficult to plan for the coming generation because they might not want what the older generation wanted.

Mr. Hlazo thought the time had come when there should be some African M.P.'s in the south as well as in the north of the Federation. Asked how that could come about without some extension of the franchise, he replied he did not believe in any racial franchise. If the principle of racial partnership really worked, all races would return responsible people of whatever race. It was put to him that if people were not to vote on racial grounds it was theoretically possible for Europeans to vote for any African candidates who were put forward for election—did he think it would happen in practice? He replied that it ought to happen in order to implement equal partnership, and that that end could be worked for. He felt that Europeans, by and large, would be prepared to accept an African as a legislator, because a beginning had to be made sometime. He thought that, despite the fact that Africans wished to have a better representation, things had to be done very carefully in order to avoid mistakes in the future. He pointed out that even the Dominion Party, the most unpopular Party amongst Africans, had an African M.P. and this was a good thing. There should be some African Members in the Southern Rhodesia Territorial Parliament as well as the Federal Parliament.

It was pointed out to him that this situation could be achieved if Africans registered, since there were at least three or four constituencies in Southern Rhodesia where there were enough African voters to give a majority because of the African community being concentrated in certain urban areas. Mr. Hlazo agreed at this point and he referred to his birthplace at Cala, Transkei, where an African majority returned European M.P.'s. Unfortunately there were no Africans who had stood for election in Southern Rhodesia.

He felt that Federation had come with something new and something better. After less than seven years of it, the races were coming together. It would be wise for the Africans not to oppose Federation. The best policy was to give something new a sincere trial to see if it worked, and if it did not work one could then point to where it had gone wrong, and remedy the defects.

He thought that the Southern Rhodesia Territorial Parliament had a provision for Africans to be elected, and at the next election there would be Africans in that Parliament. It was pointed out that though the African had never been barred in theory from becoming a Member of Parliament, it had not happened in forty years of self-government in Southern Rhodesia. Mr. Hlazo said that was why he wanted support for Federation, because the African Members in the Northern Territories were interested in African progress and African representation being gained in the Southern Rhodesia Territorial Parliament, that was the biggest thing they could fight for. Mr. Hlazo thought that the reason why many qualified Africans did not bother to register was because some of them did not take much trouble to learn about the power of the vote. He said there was little emphasis laid on the teaching of civics in African schools. He had found that even many highly qualified people did not understand the value of the vote. Africans here did not greatly interest themselves in politics at present; they had not given as much consideration to it as the African in the Northern Territories.

He agreed that there used to be far greater discrimination in past years than was the case now, and the chances of Africans getting into Parliament in Southern Rhodesia were greater than in earlier times, for many reasons, including improved economic standards. He reiterated that the whole attitude of the European was changing considerably, and this was likely to bring about the practical application of partnership. In this connection he referred to the different policies of political Parties (see appendix to his memorandum) as being the chief stumbling block. If the different political parties could only agree on a unified Native policy there would be much less fear and suspicion.

The kind of government did not matter as long as people did the right thing. He instanced the fact that at one time there was no more liberal policy than that of the Cape of Good Hope in South Africa, though it was quite different today. His forefathers had become British subjects on the 14th May, 1835, when they made three solemn vows, including one of loyalty to the British Queen. When the Union of South Africa was formed, the Cape Province insisted on certain entrenched clauses in the Constitution which could only be removed by a two-thirds majority of the two Houses sitting together. In the same way, partnership was something new: if the definition could be so enshrined in the Federal Constitution that it would be an offence for anyone to attempt to remove it, then world opinion would be the arbiter. Mr. Hlazo said he would like to see it enshrined in a Bill of Rights.

Mr. Hlazo went on to say that the ideas of the Labour Party in the United Kingdom did not seem to help the Africans very much because they were just looking at one side. In this respect he was referring to the "grandmother mentality" (paragraph 13) mentioned in his memorandum. In connection with the opposition parties in Parliament, he said that in politics people had a way of saying things before they got into power; but they did different things after they had achieved it. The ordinary African was like a grandchild, and believed anything he read in the newspaper.

Expounding on his paragraph 3, "The Haves had to always keep a sharp lookout that the Have-nots must be kept down in every way by looting everything they endeavoured to raise. Thus the Haves found industries in looting which discouraged others to make any headway", Mr. Hlazo said that referred to African rule, because at one time the Africans had no say. He thought the present system, where everybody had a say, represented a remarkable and favourable change.

Referring to his suggestion in paragraph 14 that the poten-

tial African school population should be earmarked for planning ahead, Mr. Hlazo said that the ordinary African in the rural areas, seeing the wonderful industries rising in the urban areas, thought the Government did not care much for those outside the towns. He would like these industries expanded into the rural areas so that the people there could also be absorbed. By his suggestion of "more actual action among the Africans", he meant that they should be really co-operative and learn that these things are for their own advantage. For instance, when an ordinary African went to work in a factory, he thought only of his wages without thinking that this factory was also important for the African population as a whole. The African should take more part in it.

Memorandum

REV. J. L. PRETORIUS, M.P.—Chairman of the Federal African Affairs Board.

I shall be grateful if you will bring the following evidence to the notice of the Commission and if you will indicate to the Commission that I shall be grateful for an opportunity to give oral evidence.

In this statement I shall restrict myself to two aspects of the matter only: (*a*) Causes of Resistance to Federation in Nyasaland; (*b*) The African Affairs Board.

(*a*) Causes of Resistance to Federation in Nyasaland

1. The urge for freedom has been in the hearts of the people all the time, and through the years there has been a minority who had rather strong feelings on the matter, but they lacked the educational training that would have enabled them to express themselves in a convincing manner. Declarations issued by the Colonial Office from time to time on its policy of developing the Colonies towards self-government raised their hopes. When, after the Second World War, the promises of self-government were more clearly stated these elements in Nyasaland became very hopeful, and when the possibility of a Federation with the two Rhodesias was mooted they felt that it would mean the end of their hopes of freedom.

2. In addition to this, nearly every African objected to their country being tied in any way with Southern Rhodesia. They knew Southern Rhodesia very well. Nearly every man had worked in Southern Rhodesia at one time or another and they feared that the restrictions which they experienced in Southern Rhodesia might come to Nyasaland. Now with regard to this fear, two considerations should be borne in mind.

In the first place as aliens they were more restricted in Southern Rhodesia than the locals and as strangers they suffered a number of disabilities which made their lot harder than that of the indigenous African population. Consequently, they had an exaggerated picture of Southern Rhodesian disabilities.

In the second place, the contrast between the restrictions which they found in Southern Rhodesian towns and the freedom of movement which they enjoyed in Nyasaland, made this Nyasaland freedom the more precious to them.

3. The policy of extremely cautious constitutional development in Nyasaland caused African leaders to feel that it was Southern Rhodesia which retarded development. When, in 1955 Congress' proposal for parity at the unofficial level was turned down, it was a severe blow to the more moderate elements in Congress, and many came to believe that only extremism would achieve their object and that it was the fact of their being within the Federation which was holding up constitutional development.

4. The failure of the Federal Government to appreciate the strategic importance of the professionally qualified African offended the well educated African and caused him to look upon partnership as a mockery. By starting such people in a branch lower than that of an European of the same qualification, they offended the young African right at the start of his career.

5. Too much was made of the economic benefits which were coming to Nyasaland. It is true to say that the country as a whole benefited, but the villager did not personally feel the benefits. One has reason to believe that he has less money in his pocket today than previously. There has been some increase in his earnings from the land but there are indications that the increase in his cost of living has been much higher than the increase of his earnings. Such a person finds it hard to believe that he is now better off than he was before.

6. It is widely believed that had the Colonial Office told officials to propagate the idea of Federation right at the start the African could have been won over to the idea. This might have helped at the time, but it is very doubtful if its effect would have been lasting. The words of the District Commissioners would only have had a lasting effect if the policy followed had produced beneficial results in which a large section of the villagers had a share. The situation worsened, not because the District Commissioners did not speak, but because the white politicians never gave a thought to the villager and because the Federal Government had no economic development programme for Nyasaland *in operation.*

7. They never had a guilty conscience about being uncooperative because they felt they had no share in the decision that Nyasaland should be within the Federation; and there may be no end to our troubles unless they know that at some stage they will be allowed to decide for themselves.

(*b*) The African Affairs Board

As will be seen from its history, the African Affairs Board has never had a warm welcome from the Federal Assembly. The Government Party does not feel entirely comfortable in its presence and the Opposition has always been against the existence of such a body. The reason is that no Parliament likes to have a watchdog watching its proceedings and those who went to the 1953 Conference on the Constitution accepted this peculiar body, merely because there was no other way out.

To start with, its very peculiarity was a disadvantage and when it was realised that the majority of the members of the first Board did not belong to the ruling party and were sometimes out of sympathy with the party, the tension between the Board and Government increased. This resulted in the method of discussion and consultation giving way to that of debate. But, in spite of this tension, the arrangement was not unfruitful in its efforts as the story of its activities shows.

The majority of the members of the present Board belong to the ruling party and consequently some of those not belonging to this particular party do not have the same confidence in this Board as they had in the previous Board. The new Board is only nine months old and has not had a chance of showing what it will be capable of in a crisis. If under such circumstances the members of the Board are able to forget to what party they belong, its findings will (on account of the affiliations of its members) carry much weight with the present Government.

The Party Caucus has informed its members who serve on the Board that the Caucus will not instruct them under any circumstances how to vote on the Board, and so far there is no evidence that all party members vote according to the wishes of their party.

It is also true to say that in its day-to-day vigilance the Board has not been less successful than the previous one in getting differentiating clauses in Bills amended, and with regard to such a major policy matter as the regulations pertaining to commissioned officers, it registered a measure of success in no mean order.

But this situation may not be due to the system only. One ventures to suggest that it may also be due to the personalities of those serving on the present Board. Had there been even one domineering personality on the Board, the position might have been less happy. It may also be due to the strong position in which the present Government finds itself. Had there been a numerically strong Opposition, the Board might have found itself in a difficult position. With a strong body opposing it the Governing Party will naturally be inclined to give more attention to moves by the Opposition than to the advice of the Board. In such a situation the Board will still be of moral value and a restraining influence, but it will not be able to show the array of practical achievements in such a short time as it did under present conditions.

The Board has served a useful purpose and it seems as if we shall need some such body as long as we have different racial groups living in this country. But the Board would have been more useful and, at times less embarrassing, if it was consulted at the drafting stage of Bills where some controversial matter is likely to arise.

We are now nearing a stage in our development where we shall not need an *African* Affairs Board, but a body that will look after the interests of all racial groups. A Council of State may be the answer, but if such a body is to have the confidence of everybody, the four Governments should have an equal say in its election. There will, no doubt, be several proposals as to the composition of such a body. Perhaps the following proposal merits consideration:—

A Council of twenty-four members all of over thirty years of age and appointed as follows—

From each Territorial Government the following—

1 Chief nominated by the Governor.
1 African nominated by the Governor.
2 Europeans nominated by the Governor.
2 Members elected by Territorial Legislatures.

From the Federal Government the following—

4 Members elected by the Assembly.
1 Asian nominated by the Governor-General.
1 Euro-African nominated by the Governor General.

The Chairman to be nominated by the Governor-General from among the members.

No apology is offered for nominations on racial lines. Ten of the members will be elected on a non-racial basis, but unless the 14 remaining members are nominated on a racial basis, the balance of interests in the Council cannot be guaranteed, and for many years to come a balance of racial groups will be necessary.

Salisbury

22nd January 1960

Oral Evidence

REV. J. L. PRETORIUS, M.P.—Chairman of the Federal African Affairs Board.

The witness made the following points in amplification of his memorandum:—

(*a*) The feeling among Africans in Nyasaland against Federation was very strong. At least part of the responsibility for the slow constitutional development in that country was attributed to Southern Rhodesia. When constitutional proposals were under discussion, agreement had been reached between the African and European non-official members in the Nyasaland Legislature supporting a move to parity of representation in the Legislative Council. This had only broken down because of pressure from Europeans in Southern Rhodesia. When this took place, the Africans had, in his view, displayed more statesmanship than the Europeans; but the result had been to put power firmly into the hands of extremists.

(*b*) If African co-operation in Nyasaland was to be re-established, a completely new outlook was required from the Europeans. It was difficult to expect a responsible reaction from Europeans in Southern Rhodesia which would really take into account the aspirations of African leaders; but without this it was difficult to see how confidence could be re-established in Nyasaland. He considered it to be essential that white leaders should get rid of the practice of ignoring leaders whom the Africans had chosen themselves.

(*c*) In any revision of the Federal constitution, it would be necessary to replace the African Affairs Board with some alternative body having power to protect all minority interests. At the present time the Indian and Coloured communities often needed a champion more than the Africans. Such a body might be a Council of State on the lines set out in his memorandum.

(*d*) The Council of State should be empowered to concern itself with Territorial legislation as well as Federal legislation. Only by treating the Southern Rhodesia Government or a par with the other three Governments would African confidence be restored.

(*e*) There should be one qualification for the franchise. The special roll gave Africans the feeling that they had been cheated of their rights.

(*f*) The witness did not favour universal suffrage; indeed, any African who was in favour of democracy realised that a qualitative franchise was the most satisfactory answer provided that it was a franchise for a common roll.

Memorandum

SINOIA ASIAN ASSOCIATION—A. L. Rahman, Hon. Secretary.

I have the pleasure to inform you that our Association is prepared to send a delegation of two or more to give oral evidence before the Monckton Commission during its sittings in the Federation.

It is desired to give evidence on the following:—

1. Our Territory (Southern Rhodesia) within the Federation.
2. Our position as Asians in Southern Rhodesia and our disabilities.
3. Desirability of Federation. (Pros. & Cons.).
4. Desirability of continued British Protection for Northern Rhodesia and Nyasaland.
5. Education.
6. Franchise.

I would be very grateful therefore if you will kindly let me know of the approval of this application at your earliest convenience.

Sinoia

21st January 1960

Oral Evidence

SINOIA ASIAN ASSOCIATION Represented by: B. Govan and A. L. Rahman.

In giving oral evidence on behalf of the Sinoia Asian Association, Mr. Govan referred to item 1 of their memorandum—"Our territory, Southern Rhodesia". They wished to make it clear that they considered they were fortunate to be in a very good country, a wealthy, prosperous country, where most of the development had been achieved through hard work. They considered, however, the country could still be a much better place in which to live if full opportunities were given to all the inhabitants. At the present moment a vast section of the population was deprived of most of the benefits which should be made available to all its citizens. For their part they were prepared to accept the Federation, to go ahead with it and try to make a success of it. But they were not prepared to accept the terms of Federation at any price. There were a lot of conditions, particularly based upon race, which were not satisfactory.

Mr. Govan referred to the fact that although there are a lot of schools in this country, those schools are not available to all the children, particularly the Asian, Coloured and African children. In his own area there was a new secondary school put up at great expense, but only about forty European children had been enrolled. It was a sad thing to see most of their children walking about the streets not well equipped in mind and spirit. He mentioned the four grades of schools, teacher-training, technical, secondary and primary schools. In all those schools the facilities for their children and African children were very poor indeed. The money spent on the secondary school referred to was provided by the Government, which meant the Coloured people, who were part and parcel of the population, were being deprived of that benefit. If similar facilities were provided for all sections of the population, they would not complain; but these things were done for one section of the community, not for the others, and the others were told to wait because there were no resources available.

Mr. Govan mentioned the discrimatory practice in regard to the pay and terms of African teachers in the Civil Service. The standard of promotion was not satisfactory in the lower grades. There was also the question of teachers transferred from one school to another. An Asian teacher would only be transferred to another Asian or Coloured school; this also applied to an African; but a European teacher would sometimes be transferred from a European school to any of the other schools.

At present in the colony there were only two Government secondary schools to prepare their children for higher education, and that was insufficient. A number of children were turned away from the secondary schools because of lack of facilities. They felt that something should be done to admit them; and that the secondary stage of education should be multi-racial. They wished for something to be done for the girls, and there should be separate higher education for Asian girls, who could not even train as nurses at present.

The witness said also that there were not enough hospitals to serve their population. The only hospitals for Asians were in the larger centres; in the smaller areas there were no facilities. In the outlying areas there were European hospitals, but the Asians and Africans were not admitted to them, and they had to travel long distances to go to the nearest hospital available for them. Some years ago, because of lack of hospital facilities at Que Que, the witness's little daughter had died of malaria.

Moreover they had no maternity wards in their hospitals; no isolation wards were available for them and they simply had to use one unit, which was most unsatisfactory. The facilities for African maternity cases were also very bad because most of the African mothers who give birth at the hospital were discharged the same day.

Mr. Govan mentioned that the only branch of the Civil Service open to the Asian and Coloured communities was the teachers' side. He considered that they should be accepted in the higher grades in all branches.

In regard to the development of land, the witness said that new townships were being planned, but these were virtually closed to them. They could not participate in new housing schemes. There were many clauses of the Land Apportionment Act which must go.

Mr. Govan also referred to discrimination on the Railways

in reserving accommodation. Seats were only available to them in the first coach; and railway travel was no longer a pleasure for them. Yet this was a national transport system.

The witness then referred to trade unions. Their doors were closed to them, although it was true the Government was trying to improve matters. The African who worked with the European was only allowed to pick up a tool and hand it to the European doing the job, and nothing further.

On the question of entertainment and hotels, the witness referred to the fact that there were only about three hotels that were multi-racial. If hotels were to close their doors against them he wondered what success partnership would have in this part of the world. Even public amenities such as swimming baths, provided by the funds of the ratepayers, were closed to them. There was also a great deal of discrimination in the field of sport, and even in barbers' shops. Asians and Africans were not allowed to enter a butchery and select their purchase according to their choice. All these things worked against a good relationship and against the concept of partnership.

On being questioned about the franchise system, the witnesses said their community felt that if the Government were to be truly representative—a government of the people working for the people—then it should not try to disqualify a certain section of the population by bringing about the disparity in the voters' rolls. They considered it utterly wrong to have a preferential system. They thought the qualifications were in any case too high for both the Territorial and the Federal systems. They would lower the qualification to what it was before it had been raised. They considered that a great many people who were responsible and educated were being pushed off the voters' roll because they had not the monetary qualifications. There should be one roll based on the previous Federal franchise.

In the witness's opinion, if Federation were to disappear, the two Northern Territories would not suffer to any great extent. But if Southern Rhodesia were given independence the conditions in this country would become even worse, particularly for the less privileged, as they would have no protection from the United Kingdom. As it was, the Federal Government was largely influenced by the Territorial Government of Southern Rhodesia.

For his Association, the witness expressed the opinion that if there were a change of Government the Asians would not be considered, because the Government did not depend on their support and they might very well take them off the voters' roll. They had no safeguards, and for that reason they would insist that until such time as this country became truly multi-racial there should be, both in the Territorial and Federal Houses, reserved seats for each racial group. Mr. Govan thought the reserved seats in the Federal Parliament for Asians and Coloureds should be by election, as were the reserved Federal seats for Africans in Southern Rhodesia.

The witness said he was in business and employed about twenty people, none of whom was a European. He did not employ Africans in responsible positions: this was not because of racial discrimination but because it would mean putting his own people out of work. Asked whether his attitude on this was not the same as that of the European trade unions, he said he did not think so. He employed those whom he thought were the best people for certain departments. If people in his position wanted to give Africans positions of responsibility, there was nothing to stop them, but it would mean that they themselves would be jobless.

Asked why Asians did not move into different spheres of business such as, for example, hairdressing and butchery, in order to serve their community, Mr. Govan said there were Asian butchers and hairdressers practising in Salisbury. He explained that Asians were not allowed to set up as building contractors because of a law preventing this, though there were Asian building contractors in Northern Rhodesia. The law came under the local authority and he fancied that sometimes the local authority used more power than it ought to. It was something which should be investigated.

He went on to say that Asians wished to see all education under the Federal Government, because this would build up a good relationship among the people. He considered education should be multi-racial at all stages, and did not mind his children learning with Africans. He thought there would be no language difficulty because most Africans were beginning to speak English and were proud of it. Multi-racial schooling would bring all the races together.

Referring again to the inadequate number of hospitals and schools, he said this only applied to the Asian and African sections of the public, and not the Europeans. In his district most of the Africans had been learning under the "shade of trees". The European child did not suffer because everything was provided for him. About a year ago an Asian school had been built, after a tremendous struggle, which cost only £6,000 as compared with £70,000 for the European school. This primary school had no facilities for sports. The school had at present a roll of 101 pupils, this being its first year.

Asked whether he was prepared to agree to higher taxation being imposed in order to pay for more schools and greater facilities, he said he would be quite happy, everybody would willingly pay more. He said that when the African poll tax had been increased a few years ago from £1 to £2, the Africans had freely accepted it, after it had been made clear that the extra funds would be used to further African education. He felt sure that people would gladly subscribe more for this purpose. He said there were no Asian private schools; but there was one Asian missionary school in Que Que; a lot of money had been subscribed in his area towards the erection of a school.

He wished for continued British protection in the Northern Territories and his Association felt the British Government should retain their protective powers until such time as the Federal State became fully multi-racial. Only then would it be acceptable to all. At present, the opposition to Federation resulted from lack of understanding of the benefits which it could bring.

His Association did not accept any form of racial superiority, European or African. They believed themselves to be Rhodesians, and wished to live as Rhodesians in Central Africa as part of the Commonwealth. The future of the Federation would depend on the ability of Europeans, Africans, Asians and Coloureds to work together without fear on either side.

Memorandum

W. A. NICOL

The points I propose to emphasise in this memorandum are as follows:—

1. The majority of Africans are not ready for political responsibility.
2. They need educational and economic advancement to prepare them for political responsibility.
3. State and private investment should be encouraged to invest in the Northern Territories to enable this advancement to occur.
4. The Federal and Territorial Governments must be elected by advanced Africans, Asians, Coloureds and Europeans measuring up to a high franchise qualification.
5. The very difficult problems facing the Territorial and Federal Governments due to the heterogeneous and backward nature of the population will require men of outstanding ability and integrity to solve them. Hence, the electorate must be restricted to people of discernment.
6. The history of Southern Rhodesia, because of this country's phenomenal and peaceful advancement, should be studied and used as a guide in planning the future of the Federation.
7. Introduce English as a universal language in the Federation as rapidly as possible.

To counter the impression of bias against the African the following remarks will create, I will start by explaining my views on these people and how I came to hold them. I have been fairly intimately associated with Africans since 1936. From that time until 1952 (excluding the war years) I worked amongst them organising their transport between Northern Rhodesia and Angola and the Gold mines in the Union of South Africa. Since 1952 I have farmed in Southern Rhodesia employing only African workers. Circumstances have thus compelled me to know them quite well. I have found them honest and cheerful but primitive in their way of life and ambitions. Politically, primitive Africans are completely ignorant. Those with a little education are easily induced to carry on like European university students bitten by the communist or other ultra liberal bug—full of Utopian ideas with no practicable suggestions to implement them. Those with enough education and character to acquire decent jobs as clerks, foremen, artisans, etc., and those who set up successfully in business themselves, are generally happy enough occupied with their own affairs without worrying about politics. (These are the Africans with whom I have had most experience). Any political views they hold are naturally aimed at preserving their own comfortable circumstances. Consequently they are happy to support the stable Government provided by the predominantly European electorate. This is proved by the small number of Africans who have bothered to register as voters in Southern Rhodesia where there are believed to be over 10,000 Africans

qualified to register. These are the people intimidated by ruffians employed by nationalist African political bodies. They do not care enough about political issues to risk their well-being supporting or opposing them and consequently their views are seldom heard publicly. I am satisfied that the majority of these Africans are no different from Europeans in that they will support the Government they think will benefit them most. Unfortunately, they are still in such a small minority in the total African population that they are easily intimidated into silence and self appointed African political leaders claiming to speak for all Africans are seldom opposed by the conservative compatriots. It is in the goodwill of these advanced industrious Africans that the future of the Federation and each of its component territories lies. So we have at the one end of the scale the primitive and the half educated and more educated but unemployed Africans who provide perfect soil for the seeds of false propaganda and agitation sown by self seeking African political aspirants, in the middle the industrious African anxious to live in comfort and security, and at the other end the educated professional and successful business man. It should be made clear that the first mentioned Africans are too ignorant to be politically mature and can never have a say in the affairs of the country until they graduate to the second stage. People in the second and third stage enjoy full political rights in the Federal and all Territorial systems of franchise and do play an ever increasingly important role in political affairs.

The federation of the Rhodesias and Nyasaland is probably one of the most difficult political exercises ever attempted because the population of the three territories is so heterogeneous. There are scores of tribes of Africans all speaking their own languages or local dialects of the many languages used. There is no common language and there are very few individuals who could carry on a simple conversation with as many as a dozen of the different African tribes. The difficulty of explaining the pros and cons of Federation to such a heterogeneous population is easily appreciated. Of the seven and a half million Africans living in the Federation, perhaps a million have an elementary education and ten thousand a higher education. Those with university education can be counted in tens. These are the people the preamble to the Federal constitution states must decide the future status of the three large territories with immense resources of mineral and other natural wealth. The three hundred thousand odd civilised Europeans, Coloureds and Asians who are also inhabitants of the Federation will also have their say, but obviously if the words of the preamble are taken literally their enlightened opinions may be swamped by weight of numbers. Up to the present only a part of the 7,000,000 illiterate Africans has been reached politically by men of their own tribes, who have set themselves up as political leaders. Most of these people whose records have been investigated have turned out to be men who have not successfully held down any kind of a job previously and have nothing to recommend them as honest political leaders working in the best interests of the people they claim to represent. In fact, they are often shiftless individuals with a gift of the gab who are stirring up political unrest with a hope of benefiting from the resulting chaos. The politically ignorant tribesmen, misled by these mountebanks, have usually demonstrated their emotions by smashing up their own beerhalls or mission stations which have for years helped them or defying their District Commissioner whose duties are devoted to the furtherance of their interests. In short, 95% of the seven and a half million Africans in the Federation are politically immature and will remain so until they have advanced educationally and economically at least to the standard of the lower paid Europeans in the Federation. Political rights will follow because franchise in the Federation is based on qualifications which do not include colour, race or creed.

It follows that if Federation is to succeed with the backing of the Africans, the Africans must have Federation fairly presented to those whose education is sufficient to enable them to understand its meaning, and those who are not sufficiently advanced to understand Federation must be protected from the false propaganda of agitators who are working only for their own selfish ends.

There is one simple step which will take us half way to achieving this. The Colonial Office should reverse its original instructions to its staff in the territories which were to leave Africans to decide for themselves on Federation. This policy has proved wrong because it left the field open to agitators to whip up opposition to Federation amongst people who couldn't and probably never could understand its meaning and implications. (A visit by the Commission to tribesmen in rural and urban areas in their villages will demonstrate the primitive African's inability to make decisions on national policies). The Colonial district official is traditionally regarded by the rural African as his guide in the mysteries of European administration. When he received no guidance about Federation he was nonplussed and disinterested until someone else told him it was a bad thing. Then he naturally turned against Federation. *Instructions should therefore be given to district officials in all territories to explain the advantages of Federation and vigorously counter false propaganda decrying it.*

A second step towards fitting the primitive and poorly educated African to take his proper place as a worker and intelligent member of the community, I suggest, is the teaching of English as quickly as possible. There is at present no African language common to the three territories or even one language common to all parts of any one of the territories. It follows that any authority trying to disseminate information to every individual in the Federation must issue it in about a dozen different languages. Apart from the expense of such a system it is not practicable. African languages were evolved to meet the needs of the people who formulated them, primitive Africans. It is not difficult to appreciate that African languages are not suitable for the conduct of civilised modern business intercourse. There is a very limited amount of literature available in any African language now and not much prospect of such literature being available for very many years. To fully enjoy the advantages of education one must read, and obviously the only language that can provide enough literature in the Federation within the foreseeable future is English. The official language of all the Federal territories is English, but there are still millions of Africans with less than a working knowledge of this language, the only language spoken in all parts of the Federation. For these reasons, and to meet every practical situation, English must be the universal language of the Federation. Once this is accepted, it is the immediate and urgent duty of the authorities to have it taught to all people as rapidly as possible.

The need to multiply the rate of education of Africans throughout the Federation is so obvious that no comment is required. However, the Colonial Office could benefit from a study of the Southern Rhodesian Native Department's method of advancing African education. Southern Rhodesia, with far less money at its disposal, has educated far more Africans than any other African territory with all the wealth of the British Government to support it.

Education costs money and that money will be found in the long run in the economic development of the Federation. Here again a lesson can be learnt from Southern Rhodesia's history. Development in Southern Rhodesia has been phenomenal since Federation, whereas Federation has made comparatively little impact on Northern Rhodesia's and less on Nyasaland's industrial development. The main reason for this is the investor's fear of the uncertain political future of the two northern territories. Without investment these two territories will not advance *in any way*, because economic advancement is essential for any other kind of advancement. It is therefore necessary for the Colonial Office to encourage investment by ensuring a stable political future for these two territories. This can be done by devising a constitution for each territory that will ensure that the control remains in the hands of informed and responsible people and permit no possibility of the Government of the Territory falling into the hands of political charlatans elected by gullible African villagers, whom the Commission will see during the course of its investigations can have no conception of the intricacies of running a modern state, let alone a state bedevilled by racial antipathies and ignorance and poverty and superstition. When investors are satisfied that their money will be protected by stable government in Northern Rhodesia and Nyasaland, that money will flow into those territories. There is wide scope for investment there, but the recent unruly behaviour of its ignorant population has stopped that flow almost completely.

Coupled with the encouragement given to private investors, the British Government should itself make much larger investments in the two territories in the form of Government capital expenditure on such projects as transport and communication systems, agricultural research, supply of electricity and schools and hospitals. These could be in the form of long term loans repayable in due course by the Federation or Territorial Governments concerned. In this connection a study of Professor Jack's report on Nyasaland is a "must" for the Commission.

While the African inhabitants of the Federation have been provoked into opposing Federation, the European population are in danger of developing a sense of resentment from the many criticisms made by leading politicians and newspapers in Britain. While it is not possible for the British Government to muzzle people or newspapers it could easily conduct a campaign in Britain to show that Federation is for the benefit of all inhabitants of the Federation. The Europeans of Southern Rhodesia are after all the most liberal Europeans of Africa. As stated previously they have done more for the education

of the Africans than any one else. The same applies to the health service in Southern Rhodesia. The franchise has never excluded anyone on a colour basis. These are but a few examples of the Southern Rhodesian policy of advancing the African as rapidly as possible. It would be in the interests of all if the truth of the Europeans' genuine desire throughout the Federation to advance the African as quickly as possible could be put across to the British public in reply to the lies, innuendoes and unfair criticism to which we are so often subject. The point of these remarks is that the Federation needs Europeans now and will need them in the future to assist the advancement of the African. The activities of the newspeople and politicians in Britain are leading Europeans here to believe that Britain wishes to hand over Northern Rhodesia and Nyasaland to the Africans living there as soon as they can get these two bugbears off their hands without a thought for the Europeans in those countries. The way Britain has withdrawn from her colonial territories in recent years gives weight to these thoughts. The result is that Europeans in the North are thinking of getting out while the going is good. It is significant that many who can afford it, now send their children to the Union of South Africa for education and that the tendency to have children learn Afrikaans instead of French as a second language is increasing. Further, while the thought of integration with the Union of South Africa has been repugnant to most Southern Rhodesians in the past, people in this colony are beginning to think they might have no alternative. In short, the Europeans are losing confidence in Federation. In the last year, for the first time since Federation, there has been a drop in the number of immigrants entering the Federation. This also can only be the result of adverse publicity in Britain. To put it bluntly, the irresponsible behaviour of the press and some politicians and clerics in Britain is depriving the Federation of a badly needed increase in the small but necessary nucleus of trained Europeans. The British Government should take steps to counter this tendency.

If the British Government is not prepared to take all the steps mentioned above to make Federation a success and a benefit to all its inhabitants because they will not put up the money, clearly her so called "protection" of the northern territories is really a drag on their development.

The extremely rapid industrial development coupled with the advance of the African's earning power, educational, economic and political advancement in Southern Rhodesia should be considered by the Commission. Clearly these things have been achieved by enlightened government. Southern Rhodesia has no material advantages of the two northern territories. The only difference is that the Southern Rhodesian Government is comprised of men chosen by an electorate limited by a fairly high franchise to people calculated to choose their parliamentary representatives on merit rather than by emotion, and the northern territories are governed by Colonial Office officials temporarily there whose outlook must be that of a disinterested foreigner, concerned with the day to day problems of administration but unworried by the future of a country in which neither he nor his children will live after his term of office. While the colonial system of administration keeps the peace in static communities, it does not meet the needs of a rapidly developing modern state. The commission should therefore aim at devising a constitution for the northern territories which will give them a *government made up of the very best of local men regardless of colour, race or creed.* There are two essentials in such a constitution. No ministerial post or other government office should be reserved to an African or a European because of his race. The people to elect the governments must be limited to those with the knowledge, responsibility and experience to choose the best men only. The franchise must be high and the principle of one man one vote or anything like it must be forgotten. Over 90% of the Africans in the Federation have not the faintest idea of politics or interest in anything beyond their own private lives. To ask them to participate in elections on issues which they do not understand is unfair to them. They can worry about that when they have developed into responsible citizens. In the meantime, the management of the country's affairs should be left in the capable hands of the competent minority who have made such a phenomenal success in the past as shown in Southern Rhodesia. It is, of course, the duty of the Commission to see as many people in the Federation as possible and take an unbiased view of what they see. A fair comparison between the lot of the rural African in Southern Rhodesia and his counterparts in Northern Rhodesia and Nyasaland will show which form of government benefits these people most. The same result will be obtained from an examination of the lot of industrial and agricultural employees in the three territories. A further proof of the merit of a government comprised of local men is the difference in the development of Nyasaland and Barotseland on the one hand and the rest of Northern Rhodesia on the other hand. For a number of years elected local men have had some influence on the colonial office controlled government in Northern Rhodesia. However, the local men have been chosen by an enlightened electorate. To hand this choice over to Africans in their present state of development would be criminal folly.

Salisbury

Oral Evidence

W. A. NICOL

Asked how he suggested that the unifying influence of the English language should be promoted, the witness said that this would primarily be through education and also through the medium of official documents. He thought that the reason why some Africans who were qualified failed to register was that those qualified to vote were comfortable, and that if pressure were put upon them to register they would probably do so. Asked if he thought it was a fact that over 90% of the Africans in Nyasaland were not interested in politics, the witness said he could not speak definitely of the situation in that Territory. Asked further whether he regarded the representation of Africans in Southern Rhodesia as adequate, he said that the European members of the Legislature represented the Africans as well as the Europeans. He thought that the growth of industry in Southern Rhodesia had been influenced by the political situation in the Northern Territories, but there were also better facilities in Southern Rhodesia. The present franchise qualifications were in his view adequate, and any Nyasaland franchise should be on the same lines as the Federal franchise. He appreciated the psychological effect of a high franchise qualification on African opinion, but it was necessary to press on with education, and not bring into the Government people who were really unfitted for it.

Since Mr. Nicol gave evidence to the Commission he wrote an addendum in the following terms:—

> "When I appeared before your commission yesterday, it was mentioned that a high standard of franchise in the Federation would dishearten Africans because they would see no prospect of their ever having any say in the Government of the country. I suggested that the answer was to press on with the education of Africans to enable them to qualify as soon as possible. I would like to add that everything possible must be done to advance them economically as quickly as possible. In the meantime, I would suggest that they be encouraged to take part in local administration and that legislation be passed to make this possible. I understand that this is done to some extent in Northern Rhodesia already. The suggested action, apart from going some way to meet the aspirations of politically conscious Africans, will provide a form of apprenticeship for those who will in time participate in national politics. There is of course nothing new in the suggestion. Many members of parliament in all countries practising a parliamentary system of Government graduate from service in local authorities."

Memorandum

SOUTHERN RHODESIA ASSOCIATION—N. H. Wilson.

Part I

Purpose of the Southern Rhodesia Association is, primarily to save this Colony from passing to African rule for the foreseeable future.

This danger arises from the present Federal and territorial franchise laws.

Its secondary purpose is, if it is unable to secure such amendment of the Federal franchise as shall effect this, to promote the Secession of Southern Rhodesia from the Federation.

Part II

The Colony, and the Federation, are not yet ready for democracy with a wide franchise.

Vide The Character of British Democracy by A. K. White, Lecturer on Political Philosophy, The University of Glasgow (1945).

Vide also, Chapter VI of *Central African Dilemma*, by N. H. Wilson (1954).

Part III

The danger of the present franchise resulting in African rule.

Vide speech by Sir John Moffat MP, in Federal Assembly, July 1, 1958. (*Federal Hansard*, 1-7-58, from first paragraph on column 155 to and including the first paragraph on column 157).

Part IV

When Mr. Hopkinson, Minister of State, visited the Colony in 1953, during the referendum campaign regarding Federation, he assured the people of Southern Rhodesia there would be no

question whatever of establishing a "Gold Coast" type of government in either of the northern protectorates (i.e. a government controlled by Africans). It was largely on this assurance that the electors of Southern Rhodesia voted in the majority for Federation.

We ask that this assurance by H.M. Minister of State be complied with; or that a "civilisation" qualification for the franchise be instituted: or that Southern Rhodesia be allowed to have another referendum on the question of federation.

Part V

The "Tredgold" Commission on the franchise for Southern Rhodesia (*vide* lines 209-216 of Report) declared that a franchise based upon (*a*) educational and (*b*) economic qualifications did not give any assurance that the voter would be capable of exercising the franchise with judgement and responsibility.

Part VI

We recommend that a suitable "civilization" test for the franchise on the lines of the proposal contained in Chapter VI of *Central African Dilemma,* or some other test to be approved by the Southern Rhodesian Parliament.

Part VII

This Southern Rhodesian Association is *not* opposed on the grounds of colour, to Africans having the franchise. It merely wants a civilization test for the franchise to give some assurance that the voters are of a character which will give a liberal democracy a fair chance of success.

Part VIII

If the British Government is already committed to a policy which will ensure control in the northern protectorates and/or the Federation passing into the hands of Africans, we ask that Southern Rhodesia be given the right to secede, after a referendum of the electorate of Southern Rhodesia.

Salisbury

28th January 1960

Oral Evidence

SOUTHERN RHODESIA ASSOCIATION

Represented by M. H. Partridge and R. Patterson

Mr. Partridge said that he regretted that Mr. N. H. Wilson, who had prepared the memorandum submitted by the Association was unable to attend on account of illness. The Association was not political, but was concerned with the future of Southern Rhodesia. In the few months in which it had been in existence, its membership had reached more than 5,000 and branches were or shortly would be, in existence in Salisbury, Bulawayo, Gwelo and Umtali.

In expanding the resumé of evidence contained in the Association's memorandum, the witnesses said that the reference to African rule in Part I referred to nationalistic and exclusive African rule which might mean that the rights of the European would come to be ignored altogether. The Association wanted to avoid a Kenya-type solution.

With regard to the franchise, qualifications referred to in Part II, they drew the Commission's attention to the Report of the Southern Rhodesia Franchise Commission of 1957, and to Sir John Moffat's speech in the Federal Assembly on 1st July 1958. Of the remainder of the resumé, much was contained in the Manifesto of the Southern Rhodesia Association, reproduced below.

Mr. Patterson said that the Association had tried to persuade the two main political parties—the United Federal Party and the Dominion Party—to adopt a non-party approach to Southern Rhodesia's problems. There had been parallels in the coalition Governments which had been formed in times of crisis both in the United Kingdom and in South Africa. Sir Edgar Whitehead had, however, not felt able to include representatives of the Dominion Party in his discussions in London on the revision of the Southern Rhodesian constitution. This was very unfortunate, since the Dominion Party had had a majority of the votes at the last election. The witnesses handed a memorandum to the Commission (not reproduced) giving the details of the submission made to Sir Edgar Whitehead and Mr. Harper in this connection.

The witnesses then put forward certain ideas for a definition of "civilisation" designed to provide qualifications for the franchise and for full citizenship rights on the lines of Portuguese East Africa in the "Assimilado". In a discussion with the Commissioners, the witnesses agreed that the test put forward was drafted too vaguely to provide the basis for a judicial test. The witnesses agreed to prepare a more precise definition which they would submit to the Commission as soon as possible in clarification of their proposals.

Annexure

SOUTHERN RHODESIA ASSOCIATION

MANIFESTO—N. H. Wilson, Founder; R. Patterson, M. H. Partridge.

1. It is the declared intention of the United Kingdom Government that Northern Rhodesia and Nyasaland are within a very few years to be handed over to government by African majorities.

There are several authoritative statements to that effect. A typical one is that made by Lord Home, Secretary of State for Commonwealth Relations, in the House of Lords on July 27th, 1959, when he said:

> "The conception is that as power is transferred from the United Kingdom in respect of the two Northern Territories" (i.e. Northern Rhodesia and Nyasaland), "it will be transferred not to the Federal Government, but to the Governments of the two Northern Territories, which will become progressively more and more representative of Africans until they have African majorities."

The essence of this statement has been repeated by several Ministers and Secretaries of State. It can be quoted as virtually a promise that the two Northern Territories, as they are at present, will be handed over to African rule before the Federation of Rhodesia and Nyasaland achieves full self government.

The recent policies adopted by the United Kingdom Government in other states in Africa makes it abundantly clear that it attaches far more importance to the conception that governments must be numerically representative of a state's inhabitants than that they should be responsible or prepared to recognise the liberties of subjects as enshrined in English common law.

This is borne out by the practical effects of the United Kingdom's policy which it continues to desire to implement in as rapid a manner as it deems possible.

2. Should such a policy be implemented in the Northern Territories, it is clear that Southern Rhodesia, if it then remains within the Federation, will in turn come under African control and be subject to present day consequences.

The Southern Rhodesia Association has been formed to prevent that from happening.

3. The primary objective of the Association is, therefore, to ensure that the franchise for all parts of the Federation is maintained in the hands of civilized and responsible inhabitants. (*c.f.* lines 189 to 192 of the Report of 1957, which reads "We are entirely satisfied that a country is amply justified in making an endeavour to confine the franchise to those of its inhabitants who are capable of exercising it with reason, judgment and public spirit. It is in this sense that we have interpreted 'civilized and responsible persons' as used in our commission"). We consider the implementation of this principle is entirely practicable.

4. The secondary objective of the Association, if it is unable to persuade the United Kingdom Government to accept the civilization qualification for the franchise of the Northern Territories, is to secure the secession of Southern Rhodesia from the Federation in order to preserve government in loyal and responsible hands, an incorrupt and impartial judiciary and police force, also the liberties and freedom of our inhabitants in terms of our common law.

5. It is apparent that the United Kingdom Government is anxious to escape its responsibilities, for which policy it explains its concern as arising at a high moral plane and from a sense of social justice. In our view, however, its policy is only one of commercial and political expediency to suit their needs at the moment. Its actions alone are the very cause of the coming into being of this Association, and it is, therefore, a necessary commitment of the Association that it seeks the removal of all United Kingdom Government political control and influence within the Federation, and the Colony of Southern Rhodesia, loyalty to Her Majesty the Queen and membership within the British Commonwealth alone expected.

6. A necessary corollary of the preceding objective is that the Association seeks (*a*) the removal of the remaining reservations in the constitution affecting Southern Rhodesia, and (*b*) that the Federal Constitution be so amended that constitutional reform in either of the Northern Territories be no longer the sole prerogative of the United Kingdom Government with a mere gentleman's agreement of consultation which has not been implemented in practice.

7. The Association views with concern the present lack of financial confidence in the Federation and in Southern Rhodesia. It is satisfied that the main cause of this is the existing uncertainty as to the political future of the Federation as a whole, and as concerns Southern Rhodesia as a territory of the Federation. The Association, therefore, seeks a speedy end

to such political uncertainty which can only be affected by ensuring that the 1960 talks result in a conclusive agreement as to the constitutions of the Federation and the Northern Territories.

8. In order to obtain conclusive agreement on these constitutions, this Association seeks to ensure that the United Federal and Dominion party shall joint in a common approach to the 1960 talks, and thereby endeavour to reach common agreement to which both parties subscribe.

We believe that in the face of our rapidly expanding population the first and primary task of government is to ensure the full development of our natural resources. This is in the interests of all our inhabitants, and is a problem of immediate and vital importance which can be solved by ending uncertainty and doubts as to our political future, and by ensuring government is maintained in civilised and responsible hands. Thus, with confidence in a just government re-established capital and skill from the Western world will undoubtedly compete to be of service to us, and we will then be able to create a great Central African State with a tradition of responsibility, common loyalty, freedom and justice.

This Association is not a political party. Its aim is to gain support throughout Southern Rhodesia and so influence all political parties to see that the responsible and civilised people of this country are determined to achieve their country's own future greatness within either the Federation as a whole or as a separate entity but on terms of their own making, and not African Nationalism, fostered by United Kingdom Government expediency.

We, therefore, appeal to all who agree with our objectives to apply for membership and to advise their friends to do likewise.

Memorandum

MAJOR C. T. C. TAYLOR

The nature of my evidence would be that I have been resident in Southern Rhodesia for 33 years, that I gave evidence before the Beveridge Commission, that I was one of the first to propound the idea of a "federation" here, seeing that "amalgamation" had become impossible; I was invited to the first Falls Conference in 1949 as an unofficial observer, and in 1950 did my best in the United Kingdom to spread the idea in quarters of authority.

I have been a citizen of this Federation since it was established, and though the inclusion of Nyasaland with the two Rhodesias was somewhat forced upon us by the United Kingdom Government, whereas I had always felt that Kenya and Tanganyika should come in at the same time to balance it. I still have no doubts whatsoever that the formation of the present Federation was correct, and that its affairs have been conducted in a manner, by the Federal Government which is composed of people who actually live here, that should be a matter of pride to any group of people that form a government.

Therefore, I would say that this present Commission, and those who represent the United Kingdom by sitting in the House of Commons, have no right whatsoever to try to unscramble, or reduce the powers, of civilised government as represented by our Federal Government here; but to grant more powers to help maintain civilisation, and to help protect us from those outside our borders who, for their own selfish ends, are attempting to destroy our rapidly improving economy and, in the fictitious name of "democracy", would destroy also law and order and so introduce chaos.

Salisbury

Oral Evidence

MAJOR C. T. C. TAYLOR

Major Taylor had presented a memorandum. He stated that he was a farmer in peace, and an Intelligence Officer in war. He had lived longer in Southern Rhodesia than anywhere else. He claimed to have started the idea of Federation by propounding "Federal Union" from June 1947. He had preached federation from that time. Previous thinking had been on the lines of amalgamation. His own idea had been to have federation down to the coast. He thought that all the inhabitants were of one country, whatever their colour. He resented the misrepresentations of the press and radio from abroad. He was proud of his citizenship of the Federation, and thought that people should work for their country, not for "the State". As a farmer he had had dealings with many thousands of the Bantu tribes whom he regarded as co-owners of the land with himself, and whom he claimed to understand to a great extent. He spoke of the misrepresentations of the ghastly *Daily Mirror* produced for morons and illiterates of Great Britain. There was in fact no colour bar in the Federation. It was a culture bar. He referred to his acquaintance with the Turks and the fact that even Lawrence had been unable to tolerate continual social contact with the Arabs. It was a matter of culture, and the difference of background.

He criticised the passes system; but he would give a pass to one of his employees so that he could walk across country and cross a neighbour's estate without being held up. Could that be done in the United Kingdom? He expected his neighbours to respect his signature on a pass so given. Southern Rhodesians were criticised for having a pass system. But they had to look after their employees. Once in a lifetime an African might want to visit the bright lights of Salisbury. They were not used to traffic. What other means was there of tracing them if they had an accident, other than a "situpa"? But by all means let everyone have their mononmark. It did not matter so long as the identity of everybody was known.

He had been to Great Britain in 1950, and talked with Members of Parliament and experts on the African scene: such a one was Dr. Rita Hinden, who had lived in Johannesburg up to the age of four, and was therefore regarded as an expert on Africa by the Fabian Society. It was fashionable to decry the whites of Central Africa. But it was really a matter of courtesy out in Central Africa. He had experienced more courtesy from the Bantu than from the whites in London and in Paris. The whites in Central Africa ought to be courteous too. There were misrepresentations in the press. He had met only three honest journalists in his life. He had also met Lord Lucan in 1950. He thought that to save Africa there ought to be an A and a B roll in Britain: there should also be more seating added in the House of Commons to stop the rush of M.P.s to Central Africa so as to get reputations as experts on Africa.

Agriculture should be on the Federal list. Research under Federal auspices would be better done in a big way from one centre. He was horrified by the waste of land which occurred by allowing peasants to work it without regard to its soil structure and the monsoon system of rains. He himself had developed virgin land, a part of which had already been kraalled on by Africans, and had been ruined. His own employees could now get good crops from this land after its improvement by fertilisers. It was important not to waste the African soil.

Turkish tobacco should be encouraged. It could prove an important crop for Africans because it was possible to produce such tobacco in Central Africa of as good quality as that grown in Turkey.

He was Deputy Chairman of the Federal Tourist Board, and had been President of the Regional Development and Publicity Association for the last seven years. He did this work without payment. He considered that the tourist industry was that most calculated to spread wealth through the people. 112,000 tourists visited the Federation last year. That was poor by comparison with other places, but it showed that the possibilities were great. Moreover, this figure did not include local visitors.

National Parks were a Federal subject, but they only existed in Southern Rhodesia. The Kafue National Park was only held temporarily in trust. He did not know why. National Parks should be completely Federal, so that they could extend the amenities for tourists. There was also a chance to develop tourism as a new industry in Nyasaland. The Lake needed development: there was nothing to do there at present but look at the water or go into it.

The tourist industry was not sufficiently developed, although there was now a liaison officer for Northern Rhodesia. Every incident stirred up by people in the House of Commons had as an effect a stoppage in the pipeline of tourists. There had been a setback in Nyasaland. The African staff had actually refused to work for tourists in the Palm Beach area. Such conduct would not help anyone. It was true that the tourists were mostly of the Caucausian race (a term which he preferred to European), but there would be others in time.

He thought it bad that the Secretariat in Zomba had to work in a "London fog", with only one poor electric light. Someone there should rebuild the Secretariat so as to give the civil servants a chance. Civil servants in Northern Rhodesia and Nyasaland should be made to feel that they belonged to the country.

Southern Rhodesia, a state or country to be proud of, should be given more credit for the lack of any serious injury from civil strife since the Matabele rising in 1896.

In reply to questions, Major Taylor made the following further points:

1. He had toured in Northern Rhodesia from the point of view of encouraging tourism and agreed that a large proportion of the people there feared Federation. He thought the remedy would be to bring them down to Southern Rhodesia to see how well everyone got on there.

2. He referred to the former division of post offices into

"European" and "Native" sides. The difficulty was that there had been at that time special counters for the Bantu, manned by people who understood them. Many of the Bantu were just peasants. They used to have a lady behind the counter to explain postal business to them, and who understood them. Now everyone was mixed up together. An intelligent person had to wait while someone was being given an explanation of postal business.

3. He thought that in Northern Rhodesia there were too few industries. There was need for a more varied economy.

4. He hoped that the Africans would learn to treat tourists well, and not throw stones at them. Tourism meant easy money and pleasant money. He had been impressed by the example of Chief Nsefu's camp at Luangwa, where all the money went to the Chief and his people.

5. He had got the impression in the hotels in Northern Rhodesia that the mentality of the servants was that they did not want to help. The courtesy of the African servants in Salisbury was greatly appreciated. Everything came back to courtesy in the end.

6. There was a need for more Bantu middlemen such as tailors and shoemakers—craftsmen.

7. Africans should own their own land, and not have it on a communal basis. It would give them a stake in the country.

8. Questioned as to the culture bar as opposed to the colour bar, he was reminded of the instance of an African headmaster being paid less than one of his European assistants. He said that he did not like that if it were true. He did not like it any more than women getting less pay than men for doing the same job. The former case looked as if it were based solely on the colour bar. He personally acted on the basis of culture only, and he would like the other kind of bar completely removed, but asked for the country to be given a chance.

9. When reminded that African women did not have to carry passes, and thus there would be no means of identifying one if run over in Salisbury traffic, he said that everyone should have some form of identification such as the monomark. But he did think that there was an argument in favour of the pass system. He remembered visiting tobacco and tea planters in Nyasaland in 1930. At that time the Bantu did not have to have passes. In consequence they could not be issued with rations in advance, nor could they be allowed to keep their tools because there was no means of identifying them. This was a cause of difficulty, and was one reason why white agriculture had more or less failed in Nyasaland.

10. He was questioned about the colour bar in hotels, cinemas, swimming baths and so on. He said that so long as standards were maintained, he would have no objection whatever to breaking down such bars. He had had experience with Bulgarians, and knew when a peasant was a good one or a bad one. The peasants in Africa happened to be black. For that reason blackness had become the badge of lack of culture. But he had a friend in Uganda, and he learnt from there that all hotels and places of entertainment had been thrown open to all races by order. There had been an initial shock, but in effect no trouble at all. The economic bar had cured the trouble.

11. Questioned as to whether he would retain the Northern Territories in the Federation by force, he said that as a regular soldier he resented force of arms: but resort to force would be an utter tragedy. On the other hand the break up of Federation would do untold harm, and would remove the possibility of creating prosperity in Central Africa.

12. He would not have any objection to placing political power in the hands of the Africans in the Northern Territories so long as they were really civilised. His definition of a civilised man was one who put his fellow man before himself, was intelligent, tolerant, and able to plan intelligently for his country. There were for example difficult questions relating to roads, railways and secondary industries. Whites had the background to understand these things and therefore to govern. The Bantu should be brought in gradually, just as Mr. Svanhu had been brought in, to see the difficulties, and to learn from them.

13. With reference to the last paragraph of his memorandum, he supposed that the Commission had powers to consider these allocation of powers in the original Constitution, but not to unscramble it. How could people advance in Central Africa if the Federation were likely to disappear? How could they go on under such a "sword of Damocles"? The Commission could not say that there was not to be Federation.

14. He did not believe in democracy in the British sense. He was against "one man, one vote". There ought to be an A and B roll in Great Britain. Politics should turn on what the intelligent man thought. Peasants had no clue as to what things were about.

15. Pressed again as to keeping the Northern Territories within the Federation by force, he said that if it came to force it would be better for Southern Rhodesia to withdraw. But law and order must be preserved in any circumstances.

16. He agreed that functions affecting the daily lives of the people, i.e., if they were adversely affecting them under Federal rule, should revert to the Territorial Governments. In his view economics came first. It might be necessary for the Territories to take certain functions back if they would maintain the well-being of the people. But the balance of power should rest with the Federal Government. Nevertheless, he would never use force.

Memorandum

AFRICAN FARMERS' UNION OF SOUTHERN RHODESIA

The African Farmers' Union of Southern Rhodesia is desirous of pointing out to the Commission the state of affairs concerning agriculture for Africans and the Land Settlement affecting the same in the Federation of Rhodesia and Nyasaland. These remarks will centre mainly around the colony of Southern Rhodesia.

The African Farmers' Union deals with agricultural matters affecting Africans who own land under lease, agreement of purchase and freehold title in the Native Purchase Areas in Southern Rhodesia. The Purchase Areas were set aside under the Land Apportionment Act solely for purchase by Africans. The Africans who occupy land in these areas are in the middle class of the African community. They are the leaders of the farming community among Africans throughout the country, and they wish to set the example to the other sections of the African farming communities in the promotion of agriculture in Central Africa.

Agriculture practised by Europeans and Africans is one and the same. Both races are producing similar products which support the economy of the country along similar lines, viz.: the feeding of people and the manufacture of secondary products. All these products contribute equally to the country's industry and economy. But the present set up in the machinery of the Governments controlling agriculture makes it difficult for all farmers, white and black, to promote the cause of the industry of farming effectively.

The African farmers have no voice whatsoever in the control of the markets of their products and the prices thereof, yet the African farmers are required to promote the industry by conforming to proper and modern methods of soil conservation and maintenance of soil fertility, exactly the same way as their counterpart, the European farmer. The European farmer has a say in the disposal of his products, however.

It is difficult to work together with European farmers, though the farmers on both sides of the colour line wish to do so, because of the Federal Constitution, which set up two Departments of Agriculture, one for the Europeans, which is under the Federal Government and the other (for African Agriculture) which is territorial.

On the whole in the farming industry each of the above Departments of Agriculture plans the advancement of agriculture differently. There are schemes in African agriculture that are not applicable to European agriculture, though the two aim at producing the same product, in the same country, under similar climatic conditions for the accomplishment of the same purpose to promote the country's economy.

The Africans accepted Federation with the understanding that partnership would be practised, and similar privileges would be enjoyed under the Federal Government by all races. But we find that there is always a big difference between the prices of African products and European products such as maize, groundnuts, Turkish tobacco, livestock, poultry, vegetables, fruit and eggs.

We, the African Farmers' Union, strongly feel that unless African agriculture is brought under one and the same Government Department with European agriculture, these unpleasant complications will continue to exist to the great detriment of African agriculture. The African farmers also feel they are unnecessarily forced to support two Governments, making it hard for the tax-payer, especially in connection with the one Government, which does not benefit them at all.

The prices of African agricultural products, which are controlled by the territorial Government, are so low that the African farmer is unable to meet the higher cost of commodities produced by industries which are in the Federal standard of economy. The prices of our products are low because of the Levy Act imposed on our products by the territorial Government.

Land Settlement

The African farmers feel that the distribution of land is not in parity with the needs of both races on equal terms in that the land put aside as European area is far too large, while the land put aside as African area is far too small, though the Africans are by far in the majority.

Many thousands of Africans desirous of pursuing agricultural enterprise for a livelihood are unable to get land because there is not enough land available. The dissatisfaction among Africans arises from the fact that:

Land set aside for African occupation is not only too small but also the poor type of land, usually the broken waste and waterless land in the sand veld, where it is impossible to develop the land economically for the farmer. As a result of this condition, instead of producing a middle class farming community, we have that class which will as time goes on be reduced into the peasant type of farmer practically unable to contribute fully to the country's economy because he will be unable to come up to the present standard of living promoted by the advent of Federation.

This Union strongly feels that the Africans are an asset in the Federation of Rhodesia and Nyasaland. In view of this, the land apportioned to Africans should be an economic unit both for the individual holder and also as a whole if he is to be an asset to the economy of the Federation.

This Union therefore feels that African agriculture should be under one Department with European agriculture.

This Union also strongly supports the views of the Rhodesia National Farmers' Union dealing with the chaotic state of affairs existing in the organisation of agriculture in the territorial and Federal Governments insofar as the powers and distribution of such among the Governments making it impossible to get a unified policy for the promotion of the industry.

Salisbury

Oral Evidence

AFRICAN FARMERS' UNION OF SOUTHERN RHODESIA Represented by:—Mr. Aaron Jacha (President and a member of the Native Land Board) and, Mr. I. F. Chipunza (General Secretary)

Before answering questions, Mr. Jacha said the membership of the Union was 6,000 at present and was expanding, because as new areas were occupied by farmers they applied for membership to the Union. The membership consisted of Africans farming individually in the Native Purchase Areas scattered throughout Southern Rhodesia. Land was first of all taken on a three-year lease and if a farmer proved his efficiency he was allowed to purchase: when the purchase was completed he got the title to the land and farmed it freehold.

The Union had been formed because common problems were being faced and a mouthpiece was needed to discuss farming matters with the Government. It began as a small thing but had grown into a big organisation. A subscription of 2s. 6d. was originally paid by each farmer, but last year, because of growing membership, the Government had passed legislation enabling African farmers to have a 10s. licence, on the same lines as Europeans. Now, as soon as each African farmer had a lease, he would have to take out a licence. The money would be collected by the Government in the first place and given to the Union. The new system of licence payments would be coming into effect on 1st July, 1960, and the payment would be collected by Native Commissioners when Africans paid their poll tax.

Mr. Jacha was asked whether, when the Union was formed in 1938, it would not have been preferable to seek membership of the Rhodesian National Farmers' Union—did he think it was better to have a separate Farmers' Union? African and European farming projects were discussed separately. After discussion, such matters went to the Territorial Government who appointed officials to discuss matters with the Federal Government. Mr. Jacha said it was felt they should have direct representatives on the Grain Marketing Board. The Southern Rhodesia Agricultural Department and the Federal Agricultural Department should come together. The problems and the marketing were the same, but the Africans had no voice in determining prices. He instanced the fact that maize prices were fixed by Government officials and his Association were not always happy about it because a number of deductions were made by the Territorial Government from the agreed prices. The Grain Marketing Board price for maize was 40s. 6d., and the Territorial Government imposed a levy of 3s. for delivery although it did not all come from one place. There was a levy of 10s. on groundnuts. There was also a levy on kaffir corn. It was true the levies were taken for the purpose of developing Native areas but the difficulty arose because these farmers were not on communal land but were farming individually yet the money was taken from them and pooled for use in connection with Native reserves.

Mr. Jacha said the Government knew pretty well that African farmers in the Native Purchase areas were producing proportionately more than those in Native reserves, and he instanced one African in the Native Purchase Area would be able to sell 500 bags from his farm, which represented the output of 25 Africans in the reserves. He said his members were contributing more to the Native Development Fund but were getting insufficient in return. Although at the end of the year a certain amount was allocated to roads and bridges and other developments such as water, his Union knew by experience that this money was not being used but was kept back because the roads were not made. This particular complaint had been made for about ten years by the African Farmers' Union. He gave as an example the fact that in the Eastern Districts a sum of £2,000 had been allocated for road-making; that was in November when the roads were bad. The people had complained that not a single road was made, and found the money although budgeted for had not been expended.

He said his Union felt that the Native Agricultural Department should not be separated from the Federal sphere and that they were glad to work together with Europeans, so that when the price of maize was £2 0s. 6d. they would be able to get it and develop their own areas. He thought there was a change of heart amongst Europeans in the country areas. They wanted to work with the Africans; but the thing which prevented this was that the two branches of farming were under different Governments. He agreed that there were at present a European Union and a separate African Union, but said they wanted to form one Union. They had formed an African Union in 1937/38 rather than apply to the Rhodesia Farmers' Union because an application would not have been approved.

Mr. Jacha agreed that there were two separate Agricultural Departments, one African, run by the Native Affairs Department, and one European, run by the Federal Ministry; each Farmers' Union worked with its own Department. This was because the law required it so. The Africans accepted Federation on the ground that partnership was coming. The Union preferred to see all agriculture federal rather than territorial, because they wanted Federation to develop the country and it was no use doing it on a territorial basis when they wanted to develop Central Africa. Mr. Jacha did not think the Territorial Government would develop agriculture so well because at present the Director of Native Agriculture was, in effect, the Secretary for Native Affairs. The administrative, not the professional, officer was the man who handed out the money and he was not very amenable to a lot of proposals they made.

Asked whether, if African agriculture in Southern Rhodesia was to be handled by the Ministry that dealt with European agriculture, that would meet the Union's point of view, Mr. Chipunza said that if agreement to amalgamate both departments were reached, his Association would not object to that.

Mr. Jacha pointed out that the Natural Resources Board was under the Territorial Government. These people looked after trees and soil. They would like to go into the Native Areas but were not allowed to because they were dealing with European affairs. His Union had asked that they should form Intensive Conservation Areas in the Purchase Areas. It had taken three years of struggle before the Government had agreed to this.

Mr. Jacha agreed that his Union was now receiving the licence fees from all African farmers in the Native Purchase Areas, and therefore was recognised by the Government as a Union representing the farmers in those areas. He said they were not recognised to the same extent that the two European Unions were—the Rhodesian Tobacco Association and the Rhodesian National Farmers' Union—for the purposes of consultation and negotiation, particularly with regard to prices. His Union was not consulted in discussions regarding the price of maize and other agriculture products common to both European and African agriculture.

Mr. Jacha said that Africans were being encouraged to grow Turkish tobacco; but the question of price was difficult, because the buyers gave what price they liked to an African. His Union had complained about that last year. They wished to have a proper system so that the African tobacco would be graded and paid for just as European tobacco was. European farmers had approached them with a suggestion to form one Association to deal with the production and marketing of Turkish tobacco. After assent by his Union, the Government had been approached in October, 1959, and an Association had been formed, the Turkish Tobacco Growers' Association. His Union now had a representative on the Central Africa Turkish Tobacco Association, who took part in discussing details of production and marketing. He said that it was a big step forward, although it had come slowly.

On the question of land settlement, the witness said that under the Native Land Husbandry Act there were eight million acres set aside to be cut up and sold solely to Africans in the Native Purchase Areas; but only two million acres of this had been sub-divided. There was a big demand for individual farm ownership and applications were coming into the Native Land Board and being approved; but there were 6,000 approved Africans still waiting for land because of the shortage of surveying staff. The Government said they could not cut up these areas because there was no other place to which the people living there could be moved. A Committee had been set up by the Government two years ago; and though there had been an interim report, the final report had not yet come out. Mr. Jacha said they were not in favour of interfering with the eight million acres.

The witness went on to explain that six million acres out of a total of eight million was still unsettled because of the squatters living on most of the land. He suggested they might be moved to unassigned and forest areas, which he believed to be available along the Zambesi Valley. Also, there were big estates owned by companies which were not being used, and which should be cut up after appropriation. He gave an instance of some Africans who had been removed to Sanyati; these Africans should be removed elsewhere than to a Native Purchase area.

It should not be accepted that all Africans were going into industries. When Europeans first came to the country, Africans were keen to work in industry, but today many of them were anxious to farm. He asked where they would be able to farm. Europeans were bringing Africans into industry, but as a result a number of Africans were being troublesome. It was due to the land question.

The Land Apportionment Act was irksome. Mr. Jacha said there were Indian and coloured shops in the centre of Salisbury. He asked why there could not be African shops there too. He considered the Land Apportionment Act should not operate in such areas, although it should continue to provide that only an African could own land in his own area. The Native reserves should not be interfered with and the Native Purchase Areas should be for Africans; but it should be lawful for Africans and Europeans to trade together. He considered the Land Apportionment Act discriminatory.

The witness said that Europeans should not be permitted to buy land in the Native Special Areas or the Purchase Areas. He agreed with the part of the Land Apportionment Act preventing the European from doing this and that part of the Act should be preserved, because the Europeans already had more land than the Africans. He would like to see the rest of the Act disappear.

Asked whether he wished to retain the European residential areas in the same way as he had suggested the retention of African farming areas, Mr. Jacha said all Africans would not be prepared to reside in the European residential area on economic grounds, if none other, but it was not an immediate problem because the earning capacity of the African was very low. Nevertheless the principle of the Act should be clarified. He said he was thinking in terms of multi-racial trading areas rather than residential areas, and he repeated that they would like to see Africans competing with Indians and Coloureds inside the towns. Asked about the introduction of Indian and European competition into the present African trading areas, such as Highfield and Harari, he replied that competition was quite all right. Harari was a very small area, but if one went immediately outside Harari there were only Indians and no Africans trading there.

In regard to the Sabi Valley, situated in the Native Purchase Area, Mr. Jacha said this was an experimental area but his Union would like to see it cut up to satisfy the demand for land by many Africans who were at present unable to obtain it. They were unable to buy land in this area at present because there was no irrigation, and the development was very, very slow. At present, though elsewhere than Nyanadgi, there were only irrigation schemes for Europeans.

The witness was unable to say what the squatter population was in the Native Purchase Areas; but it was large. He referred to one area he had recently visited, where land had been divided to provide 105 farms; but only 24 farmers had been given leases there, the rest of the farms being occupied by squatters. Even when an African had been given a farm he still had squatters there who were paying rent to the Government.

Mr. Jacha said that although some of the funds which were available to the Native Development Fund were devoted to the Native Purchase Areas, they were not as large as his Union would like. It was pointed out that the European farmer paid taxes and thus made a contribution towards the road system and the construction of bridges: thus if the African farmer took the whole price for his bag of maize or for other products, it was asked how he would contribute towards the cost of these services. Mr. Jacha replied that Europeans had Road Councils to which they paid a tax in addition to income tax. The Africans paid taxes to Native Councils, many of which had been set up so that Africans might learn administration. Money from the Councils could be used by them. Money was available, he said, but the Native Council would not permit it to be used. This question had been discussed several times with the Prime Minister, as Minister of Native Affairs. The Prime Minister had attended the Union's Conference in 1958 and had indicated he was sympathetic towards the problem, but could not help. Indeed, the United Federal Party was very sympathetic to the problems; but these were controversial issues, and they would be thrown out if they tried to do too much.

Mr. Jacha said there were local Councils in the Native Purchase Areas (excluding Que Que). The Native Commissioner of the area was the chairman of the Council and under the Native Councils' Amendment Act there was provision for an African to be vice-chairman. His Union wished to see Africans in the Native Purchase Areas left alone as they were always clashing with the Native Commissioner. The Native Commissioner might be there in an advisory capacity, but all the executive powers should be vested in the Council, especially in the Native Purchase areas.

He explained that Africans in the Native Purchase Areas did not come under Chiefs at all, nor did they want to; they wished to lead individual lives and look after their own land. He recommended a change over from the full tribal system to individual ownership of land as something which could be extended into the Northern territories. He did not know very much about Nyasaland, but had stayed with friends in Northern Rhodesia and had been told the people there would be glad to own land individually.

There was a distinction between areas: in the Native Purchase Areas where there was individual tenure of land there were no Chiefs but a Native Council; but where it had not been cut up, there were squatters under a Chief. Mr. Jacha explained that the people who had enough land did not want to be under a Chief. They came to his Union and complained about it. He would like to see individual legal title to land applied in the reserves. That he thought, was the aim of the Government under a recent Act. Through the Land Husbandry Act, Africans in the reserves were given the right to own between eight and ten acres, and the grazing was communal. A man had the right to sell his land if he wished and he could, if he wished, buy two or three plots, which he would hold under freehold title. Ultimately, it was a question of doing away with the reserves and having individual land ownership among the African people. That would be preferable. Mr. Chipunza supplemented this by saying that people worked much harder on their own land: there was not the same interest taken with communal land.

Mr. Jacha confirmed that many Africans living on communal land at present wished to buy land and farm it individually as their own property. The African, especially in Southern Rhodesia, with the new methods of farming, should be free from interference. He added that his own farm, comprising 600 acres was one of the first to be cut in 1931. That was acquired at a time when most Africans did not want to buy land. The average farm today comprised 200 acres.

Mr. Jacha said that the question of labour was difficult even for African farmers. There were casual labourers among the people living in the reserves who were paid 2s. 6d. a day—women, not men. Male labour, in particular, often did not wish to leave the town and go to work on a farm. Europeans were facing the same labour problem, so it was not altogether a question of low wages. He had himself only three labourers, which was insufficient for 600 acres; but part of his farm was not developed. He kept 45 cattle. Mr. Chipunza added that when Europeans were recruiting labour for farm work they could offer a £20 capitation fee, which was beyond the African farmer's means. Mr. Jacha said that squatters could not be recruited as labourers because, mostly, they were already working the land they occupied. What African farmers were doing at present was to go into the reserve and try to get people to work for 2s. 6d. a day until such time as all the work was finished. The farmers had to do most of the planting, weeding and cultivating themselves.

Mr. Jacha stated that the most essential thing for the progress of the African was education. In the urban areas there were a lot of primary and secondary schools; but in the country most of the schools only took children up to Standard III; there were very few which took them to Standard VI. The country children were brought up far away from any school, and the policy of the Native Education Department was that if a child had not reached Standard IV by the age of fourteen, he was not allowed

to attend upper primary. More country schools should be established; they were absolutely essential.

When Mr. Todd was Prime Minister, Africans had been asked to agree to the increase of the poll tax from £1 to £2, the extra money to be spent on education. Africans had accepted that increase on the understanding that it would help education. This matter had been mentioned several times to the Government, but there were still no schools in their areas. He added that the Africans made bricks for buildings, and he asked for teachers to be supplied. Each child in the reserve paid 10s. school fees. Africans in the rural areas could not develop without education.

Mr. Jacha said that one of the reasons they wished to see African education become Federal was that they were not satisfied with the type of education they were receiving. Africans wanted the same education as Europeans. It was wrong that there should be two Departments, one for European education and one for Africans. It was felt that African education was at present inferior to European education. He did not mind which Government took charge of it, as long as it was the same Government for both.

Memorandum

T. T. DAWSON

Purpose

To illustrate to Commissioners the situation as between the European farmer and his African labour in Southern Rhodesia.

The Farm

I farm 6,500 acres twelve miles from Salisbury on the road to Norton. In the above context this farm is broadly characteristic of any progressive farm in Southern Rhodesia. It is a food farm, comprising dairying, beef cattle, pigs, sheep, poultry and cash crops and market gardening. No tobacco is grown. The output of the farm is approximately £28,000 per annum.

Farm Staff

Two European assistants and 70 male adult Africans are employed. The African labourers come from Southern Rhodesia, Northern Rhodesia, Nyasaland, Mocambique and Angola. About half are married and live with their families on the farm. About two-thirds are voluntary labourers, and the balance are supplied by the Rhodesia Native Labour Supply Commission on two years contract.

Background

I started farming on Rainham twenty years ago. At that time African labour could be engaged for 12s. 6d. per month. Every "boy" wore a sack instead of a shirt, and soap was a virtually unknown commodity. Housing was of the most primitive and was built by the labourers themselves of sticks, grass and mud. Rations were supplemented by porcupines, rats, guineafowl, hares, ants, antbears, locusts and honey, which were dug, trapped or extracted by the labourers with great ingenuity. Little was known of child welfare and nutrition and bilharzia, hookworm and malaria were rife amongst all the Africans. Almost all were completely illiterate.

Ploughing Back Profits

After a difficult initial three years' period, the farm began to show a profit. In ploughing back profits into the farm, due regard has been paid to raising the standard of living of the African staff. Over the years, three-room brick houses with asbestos roofs have been completed to accommodate 36 families at a cost of some £3,000. Each house has a half-acre garden attached for use by the labourers consistent with good farming practises. A school, fitted with electric lighting has been built in which 45 picannins are taught Sub A, Sub B and Standard 1 subjects in accordance with Government curricula. Night classes for the labourers are conducted by the African teacher from 7 p.m. to 9 p.m. Next year's programme provides for the building of a larger school (and teacher's quarters) to take these children on to Standard III.

Recreation

A compound Council of seven labourers appointed by the African staff advises me on all matters concerning their welfare. They meet every Saturday afternoon and their Chairman reports to me every Monday. The school is used as a community centre and is fitted with a wireless. Presbyterian Church services are held in it every Sunday and the farm African Women's Association meet there on Thursday afternoons. A football ground and two footballs are provided and maintained by me.

Wages

"Raw" recruits are now taken on the staff at 55s. per month and the average wage is around 75s. per month. Tractor drivers average 105s. per month, while the lorry driver and teacher earn £12 12s. 0d. per month.

Rations

All African labourers are rationed weekly when work ends at midday on Saturdays. This consists of per labourer:

14lb. mealie meal
2lb. ration beans
approx. 3lb. fresh vegetables.

In addition a bullock is killed every third week which usually yields 5 to 6lb. of meat per labourer. Further, the entire African population of the farm has unrestricted access to the farm's 13 dams to fish with hook and line for bream and barbel. Milk can be bought at milking times for 6d. a pint and the staff are increasingly availing themselves of this service.

Perquisites

All housing is rent free. Firewood and water are provided free. Seed for the gardens is supplied free and I do the ploughing, harrowing and planting at no charge. The staff are permitted to keep poultry on free range. A range of medicines for simple illnesses is provided free and for more severe cases free transport is available to Salisbury African Hospital. This year I intend planting mulberry trees for fruit and shade adjacent to the African houses.

Relationships

Relations between Europeans and Africans on the staff are generally pleasant and happy. We work together all day and every day and we all go to bed tired at night. The greatest problem I have had to face in twenty years of farming has been the innate irresponsibility of my African labourers. This characteristic is deep-seated and cannot be removed by setting a good example or by insistence on efficiency. It can only be removed, I believe, by the gradual process of education.

By way of illustration, I have found that

(*a*) With most Africans I employ there is no dishonour in lying or stealing unless one is such a naive liar or thief as to be caught out;

(*b*) I have great difficulty in persuading them to do anything to help themselves;

(*c*) Far too high a proportion of their incomes is spent on weekend beer drinks on neighbouring brickfields;

(*d*) Having been thoroughly taught a job on modern, efficient lines they will unaccountably tend to lapse into the old lazy and slipshod methods, and

(*e*) There is need for continuous European supervision for all but the most elementary tasks.

All this calls for massive patience, self-control and understanding on the part of the employer and his assistants. Where this is not exercised there can be exasperation and strong language with an occasional box on the ears. European farm assistants who have lived in close contact with Africans for some years are generally tolerant and restrained in handling their staff, but on occasion I have had to intervene with recent British immigrants who have not yet acquired an understanding of the African's habits.

General

All the Africans call me their "father" and come to me or my wife with all their troubles (anything from safety pins to syphilis). The older ones are mainly illiterate but the younger ones can read and write in an elementary fashion. They are all quite incapable of comprehending even the broadest aspects of such concepts as "parliamentary democracy", "the will of the people" and so forth. Most of them firmly believe that money is made by the Europeans who simply collect at the Bank every time they run short! Any debate on the pros and cons of Federation would be completely lost on them; nor would they show any interest, as "these things belong to the white people". They know Dr. Banda is in gaol and they refer to him as "the man is making trouble for the Europeans", but there their knowledge and interest ends. With one or two exceptions they would, I am certain, be completely incapable of exercising a vote with discretion and responsibility. They are a simple people, easily led by a colourful story or a gainful promise and are easy prey for people who would unscrupulously exploit their innocence or ignorance. I would chase such a person right off the farm.

Invitation

My wife and I extend a cordial invitation to any Commissioners who would like to see this farm to come and visit us. The telephone number is Salisbury 2063871.

Salisbury

4th February 1960

Oral Evidence

T. T. DAWSON

Mr. Dawson said that there had been a number of enactments

by the Southern Rhodesia Parliament which, taken altogether, gave the African adequate protection against exploitation. These enactments included:—

The Land Apportionment Act

The Native Juveniles Act

The Workmen's Compensation Act.

In addition, there was the system of situpas, which provided the African's record of employment. The farm labourer was not at present included within the scope of the Industrial Conciliation Act, and there was at present no minimum wage in the industry. This could be expected to come shortly, and the witness personally believed that it was desirable (though he made it clear that he was not speaking for all farmers here).

He was in favour of Federation, though there were at present a number of anomalies between Territorial and Federal legislation (he gave as an example the provision of outspans for cattle being moved to market). In spite of the campaign launched against Federation by hostile critics in the B.B.C. and the Labour Party, the tempo of liberal measures in the Federation was very rapid. Unfortunately, as a result of interference, a reaction had been set up and there was a danger of a more reactionary Government being returned at the next election. As a result of this reaction more drastic measures such as the amendment of the pass laws, had been held up since it might well have caused the fall of the Government. Other steps, such as the representation of Africans in the Southern Rhodesia Parliament, were desirable in due course.

Memorandum

S. E. AITKEN-CADE, M.P.

The Case for Secession for Southern Rhodesia

There have been only three Federations comparable to the Centra African Federation that can be used as a guide to the future in the Rhodesias and Nyasaland. One of these, the United States of America, resolved its differences in a bloody civil war, and the other, the British Caribbean Federation is in danger of breaking up. The third, the Federation of the Rhodesias and Nyasaland, is in a most unhappy state at the moment.

The Americans were, in the main, Europeans, with many institutions in common. The colour problem was confined to a minority group and the main issues were slavery, and the right of the States to secede from the Union. The first was practiced in the South and opposed by the North. So these two issues had to be resolved and they found it necessary to resort to bloodshed to find an answer. It appears that the immediate answer did nothing to settle the colour problem that exercises many of the United States to this day, and that, from a study of Gunnar Myrdal's researches, the racial position in the South appears to be more extreme than in our Federation.

The British Caribbean Federation was a more recent experiment in joining together various Crown Colonies at differing stages of development into one body under a Federal Government. The discussions began in 1947 and terminated in 1956, in which year the British Caribbean Federation Act was passed. Some nine years of discussion and negotiation took place before implementation. The Central African Federation was brought into being after three years and it appears that the matter was rushed to conform with the "hand-over" plans of the British Government.

The Caribbean Federation consists of Barbados, Jamaica, Antigua, Montserrat, St. Christopher, Nevis, Anguilla, Barbuda, Trinidad, Tobago, Dominica, Grenada, Saint Lucia and St. Vincent. These are all in differing stages of political and economic development, and have little in common save a desire for prosperity and advancement, though the familiar pattern of hasty political development for economically underdeveloped units has appeared since 1956.

It was originally intended to include the Bahamas, British Honduras, British Guiana and the Virgin Islands but these after consideration, declined to join. Why the issue was not forced as in the case of Nyasaland cannot be ascertained clearly. It may well be that Her Majesty's Government realised by 1956 that a major error had been committed in Central Africa by forcing Nyasaland into the Federation. One can only surmise, but it seems that that is a reasonable conclusion in view of the fact that already the people of Nyasaland were becoming restive and had made representations to British Members of Parliament and to the Colonial Office to extricate them from a position they felt was undesirable. It was probably considered that this mistake should not be repeated in the West Indies.

However we cannot escape the fact that in 1953 Nyasaland was forced into a Federation against her will while in 1956 those parts of the proposed Caribbean Federation that did not wish to participate were not made to join.

Again, the Caribbean Constitution is to be reviewed every five years whereas the Federal Constitution is to be reviewed between seven and nine years after it came into force. Was it realised that a shorter period was far better?

A further point is that the Caribbean Constitution leaves most of the executive powers in the hands of the Territories. Apart from purely domestic Federal affairs, such as the auditing of Federal Accounts, Federal Public Service, raising of Federal loans, etc., the following are the only important executive matters on the Exclusive List:—

Defence, Exchange Control, Insurance (with reservations), Libraries, Museums, etc. There is no direct evidence of this but presumably powers were left in the hands of West Indian Territories because of the vastly different levels of progress in those services. For the same reason, therefore, should not the following powers vested in our Federal Government, and which do not appear on th Caribbean Federation's Exclusive List, be returned to the Territories?

Imports and Exports (though a Customs Council is being set up in the West Indies), Price Control, Income, Sales and Purchase Taxes, Companies, Patents, etc. Roads, Railways (with a co-ordinating higher authority), Southern Rhodesia Agriculture, Postal Services, European Education, Technical Education, Health and Old Age Pensions. All these functions could be discharged more effectively and more efficiently by the Territorial Government.

Major irrigation schemes should also be returned to Southern Rhodesia. Already we have had to get on with the Kyle Dam project on our own and there is no hope of getting the major irrigation schemes in the Sabi Valley under weigh unless Southern Rhodesia gets on with the job.

The Caribbean Constitution leaves Income Tax and borrowing powers in the hands of the Territories. By 1956 it had probably been realised that the provision in our constitution that puts all financial control in the hands of the Federal Government and residual powers in the control of the Territories was a complete and utter blunder. It makes a mockery of the Territorial Government's attempts to finance new development. Finance control in the hands dedicated at all costs to keeping a federation in being inevitably means the pampering of certain sections to the detriment of others.

Even with many of the blunders avoided or corrected the West Indian Federation is not likely to remain intact. Jamaica will probably wish to secede in the near future and it is unlikely that British Honduras will look more kindly on the idea of joining than it has so far. Therefore it seems plain that the Caribbean Federation, in spite of more favourable conditions with regard to its Constitution is unlikely to endure in its present form. Jamaica is large and strong enough to "go it alone" and will probably elect to do so. And it just goes to prove that unless the component parts of a Federation are at the same level of development, politically and culturally and economically, there is little or no chance of successful integration.

Now in the Caribbean Federation the colour problem is somewhat different from our own. The Europeans have learned to survive though submerged. And there is still the problem of racism which is different perhaps from racialism in that it occurs between two coloured races and not between a white and a black race. The Asian and Negro races are not integrated and there is little possibility that the superior Asian people will allow integration with the negro people. There is friction and it will undoubtedly continue.

The European has learned to survive but it is only in the executive and professional classes that this has come about. Artisan wages have been pegged at a level too low for Europeans to compete with the indigenous peoples and still retain their own way of life. Inevitably, efficiency in this sphere of employment has suffered through the necessity for artisan-type Europeans to seek work outside the Caribbean Federation.

Friction is there in the Caribbean and will continue. It will continue for a considerable time if we are to take the United States of America as an example of how little real progress the liberal and ultraliberal element has made in the face of racial stedfastness and identification. The conservative will take a very long time indeed to be convinced that an adulterated article is as good as the pure product.

Southern Rhodesia, until 1953, had advanced the interests of all races in relation to their contribution to the general progress of the Territory. This rule was never applied as a rigid formula, in fact, as the Africans were unable to finance regional development they were carried along with the mainstream of national progress. The Africans now in professional posts owe their advancement and are the product of that period of Rhodesia's growth and indicate that the Territorial policy was liberal enough to allow an African to aspire to be an advocate or doctor or to qualify in any profession.

In my opinion, the idea of creating federations is a phase in the thinking of the Colonial and Commonwealth Relations Office employees that appears to provide an easy answer to the question of what we should do with emergent peoples who have been led to believe that they are capable of governing themselves. It saves the

British taxpayer money and is therefore politically acceptable and the idea of freeing the underdog has great appeal for any Britisher. But it might be as well if the rights of European minorities were given equal consideration by the Government and people of Great Britain.

In advocating the secession of Southern Rhodesia from the Federation I do so with no wish or intention of weakening or abrogating the Imperial connection. We are loyal subjects of Her Majesty and I doubt whether one European wishes to be other than a British subject. But my loyalty and trust in the Royal family does not mean than I am prepared to accept all the acts of Her Majesty's Ministers in a spirit of apathetic forebearance. This feeling, I am certain, is shared by many thousands, if not all Rhodesians. We will see that Southern Rhodesia is a bulwark of Western civilization and make it a secure base for combatting Communism on this continent.

It is difficult to ascertain exactly how secession would affect Southern Rhodesia. As part of the Federation there are certain advantages in having a market of 7½ million people in the Federal area but the formation of a customs union or the establishment of a trade agreement between the Territories would be a likely procedure. In any event, we should have to ask ourselves whether the market in Northern Rhodesia and Nyasaland was not perhaps rather a reserved area for U.K. imports rather than a specific outlet for Southern Rhodesian manufactures. Whether it was not the local agents of U.K. manufacturers who were reaping the major benefit from the reserved area of the Federation. The whole question of benefit would have to be examined very closely. Because some article is assembled or painted in Southern Rhodesia does not make it a Rhodesian product.

With regard to manufacturing industries, the 57/58 census shows that Southern Rhodesian gross output was £105,096,000 compared with £16,458,000 for Northern Rhodesia and £5,526,000 for Nyasaland. In so far as mining is concerned the N.R. output fell from £129·3 million in 1956 to £77·2 million in 1958. Southern Rhodesia maintained a steady position of £23·2 million in 1956 and £25·3 million in 1958. There is no mineral output in Nyasaland. Maize production too reflects the more stable output of Southern Rhodesia as compared with Nyasaland and Northern Rhodesia. For the years 1956/57/58 the Southern Rhodesian production in 200 lb. bags was 4·7, 4·6 and 4·0 million bags. In Northern Rhodesia the figures for the same three years were 1·7, 2·0, and 1·1 million bags. The position in Nyasaland is always most variable and the figures there for the same period were ·3, ·05 and ·128 million bags.

Maize figures do not include the amount consumed by Africans and not recorded in production figures. This would affect to a great degree the production figures for all three territories. In a poor year almost all African production would be consumed locally. African sales are only records of production surplus to consumption requirements in the native areas. But the point to be considered and appreciated is that in most things Southern Rhodesia has a more stable and less fluctuating economy than either of the other Territories. The general spread of consumption of electricity shows that while there is a rising consumption in all three Territories the consumer spread is far wider in Southern Rhodesia than elsewhere. The figures in million kW's for 1958 show the following:—

	Farms	*Mines*	*Secondary*	*Domestic*	*Others*	*Total*
S.R. ...	49·2	373·2	404·7	367·2	175·2	1369·5
N.R. ...	0·2	1373·1	46·8	122·0	29·0	1571·1
Nyasa. ...	0·1	Nil	8·5	6·5	4·3	19·4

The case for secession rests on two facts. Firstly, Southern Rhodesia would be no worse off financially than at present and the more settled political position might better the situation. To arrive at some assessment of the probable situation it is necessary to analyse the Budgets of both the Federal Government and that of the Government of Southern Rhodesia. As a result of such an analysis it is clear that the greatest amount that Southern Rhodesia would have to find for a Budget that would provide all that is now being financed by both Budgets is a sum of £52,441,665. The present Federal Budget is £78 million and the Territorial Budget £19·6 million.

Secondly, it is morally wrong to hold together in an artificial entity, the inhabitants of three different territories, all with differing aims and aspirations, and the majority of whose thinking inhabitants wish to fulfil those aims and aspirations in their own territorial capacities. The two Northern territories were given little choice of participation in Federation. The electors were, by means of a very effective propaganda campaign, stampeded into voting for Federation, principally on economic grounds. If a referendum were to be taken today in this Colony, the result would undoubtedly be in favour of secession in peace now than forcible separation in bloodshed later.

Money and estimates thereon are not of course the whole answer. There is always a human factor to be taken into account and there is also that vaguely wide term, political imponderables. One very hard fact must be borne in mind always and that is the assessment made by business and military people of the situation. In that respect is it not remarkable that all big business has come to Southern Rhodesia? Ford, Dunlop, B.M.C. and Whiteheads are four that spring easily to mind. If the Federation is as sound as is claimed why did not at least one of these firms go North? And why is the Air Force concentrated in Southern Rhodesia? And why are the top brass going to have still bigger and better air bases in Southern Rhodesia? It is because they know that we will hold firm and that there is security here, unknown anywhere further North.

In estimating what would be required for Southern Rhodesia to proceed with its development plans we have to make certain assumptions. First, that on achieving secession Southern Rhodesia will be a Dominion with the same diplomatic representations as at present operated by the Federation. The only difference would be that we would have Southern Rhodesians representing us in every instance rather than a hotch-potch of time-expired Colonial Office employees. Secondly, that there will be a Legislative Assembly of 40 Members and a Senate of 25 Members. This to comply with the spirit of the Southern Rhodesia Constitution. Thirdly, that comparable offices such as the Prime Minister, Treasury, etc., will, in the new Southern Rhodesia be on a higher scale of operations and that there will be ten Ministers.

An extremely generous estimate of the cost of services now rendered by the Federal Government to Southern Rhodesia as revealed by the 1959/60 Estimates of Expenditure plus savings that would be effected by the amalgamation of Prime Ministers Offices, Treasuries, Public Service Commissions, Home Affairs Departments, etc., would account for a total sum of £39·6 million. It is more than possible that this figure could be pruned by good housekeeping by ten or fifteen per cent. But by leaving the figure on the high side it is hoped that the hard-pressed Southern Rhodesian taxpayer may enjoy some tax reduction when the Colony regains its independence.

But before the cost is complete we must take into account the Southern Rhodesian Estimates of Expenditure for 1959/60 to judge with complete accuracy where Southern Rhodesia would stand financially. By deducting those items already provided for in the portion of the Federal Budget that will revert to Southern Rhodesia the balance left to be added to the previous figure is £12,789,908.

The sum total of estimated expenditure revealed by the Federal and Territorial estimates is £52,441,665. But it must be remembered that in all the deductions the scale has been deliberately loaded against Southern Rhodesia in most cases Southern Rhodesia has been left with two-thirds to a half of the estimated expenditure. It could very well prove in practice that the actual figure would be one-third to a half.

However, as the figure of £52·4 million has been reached let us seek the wherewithal in Southern Rhodesia to meet the bill. It is plain that Southern Rhodesia already has an income of £11·1 million accrueing from taxation, licences and fees as shown by the differences in the 1959/60 estimates of Revenue between the £7·7 million of Income Tax and Territorial Surcharge and the £18·8 million of total receipts. To this must be added the actual tax on income or profits now paid to the Federal Government which amounts to a further £16·1 million. (20% surcharge = £3·2 million). This already reaches the figure of £30·4 million before we consider the other revenue that would return to Southern Rhodesia when it is once more an independent unit.

The estimated Federal Revenue 1959/60 is used as a basis for this exercise and may be accepted as a fair appreciation of the Revenue position. Using this as a broad canvas we can arrive at fairly precise figures. By placing the Federal figure first and indicating the proportion that would be taken over or would accrue to Southern Rhodesia the following table emerges.

Heading of Revenue	*Estimate*	*% to S.R.*	*Amount*
Customs and Excise ...	£14,500,000	60%	£8,700,000
Hospital Fees	520,000	60%	312,000
Posts and Telegraphs ...	5,804,000	60%	3,482,400
Schools, Ed. Services ...	693,000	60%	415,800
Loans and Advances* ...	9,058,000	40%	3,623,200
Ag. Services	178,000	60%	106,800
Aviation and ldg. Fees ...	165,000	80%	132,000
Refund of Capital C.M.E.D.	292,000	100%	292,000
Rent of Gov. property ...	371,000	40%	148,400
Share of profits:—			
Central Bank	650,000	50%	325,000
Other receipts	786,000	50%	393,000
			£17,930,600
If we now take the previous revenue figure into a/c ...			30,400,000
We have a grand total of Territorial Revenue of ...			£48,330,600

**Compensated for under Vote 7.*

If we now deduct £48·3 million from £52·4 million there is a shortfall of merely £4·1 million to find. It may well be that the figures for Territorial liability with regard to services now rendered is too high and that on closer study the two amounts could be brought more closely together. A five per cent reduction on expenditure would reduce the apparent deficit to £1·9 million. But these are exercises that can be more properly carried out at a later stage. I am concerned to prove in so far as I am able that the bogy of economic inability to extricate Southern Rhodesia is a matter of no substance. Given the goodwill and application that Southern Rhodesia has always shown it can be done with comparative ease.

But before proceeding further with a document already overfull of figures it will be as well to deal with a few of the misstatements and distortions put out by the pro-Government Press in the Federation. It is remarkable that the public is so easily misled. Individually, the reporters and journalists are not mental giants by any means. In fact ,many of them are of only "fair, average quality" with all the faults and weaknesses of the ordinary man in the street, and should not be looked upon as constitutional or financial experts. Many I find are woefully ignorant of Africa and its ways and rely on the reports of others of their own craft. Admittedly there are some highly intelligent members of the Press but they are so few that they merely emphasise the shortcomings of the rest.

In the *Herald* of 27/2/60, the *Herald* Africa News Service, for instance, makes this ridiculous statement, "Can Southern Rhodesia embark on the alternative, Can she go it alone? Once again the cold facts lend considerable doubts. She is still principally dependent on her £25 million a year tobacco crop. Much of Salisbury's impressive concrete facade is based on her association with the Northern Rhodesia Copperbelt's £100 million mining industry." The short extract shows the lamentable ignorance of reporters who seem to be employed on a political rather than a qualification basis. No mention of Southern Rhodesia's £105 million manufacturing industry; no mention of the £400,000,000 invested in the lands of Southern Rhodesia; no mention of the cattle industry or road transport industry? No just a reference to the annual cash return of one Southern Rhodesian crop. And what of the mining industry in this country? The mineral output this year as reported by the Minister of Mines is £25 million. With the mineral deposits in Southern Rhodesia is it probable that this figure will double and quadruple in a very few years. And we are not dependent on one mineral only! Our spread of minerals is wide and varied, from gems to base minerals, from coal to emeralds, yet our reporter can only refer to our tobacco industry.

The writer of that same article, who presumes to pontificate on problems beyond his capacity, deals also with a possible link-up with the Union of South Africa in what he calls the "cold facts" of association with that country. It is the reporter who suggests a joining with South Africa, nobody else, but he goes on to lay down what the terms of closer association would be, in view of his ignorance of Rhodesian affairs one wonders how he comes by his inside knowledge of the working of the minds of the Union Cabinet?

This reporter of the *Herald* Africa News Service concluded by saying, "For better or for worse the two Rhodesias are firmly joined as partners in the most expensive and powerful enterprise in Africa. Concrete may prove more binding than constitutions." One can only read this statement on Kariba with profound amusement for its backhand attack on the Federal hydro-electric scheme. But the Kariba scheme is not necessarily any stumbling block to the dissolution of the unhappy association that now exists. There are precedents for the management of such projects that should be used as guides for the future.

When the Federation ceases to exist, as such, it does not mean that Kariba will be nobody's responsibility. Its output will still be required by Northern Rhodesia's copper mines and by Southern Rhodesia's industry, and it can become the joint responsibility of the two Territories concerned. The St. Lawrence Seaway is the joint responsibility of the United States and Canada. The Panama Canal is shared by the United States and Panama. Before Egypt nationalised the Suez Canal it was administered by an international consortium. So there is more than one way of guaranteeing the investment in Kariba even if it proves to be the white elephant that some people believe. But the argument that Kariba is a tie that holds the Federation firmly together is just so much more nonsensical propaganda.

A further argument against re-forming the Federation or allowing each Territory to determine its own future is that the Northern Territories will not buy Southern Rhodesian goods. This has been a favourite argument from the Government side and has received a measure of support from those in opposition who should know better. It must be dealt with firmly.

They say that the Northern Territories, especially Nyasaland will purchase their requirements from India, China, Japan, Russia and other countries that have designs on Central Africa. That if this sort of trade boycott is implemented it will ruin our Southern Rhodesian secondary industries. That our capacity to employ the emergent Africans in the manufacturing industries will be severely curtailed. But these despondent people refuse to consider the other side of the coin. Of course, a weak-kneed Government might be faced with a falling-off of trade with the North but there is no reason why Southern Rhodesia should not produce the firm and unanswerable argument by using her position as the largest employer of Nyasaland labour to insist on a fair reciprocal trade argeement. If Nyasaland boycotts our goods, we boycott her labour. As Nyasaland is buying goods with our money there is no reason to think that she could argue for long. And without the wages earned in Southern Rhodesia she would be a poor market for any other country. Even if the United Kingdom and the United States stepped in to finance her, it is unlikely that they would not insist on a trade agreement with her. Finally, there is reason to suppose that the two Northern Territories would be only too pleased to accept a trade agreement as the price of their own self-determination.

But Russia would step in! That is the next cry. If the United Kingdom or the United States allowed that then they are less responsible than we have been led to believe. But as the United Kingdom is responsible for the present mess and as the United States has done little but exacerbate the feelings of the Rhodesian public, and done much to dispel racial harmony, they could very well assume joint Trusteeship of the penurious State of Nyasaland.

If Northern Rhodesia adopted the attitude that it would not "Buy Rhodesian", then the S.R. Railways come into the picture. For many years Southern Rhodesia subsidised the transport of copper to the Port of Beira and it is only recently that a more realistic rate has been charged. Both the railways and the coal at Wankie could be used as arguments to make a trade agreement a most desirable piece of business for Northern Rhodesia. A threat by Northern Rhodesia to use the Benguela line could easily be countered by Southern Rhodesia drawing the attention of the Portuguese Government to the desirability of keeping our trade flowing through the Port of Beira. Our Portuguese friends are sufficiently aware of the position to see the point and look after their own interest.

Then there is the point that we would have to do something about the Federal Civil Service. There should be no difficulty there. Most of the people now employed would be re-absorbed into the Southern Rhodesian Civil Service. It might well be that those with a Colonial Service training and background would rather serve in Nyasaland or Northern Rhodesia. There is no doubt that the development in Southern Rhodesia, especially in Native Agriculture, Native Affairs and Native Townships warrant a large increase in that field. In any case, by maintaining the high standards of our Service and the rate for the job the prospects for Europeans in the Civil Service will be better than at present.

The National Debt of the Federation is another big stick that is brandished by those who oppose the idea of freedom for Southern Rhodesia. They say that if the National Debt is split up among three self-governing States, it will be too great a burden for any one of them to bear! But are not these three States now bearing the full burden of this debt? At the 30th June, 1959, the Federal National Debt stood at nearly £226 million. Of this, Southern Rhodesia's direct share was:—

S.R. external funded debt assumed by Federal Gov.	£68,592,573
Loans obtained directly for S. Rhodesia	£16,247,034
S.R. internal funded debt assumed by Federal Gov.	£6,664,730
	£91,504,337

In the event of secession Northern Rhodesia and Nyasaland between them would be directly responsible for their own share of current loans (£14,730,590) and their internal and external funded debts (£27,044,169). Southern Rhodesia's share of the balance of the Federal National Debt (£92,717,857) would then be approximately:—

Proportionate share (190/363) of current loans ...	£28,573,443
Half share Kariba project loans	7,892,000
60% internal floating debt	13,406,125
	£49,871,568

Finally, Southern Rhodesia's direct Territorial National Debt of £43,805,316 must be added to her probable commitments, making a total of £91,504,337 + £49,871,568 + £43,805,316 = £185,181,221.

At 5½% the figure shown in Vote 7 (see Appendix) of £10·4 million would be adequate to service this public debt. And it should be remembered that a proportion of the assets that would be of no use to Southern Rhodesia could be realised to reduce the Public Debt. In any case, the amount needed has been allowed for in the analysis undertaken in Vote 7.

A certain responsibility rests with Great Britain for granting Nyasaland advanced constitutional status before she was ready for it. Every mistake must be paid for and while Southern Rhodesia

would be prepared to pay for the mistake of entering the Federal scheme it is equally important that the United Kingdom should pay for her own errors of judgement as well. Therefore Britain must bear her share of the burden and not expect us to pay for her mistakes as well as our own.

It is argued in some quarters that investment capital will be frightened away by fears of a reduced market for locally produced goods and imported goods of British manufacture, and the fears that this territory would join up with the Union of South Africa. The first point has already been dealt with in a previous paragraph but the last point is one that should be killed at birth. What right-minded Republican Nationalist would want a solid block of English-speaking voters joining forces against him at the Polls? Even if we assume that the Rhodesian voters want to give up their British way of life and sink their identity in a country from which many have migrated on account of the political situation there, it is most unlikely that the Union would have anything to do with the proposition. In any case, investors have proved by their continued investment in the Union of South Africa that they are interested in stability of Government rather than political ideologies. Southern Rhodesia with firm, civilized, Western leadership would be a better investment risk than the unstable, unwieldy, unsure Federation.

Federationists say that we should lose the benefits of the copper industry. In part, this is so, but on the other hand we would not have to share our well-balanced economy, based on agriculture, mining and industry. In any case, we have to decide a very simple issue here, and that is, which is better, to be comparatively wealthy with the constant threat of African domination hanging over us, or to be less wealthy but with our own future and the means of development in our own hands? Furthermore, the world price of gold must go up in the next year or two, with conditions in the United States as they are, and the resultant output from Southern Rhodesian mines would more than offset the loss of 14% of the taxation on Northern Rhodesian copper.

Southern Rhodesia is well able to stand alone and guide this part of Africa. There will be a series of unstable and transient black Governments in Nyasaland if she is given full independence and the United Kingdom must guard against this by restoring full Protectorate Status there. The first action a black government would take in Northern Rhodesia would be to nationalise the copper mines and safeguards must be provided there too. These are matters than can be settled by discussion and agreement.

For Southern Rhodesia, secession is not the easy answer. There will be much hard work and much frustration during the first year or two but the reward is so great, the future so important, that no Rhodesian can afford not to stake his hopes and aspirations on the attainment of freedom for his country. Unless complete independence is given to this country to manage its own affairs then it will have no alternative but to demand its rights and independence. But let us hope that reason will prevail and that the British Government will see the justice and logic of our cause.

This is a British Territory, not an African Territory, inhabited by Rhodesians who want to remain a part of the British Commonwealth of Nations. But it is now up to the British Government to allow us to so remain and not force us to take action that would be necessary though repugnant.

Salisbury

30th January 1960

Appendix to Memorandum

The following is an analysis of the Budgets of the Federal and Southern Governments Estimates for 1959/60. The Federal Votes are dealt with first and the Territorial Votes follow.

Vote 1.	Governor General	£34,660		£34,660
	No change. S.R. Governor redundant.			
Vote 2.	Federal Assembly	£123,613		
	This will be redundant and will be replaced by a larger Legislative Assembly and a Senate. Both of these together are likely to be larger than the present Federal Assembly so a higher figure is assumed			£130,000
Vote 3.	Prime Minister and External Affairs	£417,973		
	See 3rd assumption. No change ..			£417,736
Vote 4.	Treasury	£130,173		
	Take S.R. Treasury figure of ..	£311,973		
	Deduct:			
	Audit services..	£40,200		
	Customs duty refunds ..	£57,000		
			£97,000	
	Add:			
	Fed. mechanical applicances..		£26,000	
	Additional staff		£30,000	
			£56,000	£270,773
	Total deductions	£41,000		
Vote 5.	Miscellaneous ..	£464,651		
	Deduct:			
	Refunds from Revenue ..		£75,000	
	Reimbursements to Northern Governments		£28,300	
			£103,300	£361,351
Vote 6.	Pensions	£2,102,300		
	Deduct:			
	Contributions to Northern Governments		£102,000	
	Fed. Public Service Contributions (half Staff)		£512,500	
			£614,600	£1,487,800
Vote 7.	Public Debt ..	£11,963,227		
	Deduct:			
	N.R. Government loans ..		£954,931	
	Nyasaland Loans		£212,953	
	Half Federal Loans		£3,559,224	
			£4,727,108	
	Add:			
	S.R. Territorial Loans ..		£3,241,570	
			£1,485,108	£10,477,689
Vote 8.	Contributions to Loan Account		£1.000,000	
	For two years, perhaps three, S.R. will not be in a position to make any such contribution			Nil
Vote 9.	Customs and Excise		£405,000	
	Assume quarter cut on salaries, expenses, etc., through reduction in ports of entry. Deduct ..		£101,250	£303,750
Vote 10.	Income Tax		£480,000	
	Assume quarter reduction on account of reduction in amount of tax, etc., handled. Deduct ..		£120,000	£360,000
Vote 11.	Printing and Stationery ..		£283,560	
	Assume third reduction on account of N.R. and Nyasaland printing, etc. Deduct ..		£94,520	
	Add: Appropriation-in-aid ..		£200,000	£389,040
Vote 12.	Audit		£138,916	
	Assume reduction on account of N.R. and Nyasaland of ..		£66,560	£72,356
Vote 13.	Economic Affairs		£102,064	
	Deduct:			
	Reimbursement to Nyasaland Gov.		£17,745	
	Third of balance		£28,106	
			£45,851	£56,213
Vote 14.	Central African Statistics ..	£213,865		
	Deduct:			
	Special N.R.G. investigation		£2,000	
	Third of balance		£40,622	
			£42,622	£81,243
Vote 15.	Trig. and Topo. Survey ..		£188,675	
	Deduct third of total		62,892	£125,783
Vote 16.	Defence		£47,619	
	Deduct third staff, etc. ..		£15,873	£31,746
Vote 17.	Central Africa Command ..		£2,712,350	
	Deduct quarter for disappearance of N.R. and Nyasaland Units, equipment, etc. ..		£904,117	£1,808,233

Vote 18. R.R.A.F...	£1,644,254		
Deduct quarter for disappearance of Northern liability ..	£411,063		£1,233,191
Vote 19. Public Service Commission ..	£87,117		
Retain this figure but delete P.S.B. (S.R.)			£87,117
Vote 20. Transport .. £2,684,301			
Delete this figure and replace by:			
Aviation and Air Transport (Fed.)	£162,200		
Grants-in-aid (Fed.)	£3,000		
Half cost of Lake Services .. (Fed.)	£4,500		
S.R. Roads (S.R.)	£4,328,415		£4,498,115
Vote 21. Civil Aviation	£794,300		
Reduce by third on account of removal of North			£529,533
Vote 22. Meteorology	£167,525		
Reduce by third on account of North	£55,842		£111,683
Vote 23. Works £3,291,345			
Deduct:			
Services rendered by Terr. Govs.	£340,000		
Individual Works (Appx. VI)	£183,608		
Third of balance (except new works)	£835,636		
	£1,359,244		
Add three-quarters of S.R. P.W.D. Vote (£583,500) .. (allowing for economies in works)	£437,625		
	£911,619		£2,389,726
Vote 24. Commerce and Industry ..	£128,082		
Deduct quarter for Northern excision	£32,020		£96,062
Vote 25. Posts and Telegraphs	£4,890,000		
Deduct third for North ..	£1,636,000		£3,260,000
Vote 26. Home Affairs .. £609,410			
Deduct: Office of Race Affairs	£9,000		
Quarter of balance	£150,102		
	£159,102		£450,308
Vote 27. National Parks	£145,682		
Deduct quarter for North ..	£36,420		£109,262
Vote 28. Archives	£30,225		
Deduct third for North ..	£10,075		£20,150
Vote 29. Information	£237,488		
Deduct third for North ..	£79,163		£158,325
Vote 30. Power	£25,095		
Deduct half for North	£12,547		£12,548
Vote 31. Law	£70,325		
Deduct half for North and Fed. Supreme Court	£35,162		£35,163
Vote 32. Attorney General	£26,975		
Deduct half for North	£13,487		£13,488
Vote 33. Federal Supreme Court ..	£20,709		
Delete altogether	..		Nil
Vote 34. Registrar General	£60,587		
Deduct reimbursements to North	£36,500		£24,087
Vote 35. Prisons	£697,680		
Deduct half for North	£348,840		£348,840
Vote 36. Education .. £6,998,001			
Deduct:			
Grants—conveyance of children	£49,700		
Ndola Tech. College ..	£8,000		
Tsp. and Mtce. N.R. and Nyasaland	£18,000		
	£75,700		
Third balance of Vote ..	£2,307,434		
	£2,383,134		£4,614,867

Vote 37. Health £6,965,109			
Deduct:			
Grants to Copperbelt hospitals	£96,500		
Grants to Mining Cos. ..	£81,000		
	£177,500		
Half of balance of Vote ..	£3,393,804		
	£3,571,304		£3,393,804
Vote 38. Agriculture .. £2,123,591			
Deduct:			
Good Cattle Production Bounty	£30,000		
N.E. Flue Cured Tobacco Subsidy	£17,000		
Tobacco Fertilizer Transport Subsidy	£3,000		
Maize Subsidy (last year) ..	£1,030,000		
	£1,120,000		
Third of balance of Vote ..	£334,530		
	£1,454,530		£669,061
Vote 39. Research and Socialist Services	£562,789		
Deduct fifth for North ..	£112,558		£450,231
Vote 40. Tsetse Control	£184,276		
Deduct quarter for North ..	£46,069		£138,207
Vote 41. Conservation .. £545,215			
Deduct:			
N.R. Experimental Farms ..	£22,150		
Third of balance of Vote ..	£174,355		
	£196,505		£348,710
Vote 42. Veterinary Services	£376,358		
Deduct third for North ..	£125,453		£250,905
			£39,651,757

1959/1960 *Southern Rhodesia Estimates*

Vote 1. The Governor		£30,250	Nil
See Fed., Vote 1, above.			
Vote 2. Legislative Assembly		£81,399	Nil
See Fed. Vote 2, above.			
Vote 3. Prime Minister		£38,202	Nil
See Fed. Vote 3, above.			
Vote 4. Native Affairs		£851,805	
Deduct Printing and Stationery		£13,000	£838,805
Vote 5. Native Agriculture		£1,399,003	
Deduct Printing and Stationery		£2,100	£1,396,903
Vote 6. Treasury		£2,061,973	Nil
See Votes 4 and 8, above.			
Vote 7. Service of Loans		£3,241,560	Nil
See Fed. Vote 7, above.			
Vote 8. Pensions £1,665,000			
Deduct:			
Printing and Stationery ..	£1,000		
Payments to Fed. Govt. ..	£2,648		
	£3,648		£1,661,352
Vote 9. C.M.E.D.		£1	£1
Vote 10. Mines		£340,184	
Deduct Printing and Stationery		£8,150	£332,034
Vote 11. Roads		£2,263,000	Nil
See Fed. Vote 20, above.			
Vote 12. Irrigation .. £534,340			
Deduct:			
Printing and Stationery ..	£7,000		
Fed. Govt.	£28,600		
	£35,600		£498,740
Vote 13. Lands		£289,782	
Deduct Advance of Capital to Forestry Commission ..		£178,500	£111,282
Vote 14. Game Control		£60,829	
Could exercise imagination here and make profit from game control ..		..	£60,829
Vote 15. N.R.B.		£79,900	£79,900

Vote 16. Justice and Internal Affairs ..	£267,893		
Deduct:			
Printing and Stationery ..		£10,000	
Subsistence and Incidental Exs.		£21,505	
Quarter of salaries		£26,135	
(Saving on Home Affairs Vote, Fed. 26)		£57,640	£210,253
Vote 17. High Court and District Courts		£305,555	
Deduct Printing and Stationery		£9,000	
			£296,555
Vote 18. B.S.A.P. ..	£2,624,000		
Deduct:			
Printing and Stationery ..		£27,000	
Clothing, ordnance, etc. (Fed. Vote 17)		£208,987	
Rations, Drugs, etc. (Fed. Vote 35 and 37)		£28,011	
		£273,998	
Add: Appropriation Grant-in-Aid Fed. Govt.		£38,640	
		£235,358	£2,388,642
Vote 19. Public Services Board .. .. See Fed. Vote 19.		£44,316	Nil
Vote 20. Surveyor General	£153,201		
Deduct:			
Printing and Stationery ..		£4,500	
Tenth staff (Fed. Vote 15) ..		£10,057	
		£14,557	£138,644
Vote 21. Labour, Social Welfare and Housing ..	£47,551		
Deduct:			
Minister		£3,750	
Printing and Stationery ..		£750	
		£4,500	£43,051
Vote 22. Labour		£473,489	
Deduct: Printing and Stationery		£4,000	
			£469,489
Vote 23. Social Welfare		£304,000	£304,000
Vote 24. Housing		£117,925	£117,925
Vote 25. African Housing		£343,560	£343,560
Vote 26. Public Works .. .. .. See Fed. Vote. 3.		£583,500	Nil
Vote 27. Engineering and Construction ..		£377,600	£377,600
Vote 28. Local Government	£206,653		
Deduct:			
Minister		£3,330	
Printing and Stationery ..		£1,500	
		£4,830	£201,823
Vote 29. Town Planning		£115,150	
Deduct: Printing and Stationery		£3,800	
			£111,350
Vote 30. Native Education		£2,807,170	£2,807,170
			£12,789,908

Oral Evidence

S. E. AITKEN-CADE, M.P.

Mr. Aitken-Cade said that nothing had happened in the two months since his memorandum had been prepared to make the case for secession in his view any less relevant. The people of Southern Rhodesia had been disappointed in the attitude of Her Majesty's Government. They were worried about Mr. Macleod's attitude towards the two Northern Territories and about Mr. Macmillan's attitude in his "winds of change" speech in Cape Town. They felt that the African people were not yet capable of taking over power, and that if this happened in Northern Rhodesia and Nyasaland, Southern Rhodesia would prefer to contract out of the Federation altogether. This would not prevent the three Territories coming together again as an alliance if they wished to do so. He personally had voted against Federation in 1953, but he was prepared to give it a trial on the assumption that the Territorial Legislatures should not be interfered with from outside.

In answer to questions, the witness made the following additional points:—

1. If Federation was to continue, the Federal capital should be moved out of Salisbury and out of Southern Rhodesia.
2. The last paragraph of his memorandum of the 30th January should not be taken to mean that he necessarily expected that it would be necessary to use force to loosen Southern Rhodesia's ties with the United Kingdom. He thought that if the United Kingdom were faced with a clear statement that Southern Rhodesia wished to stand alone, that wish would be acceded to.
3. It was dishonest to suggest that there should be a different franchise for the Federal and Territorial Legislatures. If new franchise qualifications were introduced in either of the two Northern Territories for the Territorial Legislature, they should logically apply also to the Federal franchise. If there were any radical change in the franchise, however, Southern Rhodesia might well be compelled to dissociate herself from the Federation.
4. Although no right of secession was written into the Federal Constitution, there was nothing in that Constitution to say that one or more of the constituent parts could not secede.
5. The attitude of the various Territories and of the various policies in those Territories differed very widely. It must be recognised that the Mashonas were quite different from the people of Nyasaland. It was the reactionary settlers in Southern Rhodesia who had given Africans the greatest advancement, even though Africans in Nyasaland thought of the political pattern in Southern Rhodesia as being too similar to that of the Union of South Africa.
6. There would be no particular difficulty in dividing up the responsibility for money borrowed on the Federal account. Southern Rhodesia and Northern Rhodesia were both credit-worthy on their own merits, and it would not be unreasonable to expect the United Kingdom to underwrite Nyasaland's share.
7. If the Federal Government had had full confidence in the prospects for the Federation, they would have budgeted not for a surplus of £2 million in the current financial year but for a deficit of £40 million. Only by really drastic action could the necessary development take place.
8. Even if the Federal structure were drastically loosened, as for example in the Central African Alliance plan, economic co-operation between the three Territories would continue. Common services, such as defence, the post office, communications and economic policy, could continue to be run on a common service basis.
9. In spite of protests from the United Kingdom at legislation such as the Land Apportionment Act, it was significant that Southern Rhodesia had developed the land area allotted to Africans since the Act had first received Britain's consent, and African agriculture was being put on a firm basis without any pressure from the United Kingdom. Twenty-seven per cent of Southern Rhodesia's total income was being devoted to African affairs. All this demonstrated that Southern Rhodesia was playing the game.
10. He had been greatly disturbed at statements of United Kingdom Ministers who appeared to be pre-judging the result of the Commission's work.

Memorandum

L. M. THORNHILL

1. It has been suggested that I give evidence to your Commission. As I have been in Rhodesia a long time, I am able to give you some details to show how events have led up to their present shape here, and may I be permitted to indicate how they may be put in the right trend again. Firstly let me introduce myself to you. I have been in Rhodesia since 1910, I was then 19, and had come with my father's family to farm here. I had been brought up in the Midlands of the Cape Province. My great grandfather led a party out to South Africa in 1820. He had been a Squire in England but sold his estate in County Durham, when free trade made it difficult for growers of crops there. His coat of arms have come down to me, being the eldest in the line of his many descendants.

2. Now I would like to give you a brief sketch of South African history, that would show many apparently mistaken people in England, that we here have a right to some parts of Africa even if they judge it by who came into certain parts first. The Bantu tribes who are now in most areas south of the Zambesi River, which they crossed not much more than three hundred years ago; this was about the same time when the Dutch were settling in the now Cape Province. These Bantu people were an offshoot of the Negroes and went east of Africa, where they intermarried with Arabs. This cross seemed to make them a very virile people. They multiplied rapidly and gradually extended down the east coast. In Southern Africa they displaced, by killing the Bushmen in the way of their push into these areas. The Bushmen seemed to be a stone age

people and did not understand forming themselves into bands to oppose their invaders. The more warlike of the Bantu gradually kept on pushing on to new lands down the east coast, but as they increased their peaceable ones just filtered inland up to the highlands as they began to multiply. The said warlike ones later populated Zululand and Basutoland. Then they went on into what is now Kafferaria, and from there they started going out in raiding parties to the Dutch farmers who had by that time extended to the midlands of South Africa, where they began raiding their own ancestral descendants who had filtered up from the east coast perhaps centuries before. These raiding Bantu carried on up, and when they reached what is now Rhodesia, many of them recrossed the Zambesi to the north, but others began settling in what is now Matabeleland. These, though, continued raiding their ancestral descendants the Mashonas who had come as far inland and settled in what is now the eastern half of Southern Rhodesia. In their yearly raids the Matabele took grain, cattle and women from the Mashonas, and killed off the men who stood in their way. Then not so many years after the Matabele had reached these parts, the Europeans came here too, and they came into conflict with that warlike tribe who fought and killed many of them; they killed all of Allan Wilson's patrol. Yet by the straightforward way the white man behaved and how he fought when brought to bay, made such an impression on this warlike people that they soon recognised him as their superior, and were willing to let him have parts of their vast land. Also the Mashonas were very grateful to the white man for rescuing them from the terrible Matabele raids on them.

3. When I came here in 1910 the Mashonas were still very grateful, and were pleased to have the white man settling in the highlands here, while they preferred the lower, warmer parts. Their kind of crops grew better there, besides they hardly wore clothes in those days.

4. Now since those days many changes have taken place, and improvements have steadily been effected and still more improvements in spite of world wars and extremely difficult slump periods.

5. Oh! I must go back a bit to the year 1912; at that time there were some here who thought that Northern and Southern Rhodesias should amalgamate into one Rhodesia, but most of the old people did not think that way, also my father spoke at some of the meetings held to decide, he said he believed that the white man had come up far enough in Africa, so let us keep the Zambesi River as our Northern boundary, and we will make this a white man's country, leaving the north to the natives, who, however, will be pleased to let the white man continue working the copper mines there with his skill and capital. That referendum showed that most people here thought that way too then.

6. Then after years of war and slumps a wonderful surgeon came into prominence, then he took up politics and became Prime Minister here, and things did go well after those slump years. He was still Prime Minister when the second world war came, and he no doubt helped the country well then. But soon after the war he got the big idea, which perhaps he thought would make him a second Cecil Rhodes. That idea was to form this Federation. The chief snag is our having joined with a purely native state like Nyasaland, and even in Northern Rhodesia the natives there have never recognised the Europeans as their conquerors and their more volatile ones are upsetting the natives here too. The idea of federating with the north only got passed because of the large influx of new settlers after the war, and they were given to understand that with federation capital would flow very freely into this country. I for one was amazed that so many backed the idea of joining with the north, and since that time some very clever people are trying hard to make the idea workable.

7. Now I will give my ideas as to how things are going to work out here before very long. Let me begin by saying that one of the reasons we were so pleased to come to Rhodesia was to get away from the crude Boer outlook in South Africa after the union there was formed; but now there is one thing that I am on their side about, and that is their "apartheid" policy. The only very short-sighted thing in this matter is that they are very far from being liberal enough in apportioning land to their coloured people.

8. It has not been known yet that two different types of people have been able to live in the same land together without the one or the other dominating. You will see by this that I am not belittling those called the natives of South Africa. Now I believe that they will be a great people one of these days, but that will not be until they have their own areas where they are free to carry on as they think best. You see I believe that each different type of people must have part of a country where they are free to do things in their own special way.

9. Now I will make bold and say something to you that may not seem relevant to some of your Commission. It is this: I do believe that Emanuel Sweedenborg was right when he said that the Lord had made the peoples of this world in the form of a "Grand Man". He, Sweedenborg, never saw the natives of Africa in the flesh, but he said that the Lord had allowed him to see and speak to those who had passed into the spirit world. He tells that the natives of Africa were of what he called a Celestial genius, while we Europeans are of a Spiritual genius. By this he meant that the European represented the cerebrum of the brain, while the Africans represented and had the capacity of the involuntary part, the cerebellum in the "Grand Man". The Europeans have a greater capacity to think out what is right, but then they must adapt themselves to that which they understand to be right and as soon as they do this the Africans by the great intuitive powers given them will see the right and will raise themselves to that perception and welcome it. I have had to work with and show many natives how to do things and to manage many during my life, and I can say the natives here and in the Cape Province respond quickly when we deal with them fairly.

10. The black men here have always seemed so much lower than we Europeans, but then for future purposes we must think this way. When the higher fall they fall lower than those of not such a high order.

11. So I am convinced that the natives of Africa will one day be a very great people, but that will not be until we Europeans begin putting our own houses in order and our outlook right. Then this world will no doubt become a wonderful place, and we Europeans will be proud to be even a small part of it.

12. So now let us put our thinking (our own house) in order, then the Africans by their intuitive powers, will see the right in us and will immediately adapt themselves to the order of that perception, I am sure! In this vast country there is much room for the natives, and for many more Europeans than are here now. The Africans must admit that we have helped them to civilisation.

13. Well, I have in as few words as possible tried to give you my point of view about matters here, but you will have understood that I believe that relations will not improve here until we allow different types of people to have full control in their own areas. I am sorry, but I must predict that things will go from bad to worse here, until we Europeans join together in our own areas, and when we do so we will find that we shall get on well by using modern knowledge, methods and machinery which can take away the drudgery of labour but in the initial stages we could have willing hired labour from outside, which at first will be ample from the native areas, I am sure, until they learn the use of modern methods and machinery to increase their production.

14. I had better not say much more now, but must add these few lines. Firstly, I am proud to be of English stock, also so very pleased to be under British protection here, which I am sure will be continued until those in England are sure that the different types of people her are capable of standing on their own feet in their own areas. Yes! that day is coming, but we shall have to have patience yet. However, a start in the right direction is rather urgent now!

15. May I humbly suggest that if you wish for further evidence in support of what I have written in this letter, that I shall be pleased to give it to you or your Commission.

Salisbury

7th March 1960

Addendum to Memorandum

L. M. THORNHILL

Firstly, my Lord, I must tell your Commission that my ideas of putting racial matters on the right trend here are based on the conception that there are intrinsic differences between the peoples of the different nations of the world, and that such different peoples should have separate areas where they can develop in their own special ways.

I have been sorry to see that the good conception of the founders of Rhodesia, to have very self-contained boundaries for the natives is being rather lost sight of.

When I came here in 1910 we were still very particular about native reserve boundaries, but because of this we unfortunately started nearly all the improvements and industries outside the native reserves and now they seem to be almost the backwaters of this country, yet they have ample land for present needs, and very good land too if it is worked on lines of modern agricultural knowledge. As stated there is plenty of land in the native reserves for their present purposes, but later to make their areas more self-contained they could allow the assumed native parliament to buy some of the land on their borders.

Now I am sure it will be wise for us to give the good chiefs

more control where they are willing to co-operate on a democratic basis, also we should go all out at first to help them in agricultural matters also do our best to start some secondary industries in their areas.

I know the Natural Resources Board and the missionaries will say they are doing lots for the natives, but I am sure they cannot give the best help until the natives are given almost complete say in their areas.

Oral Evidence

L. M. THORNHILL

The witness had presented a memorandum. He said that he had been a farmer in Northern Rhodesia since the age of 19. He read out an additional statement which is also reproduced above.

In reply to questions, Mr. Thornhill made the following points:—

1. He had nothing to say about the European areas because he thought the Europeans would be able to bring them on well enough by themselves.
2. Referring to paragraph 6 of his memorandum he said he had been against Federation from the beginning, because he thought that it had meant that Southern Rhodesia was taking on too much. He was still against Federation.
3. He wanted complete separation of European and African areas. The Africans should have complete control of their own matters. But within Southern Rhodesia there could be a sort of Federation between the two kinds of States. It seemed to him that some sort of partition of this kind would have to come. He thought that the African people had great potentialities, but they were made in a different way, although they were not necessarily inferior.
4. He was definitely against federating with States north of the Zambesi. He did not wish for close contact with the Northern Territories.
5. Federation in Southern Rhodesia should come when the Africans were ready to take control in their own areas. There would be a European and a native State, two governments with a sort of federal government between them. But he could not say that representation in that federal government should be equal at once. Representation should be such that each side could be able to put its own point of view.

Memorandum

L. T. TRACEY

Should the Commission agree to hear me I would like to give evidence upon two projects with which I am well acquainted, both of which should have a great bearing on the future prosperity of The Federation, and neither of which, I submit, will come to fruition should confidence in the future of The Federation be lost.

These are (1) the establishment of a plant for the manufacture of nitrogen and (2) the Kafue Polder Scheme.

Precis of Evidence

1. Nitrogen Plant.

It has long been recognised that the soils of The Federation have a very low nitrogen status. On account of high soil temperatures humus is quickly nitrified and there is no known means of raising permanently the nitrogen status. Applications of dung or of green manure give practically no benefit except to the first crop. It is essential if the soil's maximum potential is to be realised that nitrogen in the form of fertiliser be applied yearly and, in the case of pastures, more frequently.

The efficacy of applications of nitrogenous fertilisers has been amply demonstrated on field scale by many farmers in the post-war years. Yields of maize and other crops on such farms are fully equal to those on the best farms in the U.S.A.

Even on poor sand veld soils where adequate fertilising is practised high yields are obtained in normal years.

The limitation of the use of nitrogenous fertilisers is governed by the high price and the risk involved in a year such as the present where the costs involved will result in a loss on the crop. The cost has completely debarred the African peasant farmer from using it. It is in the Native Reserves and Purchase Areas that the impact of cheap nitrogenous fertilisers can be most significant. With good farming practice yields in these areas could be quadrupled or more. In experimental work it has been demonstrated that increased production is lineal with applications of nitrogen up to 120 lb. per acre (600 lb. sulphate of ammonia equivalent).

In the beef industry nitrogen (as urea) can greatly increase the calving percentage when used as an additive. Increased arable production will also stimulate beef production and result in better slaughter weights.

The Roskill Report of 1956 indicates that a nitrogen plant can produce at a lesser price than now charged. Inadequate present consumption has been the main reason advanced by Manufacturers who have examined the possibility of establishing a factory in The Federation.

The capital cost of a factory of economic size is variously estimated at about £7,000,000 (Roskill) and £9,000,000 (Sir Harry Oppenheimer in an announcement when opening the Salisbury Show 1959).

My submission is that the provision of cheap nitrogenous fertilisers would revolutionise production figures especially in the Native Reserves and Purchase Areas.

Any loss of confidence in The Federation would preclude indefinitely the provision of such large finance. In the event of a break-up of The Federation no single Territory could command the credit for such a project.

2. Kafue Polder Scheme

The present Pilot Polder is investigating the agricultural potential of the Kafue Flats. The Dutch Consultants in their report consider that should half of the flow of the river be assigned to agriculture it would be possible to empolder 450,000 acres at a cost of £90,000,000. This under irrigation should yield agricultural and pastoral products to an annual value of £30,000,000. Present indications are distinctly hopeful.

The major portion of the Kafue Flats lies in Native Reserve and Trust areas. It is therefore envisaged that development of The Flats will eventually be mainly in agricultural holdings of a size suited to peasant agriculture. Four such holdings are presently being tested on the Pilot Polder. The scheme would be comparable to the Gezira Scheme in the Sudan but with the addition of pastoral products and therefore the protective foods so urgently needed in the Federation to overcome malnutrition.

It would be possible to empolder The Flats in stages, and the requirements of capital would therefore be staggered over probably a generation or more.

My submission is that any loss of confidence in The Federation will preclude indefinitely any development of the scheme beyond the present investigational stage which has already cost some £300,000.

Further, that in the event of the break-up of The Federation, Northern Rhodesia with its economy founded mainly on mining could not command the credit needed for even partial development.

Salisbury

14th April 1960.

Annexure

L. T. TRACEY—Credentials

Born England 1897.

Educated Blundell's School.

1914-18 War Service.

1919 Came to Rhodesia. Developed three farms from virgin bush.

1946 At request of Minister of Agriculture wrote "Approach to Farming in Southern Rhodesia".

1947 Gave farms to sons. Became Director and/or Agricultural Advisor to various ranches and farming companies.

1954 Appointed Agricultural Advisor to Rhodesian Selection Trust.

1955 On behalf of R.S.T. initiated the Kafue Pilot Polder.

Oral Evidence

L. T. TRACEY

The witness stated that the move to get a Nitrogen Plant established had been in operation since 1954. The benefits that could accrue from cheap nitrogen were well known and had been proved both in research and practice. The chief benefit would come to peasant farmers as they learnt to use it. Many who were in contact with European farmers would see the benefit of the application of nitrogen and be very ready to use it. The witness submitted that if confidence in the Federation were to be lost the establishment of a Nitrogen Plant would be impossible. The capital expenditure involved in the setting up of a Nitrogen Plant would be high, and financial assistance from the Government would be required. The main obstacle was the present consumption figure; but one would not get increased consumption if the intention was to make a profit

on an unsubsidised basis. It was essential that the nitrogen should be cheap and it should be sold at £10 a ton as against the present price of £21 per ton for imported nitrogen. Cheapness should be brought about by Government assistance on the capital side—not on the consumption side as such a subsidy would have to be reduced as consumption steadily rose. Asked whether this meant that nitrogen fertiliser could not be produced economically in the Federation, the witness said that it could be produced economically but not at a price which would produce sufficiently widespread consumption. What was profitable to a producer was not necessarily profitable to the farmer. It was necessary for the Government to subsidise the plant in the way he had suggested in order to secure wide consumption.

As regards the Kafue Polder Scheme the witness said that the cost of the whole scheme would be £90,000,000 for 450,000 acres of irrigated farm land. The scheme could be carried out by stages, probably about four to be economical. The work at present was investigational and the results were hopeful. It was now possible to identify the problems involved, and they were approaching the Rockefeller Institute to work on these problems which were mainly concerned with soil physics. The plan would in the view of the witness be a true partnership. It was thought that in the first polder there should be both peasant and mechanised farms. These could grow different crops so that the peasant could sell his labour when he had no work to do, and the mechanised farmer could do heavy work for the peasant farmer. When the whole scheme got going it should produce £30,000,000 of agricultural and pastoral products a year. It was suggested to the witness that with this yield it would be necessary to export, and he was asked if he thought it would be possible to compete economically in world markets. He replied that he thought that this was so, and that plenty of diversification would be possible. As examples he cited the production of tinned and dried milk and cheese. It would also be possible to grow vegetable and flower seeds. Asked whether he did not think that this scheme would disrupt the economy of the country, the witness said that in his opinion it would not do so.

Memorandum

A GROUP OF LOYAL RESIDENTS OF THE FEDERATION OF NON-BRITISH ORIGIN

The reason why this Memorandum is presented is to demonstrate the solidarity of Rhodesians of non-British origin with our fellow countrymen and women who came from Britain to make this country a permanent home, not only for themselves, but for their children and grandchildren, in wishing to see the Federation grow, with the minimum of delay, to full nationhood within the British Commonwealth of Nations.

Our reason for thinking that our views may carry some weight with the Commission is that we, who, in many cases have lost our homes and families through opposing oppression, either Communist or Nazi, would under no circumstances be parties to an oppressive form of government, or the oppression of one section of the community by another.

We feel, therefore, that the Commission will give some credence to our statement that in the Federation such oppression does not exist and our belief that this is due to the good will of the inhabitants of this country and not to the exercise of controls from outside.

We wish to make the following points why the Federation should be given its independence at the earliest opportunity:—

i) The present state of uncertainty is leading to a deterioration of relations between the Races.

ii) People are afraid to invest in land or businesses, or to build homes, while they fear that everything for which they have worked may be destroyed at the whim of people outside the Federation who have no knowledge of, or are ill-informed about the true situation here.

iii) We feel that there can be no true security for anyone, of whatever colour or creed, while the affairs of this country can be made a party political issue overseas and prejudices within this country inflamed by people outside our borders for political ends, or for personal notoriety.

iv) We would draw the attention of the Commission to the fact that this is a multi-racial society, to which members of all Races have made their contribution, some by their labour, some by their knowledge and some by creating the climate in which industries, providing employment for all, can flourish. In such a society, we, who belong to the section which has provided the skill and capital to make these developments possible, would never agree to abdicate in favour of any one racial group. Therefore, government will have to be on a non-racial basis.

v) That we, together with Rhodesians of British stock, regard ourselves as citizens of this country and *not* as "settlers".

We would most earnestly request the Commission to give our spokesman the opportunity of putting our case more fully.

Salisbury

March 1960

Memorandum

I. R. SELMER (in conjunction with the above memorandum of a group of residents of the Federation of non-British origin).

In this Memorandum an attempt has been made to present the problems facing the Federation from a stand-point other than that of purely British experience. This in no way implies a slight on the British view point, but is merely a line of reasoning based on a variety of experience outside the scope of the average resident of British stock. One factor which may be worthy of note, is the basic unity of thought found amongst Continental Europeans of widely differing nationalities, many of whom have fought each other in the not too distant past.

Summary of Evidence

1. "Race Relations". This deals with a critical Analysis of this term and the different interpretations thereof.
2. Position in Under-developed Countries. In this section a parallel has been drawn between the under-developed countries of Eastern Europe and Africa with their attendant class and national struggles.
3. Attainment of Liberty. An endeavour has been made to show that national independence is not always synonymous with personal liberty.
4. Position in the Federation. In this section the line of reasoning set out above has been amplified and applied to the situation in the Federation.
5. Practical Recommendations. This is self-explanatory.

1. "Race Relations"

Preoccupation with this subject became marked after World War II and may have been influenced to a large degree by the reaction to Hitler's policy of extermination of Jews and Slavs. In addition British and American leaders were greatly concerned with colonial and domestic reform. In this context they often interpreted race-relations in terms of a limited Anglo-centre experience and tended to argue on the known experiences of East and Southern Africa and the United States "Deep South". In the thinking of many people the term race-relations is linked to definite physical characteristics such as the colour of skin, and to race—as colour-prejudice—and the oppression of Whites against Blacks.

We, Continental Europeans, are aware that "Race Relations" is a question begging term. We know how Eastern and Central Europe and, also, the Near East, was shaken by bitter national struggles amongst people who are white and have committed far more atrocities against each other than white and black here. In the light of our knowledge and experience, we feel that the real problem is the struggle of national majorities and minorities, allied to class struggles.

The British domestic experience is of little relevance here. When we examine the growth of English democracy, we find that it grew up under vastly different conditions from under-developed or semi-developed countries. The conditions which prevailed in Britain may be summarised as follows:—

(i) Tradition of national unification achieved comparatively early in history—i.e., early seventeenth century.

(ii) Cultural and linguistic homogeneity. (It should be remembered that even Aneurin Bevan delivers his attacks in English).

(iii) Island position which gave security through a strong navy but without the necessity of militarism, i.e., no big army, nor a big bureaucracy were in existence.

(iv) England pioneered the Industrial Revolution, built up great wealth and had thus something to re-distribute. (It was not the Chartists who saved England but Industry).

2. Position Different In Under-Developed Countries

Eastern Europe and the Near East are not only geographically much nearer to Africa, but are also nearer in their economic structure. Most of these countries are relatively poor. Their *class* struggles were invariably complicated by *national* struggles. These usually tended to be extremely vicious and arose alien minorities pioneered urban enterprises. Prague, for instance, started as a German urban settlement, whereas towns

on the eastern Adriatic owe their existence mostly to Italians. In Poland trade and crafts were for a long time mainly in the hands of Germans and Jews. The position was that these alien minorities accumulated wealth and became middle classes.

That this economic disparity was only human. That it can, and invariably has, been a most effective weapon in the hands of a nationalistic majority against an alien minority has been proved time and again.

If we trace the growth of indigenous nationalism in Eastern Europe in the Nineteenth Century and our times, we find that mass education of the backward peasants was the first step towards nationalism. Degrees led to Civil Service jobs, which in turn led to considerable influence in the machinery of government and ultimately, to its control. Having got this control the movement broadened into commerce and industry and the acquisition of wealth.

This corresponds even quite closely to the spread of Boer Nationalism in the Union of South Africa.

The Germans and Poles were often anti-Semitic and, at various times, fought the Jewish minority by withholding higher education and the admittance to professional bodies by enforcing a "numerus clausus", and by the organisation of state corporations. Commercially and industrially boycotts, strikes, intimidation and physical assaults were among the means used.

In its most violent form extermination of the offending minorities, or wholesale expulsion became a familiar feature. The Ottoman "Young Turks", for instance, exterminated countless Armenians and expelled one and a half million Greeks in 1921.

Together with our fellow citizens of British stock, we are sincerely afraid of finding ourselves in such a minority position. The only difference being that many amongst us have already once lost our homes, our families and our country. It is only recently that many Greeks were thrown out of Egypt for Col. Nasser and we are not convinced by the ostensibly liberal phraseology of present day African Nationalist leaders.

We cannot agree with the popular approach current in Liberal circles overseas, which frequently equates the "settler" mentality with that of European Fascists. In evidence we quote the attached article by Dr. C. A. Rogers, a psychologist, who has carried out an attitude test on White voters. On the "tough-tender minded" scale commonly used by psychologists in such investigations, European Rhodesians are, in fact, more "tender-minded" and psychologically less inclined towards agressive attitudes or the advocacy of brutal punishments, etc., than the average voter in the United Kingdom. The stereotype of the brandy swilling, sjambok wielding "settler" is completely without validity, though it still continues to bedevil the picture of us in overseas eyes.

3. Attainment of Liberty

Freedom for *whom* to do *what*?

It is one of the great misconceptions of our time that we tend to regard National independence and individual liberty to life, person and property as identical. This is not the case. Balkan and Near Eastern states, all white, did not promote personal liberty.

The polyglot Austro-Hungarian Empire, with all its failings, permitted the "Friedjung" trial, in which Masaryk had the liberty not only to accuse the Austrian Foreign Ministry of having committed a forgery, but to prove it. In few of the national states which came into being after World War I and partially inherited the Austro-Hungarian Empire, would such a trial have been permitted.

Parliamentary liberal democracy only worked in Czechoslovakia. Ultimately even Czechoslovakia became a victim of nationalist dissent. The other Eastern European states drifted into dictatorships and so did the Near East. In these countries dictatorship was, and still is, exercised by either Mass Armies or Mass Parties on the Egyptian, Iraqi or Sudanese pattern.

Parliamentary democracy based on a mass-franchise degenerates in under-developed countries where there is no tradition of individualism and Western rationalism. People tend to vote according to tribal or national affiliations which in turn leads to deadlock. To some extent this is even true in South Africa between Boer and Briton.

R. S. H. Crossman summarises this rather neatly in his book, *Plato Today*—"For the transformation of the classs struggle into party warfare, of absolutism into constitutional government, and of power politics into the rule of law can only be effected where there is a pervasive sense of national unity, a long-standing tradition on the side of peaceful change and an expanding system of production to supply the wealth needed for social reform. These conditions were present in nineteenth-century England: they were not present in fourth century Greece"—and neither are they in Africa today.

Where there is no strong middle class and the general level of economic development is low, it follows that the new social-revolutionary expectations cannot be met. We will, therefore, have a drift to get a strong man to solve the country's problems.

The new nationalists will be mostly Civil Servants, soldiers or professional people dependent on state employment with its attendant formation of an "Etatiste" state of mind.

The results of dictatorship are well known, but will bear repetition.

(i) Personal freedom is lessened and a much more savage party discipline enforced. Of this we have an example in the Ivory Coast, where Houphouet-Boigny's "Rassemblement Democratique Africain" has sixty out of sixty seats. We also have dictatorships (black versus black) in French Guinea and the French Congo and civil strife in the Cameroons and the Belgian Congo. Reverting to the "Friedjung" trial, this could not take place today in any of the above named states.

(ii) Tradition of violence. In order to promote a national-revolutionary spirit no gigantic organisation is needed. A comparatively small number of 'activists" is all that is required to swing a large number of people. This method was used by the Nazis in South West Africa before the war with great success. It has also been used by nationalist groups in Northern Rhodesia and Nyasaland. To illustrate this point the following report is quoted from the periodical, *East Africa and Rhodesia*, of 10th December, 1959, Vol. 36, No. 1835, page 357:—

> "A fifty year old African woman was set on fire with petrol recently . . . The woman was walking about a hundred yards ahead of two friends when three men approached her. They threw petrol over her, set her alight and ran away. Mary Kapombe's two friends, a man and a woman, went to her aid when they saw her burst into flames . . . A police spokesman said in Lusaka that 'this cowardly and brutal attack was made as reprisal against a woman who has flouted the beerhall boycott'. A boycott of beerhalls was called on November 16th by the United National Independence Party . . ."

4. Position in the Federation.

In the Federation a state of affairs similar to that in Eastern Europe and the Near East now exists. The nationalist struggle is still associated with the class struggle and where poverty among the masses is greatest, the Nationalists are strongest This is the case in Nyasaland.

The most outstanding social problem of Africa is the general backwardness of the African population and the fact that it doubles itself with each generation. This position, which bears comparison with that of early Nineteenth-Century Ireland, can only be met by industrial expansion and this, in itself, presupposes increased European Immigration to provide more skills and capital. (Industrially and economically South Africa and Southern Rhodesia with the largest percentage of whites, are, also, the most advanced.) But in order to attract both capital investment and the necessary white skill and make them productive, requires above all a stable Government able to reassure the Europeans. The point has been made that industrialisation could be met by a system of white labour migrancy rather than by permanent settlement. Migrant labour, be it black or white, has proved to be inefficient, wasteful and expensive.

We may ask the question—what is the possibility of a revolutionary take-over? The conditions for such a take-over do not exist. The key positions, both economic and military are in European hands. It follows that no progress and, by the same token, no revolution would be possible without their consent and active co-operation. They occupy the "positions of vantage" (Lenin's words) and without these positions of vantage a revolution has practically no chance of success. Neither has outside intervention, unless backed by overwhelming military force from the outside. The Hungarian national Revolt—successful at first—was eventually smashed by Soviet armed intervention. Colonialists are, on the whole, less oppressive because they do not make ideological demands on a broad front, are content with security of person and property and, therefore, have only imposed a limited kind of rule. The "Fuehrer" type of ideology, which claims to make the Leader into the embodiment of the national will, comes from people like Dr. Banda. A quotation from Guy Clutton-Brock's book *Dawn in Nyasaland*, page 55, may make this contention clearer:—

> "All the signs and portents of a national movement are there. There are the wrongs to be righted, the injustices to be made good, the fears to be allayed, the needs to be fulfilled, the bonds to be shaken off, the people's rising potential seeking to gain equality of opportunity, the deep urge of our time for freedom, equality and brotherhood The national leader is there, a hero who has risen from the people, mysterious, confident, certain, decided that the

time has come for an end to tea parties, memoranda, interminable abortive discussions, and polite speeches. The time has come for a man to lead in no uncertain terms, to shock both people and Government into awareness that the crisis is upon them now and to galvanise them into action. This is the new factor in the situation, the insight and dynamic of one man who presents himself not as a personal demagogue but as the embodiment of the will and spirit of the people. The young brigade are behind him, on their toes and ready; the old guard follow, hesitant and wistful. The die is cast; the way is chosen".

It is incomprehensible that an avowed British liberal should so slavishly imitate the words and approach of a Dr. Goebbels.

African Nationalism like its predecessors elsewhere, is more often than not led by the disappointed or unsuccessful. Among the Europeans, as a whole, there is a marked lack of confidence in their administrative and technological ability.

There is also a very real danger that the reaction of the European to being "pushed too far" will favour white nationalism. At the moment, they realise the need for African development and are willing to make concessions. In spite of everything that has been said about the Federation, and Southern Rhodesia in particular, the life expectation of a Southern Rhodesian African is greater than that of his Northern Rhodesian compatriot, or of a Ghanaian, or a Mexican.

Too often it has been said, that poor social conditions in towns are a result of white settlement and many people—mostly outside the Federation—are of the opinion that this is exclusively so. Sociological research tends to disprove this, as a perusal of A. E. Southall's and P. C. W. Gutkind's *East African Studies, No. 9* entitled *Townsmen in the Making; Kampala and its Suburbs,* will show. It gives details on Kampala labour-migrancy. It also shows that wives are rarely taken to town, but mostly left in the reserves. Even in cases where the wife is taken the children are left in the reserve. Family life is therefore anything but stable and there is a prevalence of concubinage. These conditions exist despite the fact that there is no Land Apportionment Act nor white settlement.

5. Practical Recommendations

1. It is felt that one of the most important steps to be taken is the unification of Public Security under one Federal authority. It would not be necessary to lose the identity of either the Northern Rhodesia Police or of the Nyasaland Police. A Federal Police Board might meet the occasion. The reasons for establishing such an authority are as follows:—

(*a*) To get the two Northern Forces up to the same standard as the B.S.A. police. Inefficient police forces are cruel, but not efficient ones. In this respect a comparison between the bloody "Gwembe Incident" with the bloodless crowd control of the B.S.A.P. in Nyasaland during the Emergency might not be out of place.

(*b*) Security cannot be put into a water-tight compartment entirely divorced from defence, which is a Federal matter.

(*c*) Security cannot also be put into a water-tight Territorial compartment.

2. Periodical amendments to the Southern Rhodesian Land Apportionment Act to allow home-ownership in specified areas for Africans within the European areas. This, in itself, would be an interim measure until the Land Market becomes free and is no longer regarded as a tribal or ethnic, but as a national asset. This would arouse great opposition in the Southern Rhodesian Parliament. The need, consequently, exists to educate the Europeans to change. Although this cannot be done quickly, as otherwise opposition will grow into dangerous reaction.

3. Encouragement of individual African home and land freehold ownership in the Northern Territories. Safeguards against the speculator in land must be either instituted or, where present retained as an interim measure.

4. A Council of State with representation for Europeans, Africans, Indians and Coloureds should be created.

It should be a reviewing chamber, similar to the House of Lords and it should:—

(*a*) Have the right of suspensive veto for a limited time, say three years.

(*b*) Have the power to commute to life imprisonment sentences on persons sentenced to death. (This is no reflection on the three Territories or their Judiciaries, but a reaction to conditions in Europe, particularly the eastern part, where far too many death sentences are, or have been, carried out.)

(*c*) It should have over-riding powers in cases of expropriation without sufficient compensation by a lower authority.

It is suggested that the Commission consider the three proposals as to the machinery for appointing this Chamber given below:—

(*a*) That the Chamber should be appointed by the Governor General on his Ministers' advice, but only for a specified term.

(*b*) Representatives from each of the three Territories equal in numbers, to be nominated by the Territorial Governors, but also for a specified term.

(*c*) Elected by an Electoral College consisting of Territorial and Federal M.P.s. It is envisaged that there should be one Electoral College for each Territory.

5. There should be no lowering of the Franchise. With the expansion of both educational facilities and economic advancement the Franchise will be within the reach of any reasonable and capable person. A lowering would merely accentuate the danger of a pseudo-democratic take-over by a black nationalism.

Salisbury

March 1960

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N.B.—8 and 9 above appeared in *The Rhodes-Livingstone Journal.* No. 25—"Human Problems in British Central Africa", published by the Manchester University Press.

Oral Evidence

I. R. SELMER

The witness had presented a memorandum from a group of residents of the Federation of non-British origin and a second memorandum of his own.

Mr. Selmer stated that the memorandum had been signed by 80 or 90 residents in Salisbury or in the immediate vicinity. Poles and Germans were about equal and accounted for two-thirds of the signatures, the remaining one-third being composed of Hollanders and others. He invited questions in reply to which he made the following points:—

1. He referred to the paragraph 4 of the petition, expressing the wish that the Federation should be given its independence at the earliest opportunity. He did not think they could carry on as at present. There existed a double loyalty. It was like a child first going to its father and then to its mother. He felt that further progress could only be made after independence of the Federation. He meant independence as between the Federation on the one hand and the United Kingdom on the other. He thought that a deterioration of race relations had occurred since Federation. He had no recent experience either in Northern Rhodesia or Nyasaland, but he did know how Africans felt in Southern Rhodesia.

2. He was most anxious that there should be a definite statement of future policy.

3. The people whom he represented were mostly either now citizens of the Federation or applying for that status. They had all cut links with their own original countries and were settling down in the Federation. Quite a few were German Jews, many were non-Jewish Germans who had been anti-Nazi. The Poles included a number of Jews.

4. The suggestion included in the memorandum section 5, paragraph 4, for a "Council of State" was not merely for the sake of being diplomatic. He understood that ideas of this nature were current in the Commonwealth. He thought it might be advisable to have a second Chamber of all races instead of the African Affairs Board. He agreed that there might be a possible weakness in its Constitution, as suggested in the

memorandum, mainly if it merely amounted to a project of the predominant political party in the Federation, at present the United Federal Party. But he wanted a safeguard on racial lines. He thought that the Northern Territories could be relied upon to pick people capable of stopping racial discrimination; he did not infer by that that they would not equally do so in Southern Rhodesia. He understood that the Governors in the Northern Territories were also the equivalent of Prime Ministers while the Governor of Southern Rhodesia was purely a constitutional figurehead.

5. His proposals were not intended merely to imply a perpetuation of white domination. He referred in this connection to the question in his memorandum on Mr. Crossman's book. He foresaw a rapid economic advancement of Africans coupled with better education, and training in citizenship. This would be the basis on which to build on the British pattern of democracy. He thought it essential to believe in one's country as a whole, as being one for all races. The Europeans had already in the Federation given the Africans an improved economic position, although he did not think that economics was the only thing that mattered.

6. He disagreed that the memorandum was merely an expression of the fear of domination by Africans. There was, however, an apprehension among those whom he represented that African majorities might lead to the loss of European lives and property. He agreed that fear existed on both sides. He would like the Commission to do something to eradicate this fear, that is to say, create security on both sides.

7. He regarded African nationalism in its present form as exactly the same kind of thing as had happened under Hitler. Lawful political methods were not being used. He agreed that it was a form of political struggle, but he did not like the shape it was taking.

8. In asking for "independence" for the Federation he wanted to see a guarantee given that Africans should progress to full equality with Europeans. He did not think that this could possibly happen in the situation of continued dependence, because of the divided loyalty which he had mentioned. It was essential for people to believe in their own country. He thought there was already a greater sense of unity in Southern Rhodesia than anywhere else in the Federation. He would like to see the Federation self-governing, with each of the components having its rightful share. He had never understood what the opposition to Federation was. He had known Africans in Southern Rhodesia ready to be known as Rhodesians, and in favour of the Federal concept.

9. He said, if the majority of the Africans in the Northern Territories were solidly opposed, for whatever reasons, to the concept of Federation, he would not seek to maintain it by force. He agreed that rather than break up the Federation, and on those assumptions, he would attempt to maintain some form of economic association. The Federation as an economic unit would be better than Southern Rhodesia trying to exist on its own. But he doubted whether it would be possible for the Federation to exist in the form of a purely economic association.

10. He was questioned as to the mention of the Land Apportionment Act, section 5, paragraph 2 of his memorandum. It would be difficult to abolish the Act. The decision he had made was that home ownership should be made available to Africans. In the rural areas he would like to see an extension of the Purchase Area Schemes. It would eventually be beneficial if there were a free market in land. He agreed that safeguards against speculation in land were necessary, and that this might indeed be the real effect of the Land Apportionment Act. He would like land to be owned by individuals and not communally. He agreed that amendments to the Land Apportionment Act would be likely to bring about strong reactions. Africans should certainly be able eventually to lease land in any area.

Memorandum

ADVOCATE H. E. DAVIES, Q.C., M.P.

1. Personal

Born in Bulawayo in 1915. Took degrees of B.A., B.Com. and LL.B. at Capetown University and have practised as an advocate in Bulawayo since 1939. Queen's Counsel in 1956. Elected (unopposed) as Member of the Federal Parliament representing African interests in Southern Rhodesia at a by-election in May 1955. Joined United Federal Party in September 1956. Re-elected (for same seat) at the Federal General Election in November 1958. Member of African Affairs Board and Deputy Chairman since June 1955.

2. Future of African Affairs Board

In my view this is not a satisfactory constitutional device to "protect" African interests. On two occasions during the life of the First Parliament it reported legislation as differentiating under the Constitution (the Constitution Amendment Act and the Electoral Act). I was in the minority on both occasions but I appreciate the sense of frustration of the members in the majority when the United Kingdom Government agreed to the passing of the two Acts. It was said—and I think it was clearly the case—that the Federal Government had, before introducing the measures, consulted with the U.K. Government and had been informed by that Government that in its view the measures were not differentiating and would in due course be assented to. This prior consultation is inevitable —and probably wise—but it means that the subsequent consideration of the measures by the African Affairs Board was futile.

Apart from this aspect of the matter, the Board is not constituted so as to provide the best means of ascertaining whether legislation is differentiating or not. Difficult legal questions are involved and few of the members are by training suited to grasp the issues. Political considerations inevitably tend to play a large part.

3. Representation of Africans in the Federal Parliament

Apart from the 12 members who must be Africans, three members must be European with special responsibilities for African interests. Of these Europeans, one is elected (in Southern Rhodesia) by voters on both rolls and the other two are nominated (in Northern Rhodesia and in Nyasaland) by their respective Territorial Governors. I wish to make the following points:

(*a*) In a Parliament which has 57 elected members, the two nominated members are "out of place" and do not fit in with the elected members. Rightly or wrongly, they tend to be viewed with suspicion.

(*b*) Since the nominated members must normally be men who have taken no part in party politics they tend to be out of their depth in a Parliament run on party political lines.

(*c*) The member elected in Southern Rhodesia is also in a difficult position. Since all members of the House have a full vote on all matters political parties must tend to contest this seat, and the electorate decides the issue on party political lines. It is quite impossible for an independent to run an election campaign covering the *whole* of Southern Rhodesia in competition with an organised political party.

(*d*) Unless the person elected is well-to-do it is most difficult for a moderate and liberal European to keep the confidence of all African leaders.

(*e*) I believe that representation of African interests by specially elected or appointed Europeans is unnecessary. The elected African members are capable of doing what is required. Moreover I believe that if these three European members were eliminated the ordinary constituency members would tend to take an increasing interest in matters affecting Africans, which at present they are inclined to leave to the special members. Such interest would be beneficial to all concerned.

(*f*) The sooner "special" representation on a racial basis is eliminated the better. The "fading out" provisions of the amended Constitution have my full support.

4. Constitutional Advance for the Federation

(*a*) The U.K. Government has recognised as a convention that it will not initiate legislation for the Federation. The Labour Party has, I understand, said that it would not consider itself bound by this convention if returned to power. This fact alone, I suggest, makes it imperative that the convention should be given force of law by an appropriate amendment of the Constitution.

(*b*) I subscribe fully to the view of the United Federal Party that it is not in the interests of anybody that control over affairs in the Federation should be exercised by the United Kingdom Government. This Government is 6000 miles away. Moreover, its return to power depends on the wish of an electorate which is far more concerned with domestic matters and hardly (if at all) concerned with the Federation.

(*c*) I accept that if the United Kingdom Government relinquishes control there must be some constitutional safeguard to protect both the rights of Africans and the rights of minorities. I do not think a Senate or Upper House is desirable and I favour the "Constitutional Council" type of safeguard suggested by the Federal Standing Committee of the United Federal Party. I think, however, that it would be advantageous if *all* members of the Constitutional Council were entitled to take part in debates in the Federal Parliament. It should have the power to delay and require reconsideration of any proposed legislation which it considered adversely affected the

interests of Africans or any minority group, and on such reconsideration the members of the Council might well be given the right to vote with members of the Federal Parliament.

5. The Franchise

I believe that the qualifications for the franchise laid down in the Federal Electoral Act are reasonable. To my mind they ensure that by the time a large number of Africans are registered on the general roll those Africans will approach politics on a party political and non-racial basis.

6. The position of the three Territories

I believe that Southern Rhodesia, by its record since self-government in 1923, has earned the right to full independence in its own sphere. And I believe that unless the two Northern Territories are advanced to the same status, with political power retained in responsible hands, as soon as possible, their economic development will be retarded. Whilst they are in an inferior position to Southern Rhodesia these territories are at a great disadvantage in attracting private investment. And I am completely convinced that whatever the importance of political "advance" so far as Africans are concerned, in the long term "freedom" depends on economic advance.

7. Conclusion

All my life I have subscribed to the belief that it is morally wrong to allow colour or race as such to play any part in the determination of a fellow-being's rights or duties. But I recognise that in all political activity it is foolish to blind oneself to the existence of all sorts of human prejudices. The most gratifying aspect of developments in Southern Rhodesia since the War has to my mind been the growing realisation by Europeans of the fact that the so-called "colour bar" has its roots in cultural differences, and the acceptance by more and more Europeans of the inevitability and desirability of its eventual disappearance. This land is my home. I know no other. There are thousands of Rhodesians who think like me. If we are given the full responsibility of governing our country we will continue with the utmost determination in our efforts to build up a great and happy country, in which a man's race or colour will eventually be of as little importance in determining his rights and duties as is, today, his religion.

Bulawayo

5th April 1960

Oral Evidence

ADVOCATE H. E. DAVIES, Q.C., M.P.

Mr. Davies said that he was a specially elected European member of the Federal Assembly representing African interests. He had appeared for Africans in a number of land husbandry cases in the courts, and had usually been regarded by Africans as concerned with Southern Rhodesia Territorial Affairs. In his view it was not right for Europeans to represent African interests in the Federal Legislatures since Africans could seldom regard a European as deeply involved in African affairs.

It was fundamental to the future of the country that the ideals of partnership and co-operation should be adhered to. Inevitably there were divisions in the country, but these should not be based on colour. It was intolerable that educated Africans should, when they had reached middle-class status in the economic sphere, be restricted in the political and social spheres. The Federation was the only part of Africa in which a truly multi-racial state could be built up; this was taking place under the economic impetus of Southern Rhodesia. In 1953 very few Europeans had recognised what was involved in partnership; in the intervening years there had been a big change in the attitude even of the most reactionary Europeans who now mainly accepted the inevitability of eventual partnership between the races.

Turning to the African Affairs Board, the witness said that all members of the Board had got on very well together personally, but they had inevitably run into serious frustration since there was a strong feeling that whatever action was taken by the Board, all matters of real importance had been settled in advance between the Governments concerned. If the United Kingdom reserved powers were withdrawn, some more potent body must be substituted for the African Affairs Board. In his own view, this could best be carried out by a constitutional council. This should be housed in the same building as the ordinary Members of Parliament. His proposals in this direction were dealt with in paragraph 4(*c*) of his memorandum.

Whatever constitutional steps were taken, it would be impossible to give any guarantee that all the trouble could be avoided. What was needed now was an opportunity to enable the Government on the spot to take whatever action was necessary. Africans would come to accept such firm government; indeed, many might think that a change might bring them benefit. The main requirement was an assurance that the United Kingdom Government would support Federal Government policies.

In answer to questions, the witness said that the Dominion Party had been making a good deal of capital out of statements by the Northern Territories that they wanted to get out of the Federation. If the present process ended in the establishment of predominantly African governments in the two Northern Territories Southern Rhodesia might not find it worth while to stay in the Federation. Legally, he accepted that the constitution did not include the right of individual Territories to secede; equally, there was nothing to say that they could not. But before secession could take place, all parties must be agreed.

The need to keep the Government in responsible hands was not equivalent to saying that it must remain in European hands. It would be very easy to have a responsible African Government in Nyasaland. This need not necessarily imply that such government must be fully elected.

With regard to the franchise qualifications, money and education were not perfect qualifications, but they were perhaps the least objectionable of many and it was very difficult to say what could take their place.

Memorandum

C. S. SKIPPER

I am a Rhodesian citizen, 55 years of age. I have spent my life:—

8	years in England
31	years in the Union of South Africa
4	years in Mozambique
12	years in Rhodesia
55	

My entire working life has been spent in the service of a British Bank, and I am still following my employment, which takes me periodically to all towns in Southern Rhodesia, Northern Rhodesia and Nyasaland and brings me in close touch with all communities. I am married and have one daughter. I do not think I can usefully produce to you statistics—all that you need in the way of figures will, I am sure, have been placed before you by the Governments of the respective territories comprising the Federation—but in the hope that the views and opinions of a Rhodesian citizen may be of some use to you in your considerations of the matters before you which are of the greatest importance to every inhabitant of our country, I write to record some of mine.

It is basic to the question before you that the three territories bound up in the Federation of Rhodesia and Nyasaland "are the rightful homes of all lawful inhabitants thereof, whatever their origin" and it follows that conditions in these territories should be such and should be kept such that the inhabitants should be able to live their lives and follow their pursuits in peace (in so far as peace be not broken by any enemy country). Maintenance of peace and of a climate conducive to progress and growth calls for sound, stable government, with a sound, progressive and fair policy. I suggest that in large degree we have that basic requirement now. The Government policy towards the different races making up the lawful and permanent population of the Federation is described in the term "Partnership".

I believe that the Federal Government has given substantial evidence of its good faith towards implementation of the policy of partnership which in essence entails effort to raise the living standards of the African, to advance him in education, in skills, and in opening to him doors of employment which have been regarded previously as belonging to the European. They belonged to the European because the European was at one time the only inhabitant equal to the demands of jobs calling for skills, handicraft, for education, for administrative ability, but we have now a proportion of African people presenting themselves for the type of work in question and they are obtaining some of this work. They will continue to share a growing proportion of this work and very many of us, the Europeans, now see that this must be, and that old traditional attitudes must be affected by the emergence of new factors. Though in the opinion of some commentators little has been done in this way, I suggest the Europeans have come a long way in the last few years to adjust their ideas to present trends. Many of us, the Europeans, including the Government, failed to appreciate, I suggest, the factor of timing in the aspect just touched upon—the economic advancement of the African. We understand that adoption of the policy of partner-

ship represented the best way to achieve a better balance in the distribution of the product of work and effort in the Federation, but we tended to think that because the great mass of African people is so backward in education, in civilisation, we had many years, perhaps decades, to work out the solution, which we thought contingent in large degree on the spread of education, the inculcation of civilised social ideas, and ways. The march of events has demonstrated that we were in error and that at the most we had a few years only and some of those the locust has eaten. Nevertheless, as a non-official I feel I can validly express the view that the Government's intentions and good faith cannot be questioned and that they deserve confidence and trust in controlling the country in the difficult days which await us. I give my view that European people in this country in the difficult days which await us appreciate that the "wind of change" sweeping Africa will not by-pass the Federation, and that they are prepared to play their part in working alongside the African people, and the Indian people, and the people of mixed race, to develop this country for the common good.

I suggest that the facts of the case, the backwardness in all respects of millions of African people in the Federation, point to the need for a bringing forward of the African in an economic sense and in an educative sense as a matter of first priority. The greatest care must be exercised not to vest political rights in people who in the great mass have as yet no conception of civilised government or of the workings of democracy. I refer to the African. The idea of universal suffrage in this country and at this stage is, I suggest quite insupportable and unacceptable and the best interests of all the inhabitants of this country and at this stage would, I hope, throw up African people who are able, willing and equal to the responsibility of a larger share in Government and control than is available to them now.

The European people of this country, people who have made it their home and look to no other land either with nostalgia or longing, must not be placed at the mercy of a people who are uncivilised, uneducated and unaware. The African people of this country must not be left to the tender care of a few political extremists of their own race. Your Commission will have had before it African people who are educated and aware, but you have no doubt sought evidence from Governmental sources as to the ratio which people of that class have to the mass of their compatriots. The educated African male can be counted probably at the most in hundreds—the others are counted in millions. The educated African female, in practical terms does not exist in this country. If in response to vociferous demands of a few educated Africans political power were to be handed over to them, and they were to be able to seize the opportunity, and if the European people were meekly to accept the imposition of such a state of affairs which is not likely, a facade of democracy would pertain and elections could be held, but there is no doubt in my mind that the ignorant uncivilised black with a vote would vote for the black candidate for reasons which it is not necessary to put into words, and by force of numbers alone there would be a totally black government. Inevitably, in circumstances existing, the facade of democracy would merely be a formal screen—and it would hide nothing—for a black dictatorship and there is no doubt at all that the thin veneer of education and civilisation of the few at the top of the great black pyramid would not prevail against the opportunity to dominate and to attain their own personal ambitions, whatever they may be. We would have dictatorship tempered or accentuated as the case may be by the occasional assassination, but one dictator is not likely to be any more good for the country, for the blacks as well as the whites, than the other. This is a depressing picture. The result would be stagnation, slipping into chaos. A vacuum would be created to be filled by power, and it needs little imagination to envisage the interest of some world power in stepping in. Would it be too pessimistic to think that under any of the other possible succeeding powers the inhabitants of this country, black, white and brown, would be worse off than they are now? I suggest they would.

Surely the case for a controlled political advance of the African people in the Federation is clear? Control by means of agreed qualification for the franchise would result in a steady, reasonably paced, accretion to the voters' role. Elections would continue to be held on the party system, and the competition of the voters' role, predominantly European at present, with a steady reduction of the predominance until parity is reached would eventually change to predominance of the African. I would hope that this gradual transition would be accompanied by a gradual change from a government with a large European majority, to a Government which would be a mixture of European, African and Indian members. The merit lies in the timing—the gradualness of the African getting used to the change in the situation and the opportunity to learn slowly and thoroughly, the gradual increase in the number of civilised men among the African people, the inculcation in them of a sense of responsibility, or integrity, of willingness to accept and practise sustained effort.

While the process of education and of inculcation of the tenets of civilisation is taking place, it would be essential that government continues its present policy of opening to the African, doors to opportunity, to more advanced work, to the processes of reasoned conduct of affairs. The white man and woman must see that some of the work they have been doing must be shared by the African qualified to take it up. There is no easy solution to the question of what is to be done about the European worker so displaced. He is entitled to live in the country in which he may have been born or to which he may have immigrated—in either event it is his country and in the bounds of a competitive economy he must find a place. There will inevitably be hardship. The advance of the African in education, skills, more important work, must result in greater earning power for him. He must become a bigger consumer of a wider variety of goods. In other words his advance in the economy creates to some extent a larger market to be supplied, and the European, with his greater potential for adaptability can hope to find avenues of employment in helping to supply the needs of the expanding market.

These observations would be lacking if the words "colour bar" were not mentioned specifically. There is a colour bar in the generally accepted meaning of the term. The clap trap that is often expressed about a man being judged by factors other than the colour of his skin, does not express the whole story. There are hundreds of millions of people in Africa who are uncivilised in thought, ways, behaviour, personal habits, and they are black. The whites traditionally have stood away from them and they cannot feel impulse to do anything else whatever Government policy may dictate, but in the march of time there will be an increasing proportion of Africans who are civilised, whose civilisation becomes a growing thing not merely a veneer, and the process of opening doors of opportunity which I mentioned earlier on must result in acceptance of each other as people living alongside each other working for a common good and therefore for our own good. I suggest the colour bar as such should be left to solve itself in circumstances that a process will be taking place affecting the African resulting in his being educated, civilised and brought forward in economic life, in a gradually increasing stream.

I turn now briefly to the political system to the future of the Federation of Rhodesia and Nyasaland. I suggest it is irrelevant to the matter before you how it came about that Nyasaland was brought into the conception of the Federation. It is a matter of fact that Southern Rhodesia, Northern Rhodesia and Nyasaland are to be permanent and should be permanent without shutting our minds to the possibility of other neighbouring states seeking to join the Federation in time to come. Clamour of self-seeking African politicians should be assessed carefully as to what it really represents and I have no doubt the members of your Commission will put it in its proper perspective. The European and Indian inhabitants of Nyasaland are so few, and the number of civilised Africans are so few, that it would be folly even to dream that the lot of Nyasaland Africans could be improved in any way by taking that country away from the stabilising association of the Federal Government. In fact, I think it is the case, that the Federation is indissoluble by any normal process and that this fact should guide you in your considerations. I believe it is in the best interests of all the inhabitants of the three associated states that the state of Federation should endure and that it be made to work, as it can be made to work. The three territories, as a Federation can stand economically and politically and with effort and patience on the part of its Governments and peoples it can be a stabilising factor in Africa and a power for good in regard to all its inhabitants, its neighbours, the United Kingdom and the British Commonwealth of Nations.

Salisbury

6th April 1960

Oral Evidence

C. S. SKIPPER

In amplification of his memorandum, the witness made the following additional points:—

(*a*) The form of government in the Federation could and would be altered considerably in time. Nevertheless, a complete change in too short a period would upset the country to nobody's benefit.

(*b*) There was no longer so much time to make this change as had been believed; the pace of development had been much greater than would have been thought possible even a few years ago, but there was perhaps a greater

risk in going too slow than going too fast: either way there would be trouble.

(c) In the process of advancement, great care must be taken not to swamp people with education and civilisation with the mass of people who were lacking in qualities.

(d) It should be possible to work out a just and stable solution by continuing the policy which already existed in the Federation that people should live and work together. The colour bar should not be abolished by legislation; left alone it would solve itself.

(e) His own organisation had been looking for Africans who could be recruited to do clerical work. On the whole, the results so far had been disappointing but in places where African clerks had been taken on little or no resentment had been displayed by European clerks. Sooner or later there would be hardship, in that European clerks would find employment difficult to obtain, but that could well be overcome with adjustment and good will.

Memorandum

FEDERAL LONG DISTANCE ROAD TRANSPORT OPERATORS' ASSOCIATION—H. Berry, Secretary.

The Unification of Road Transport Legislation

The responsibility for roads and the regulation of road traffic is constitutionally a concurrent matter as between the Federal and the three Territorial Governments. In practice the administration of road traffic laws is undertaken by the Territorial Governments in the same manner as took place prior to Federation and nothing yet attempted has resulted in unifying these laws, regulations or procedures so that a common standard is achieved.

One of the fundamental purposes of Federation was to bring together three contiguous areas which would economically be far more stable and sound than if left independent. Communications, being one of the vital factors in any economic planning for development, was quite clearly envisaged, in part at least, as being a federal matter because the economic problems and benefits of the Federal Area as a whole were essentially a matter for central direction. In pursuit of this policy the major trunk roads, Railways, and Airways were made a federal responsibility and it therefore seems illogical and, as this memorandum endeavours to point out, uneconomical not to put the legislative control of road transport under the same administering Government. From the point of view of policy direction it seems quite unrealistic to have matters dealing with commerce, industry, economic planning, rail and air transport under federal control, and road transport under territorial control. Because Territorial Governments have dealt with local road transport matters on a territorial basis, the outcome is the establishment of varying standards governing road usage which creates impediments to rational road transport operation on a national basis. The uneconomic conditions brought about by the varying laws can be classified as follows:—

(a) Varying licensing procedures and practices.

(b) Varying vehicle Construction and Use regulations.

(c) Differing axle load limits.

(d) Varying speed limits.

(e) Differing approaches to the problem of private carriers.

Varying Licensing Procedures

The powers, constitution, method of procedure and appeal of the three Road Licensing Authorities in Southern Rhodesia, Northern Rhodesia and Nyasaland vary widely and are, of course, independent. Each Territorial Authority controls road licensing in its constituent area, although many of the roads in question are inter-territorial Federal trunk roads. For example, the Northern Rhodesia Authority controls roads licensing north of the Chirundu Bridge and the Victoria Falls Bridge, whereas the Southern Rhodesia Authority is responsible south of these points on the two major trunk roads of the Federation. The same sort of split responsibility applies between Southern Rhodesia and Nyasaland on the Salisbury/Blantyre road and also on the road between Northern Rhodesia and Nyasaland via Fort Jameson. A further example of varying practices is that an identical vehicle can be given varying licensed carrying capacity in contiguous areas because of the varying bases of assessing the load factor. In Southern Rhodesia it is quite automatic to obtain a road service permit for an articulated trailer because the Authority in Southern Rhodesia regards the hauling unit as the effective transport unit and controls that. In Northern Rhodesia this principle is not accepted and the benefits of articulated transport, which has many economic advantages under certain conditions, are nullified because the hauling unit and the trailer are regarded and licensed as one and are not allowed to be separable. In Northern Rhodesia there is a properly constituted Appeals Tribunal, to which recourse can be had from the decisions of the Road Traffic Commissioner, whereas in Southern Rhodesia there is none. In Nyasaland one can only appeal to the Governor. An operator wishing to ply for hire and reward on an inter-territorial route has to make application to at least two Authorities for permission to do so, who may act quite independently. This resembles a student having to pass an examination twice before being successful.

The conclusion is self evident that the result of having independent territorial Road Service Authorities adds nothing to efficient government and leads to unco-ordinated localised policy making.

Varying Construction and Use Regulations

These have been summarised in an appendix to this memorandum and scrutiny of them will indicate how minor yet aggravating they are. The regulations are minutely enforced with the result, for example, that if a passenger bus built for Northern Rhodesia conditions is operated in Southern Rhodesia, then the whole of the seating layout has to be modified to conform with a varying set of seat widths, heights and gangway area regulations, etc.

Differing Axle Load Limits

The permitted axle load limits in the three Territories are:—

Southern Rhodesia	14,000 lb.
Northern Rhodesia	17,600 lb.
Nyasaland	15,680 lb.

This means that on all inter-territorial transits the lowest common factor applies and can best be illustrated by showing its effect on a standard type of freight vehicle:—

Type of Vehicle	*Permitted Tonnage of Freight*	
	Northern Rhodesia	*Southern Rhodesia*
Leyland Octopus and Trailer	24.0 short tons	19.5 short tons
Leyland Octopus solo ...	14.0 short tons	11.0 short tons

The uneconomic outcome of such restrictions needs no further emphasis except to say that in all territories contiguous to the Federation the international standard of 18,000 lb. is adopted and the lack of uniformity within the Federal Area is bound to aggravate the comparative disadvantages arising from our land locked position. A further indirect disadvantage is the unwillingness of heavy vehicle manufacturers to develop standard models for federal conditions at the most economic price, which, in the long run, adds to road transport costs. If road transport control were federalised, then road economics could be planned in conjunction with road transport economics, which is a logical concept in a rapidly developing, road starved country such as the Federation.

Speed Limits

It will be noticed in the attached appendix that the speed limits in the three Territories vary, but it would seem to be a more rational approach if the Federal trunk roads had common speed limits, so that timetabling, particularly on the passenger side, can be standardised. It is fully appreciated that speed limits are a necessary control factor for public safety and it is also essential for the preservation of roads, particularly when these are related to axle load limits as well. It is, however, suggested that unification of axle load limits could be dovetailed with that of speed limits so that common standards prevail which correspond with internationally recognised standards.

Private Carriers

If each form of transport, at the national level, is to play its part in the economic growth of the Federation, then it is essential that some form of unified control is instituted to regulate private carriers. In particular this control should embrace the same factors applied to public service vehicles, so far as the vehicle's roadworthiness and drivers' conditions of service and hours of work are concerned, because these are very necessary requirements purely from the point of view of public safety. There also seems to be no justifiable reason why vehicle taxation should be, as it is at the moment, lower in respect of privately owned vehicles when compared with public service vehicles. In Southern Rhodesia no legislation exists to control private carriers—it does in the other two Territories, but the purposes and applications vary. There is, in fact, no adequate control anywhere and it is quite clear, as is fully set out in the recent Harragin Report on Railway Rates, that if the railway rating structure is to be used as an instrument to economic planning, and such policy has already received the approval of the Federal Government and representatives of commerce and industry, then the Federal Ministry of Transport must be able to control private carriers in a manner conductive to the economic well being of the transport system of the Federation as a whole. At the moment it is powerless.

The federalisation of road transport does not, or should not, mean the centralisation of authority and administration. It does mean centralised planning and decentralised application on a pattern which is designed for the well being of the Federation as a whole. It will also lead, in the view of this Association, to the

weakening of parochial territorial interests, which is one of the biggest impediments to federal thinking by all classes of the community in all spheres. It should also have the advantage of being more economic in the cost of administration.

The Association offers to give oral evidence on this memorandum if the Commission so wishes and it would further point out that it is the representative body of all major long distance road transport operators in the Federation, other than the Road Motor Services of the Rhodesia Railways.

Salisbury

12th April 1960

Appendix

EXISTING ANOMALIES

Item	*Southern Rhodesia*	*Nyasaland*	*Northern Rhodesia*	*Remarks*
Speed limit—Buses	35 m.p.h.	30 m.p.h.	25 m.p.h.	
Speed limit—Heavy goods vehicles ...	25 m.p.h.	20 m.p.h.	25 m.p.h.	
Axle Weight limit	14,000 lbs. any 1 axle.	15,680 lbs. any 1 axle.	17,600 lbs. any 1 axle.	
Max. length of rigid vehicle	36 feet.	30 feet.	30 feet.	NY and NR grant exemptions to 36 feet on certain roads.
Max. length of artic. vehicle	50 feet.	33 feet.	Not specified, but exemptions up to 40 ft. on certain roads.	
Max. length of trailer	36 feet.	22 ft. excl. drawbar. Max. drawbar length 6 ft.	22 ft. excl. drawbar. No drawbar specification.	
Max. width of trailer / ,, ,, ,, vehicle	8¼ feet.	8 feet.	7 ft. 6 in.	NR and Nyasaland exemptions can be obtained.
Max. height of vehicle ...	15 ft. (S/D vehicle 10 ft. 6 in.)	12 feet.	1½ times average track width plus 2 in.	
Weight distribution—loaded vehicle	At least 20% gross gross weight on any 1 axle if 2 axle vehicle, or any 1 or 1 pair of axles if 3 axle vehicle. If 4 axle vehicle, 30% gross weight at least on any pair of axles.	No more than 75% of gross weight on any two wheels.	Not specified.	
Gross Weight	Net weight plus 110% of load allowed by maker.	Net weight plus 100% of load allowed by maker.	Same as SR.	
Max. number of trailers ...	Goods vehicles—3. Buses—not allowed.	Goods—1, but dependent on roads, type and season. Buses—not allowed.	Goods—not specified. Buses—permissive with R.T.C.'s consent.	
Safety chains between vehicle and trailer ...	Required.	Required.	Not required.	
Road Clearance—loaded ...	7 inches.	6 inches.	6 inches.	
Fire Extinguishers	2 per P.S.V.	1 per P.S.V.	2 per P.S.V.	Different Inspectors specify different sizes.
Steps—Buses ...	Lowest step between 10 in. and 17 in. above the ground.	Lowest no more than 18 in. above the ground.	Not specified.	
Entrances—Buses	Only 1 required—21 in. wide.	2 entrances, 18 in. wide but one may be as emergency exit.	Only 1 required—21 in. wide.	
First Aid Kit	Not required.	Not required.	Required.	
Seating:—				
Height from top of seat to top of back	18 in.—Padded 6 in. from seat to full remainder of height.	Not specified.	16¾ inches.	
Internal height—standing passengers on centre line only	5 ft. 10 in.	5 ft. 3 in.	Standees not allowed.	
Standing Passengers— Normal Bus	25% of seating capacity —at entire discretion of Inspector. No standing allowed if passengers carried outside urban areas if journey time exceeds 30 minutes.	Not regulated.	Standees not allowed.	
Information to be displayed on Vehicle:				
Speed Limit	On rear of vehicle.	On near side.	Not required.	

Item	Southern Rhodesia	Nyasaland	Northern Rhodesia	Remarks
Gross Weight	Passenger: Inside. Goods: left side.	Not required.	Passenger: left, outside. Goods: left, outside.	
Net Weight	Not required.	Near side front panel.	Left, outside.	
Total Number of Passengers	Inside.	Near side front panel.	Left, outside.	
Standing Passengers ...	Inside.	At entrance—English and Chinyanja.	Not applicable.	
Seated Passengers	Inside.	At entrance—English and Chinyanja.	Not applicable.	
Pay Load	On left side.	On left side.	Not required.	
P.S.V. Sign	Not required.	Required.	Not required.	
Certificate of Fitness—buses —period of validity ...	12 months.	12 months.	4 months.	
Fiscal tax on bus	£135.	For each cwt of net wt. 7½d. per month plus for each passenger of permitted capacity 10d. per month.	Scale by net weight up to £60.	
Fiscal tax on truck ...	£135.	For each cwt of net wt. 1/3d. per month.	Scale by net weight up to £60.	
Fiscal tax on trailer ...	£20.	For each cwt. of net wt. 11d. per month.	£7 10 0.	

Oral Evidence

FEDERAL LONG DISTANCE ROAD TRANSPORT OPERATORS' ASSOCIATION Represented by: Mr. H. Berry, Mr. Munro

The witnesses said that if their concept were written into the Constitution then everybody would benefit. Their association still found that they had to deal with different Governments with different ideas on matters affecting road transport. The witnesses were asked if they would be satisfied if efficient co-operation could be developed between the Territories. They replied that experience had shown that co-operation had not come about, and that therefore a federal solution would be preferable. Moreover, road transport was becoming more and more involved in the economic development of the Federation. Asked whether they would be prepared to make any distinction between the regulation of road traffic and responsibility for roads, the witnesses stated that they would have no objection if road development were uniform and in accordance with common standards. A co-ordinated road plan would need to be developed. Asked whether they would favour a statutory board to develop roads, the witnesses stated that they thought that this would be unlikely to be possible politically.

Memorandum

RHODESIA ROAD FEDERATION

To urge that the Federal Government should transfer responsibility for roads to the Territorial Governments.

The Rhodesia Road Federation is an affiliate of the International Road Federation which is a world wide non-governmental and non-profit making organisation. It enjoys consultative status, category "B" with the Economic and Social Council of the United Nations Organisation. It is supported by international industry and its aim is to promote the development of roads and road transport throughout the world in the belief that such development is a prerequisite to economic growth and consequent improvement of standards of living. Thus by increasing the yield of taxes without increasing the rates of Taxation good roads can be self-financing.

For reasons of administrative convenience the International Road Federation is organised in three regions with offices in London, Paris and Washington. It operates mainly through national Road Federations which now exist in more than 60 countries throughout the world. The London office of the International Road Federation is largely responsible for the activities in Africa of its affiliate organisations in East Africa, Egypt, Ghana, Morocco, Nigeria, the Federation of Rhodesia and Nyasaland, Sierra Leone, South Africa and the Sudan.

The Rhodesia Road Federation like the other Federations is composed of businessmen, industrialists, farmers and other civic leaders who believe that good roads are essential to national progress. It advocates the administration, planning and execution of programmes for road development, and at the same time endeavours to inform the populace of the benefits to be derived from better roads. In accordance with this policy the Rhodesia Road Federation is now making specific recommendations in respect of improved administration of roads in the Central African Federation.

Item 19 of Part I of the Second Schedule to the Constitution Order in Council of 1953 (the exclusive list) provides that the construction, alteration and maintenance of all roads listed as interterritorial in the final act of the Johannesburg Transport Conference of 1950 and any other roads prescribed as interterritorial shall be a federal matter. Item 54 of Part II (the concurrent list) provides that all roads other than those covered by item 19 shall be a concurrent matter. The aim of this memorandum is to urge that the responsibility for interterritorial roads should be removed from the exclusive list and that in item 54 of the concurrent list the reference to item 19 should be deleted.

The Rhodesian Road Federation has long advocated the establishment of a road fund. In furtherance of this policy the Road Federation submitted to the Southern Rhodesian Select Committee on Road Financing Programme in 1958 that the entire responsibility for roads should be transferred to the Territorial Governments in the following terms:—

> "Federal roads are maintained and constructed by the Territorial Roads Department on behalf of the Federal Government which makes an annual grant for the purpose. The Rhodesia Road Federation suggests that they should be returned to the Territory with an endowment sufficient for their maintenance and betterment."

The Southern Rhodesian Select Committee in its Second Report recommends as follows:—

> "In its First Report, presented to the House on the 3rd April, 1959, your Committee recommended that the responsibility for the planning, priority, construction and maintenance of all roads in Southern Rhodesia should be vested in the Government of Southern Rhodesia alone and that there should be a consequential revision of those provisions relating to the apportionment of finances. In implementing these recommendations, it would be necessary to compensate the Territorial Government for the Federal commitment it will assume if and when it takes over responsibility for Federal roads."

The demerits of the present system of dual control are succinctly described in the first and second reports of the Select Committee (L.A.S.C. 9-1958 and 6-1959) presented to the Legislature on the 3rd April 1959 and 16th February 1960 and attached hereto. The arguments contained in those reports sup-

porting the transfer of the entire responsibility for roads apply no doubt equally to all three Territories and are the basis of the Rhodesia Road Federation's submission.

The Rhodesia Road Federation nevertheless desires to amplify the recommendations of the Select Committee in the following manner:—

(i) The joint committee representative of all Territorial Governments envisaged in Report I, paragraph 7 should be specially charged with co-ordinating standards of design.

(ii) The transfer of taxing powers referred to in Report II, paragraph 4, should be effected by the machinery for the amendment of the constitution provided by article 97, rather than by that of article 32 which permits of scheduled powers and if necessary the revocation of powers so delegated.

(iii) The subvention (or endowment) accompanying the transfer of responsibility for roads should be allocated to the Territories by Statutory formula, a practice adopted in the Commonwealth of Australia.

Salisbury

12th April 1960

Annexure I

First Report of the Select Committee on Road Financing Programme. Presented to the House on the 3rd April, 1959.

1. Your Committee was appointed on the 2nd July, 1958, to consider and report upon methods of financing and administering a long term road programme for Southern Rhodesia.

2. Since that date your Committee has heard the evidence of a large number of witnesses and has been furnished with a considerable amount of information, both oral and written, covering a very wide range of subjects.

3. Your Committee first gave consideration to the limits within which the scope of its enquiry should be confined. In order to form an opinion and to make recommendations for securing and safeguarding financial requirements for roads for any given period, it was deemed necessary to determine at the outset what a programme for such a period would entail in the matter of construction and maintenance of both new and existing roads.

4. Having determined the requirements of such a programme, your Committee felt that it would then be able to direct its attention to finding new and enduring ways and means for financing that programme.

5. Your Committee soon realized that if it was fully to achieve its task, the scope of its enquiry should cover the entire rural network of roads in Southern Rhodesia. At this stage of its investigation it became apparent to your Committee that the compilation of an overall programme would be impeded by three major obstacles directly traceable to the unsatisfactory division of responsibility for this road network between two Governments, namely, the Federal Government and the Southern Rhodesia Government. These obstacles are referred to more fully later in this report, but your Committee is firmly of the opinion that the division of responsibility mentioned has created and will inevitably continue to create—

(*a*) totally unrelated priorities;

(*b*) disturbing financial fluctuations; and

(c) divergences of approach to what ought to be an overall programme for the whole Colony.

(a) Priorities

The evidence submitted to your Committee left it in no doubt that in many instances the Federal and Territorial roads are developing with largely unrelated priorities. To illustrate what is happening it may be as well to mention one instance where, due to unexpected changes of priorities over which the Southern Rhodesia Government had no control, four low level bridges have been left on a main and important road which forms a link with a neighbouring territory and which, save for a few miles, has been fully completed with two-lane tarmac. There were other instances given to your Committee in evidence which clearly indicated a parallel and unrelated development of roads in the Colony. It is your Committee's view that planning, both present and future, should embrace all roads within the Colony on a common basis.

(b) Financial Fluctuations

In order to ensure the practicability of any plan and to secure maximum long term efficiency from the various elements of road construction capacity such as plant, personnel and contractors, it is vitally necessary to avoid sharp fluctuations in annual road Votes. All the component parts of a road construction organization must obviously be kept constantly in use. The following comparative figures for road Loan works undertaken by both Governments illustrate the fluctuations which are in fact occurring—

	Federal	*Southern Rhodesia*
1955/56	£1,530,000	£750,000
1956/57	£2,531,000	£1,110,000
1957/58	£2,020,000	£1,350,000
1958/59	£976,000	£1,295,000

The following figures, taken from the current four-year plans, disclose an even more disturbing fluctuation in the immediate future—

	Federal	*Southern Rhodesia*
1959/60	£518,000	£1,350,000
1960/61	£221,500	£1,450,000

The above figures need no elaboration. The ten-fold reduction in Federal Loan Votes over a period of five years leaves the Southern Rhodesia Government with the problem of absorbing the entire potential which it has established for work on its own and Federal roads. The magnitude of the problem becomes more important when it is pointed out that the Federal Government is responsible for 1,375 miles of road in the Colony and that these roads comprise a substantial portion of its main arterial roads. This mileage actually represents just under 4½ per centum of the total of 32,200 miles of rural public roads in Southern Rhodesia, but it is cared for and virtually administered by the Southern Rhodesia Government. Your Committee considers that the fact that responsibility for the road system is shared with the Federal authorities restricts the Southern Rhodesia Government in its endeavours to plan practical financial and construction programmes for the entire Colony, particularly when viewed in the light of the importance of these Federal roads.

(c) Divergences of Approach

The standard of Federal roads and the standard of Territorial roads passing through major urban areas should, in the opinion of your Committee, be the same. There should be no variance as between such standards. Nevertheless. evidence given to your Committee has satisfied it that the Federal Government reserves the right to dictate the standard of Federal roads passing through major urban areas, a standard which differs from the one considered necessary and desirable by the Southern Rhodesia Government. Your Committee was greatly disturbed by this evidence which must unavoidably detract from the advantages of laws recently passed by this Parliament and designed as a safeguard against premature functional obsolescence.

6. Your Committee is of the opinion that the road network of the Colony concerns the Southern Rhodesia Government and local authorities to a far greater extent than the Federal Government. Having no direct responsibility for the Railways or other modes of transport, the Territorial Government is in a better position to approach road planning on broad principles of development relating *inter alia* to town planning, local government and internal development. Your Committee is therefore convinced that the Southern Rhodesia Government should be the sole authority for such planning and, indeed, for all rural road matters in Southern Rhodesia.

7. In many of the other federated states in the world, considered opinion is that there is no need for dual responsibility for road matters as between the central and state governments. It is, therefore, significant to record that witnesses, including an organization representative of widely diversified interests, voluntarily expressed the view that those roads under Federal jurisdiction should be returned to the direct control of the Southern Rhodesia Government with a consequential revision of those provisions relating to the apportionment of finances. Your Committee is, nevertheless, alive to the desirability of liaison with the other Territorial Governments on matters of mutual interest. Evidence led indicated that, in view of present harmonious relations, this liaison could be satisfactorily achieved by the setting up of a joint Committee, representative of all Territorial Governments.

8. Your Committee has no doubt that the re-allocation of responsibility in the manner recommended will operate to the advantage not only of Southern Rhodesia but of the Federation as a whole. Irritations and embarrassments caused by confusion resulting from the lack of common approach in matters of road alignments, complaints, compensation and a host of other matters will be obviated. Possible sources of conflict through divided responsibility and conflicting decisions will disappear as will delays and unnecessary work caused thereby to the Southern Rhodesia Government. Finally, through reduction and simplification of work there will be savings in establishment costs.

9. Your Committee has still to take further evidence and, though not able finally to report this session, is confident of being able to do so during the next session of Parliament. However, your Committee is satisfied that it should, at this stage, recommend *that the Government be asked to give consideration to making early arrangements, albeit only administrative at the outset, which would ensure that the responsibility for the planning, priority, construction and maintenance of all roads in Southern Rhodesia should not be divided between the Governments but should be vested in the Government of Southern Rhodesia alone; and that the Government be urged to make representations to the Federal Government for a consequential revision of those provisions relating to the apportionment of finances.*

10. Your Committee further recommends *that it be re-appointed at the next session of Parliament.*

A. R. W. STUMBLES,
Chairman.

Committee Rooms,
Legislative Assembly
3rd April 1959

Annexure II

Second Report of the Select Committee on Road Financing Programme. Presented to the House on the 16th February, 1960.

Wednesday, 2nd July, 1958.

Ordered—That a Select Committee be appointed to consider and report upon methods of financing and administering a long-term road programme for Southern Rhodesia; the Committee to have power to take evidence and call for papers and to consist of the following members, *viz.*, the Minister of the Treasury and Mines, the Minister of Roads, Mr. Clark, Mr. Currie, Mr. Ewing, Mr. Harper and Mr. Starling.

Thursday, 2nd July, 1959.

Ordered—That the proceedings of the Select Committee on Road Financing Programme be resumed at the stage at which they were suspended last session; and that the Select Committee, consisting of the Minister of Roads, the Minister of the Treasury and Mines, Mr. Clark, Mr. Currie, Mr. Ewing, Mr. Harper and Mr. Starling, be re-appointed to resume its inquiry.

PART A.

I. Constitutional Problems

1. In its First Report, presented to the House on the 3rd April, 1959, your Committee recommended that the responsibility for the planning, priority, construction and maintenance of all roads in Southern Rhodesia should be vested in the Government of Southern Rhodesia alone and that there should be a consequential revision of those provisions relating to the apportionment of finances. In implementing these recommendations, it would be necessary for a subvention to be paid by the Federal Government to compensate the Territorial Government for the Federal commitment it will assume if and when it takes over responsibility for Federal roads.

2. Your Committee wishes, at the outset, to stress that the recommendations it makes in this, its Second Report, would be quite impracticable if the conditions envisaged in paragraph 1 are not to be implemented. Financing cannot be divorced from planning, and the Colony must be placed in a position to plan its road system as a whole and in a manner that will facilitate development.

3. Not only is it essential to transfer the entire responsibility for roads to the Southern Rhodesia Government, but the authority to tax should follow that responsibility. It appears to your Committee that the revenues to be derived from fuel taxation were treated by the Fiscal Commission not on their merits or on logical premises but merely as a balancing factor after all other revenues had been allocated. Thus petrol may be taxed only by the Territorial Government and diesel fuel only by the Federal Government. Grave anomalies will arise in the administration of long term financing if this state of affairs is allowed to continue.

4. Your Committee therefore *recommends that when the next fiscal review takes place, the taxing powers of Southern Rhodesia be extended to include all vehicular fuels, oils and spirits sold in the Colony.*

II. Long Term Financing

5. The existing practice is to compile a financial four year development plan, of which the first two years are sharply in focus. The whole plan is reviewed every second year. In many important respects, a four year financial programme is not considered long enough for road purposes. Your Committee is therefore of the opinion that financial plans for road development should extend over 10 years in broad outline, such plans to encompass the four year programme as presently prepared.

6. The Division of Roads has to execute lengthy and complex operations such as siting, expropriation, design and planning and has to consider the most economical manner of execution, using both contractors and departmental organizations. All this, if carried out against the background of a ten year programme of guaranteed finance, can result in economies in that the Division will be better able to equip itself so as to derive the fullest benefit from mechanization and capital investment in plant, and to reduce expenditure otherwise necessitated by frequent movement of plant and personnel. The restriction of construction programmes to annual Votes can lead to the letting of small contracts and a sense of insecurity on the part of the contractors. All this makes for higher costs.

7. Your Committee realizes, however, that while it is necessary for road programmes to be long term, they must also be sufficiently flexible for resources to be switched at short notice to satisfy the needs of urgently required and unforeseen development.

8. Most of the witnesses in favour of some form of long term financing seemed to assume that assured revenue was synonymous with increased finance. Your Committee can find no grounds for supporting this assumption. Some of these witnesses went so far as to suggest that if generally accepted sources of road revenue were to be paid into an inviolate fund, this in itself would be sufficient for all road requirements of the Colony. Your Committee, on the other hand, considers this could lead to a decrease in the aggregate amounts which could otherwise be expected to be made available for road purposes.

9. Many witnesses were also under the impression that the channelling of specific sources of revenue into an inviolate fund would lead to an automatic increase in borrowing powers for road development. While this might prove to be true, it was not generally recognized that such additional borrowing powers would be at the expense of other essential development, and might also be precluded under existing loan financing arrangements in the Federation.

III. Methods of Approach

10. With the growing demand for road development and the recognition of road services as an essential feature of all economic and even social progress, and the need to meet the requirements of increased road use as illustrated below, equitable demands have arisen for an assured source of funds to be used solely on roads. The following table is illuminating—

	1950 (*actual*)	1958 (*actual*)	1965 (*predicted*)
No. of passenger cars ...	30,000	71,900	97,300
No. of commercial vehicles	17,000	35,800	43,500

11. It is anticipated that between 1959/60 and 1964/65, no less than £14,000,000 of loan expenditure and £18,000,000 of revenue expenditure will be required to carry out the first phase of a ten year programme to meet the minimum essential expansion on *those roads which are the present responsibility of the Southern Rhodesia Government.* Your Committee has not obtained comparative figures for Federal roads in the Colony over the same period but if these roads are transferred to the Southern Rhodesia Government, a very considerable increase in the funds required can be expected.

12. In its endeavour to solve the real problem of obtaining secured finance of this magnitude without disrupting the financing of other Government development projects, your Committee examined various possible methods, namely, financing through annual Votes, contractor finance, toll roads and a road fund.

(a) Financing Through Annual Votes

13. This is the existing method of providing funds, within the framework of the four year plan, for the construction and maintenance of those roads which are the responsibility of the Government and of Government sponsored road councils. Funds are obtained with Parliamentary sanction on submission of annual estimates of expenditure; this system taps no new sources of money, nor does it meet the requirements for secured long term finance.

(b) Contractor Finance

14. This is a method by which payment for the work done by a contractor is postponed. It could meet the problem of accelerating the completion of urgent outstanding work and, as contracts can be large and the contractors can equip themselves on as large a scale as they please, it makes for economic work. It is recognized, however, that the ultimate cost to the Government is also influenced by raising fees and the interest

rates paid by the contractor or payable by the Government on outstanding amounts.

15. The principal obstacle to contractor finance at present is that the flow of funds for this purpose is related directly to the money markets of the world, but in any case, as contractor finance is a form of borrowing, it can be indulged in only to the extent that anticipated future finance will allow of repayment.

16. Southern Rhodesia has successfully utilized this form of financing for construction works, and it was with this in mind that a number of witnesses urged the adoption of contractor finance to meet the whole of the Colony's future road requirements. Indeed, in evidence, the argument was expanded to include maintenance works in this type of financing.

17. Your Committee, however, while not ruling out the possibility of utilizing contractor finance to some extent, is satisfied that because of its limiting factors, not the least of which is the Loans Council, this method will never provide more than a partial solution to the problem of long term financing for the large outstanding volume of road work in the Colony.

(c) Toll Roads

18. One method of financing suggested by some witnesses was an extension of the toll road system which at present operates on one road in the Colony. The principle of toll road financing is well enough known not to require further explanation. Though it may have specific application, it was rejected by your Committee as being unsuited for general use. Toll roads necessitate the availability of alternative routes, and whereas this may be feasible and economic in densely populated or heavily trafficked countries or areas, the provision of new roads or the retention of existing old roads in Southern Rhodesia to provide such alternatives will be uneconomic in the extreme at this stage of the Colony's development.

(d) Road Fund

19. A common method of long term financing in many other countries is a road fund. Briefly, this involves the appropriation of certain types of revenue, notably that derived from vehicle licences and taxes on fuel, tyres and vehicles, and other revenues normally directly associated with road users, to an inviolate fund, the expenditure from which is devoted solely to road purposes. The fund is controlled by an authority, the composition of which varies from country to country.

20. Witnesses in evidence put forward many arguments both in favour of and against the road fund method of financing. One widespread and, on the face of it, attractive belief was that moneys derived from the road user should be employed for the benefit of the road user, particularly as he pays his fair share towards other forms of governmental activity. This theory pre-supposes, however, that there is a special class of persons who have exclusive rights to road usage, and minimizes or ignores the extent to which road transport affects the economy of the whole country and its inhabitants. To segregate road users as a class for special treatment, therefore, appears unrealistic to your Committee.

21. More potent appears to be the argument that the authority can estimate with reasonable accuracy the revenues which the fund can anticipate over a period of years. The inviolability of these revenues would enable the authority to embark on long term planning and long term contracts for at least a portion of the Colony's road system, depending on the resources of the fund.

22. There is merit in the opposing argument that revenues appropriated to a fund reduce the already restricted field of taxation open to the Treasury, and further limit its powers to transfer funds from one service to another. Further, your Committee agrees with the contention that there is no greater justification for a road fund, *per se*, than for any other kind of fund.

23. However, your Committee, having evaluated the relative merits and demerits of the road fund method, considers that there is a balance of advantage in setting up a road fund, in order to deal adequately with certain of the essential road development in the Colony on a long term basis.

24. Your Committee considers that all the four available forms of financing which it has studied, namely, annual Votes, contractor finance, toll roads and a road fund, may have to be employed in varying degrees. However, bearing in mind that, for main road construction and maintenance, at any rate, a ten year programme is essential, and also that it is not vitally necessary, in the first instance, for the entire road expenditure to be derived from an inviolate fund, your Committee regards as desirable the setting up of a road fund, albeit comparatively small at first, to cater for the most important long term projects. It is anticipated that, as revenues increase from expanded development throughout the Colony, more and more moneys would accrue to the fund.

25. Your Committee accordingly *recommends that a road fund be established to which is allocated all subventions which may be received from the Federal Government in respect of Federal roads if and when taken over by the Southern Rhodesia Government, together with allocation of certain revenue by the Southern Rhodesia Government as detailed in the following paragraphs.*

IV. Administration of the Fund

26. The fund would be used to finance such roads as are declared by the Minister to be priorities. It is clear from the evidence given that, within the limitations imposed by the present system of yearly Votes, the Division of Roads and Road Traffic is making the best possible use of available moneys; and, further, that it is, to the maximum possible extent, making use of materials manufactured within the Colony. There is no evidence to suggest, however, nor does your Committee contend, that even this standard could be improved upon merely by setting up a statutory body to administer the road fund. In any case, if the fund were controlled by a statutory body, the critical function of Parliament would be restricted, a limitation which your Committee regards as undesirable.

27. Your Committee consequently *recommends that the road fund be administered by the Minister responsible for roads.*

V. Financing of the Fund

(a) Federal Subvention

28. Your Committee envisages that, in the event of a takeover by the Southern Rhodesia Government of roads which are at present a Federal responsibility, an annual subvention in settlement of this commitment, on both Revenue and Loan accounts, will become payable by the Federal Government. Both the subvention and its subsequent replacement would be paid into the road fund.

(b) Fuel Taxation

29. It is reasonable to assume that on a subsequent review of fiscal arrangements between the Federal Government and Territorial Governments a remedy will be found for the anomalous position at present whereby the fuel for certain road vehicles is taxed by the Southern Rhodesia Government and that for other road vehicles by the Federal Government. In your Committee's view, however, there is no reason why the establishment of the road fund envisaged should be delayed until this rearrangement takes place; and in the meantime, a portion of the revenue from motor spirit duty might be made over to the road fund in exchange for the taking over by that fund of firm responsibility in respect of a defined part of the road programme.

VI. Expenditure from the Fund

30. Expenditure from assured revenue would, in the first instance, be confined to priority scheduled roads. Your Committee believes that, with further road improvement and the general increase in road use, yearly road user revenues payable to the fund will gradually reduce the demands on the Roads Revenue Vote, thereby releasing further moneys appropriated by Parliament for further construction work by the fund. In this way, the sphere of operations of the fund could gradually extend into other classes of road.

PART B

VII. Other Matters

(a) Road Council Taxation

31. A number of anomalies arising out of the implementation of the Third Schedule of the Roads and Road Traffic Act, 1953, as amended, were noted during the course of evidence. Outstanding amongst these anomalies and one which your Committee felt should be examined was the extent to which in practice the operation of the Third Schedule restricted road councils in the amounts of revenue which they could derive from taxation.

32. These limitations of revenue stem from two different causes. In the first place, the ceiling of 30 units limits the amount of revenue recoverable from certain ratepayers in a number of categories. In the second place, evidence disclosed that some councils were constrained to keep the unit tax at a low level because of the inability of certain ranchers in their areas to pay increased rates. This was a factor which considerably hampered these councils, because it was apparent that many of the other landowners in the same council area were able and willing to pay increased rates in order to improve the roads in such areas.

(b) Roads in African Areas

33. One aspect of the evidence relating to the problems of financing the construction and maintenance of roads in rural areas concerned those roads which are at present the responsibility of the Native Development Fund. Increased production

arising out of the implementation of the Native Land Husbandry Act, 1951, coupled with the greater road usage stimulated by rising African standards of living, has brought about problems which could not be envisaged at the time when the present system of financing these rural roads was instituted.

(c) Re-appointment of Committee

34. Your Committee has been unable to make as full a study of these two questions, namely, road council taxation and roads in African areas, as they would merit. Your Committee, therefore, desires to give further consideration to these matters and *recommends that it be re-appointed at the next session of Parliament.*

A. R. W. STUMBLES,
Chairman.

Committee Rooms,
Legislative Assembly
16th February 1960

Oral Evidence

THE RHODESIA ROAD FEDERATION—Represented by R. Sullivan and C. J. Boden.

The witnesses had presented a memorandum.

The Chairman explained that the Party broadly agreed with the views expressed in the memorandum, and would therefore not consider it necessary to examine the representatives at length. There were however a few questions, to which answers were given as follows:—

1. In Southern Rhodesia there were 1,375 miles of Federal roads.
2. The Federal roads were run by the Territorial Governments on an agency basis, and this was the fundamentally unsatisfactory feature. The Rhodesia Road Federation definitely wanted to get roads back into the hands of the Territories.
3. The Rhodesia Road Federation fully understood the difficulties to which the Road Fund had given rise in the United Kingdom. They knew, for example, that with such an arrangement they would be up against the Treasury. It was pointed out to them that their recommendations ran counter to the arrangements in most federations, and for that matter in the United Kingdom. They replied that Australia had such a system as they recommended with a special formula for the financing of such roads.
4. They had considered whether it would be practicable to have one overall Road Department, and thought that it would not. It would be necessary to rely on the three Road Departments of the three Territories.

Memorandum

E. S. NEWSON

I. Preamble

1. This memorandum is submitted in the belief that undue emphasis is being given to the claims of a few educated Africans for political self determination without at least equal recognition being had of the necessity for a balanced and accelerated economic development. While in no way subscribing to the view held by some Europeans that a material increase in African wages will obviate the necessity for political advancement, it is believed that a proper balance must be maintained between economic development and political considerations as these are largely interdependent.

2. This memorandum will nevertheless be primarily concerned with the economic aspects of Federation.

II. Basic Concepts

3. At the outset it may be desirable to state the convictions held by the writer which may be stated as:—

First, the belief that private enterprise is the most efficacious means of securing the economic advancement of the peoples of the Federation, but that this requires the sympathetic assistance of Government to attain optimum growth and efficiency.

Second, the belief in the concept of size and growth. This is an age where in most instances the small unit operates at a great disadvantage as compared with the large and for that reason, if no other, it is not economically feasible for Southern Rhodesia, Northern Rhodesia or Nyasaland to exist satisfactorily as independent states.

Third, the belief that each of the three territories is not only mutually interdependent, but also has to rely on international trade and its ability to negotiate with foreign powers.

Fourth, the belief that the Federation, not necessarily in its existing form, is the only possible prospect for the mutual co-existence and advancement of all the races in the three territories concerned.

II. Nature of Business

4. The economic classifications of business will serve to illustrate diversity and ubiquity:—

(*a*) Extractive Industries such as mining and agriculture.

(*b*) Industrial activities such as the manufacture of flour, furniture and steel.

(*c*) Constructive Industries such as structural steel fabricators and building contractors.

(*d*) Commerce such as wholesale and retail establishments.

(*e*) Services such as banking, investment trusts and road transport.

(*f*) Public Utilities such as railways, power undertakings and hospitals.

5. As the attached statement of personal particulars of the writer will indicate, he has had actual experience in every one of the categories of business listed above. Furthermore, The British South Africa Company by which he is employed has at one time or another been engaged in activities within every class mentioned plus the additional one of the administration of Government.

6. The purpose of this recital is to illustrate that the writer may claim some experience and authority on the subject.

IV. Achievements of the British South Africa Company

7. It is perhaps pertinent to record the achievements of The British South Africa Company since it first organised the occupation and settlement of the two Rhodesias which in 1889 were occupied by primitive and barbaric African people of various tribes who in the main were not indigenous to the country, but were relatively recent settlers themselves seeking refuge from the attacks of the more powerful Bantu races to the South and the North.

8. History has recorded the very valuable contribution Cecil Rhodes made to the British Empire when he formed The British South Africa Company and thus extended the sphere of British influence over the vast areas which the German Imperialists had hoped to acquire and so link their Colonies in the East and West of Africa.

9. So far as the Company's achievements are concerned these may be considered in two seperate periods, viz., 1889–1923/4, the period of Administration during which period of 33 years the Company paid no dividend, and 1924 to date, the period of purely business activity during which the Company has paid dividends continuously.

10. Such achievements have been very briefly but adequately summarised by Lord Robins, the Company's President, in an article published in the book *Rhodesia and East Africa* (published by East Africa Ltd.).

"The achivements of the company during the period of its administration can be stated briefly as:—

1. The creation of a stable and respected Government in the two Rhodesias. The first Governor of Southern Rhodesia under responsible government paid a tribute to the Chartered Company's administration which is worthy of being quoted here. He said: 'I venture to say that no territory annexed to the British Empire in the last hundred years has come with more perfect title deeds or a more honourable record than Rhodesia'.
2. The building and equipping of some two thousand miles of railways, connecting the territories with the Union to the South, the Indian Ocean to the East (at Beira), and the Belgian Congo to the North. This involved the provision of some sixteen million pounds of capital, all of which was found by the company or on its credit.
3. The sponsoring of prospecting and mining in Southern Rhodesia, enabling a prosperous industry to be built up both in precious and base metals.
4. The encouragement of agricultural development, and particularly the pursuit of experimental work in the fields of tobacco, citrus, and ranching, which provided the settlers with information of inestimable value and gave them a much-needed practical lead.
5. The recognition from its earliest days of its responsibility for the welfare of the native African peoples. The administration which the company set up and which it handed over to its successors has been described as 'a model not only in Africa but for any part of the world where you have the very difficult problems of the white settlers living side by side with the Natives'.

"It should again be emphasized that this success was due not only to the policy which Rhodes himself had laid down but to the picked men to whom he had entrusted the task of carrying it out. They never thought of the hateful term 'race

relations' but only of human relations and fair dealing and treatment as between human beings, with the advancement of the more backward of the partners always in their minds.

"The achievements of the company in the thirty-three years that have elepsed since it handed over its administrative functions may be summarized briefly as follows:—

1. First and foremost, the development of the Northern Rhodesian Copperbelt (plus the zinc/lead/vanadium property at Broken Hill) with the co-operation of the Anglo American Corporation and the Rhodesian Selection Trust, and more recently the prospecting field of the New Consolidated Gold Fields and the Rio Tinto group; while the search for precious stones has been and is being pursued by another of Rhode's companies, De Beers Consolidated Mines. This development, which has resulted in the production since 1924 of minerals valued at some nine hundred million pounds has been the most important in Africa since the discovery of Witwatersrand, and its existence has served as the basis on which the Federation's economy has chiefly rested.
2. The sale of the mineral rights in Southern Rhodesia gave the Government and people of that Colony the control of great natural resources in the shape of gold, chrome, asbestos, coal, nickel and tin, which, with other minerals in lesser quantitites, have proved extremely important to its economy.
3. The transfer to national control and management of a fully-developed and well-operated railway system, which under the company's control had been conducted without material profit to the owners, and gave to the Rhodesias and the Bechuanaland Protectorate an asset from which they have derived great benefit.
4. The provision of four million pounds of loan capital for the Kariba hydro-electric project. In addition, substantial loans to or investment in the Rhodesian Iron and Steel Company, the Rhodesian milling industry, Rhodesian Alloys, the Central African Archives, and other public concerns, Further, the company has made handsome donations to the University College of Rhodesia and Nysasaland (particularly towards the provision of the library), the Rhodes National Art Gallery, and the newly-established preparatory and secondary schools of Southern Rhodesia; and it has promised substantial financial support for the settlement of the ex-Service personnel in the Federation.

"All of this, in addition to the very large investment which the company has made in the copper mining industry as a shareholder, adds up to a prodigious total, and exemplfies the faith which the Chartered Company has in the future of the countries which bear its founder's name."

V. The Requirements of Business

11. Having given some consideration to the business achievements of the past it is now necessary to regard the attitude of business men towards the future, particularly in relation to the political aspirations of the Africans.

12. The requirements businessmen will seek before establishing new ventures or expanding old ones may be listed as under:—

(*a*) An adequate and expanding market.
(*b*) Adequate financial facilities.
(*c*) Suitable locality.
(*d*) Proximity to and adequate supply of raw materials.
(*e*) Availability and reliability of labour.
(*f*) Adequacy and cost of Power and Fuel.
(*g*) Adequacy and cost of Transportation.
(*h*) Stable Government.

13. The advent of Federation has had a markedly beneficial impact on all the foregoing considerations as the following detailed discussion under the individual headings is designed to demonstrate.

VI. Market

14. Two entirely different markets exist for businesses operating within the Federation, these are (a) the purely domestic market and (b) the export market. The latter which mainly comprises the export of raw materials such as asbestos, chrome, copper, gold, lead, tin, tobacco, zinc or refined products of such materials has not been influenced by the expansion of the domestic market that was achieved by Federation, but it has benefitted very materially from the improved financial facilities available, the vastly improved transport system and the establishment of an abundant supply of power, the cost of which will in time reduce not increase as could have been expected had thermal power been required.

15. In the case of the domestic market the position can best be assessed by an examination of the undernoted figures:

*Population Estimates of the Federation**

30th June	*Southern Rhodesia*	*Northern Rhodesia*	*Nyasaland*	*Total*
		(*a*) *Europeans*		
1953 ..	157,000	49,000	5,000	211,000
1959 ..	215,000	73,000	8,800	297,000
		(*b*) *Africans*		
1953 ..	2,210,000	1,960,000	2,420,000	6,590,000
1959 ..	2,630,000	2,280,000	2,750,000	7,660,000
		(*c*) *Other Races*		
1953 ..	11,400	5,000	7,500	24,000
1959 ..	15,400	9,600	12,100	37,000
		(*d*) *Total All Races* (*to nearest* 10,000)		
1953 ..	2,380,000	2,010,000	2,430,000	6,820,000
1959 ..	2,860,000	2,360,000	2,770,000	7,990,000

16. It will at once be apparent that a collective market of 6.8 million people at the time of Federation (now some 8 millions) was a far sounder economic basis for future development than those of the individual territories varying from 2.1 to 2.4 millions, particularly when the pre-Federation difficulties arising from differing customs tariffs and the effects of the Congo-Basin Treaty are considered.

17. Furthermore, for the development of the very necessary expansion of secondary industry a considerable measure of protection has been necessary and will be for some time. The provision for this and its negotiation with neighbouring countries and more distant suppliers was and is a feasible and effective possibility for the Federal Government, but was an immeasurably more difficult and less satisfactory problem for the individual territories.

18. It is of course common knowledge that prior attempts at closer association between the territories which had culminated in the operation of the Central African Council had encountered many difficulties and had by and large proved a failure.

19. With regard to the future prospects of the Federation's markets the potential is so great that it is quite impossible to quantify. From the agricultural point of view—largely following those introduced by Southern Rhodesia—the Government's policies of water conservation which is year by year materially increasing the land under irrigation, soil conservation and improved farming methods (which involves continuous experiment and research) give promise of considerable expansion in agricultural production which should lessen the Federation's dependency on importations of such commodities as tea, sugar, wheat, etc. Apart from the possibilities of export the present low level of consumption of such commodities particularly in Nyasaland, would indicate that the domestic market is bound to increase.

The following figures will serve as an example of this:—

Consumption per Capita

Commodity	*Nyasaland*	*Northern Rhodesia*	*Southern Rhodesia*	*Union of South Africa*
Sugar ..	6 lb.	11 lb.	33 lb.	90 lb.

20. Should the Federal experiment be discontinued there is no reason to suppose that the two territories controlled by the Colonial Office would not revert to the unprogressive and backward state agriculturally that existed prior to 1953.

21. Turning to the export market all reliable evidence points to the fact that existing supplies of industrial minerals in the United States of America and Europe are being exhausted at a quite alarming rate. The whole problem was studied very exhaustively by a Materials Policy Commission set up by President Truman in 1951 and its report known as the Paley Report *Resources for Freedom* gives a remarkably complete survey of the situation in the free world and of the growing dependence of the major industrial countries on importations of raw materials. This report indicates (Vol. II page 6) that by 1975 production outside of the United States of America must double in respect of copper, lead and iron ore to meet the projected consumption at that date, while zinc must rise by 7/8th. It would appear therefore that there is tremendous room for expansion of the mineral resourses that are known to exist in the Federation and for the exploitation of the additional deposits which geological exploration, at present being conducted on a very large and intensive scale, gives promise of locating.

22. Bearing in mind that the most fruitful ground for the spread of communism is among the uneducated masses with a low standard of living, it should be mentioned parenthetically, that it is difficult for an ordinary business man to understand how the United Kingdom Government and Press can even contemplate the risk of placing the control of such an important supply source of strategic minerals as the Federation under African domination.

**Monthly Digest of Statistics February* 1960.

VII. Finance

23. Prior to Federation, although the three territories had a uniform currency system operated by the Southern Rhodesia Currency Board they were individually responsible for their own borrowings and the banking system consisted solely of branches operated by Barclays Bank D.C. & O. and the Standard Bank of South Africa Ltd. The building society movement had virtually only just commenced and was conducted on a small scale and there were no other private banking or borrowing facilities available.

24. Since Federation, which was followed by the establishment of the Federal Reserve Bank, a considerable measure of advancement has been achieved. There are now at least five commercial banks operating, two merchant banks, two discount houses, a number of credit and hire purchase organisations and probably too many building societies, which however in the aggregate have attracted a considerable amount of finance. At any event it is now possible to employ surplus funds to the optimum extent and to have a scale of interest rates which more accurately accords with the relative surplus or scarcity of free funds.

25. Coupled with the foregoing it is fair to say that the Federal Government has enjoyed a better credit standing in international circles than the individual territorial governments had done previously.

26. All this has materially improved conditions for the conduct of business and has in fact encouraged business activity as the undernoted figures show:—

*Gross Public Debt of the Federal and Territorial Governments**
£ Millions

		As at 31.12.53	*As at* 31.12.59
Federation ...	...	—	220·2†
S. Rhodesia	...	128·6	59·3
N. Rhodesia	...	21·5	17·8
Nyasaland ...	...	6·2	6·0

Monthly Average of Bank Clearings in the Federation
£ Millions

		1953	1959
S. Rhodesia	...	28·1	135·5
N. Rhodesia	...	10·4	11·9
Nyasaland ...	...	0·9	1·8
Federation ...	...	39·4	149·2

VIII. Suitable Locality

27. The Federation is of course an economic unit which has very few large towns and the tendency of business interests has been to locate themselves in the larger towns and territorially to favour the more advanced Southern Rhodesia. It is in this particular aspect that economic and political considerations are most apparently divergent. Politically decentralisation of industry and a wider spread of population and business are the desiderata, but the economic considerations, as has generally proved the case elsewhere in the world, have had the stronger pull.

28. Inter alia this has had the unfortunate effect of promoting parochial jealousies, the primary targets of which are Southern Rhodesia and Salisbury.

29. In the immediate post war years general conditions for the siting of industry and business were difficult. Transport was inadequate and as a result power and fuel supplies were subject to periodical crises. In addition the number of properly serviced industrial sites was very limited.

30. In the years since Federation all these short-comings have been overcome and there are now ample facilities in or adjacent to all the major towns in the Federation for the establishment of all but the heaviest and most specialised of industries.

31. It is germane at this point to consider the position of Salisbury, the Federal Capital, where the rate of expansion has far exceeded that of any other town in the Federation. It is important to remember that this predominant position was achieved prior to Federation. This growth was in fact primarily due to the facts that because of the popularity and expansion of air travel coupled with improved motor vehicles and roads the geographical centre had gradually shifted from Bulawayo to Salisbury, while in addition, due to the decline in gold mining in Matabeleland and the tremendous expansion of tobacco production and agriculture in Mashonaland and Manicaland, Salisbury had become the centre for the primary producers.

32. The expansion has of course been aided by the choice of Salisbury as the Federal Capital and the investment of substantial sums in real estate there has been influenced by this. It would be a measure of bad faith and help to destroy confidence in the stability of Government if the Federal Capital were to be moved now, as has been mooted from time to time, to placate purely political antagonism. There is also the practical consideration that the cost of any such move would be colossal.

33. Before leaving the subject of locality or land it is necessary to consider this from another angle which has an indirect impact only but nevertheless an important one on business. This is the question of the density of population and the rapid exhaustion of suitable agricultural land available for Africans. The undernoted figures indicate the relative densities of population in the three territories:—

	Southern Rhodesia	*Northern Rhodesia*	*Nyasaland*
Per square mile...	19·02	8·13	74·86

34. It will at once be apparent that at any rate in Nyasaland the ability of the land to sustain its resident population has already been stretched. This of course is proof positive that a substantial portion of the population will be driven to industrial employment away from the land. In fact the report of the Jack Commission has stated that 23% of the national cash income of Nyasaland comes from labour which has migrated beyond its borders for employment. The problem of finding employment for such labour is becoming increasingly important.

IX. Raw Materials

35. As indicated earlier in this memorandum (*vide* paragraphs 19 and 21) the Federation as a whole is very well endowed with most of the essential agricultural and mineral raw materials, though the individual territories have definite limitations, particularly Nyasaland where, so far, there have been no indications of worthwhile mineralisation.

36. From the point of view of being the most nearly self-contained in this respect, Southern Rhodesia is by far the most balanced economy. It is pertinent here to remark that it was an accident, no doubt as the result of the second world war, that Federation was achieved at a time when the Northern Rhodesia's economy was so strong financially, but this has in fact been a disruptive force in the cause of Federal harmony.

In point of fact indications are that this is purely a temporary phase and that in a relatively short time the more balanced economy of Southern Rhodesia will again exceed that of Northern Rhodesia.

37. However, from a business aspect with an inter-flow of materials between the territories free of duty and on a common transport system the Federation would appear to have most of the essential requirements of industry. The only reservations are that known resources of good coking coal and metallurgical limestone may limit the degree to which highly metallurgical refining processes can be undertaken, but it is probable that intensive geological exploration coupled with improved technical methods will overcome these.

X. Labour

38. Superficially, if numbers only are considered the labour position in the Federation is extremely good, but in point of fact this is one of the most complex problems with which both Government and business are confronted.

39. There are two separate pools of labour, European and African, and vastly different conditions of employment pertain in each case. It is probably this fact more than any other which has allowed the tide of African nationalism which is sweeping through Africa to achieve the proportions it has in the relatively highly industrialised and European settled area of Southern Africa.

40. The vast majority of Africans are uneducated and unskilled and as a result their wages are extremely small and their standard of living very low. The European employer is not entirely to blame for this, though there have inevitably been cases of undoubted exploitation. The African has himself been largely to blame and it is only comparatively lately due to the growing tendency of Africans to settle permanently in Urban areas that the need and desire for higher wages has become recognised by them.

41. For example many farmers, where until recently labour has in the main been in short supply since the war, were perfectly prepared to offer higher wages if a better output were to be achieved. The generally adopted practice for farm labourers is the task system whereby a definite task is assigned each day. The Africans by starting very early in the morning will often finish their task by noon, but no reasonable financial incentive would persuade them to carry on after a lunch break and undertake a reduced assignment of an additional two or three hours duration. Similarly the employers of domestic labour have found that recognition of good service by materially enhanced wages often had the effect of reducing the period of employment as the servant attained his monetary aim of savings quicker and was thus enabled to return to his reserve for a virtual life of idleness until his money ran out. The other conditioning factor has been that, apart from agricultural labour, the supply has always exceeded the demand even at the low level of wages prevailing at the time.

By courtesy of the Bank of Rhodesia & Nyasaland.
†Includes the amounts borrowed by the Federal Government and re-lent to the Territorial Governments.

42. The root of the trouble of course lies in the low productivity of the African. The extent of this is not perhaps understood by people who have not worked with them. As an illustration the writer would cite a case in his own experience where this factor was fairly accurately assessed. During the formative years of a company which the British South Africa Company helped to sponsor at Gwelo for the manufacture of low carbon ferro-chrome, viz., Rhodesian Alloys (Pvt.) Limited, the Company ran into difficulties in a highly competitive international market and every phase of its activities was examined. In the course of this examination the writer visited an identical refinery operated by Societe d'Electro-Chimie d'Electro-Metallurgie et des Acieries Electriques d'Ugine at Ardoise in France and conducted a complete cost investigation. One of the results of this was to indicate that after the elimination of all skilled jobs the remaining establishment necessitated the employment of seven Africans at Gwelo for every one European at Ardoise (mostly Italian unskilled labourers). To put this another way each African was effectively working only nine minutes in every hour, though competitively this was very largely offset by the lower scale of wages. Nevertheless, studies in the Union of South Africa have also revealed that the African output is below 20% of the generally accepted European standards.

43. Education and proper training will overcome this difficulty in time, but the opportunities for advancement are being opposed in many ways by the attitude of the trade unions. The stand of the unions of the rate for the job or equal pay for equal work is prima facie an acceptance of the abolition of the colour bar. The practical effect, however, is to protect the least efficient Europeans and debar the advancement of the Africans because at the present stage of this development, as has been indicated previously, the Africans' work does not equal that of the European and his social responsibilities are less. In other words, for a period of time fragmentation of jobs and a differential scale of pay is necessary, with the ultimate aim being that of multi-racial unions and the rate for the job principle. Experience has shown that provided he receives an adequate demonstration of what he is required to do, the African is capable of doing many types of industrial work adequately and in repetitive jobs is often very good indeed, but he needs very careful supervision when operating machinery.

44. It must be borne in mind that labour control and legislation was not federalised but was left in the hands of the Governments of the individual territories. In point of fact this has been a wise decision as experience has demonstrated the definite superiority of the administration in Southern Rhodesia in this respect. Whereas the only major industry in Northern Rhodesia, viz., mining, has been plagued with repeated strikes, more often than not on the most unreasonable grounds, Southern Rhodesia has been virtually free from industrial disputes since it was first settled. This latter is in fact a remarkable record which should give food for thought to the Colonial Office, whose record generally in the post-war years in the maintenance of law and order and avoidance of industrial dislocation has not been a happy one. This factor, apart from other economic considerations, is bound to influence large scale business other than mining towards Southern Rhodesia rather than to the other two territories.

45. To sum up, the labour situation in the Federation is that there is a vast suplus of unskilled labour available, while specialist and skilled labour if not readily procurable locally is readily obtainable from the United Kingdom, the Union of South Africa and elsewhere. The industrialist has however a responsibility which he does not have to assume to such a major degree in older and more civilised communities of training the unskilled labour and of increasing wages so as to raise the standard of living above the appallingly low level that exists. In this connection it is a sobering thought that the African is utterly dependent on the European for employment. Except on a very small scale in the fields of transport and that of the middle-man, the African has shown no ability as an entrepreneur.

XI. Power and Fuel

46. Prior to Federation a very unsatisfactory situation existed in regard to the availability of power and fuel. The only coal mine in the three territories was, and still is, at Wankie in Southern Rhodesia and though Southern Rhodesia had a reasonably co-ordinated thermal power system to all its principle towns such was not the case in the other two territories. As a result the important mining industries in Northern Rhodesia at the Copperbelt and at Broken Hill had periodically to resort to the burning of wood in their furnaces and more seriously to curtail production. In an endeavour to ease the position the Anglo-American group took over the Wankie Colliery from Powell-Duffryn and stepped up production there very considerably and then financially assisted the Rhodesian Railways to enable it to acquire additional trucks. In addition, as a palliative, that Group together with the Rhodesian Selection Trust, and through the medium of The Northern Rhodesia Power Corporation, entered into a partial supply agreement with the Belgian Congo for electricity from the Lualaba hydro-electric scheme. The coming of Federation, however, made the provision of a more permanent long-term scheme possible and the Kariba Dam project, that is already operating but will only be opened officially next month (May 1960), was undertaken.

47. Thus, so far as Southern and Northern Rhodesia are concerned the vital questions of power and coal supplies have been taken care of for some considerable time ahead. In the case of Nyasaland, owing to its geographical isolation, no real improvement has been effected yet, but schemes such as the Shire Valley hydro-electric scheme are under consideration.

48. As indicated earlier, the completion of Kariba and the provision of adequate hydro-electric power on a reducing scale of charges as opposed to an increasing scale for thermal supplies is bound to have far reaching effects, particularly in relation to metallurgical processess. As an indication, Rhodesian Alloys, to which reference has been made in paragraph No. 42, is now contemplating the doubling up of its plant, while such important adjuncts to the general economy as fertiliser and explosives factories are under consideration.

XII. Transport

49. In 1953 there existed a good railway system serving Southern and Northern Rhodesia, which however due to the phenomenal expansion of those two territories was not at that time able to meet the calls made upon it. An independent system served Nyasaland. In addition there existed a remarkably efficient and extensive air transport organisation. The road system, however, left much to be desired and during heavy rains communications in almost every direction were interrupted.

50. Since Federation the Rhodesia Railways has completed an expansion programme costing £43,000,000 which has made it fully capable of handling all the foreseeable demands that might be made on it. Central African Airways has modernised and improved its services and the international services now calling at Salisbury place the Federation within easy reach of the major commercial and industrial countries.

51. With regard to roads, though these are in the main territorial responsibilities, these have, through the allocation of Federal funds, been improved to a quite remarkable extent for a country with so small an earning population. A corollary to this has been the terrific expansion by private enterprise of road transport and a very efficient system of road hauliers exists to-day.

52. Other forms of communication, such as telephone, telecommunication, cable and wireless have also all been tremendously expanded and improved.

53. The following figures will serve to confirm the terrific advance that has taken place in the transport facilities:—

Rhodesia Railways

Net ton-miles produced per annum

	(*thousands*)
1953	3,286,374
1959	4,256,241

Central African Airways Corporation

Usable Capacity ton-miles flown

	(*thousands*)
1953	9,803·6
1959	13,571·5

Road Network

Mileage of Roads under responsibility of Federal Government

	Southern Rhodesia	*Northern Rhodesia*	*Nyasaland*	*Total*
1954				
Tarred ...	618	333	84	1,035
Strips	619	—	—	619
Gravel ...	135	210	—	345
Earth ...	—	1,364	988	2,352
Total	1,372	1,907	1,072	4,351
1959				
Tarred ...	930	494	221	1,645
Strips	341	—	—	341
Gravel ...	101	771	61	933
Earth	—	631	790	1,421
Total	1,372	1,896	1,072	4,340

Approximate Expenditure on Construction 1954–1959

S. Rhodesia	*N. Rhodesia*	*Nyasaland*	*TOTAL*
£6,760,000	£2,775,000	£1,520,000	£11,055,000

Mileage of Roads under responsibility of Territorial Governments

Southern Rhodesia

1954 ... ... 3,234 Miles
1959 ... ... 3,689 Miles

Northern Rhodesia

1959 ... ... 1,904 Miles

Nyasaland

1959 ... ... 1,900 Miles

XIII. Government

54. The Government entrusted with the duty of administering the newly formed Federation in 1953 was faced with an undoubtedly difficult task. At the outset, no doubt motivated by the British sense of fair play, but gravely misunderstanding the effect of its instruction, the Colonial Office made the really inexcusable error of instructing all its officials not to instruct or influence the African in any way towards Federation. For years these selfsame Africans had been brought up to depend on and trust the advice of such officials as District Commissioners in all major questions affecting their welfare. Yet when it came to the question of Federation such advice and guidance was denied them and they were told they would have to rely on their own judgment. Somewhat naturally the African quite unnecessarily became suspicious of the new set-up and distrusted its motives. Much subsequent unrest probably stems from this unfortunate mishandling of the problem.

55. It is possible too that the unhelpful attitude adopted by some officials in the territorial services of Northern Rhodesia and Nyasaland may have been fostered by the lack of decisiveness in the original Colonial Office attitude.

56. In addition many Europeans, particularly in Southern Rhodesia, were opposed to Federation because they in turn distrusted the Colonial Office.

57. Despite these difficulties, the United Federal Party, under its distinguished leaders Lord Malvern and subsequently Sir Roy Welensky, has done a commendable job as the previous sections of this report have indicated. The Government has maintained law and order firmly but with humanity, has helped to develop the country's economy, and has in the writer's view made quite remarkable strides in bringing the African along the road to full equal partnership. If it were not for the question of colour, this last claim would be more readily recognised by outside observers. In addition the control of the fiscus and general taxation policy, if perhaps relatively severe for a young developing country have nevertheless been consistant and impartial. The commercial and industrial legislation has in the main been reasonable and generally acceptable.

58. In other words, the Government has been such that it has had the confidence of business particularly big business.

59. It is fair to say that the Federal economy has proved that it is viable as it has, while virtually still only in its formative period, weathered the storm of a general collapse of the international metal market (copper in particular falling from some £400 per ton to £164) as well as a definite recession during 1958 and 1959 which affected practically every form of business activity. This reduction in the public finances was greater than had been thought possible when the fiscal policy of Federation was being formulated (The Fiscal Commission had considered a copper price at worst of £180 per ton), but nevertheless the financial measures imposed by the Federal Reserve Bank, including a material restriction of credit and the curtailment of Government expenditure (perhaps a bit too stringently) have had the effect of restoring a favourable Balance of Trade by the end of 1959. There is little doubt that the consensus of commercial opinion is that if it were not for the Constitutional uncertainties, the Federation would now be at the beginning of another boom period. The only existing aftermath of the recession of real importance is that there is now a considerable body of unemployed Africans for whom there is no immediate prospect of work.

60. There is plenty of confidence in the future of Federation. Examples of this are:—

(*a*) The £8,500,000 expansion programme for the steel works at Que Que.

(*b*) The construction of a £3,000,000 brewery in Salisbury.

(*c*) The decisions of the British Motor Corporation and the Ford Motor Company to establish assembly plants at Umtali and Salisbury respectively.

(*d*) The re-opening of Bancroft Mine.

(*e*) Mr. Whitney Straight's project to build a 30 storey building in Salisbury, and Mr. Schlesinger's recent purchase for £475,000 of a central city property (to say nothing of the other numerous large buildings erected in Salisbury during the past five years).

XIV. General Comment

61. It is pertinent at this stage to consider whether, in view of the economic advantages that have flowed from Federation, the African has got any solid grounds for criticising his position as it now is. It is the writer's belief that he has.

62. There can be no doubt that a considerable degree of discrimination is still exercised against him. This is something that cannot be solved purely by legislation, it requires a complete change of attitude gradually. The difference in colour, lack of personal hygiene and general backwardness has caused the European to regard the African not merely as a person of a lower social status, but rather as a lower strata of humanity that might be expected to remain subordinate to the White. This is of course fallacious.

63. This attitude has very unfortunate results. Not only are Africans not accorded the ordinary courtesies any human being should be entitled to expect, but in shops and Government Departments they are often subjected to rudeness and indifference. This is all the more noticeable when the African is a man of advanced years and the official attending to him is a relative junior of twenty or so. Attendance at any big store, the Civil Commissioner's office, the hospital, etc., will give ample evidence of this unfair discrimination.

64. Then the African, often without reason, considers that the justice he receives in the Courts (mostly at the hands of Magistrates) is discriminatory. The scale of fines for petty offences does often appear to be disproportionate to the relative earnings of the African.

65. A further bone of contention is the Pass (Situpa). This has just been the cause of violent protest in the Union of South Africa where in fact the European also has to carry an identity card which is not the case in the Federation.

66. Many other pin-pricks exist and it should be Government's earnest endeavour to ascertain what these all are and if proved justifiable take steps to remove them so far as it is able to do so.

XV. Suggestions

67. The writer has not studied Constitutional or Comparative Law and is politically inexperienced, so he has not the temerity to submit definite recommendations, but nevertheless submits the following as suggestions which might merit the careful consideration of the Commission and the Federal Government. In submitting these suggestions the writer wishes to make it clear that they represent his own personal views and that they therefore do not necessarily represent the official views of The British South Africa Company. The Commission will no doubt have the opportunity of ascertaining these from the Directors of the Company in London.

68. For convenience the suggestions are classified into three groups covering political, social and economic advancement and they are all based on the following premises:—

(i) That the continuance of Federation is not only desirable but is essential for the long term wellbeing of all its inhabitants.

(ii) That the "unscrambling" of Federation apart from raising immensely complex financial, commercial and political problems would leave in its train a feeling of mutual distrust and bitterness which would probably render any other form of close association (it must be remembered that Northern Rhodesia is utterly dependent on this) completely abortive.

(iii) That all economic and cultural development in the Federation has been achieved over the past 70 years by the Whites without any help at all from the Blacks except in the form of paid labour and that on that account, if no other, the European minority must have its interests protected. This means that universal adult suffrage and the application of the majority principle is unacceptable to the European at the present time.

(iv) That eventually a fully integrated non-racial state with full universal adult suffrage is inevitable, but that at the present stage of the African's educational, social, cultural, political and economic development this is not a practical possibility. (The Commission will no doubt have ample evidence of the local Africans immaturity and of the dependence of their leaders on violence and intimidation to achieve their aims).

(v) That the Non-Whites are entitled to aspire to the eventual enjoyment of the basic human freedoms and political and economic rights such as are already enjoyed by the Whites.

(vi) That the economic, social and educational development of the African will have to be materially accelerated if abject poverty and human suffering of a large section of the population is to be avoided.

As already indicated the foregoing premises form the bases for all the following suggestions:—

A. Political Advancement

It is considered that the more rational African recognises the political immaturity of his people, but is unconvinced that Federation in its existing form will lead eventually to true partnership. It is suggested that consideration might be given now to a firm and unambigious declaration by Government that its intention is that of gradual integration such that in (say) 25 to 30 years time there will be a non-racial status with full universal adult suffrage. It is realised that there are political difficulties in such a declaration and that the gradual elimination of a qualified franchise raises many constitutional and procedural complexities but with goodwill on all sides these should not be insoluble. If the Commission

should not itself be able to formulate a suitable solution then it is suggested that a multi-racial convention might be held to define objectives and appoint a special study group to draw up the framework and time-table of the intervening procedures until eventual harmonious integration is achieved. It is considered that such a definite commitment would be acceptable to the African if adequately explained and subject to careful propaganda and proper constitutional safe-guards could be made acceptable to the European.

In addition with a view to demonstrating good faith and at the same time training future administrators, the African might to a far larger degree than at present be made responsible for the administration of his own affairs. The writer has not made a study of this so cannot quote specific examples, but believes there is considerable scope for such a policy.

B. Social Advancement

The Government should as soon as practicably possible publicly declare that it is its intention to do away with all form of discrimination and in particular abolish the Pass (Situpa) and abolish the curfew which necessitates the issue of a special pass. (Parenthetically in fairness it must be mentioned that considerable relaxation has already been effected in regard to this latter). It is realised that this does pose difficulties of administration and security but these should be capable of solution in some other form which does not discriminate against the Black alone. It has to be remembered that in addition to the Whites, Asiatics and Coloured persons do not require passes.

The Government might also consider taking steps to instruct all officials in the Public Service that discrimination against and discourtesy to the Non-White must stop forthwith. It would of course be necessary to take supervisory action to ensure that the instruction is actually carried out.

A further urgent requirement is the provision of adequate African housing. This problem is most acute probably in Salisbury where the conditions in the older section of Harari are deplorable. In addition there is an acute shortage of accommodation. The whole question of African housing might it is considered be further co-ordinated. At present it is a joint territorial and local authority responsibility and the problem has been aggravated by the phenomenal rate of growth achieved in Salisbury, Bulawayo, Lusaka and Kitwe, but discontent and crime are almost certain to result where slum living conditions exist.

The African population is increasing at a rate that, if it has not already done so in specific areas, it must in time exceed the ability of the population to exist off the land. It might be prudent for Government to conduct a campaign against indiscriminate propagation and subsidise a positive programme of prevention, or planned family limitation.

Under the heading of social advancement it is also necessary to consider the question of education. Considerable strides have been made since Federation in the education of the African, but if a fully integrated state is to be achieved in 25 to 30 years time a considerably accelerated programme will be necessary, particularly in relation to the emancipation and training of women. This problem is constantly being considered by expert Specialists, but the writer wonders whether too much emphasis is not placed on academic education on traditional lines. It would appear that a commercial and technical education for the men with domestic science and hygiene for the women is the prime requirement, while revolutionary teaching methods will be required in view of the tremendous numbers involved, a shortage of classrooms and a real scarcity of adequately trained teachers. Might not this be overcome by the use of thatched pole and dagga halls with screen visual instruction (T.V. might also be used), recorded lessons over a public address system and a system of mutual adjudication?

C. Economic Advancement

The writer, with some diffidence as he is not familiar with all the financial implications, would suggest that Government might reconsider its conservative policy of a balanced budget and embark on a substantial programme of public works with a view to creating employment for a substantial number.

In addition industry might be encouraged by judicious publicity and perhaps, though not necessarily, by minimum wage legislation (which needs very careful consideration before being increased as it may lead to a reduction in the African establishments as was the case with the Todd award) to increase wages, to adopt incentive payment schemes (legislation may be necessary to permit this, e.g. the writer understands that the National Industrial Council Agreement to the Building Industry debars incentives) and to increase productivity through work study and proper training.

Owing to the Africans dependence on the European for employment and his acceptance of this, as is evidenced by his willingness to emigrate to areas settled by the Whites, the existing policy of restricted and screened European immigration—which the writer has always believed to be a wrong one—might be discontinued and active steps taken to encourage European settlement on a large scale. Similarly the establishment of new industries and the expansion of old ones might be encouraged by tax concessions and other means on the lines of the precedents set by Ireland, Ghana and elsewhere.

Finally in an endeavour to place the African agriculture in Nyasaland on more progressive and productive lines, the Colonial Office might be approached, preferably by the Commission, to take steps to alter the existing system of matrilineal succession, the disadvantages of which are fully discussed in the recent report of the Jack Commission.

XVI. Conclusion

The expansion and development that has taken place in the Federation in the post-war years has been phenomenal and the manner in which this has been handled by the Governments of Southern Rhodesia and the Federation deserves on the whole considerable commendation. The achievements of Federation in the short space of 6 years have been truly remarkable and are such that, in the writer's view, they give grounds for confidence that given reasonable time to continue the programme already initiated ultimate success will be achieved.

Salisbury

19th April, 1960

Annexure I

Name in Full: EDWARD SERRURIER NEWSON

Residential Address: 80 Baines Avenue, Salisbury.

Business Address: Charter House, P.O. Box 364, Salisbury.

Resident in Southern Rhodesia since October 1945

The above named is a Director (including Alternate Director) of the undermentioned Companies

Company	*Registered Office*	*Director/ Alternate*
Allied Bakeries (Pvt.) Ltd.	Khami Road, Bulawayo.	Director
Arundel School Trust	P.O. Box 91, Avondale.	Member of Board of Governors
Appraised Securities Ltd.	Charter House, cnr. of Jameson Ave. and King's Crescent, Salisbury.	Deputy Chairman
Border Forest (Rhod.) Ltd.	22 Newcastle Road, Heavy Industrial Sites, Umtali.	Director
Border Timbers Ltd.	22 Newcastle Road, Heavy Industrial Sites, Umtali.	Director
British & Rhodesian Discount House Ltd.	R.T.A. House, Baker Ave., Salisbury.	Director
The Chamber of Mines of Rhodesia	Chamber of Mines Building, 47 Gordon Avenue, Salisbury.	Member of Executive Committee
Charter Properties (Pvt.) Ltd.	8/10, Piccadilly Centre, 530 Jameson Avenue, Salisbury.	Chairman
Consolidated Investments & Finance Ltd.	c/o Messrs. Derry, Ellman-Brown & Fraser, St. Barbara House, Moffat St., Salisbury.	Chairman
Ellimar Investments (Pvt.) Ltd.	c/o Messrs. Honey & Blanckenberg, Robin House, Gordon Avenue, Salisbury.	Director
Escher Wyss Central Africa (Pvt.) Ltd.	209–211 Board of Executors Building, 58 Manica Road, Salisbury.	Director
First Permanent Building Society	P.O. Box 420, Lusaka, Northern Rhodesia.	Alternate
First Property Company (Pvt.) Ltd.	8/10 Piccadilly Centre, 530 Jameson Avenue, Salisbury.	Chairman
Founders Building Society (Salisbury Local Comm.)	Founders House, Gordon Avenue, Salisbury.	Director
Glenwood Estate (Pvt.) Ltd.	530 Jameson Avenue, Salisbury.	Director
Harris Bros. (Pvt.) Ltd.	Tanganyika House, Third Street, Salisbury.	Chairman
Hogarths Ltd.	cnr. Steelworks Road & 13th Avenue Extension, Bulawayo.	Director

Company	Registered Office	Director/ Alternate
Jameson Mining Holdings (Pvt.) Ltd.	Charter House, cnr. Jameson Avenue and King's Crescent, Salisbury.	Chairman
Lobels Holdings (Pvt.) Ltd.	P.O. Box 8099, Belmont, Bulawayo.	Director
John Mackay Box Co. (1957) (Pvt.) Ltd.	cnr. Beatrice/Melbourne Roads, Southerton, Salisbury.	Chairman
Muir Beddall (Rhod.) Ltd.	Anlaby House, Baker Avenue, Salisbury.	Chairman
National Milling Company Ltd.	Stirling Road, Salisbury.	Chairman
New Rhodesia Investments Ltd.	Charter House, cnr. Jameson Ave. and King's Crescent Salisbury.	Deputy Chairman
Peterhouse School	Peterhouse, Marandellas.	Member of Board of Governors and of Executive Committee
Rhodesian Acceptances Ltd.	R.T.A. House, Baker Ave., Salisbury.	Director
Rhodesian Alloys (Pvt.) Ltd.	Stand No. 1899, Bristol Road, Gwelo.	Director
Rhodesian Anglo American Ltd.	Leslie Pollack House, Nkana, N.R.	Director
Rhodesia Chartered Agency (Pty.) Ltd.	The Rhodes Building, 150 St. George's Street, Capte Town.	Chairman
Rhodesian Co-operative Fruit Growers' Assoc. Ltd.	Charter House, cnr. Jameson Avenue and King's Crescent, Salisbury.	Chairman
The Rhodesian Iron and Steel Co. Ltd.	70 Jameson Avenue, Salisbury.	Director
The Rhodesian Milling Company (Pvt.) Ltd.	Tanganyika House, Third Street, Salisbury.	Chairman
Robins Conveyors (S.A.) (Pty.) Ltd.	260, Market Street, Johannesburg.	Director
Ruzawi Schools Ltd.	Rhodesia Trust House, 67 Union Avenue Salisbury.	Member of Board of Governors and of Executive Committee
St. John Ambulance Assoc.	Second Street, Salisbury.	Member of Committee
Schweppes (Central Africa) Ltd.	Barrow Road, Salisbury.	Director
Second Property Co. (Pvt.) Ltd.	8/10 Piccadilly Centre, 53C Jameson Avenue, Salisbury.	Chairman
Third Property Co. (Pvt.) Ltd.	8/10 Piccadilly Centre, 53C Jameson Avenue, Salisbury.	Chairman
Whitestone School	Rhodesia Trust House, 67 Union Avenue, Salisbury.	Member of Board of Governors
Zenith Holdings (Pvt.) Ltd.	8/10 Piccadilly Centre, 53C Jameson Avenue, Salisbury.	Chairman

Oral Evidence

E. S. NEWSON

Mr. Newson had submitted a memorandum.

As the director of many companies in the Federation (as shewn in Annexure I to his memorandum), he thought he could claim some knowledge of industry in the Federation. He wished to say that the statement in the concluding paragraph that the "Governments of Southern Rhodesia and the Federation deserved on the whole considerable commendation" did not imply any criticism of the Governments of Northern Rhodesia and Nyasaland: and by the "Government of Southern Rhodesia" he had meant the Government up to the time of Federation in respect of the period of expansion from 1947–1953, and therefore he referred to both the Governments of Southern Rhodesia and of the Federation.

In reply to questions, Mr. Newson made the following points:—

1. Paragraph 22 of the memorandum. This paragraph was designed to sound a note of warning. It was now well established that in a short time Europe and the United States of America would become dependent on imported minerals. It might therefore be dangerous to hand over the government of those areas in Africa which produced minerals to people not competent to administer. It was also true that people with a low standard of living were liable to communist infiltration. The communists were already working very hard, and their impact was felt in the East and now in North Africa.

2. Having regard to the existence of strong political opposition in the Northern Territories to the Federation in its present form, he was asked whether an economic association without political attachment would be possible. He thought this would be very difficult and referred for example to a statement in Northern Rhodesia (actually by the European Mineworkers' Union) about the possible nationalisation of the mines. Referred then to the Common Market in Europe, he was asked if such an arrangement would be workable in Central Africa. He replied that to have such an arrangement it was necessary to have a high degree of advancement in the economy and also mutual trust: these conditions did not exist in Central Africa.

3. Paragraph 40 of the memorandum. Reference had been made to the need to increase African wages—how was this to be done? He thought there was no single panacea. There must certainly be a gradual raising of the minimum wage since some employers still had to be driven. But in addition there must be a strong movement among industrialists to improve productivity. There had been an improvement in this respect, but there were difficulties. There was clearly room for automation, but that tended to increase unemployment and thus to aggravate the social problem. It was also difficult to get over the opposition of the European artisan class, which stemmed from the Union movement in the United Kingdom. He referred to the experience of the B.S.A. Company's Low Carbon Ferro-Chrome Company where a condition had been made in agreement with the Government that no trade union would be allowed. As a result of this the Company had achieved stages of African advancement in the firm which they could not have done if unions had existed. Representatives of the Associated Electrical Union had tried to force the Company to make the people members of trade unions, but this had been resisted. The main problem at present existed in the Copperbelt, and the only serious drawback he knew of in Southern Rhodesia was in the building industry, of which he had little experience.

4. Paragraph 43 of the memorandum. He agreed that the slogan of "the rate for the job" could often be a means of protection for less efficient European workers. An effort was now being made in lower grade artisan jobs to try to designate particular jobs for advanced Africans, but the European artisans had resisted this. The effect of sticking to "the rate for the job" was that no one would employ an African if he could employ a European, because of the former's lack of productivity. The solution must lie in more technical education for Africans and also in fragmentation.

5. Under Paragraph A, *Political Advancement* in the memorandum. For lack of political knowledge he was not able to indicate what immediate steps should be taken.

6. The Employers' Association, to which he belonged, was not represented at I.L.O. Headquarters in Geneva. But he did not wish to imply that he and the other employers were in general adverse from collective bargaining or trade unions. It was only in the one industry which he had mentioned that they had barred trade unions, and that was for a particular reason. They had seen very special opportunities to advance Africans and did not want any trouble in carrying out that programme from United Kingdom immigrants. Even in that industry trade unionism would undoubtedly came at a later stage. At present they relied on a Works Council on which Europeans and Africans were both represented, and thus the machinery of affiliation actually existed. He thought that in that industry both Europeans and Africans considered their terms of employment as better than what they would have achieved under trade union organisation.

7. He agreed that if the current proposals for advance of the Rhodesian Railways came into effect they would have a definite repercussion on similar forms of employment in other fields, such as the bricklaying trade. But he foresaw the continuation of the resistance which existed among certain classes of European artisans. For himself he wanted Africans to step up to such jobs.

8. He considered that economic improvement would accelerate political advancement. Poverty in the country had been bad for its politics and had brought about too much attention being given to politics. But the principle of "one man one vote" would not keep six million people fed, which was the main problem.

9. In relation to the Nyasaland opposition to the concept of Federation, he was asked whether he would maintain the Federation by force. He did not think that would be necessary. If he were satisfied that the opposition to Federation were a truly representative view, he would then say, "Let the Northern Territories secede". But he thought that they would be most unwise to do so. He thought that the Nyasaland situation was aggravated by persons who were acting for their own personal ends. Nyasaland

and Tanganyika were both on the lowest economic levels. He agreed that to apportion to the Territorial Governments the functions affecting the daily lives of the people would be a better solution than to permit secession, but at the same time the vital function of taxation should remain Federal. The Federal Government should also have the functions of juctice, defence and external affairs. Without them there would be no uniform government. Health and agriculture might be Territorial subjects.

10. He agreed that Nyasaland had been held back by the land system there, and the system of matrilineal succession.

11. He considered that for Nyasaland to remain in the Federation was ultimately for the benefit both of Nyasaland and the Federation. It would be foolish to leave Nyasaland outside the Federation. There would be the same sort of trouble as was about to break out in the Congo. Also, in due course, the Nyasaland labour force would become a useful souce of labour for the Federation, for the mutual benefit of both Nyasaland and the Federation.

Memorandum

T. D. PAPENFUS

As I understand it the Monckton Commission was required to carry out an impartial survey and to take evidence in order to discover what changes, if any, should be recommended in the Federal Constitution which is shortly to be reviewed. I shall try to keep within these terms of reference.

Having been born of pioneer parents in Southern Rhodesia within the last century I feel that it may be possible that I may make a useful contribution to the fabric of evidence so far obtained by the Commission, if only with a few strands, but I suppose it is very likely that these have already been contributed repeatedly, and more convincingly and eloquently than I may be able to do. If that is the case I can only offer my humblest apologies for wasting the time of the Commission and withdraw in haste.

Still it has been on my conscience a little that there is a proportion of the population for whom I might speak particularly those that belong or might belong to the Pioneer & Early Settlers Assoc., and their children, who may not have had much to say for themselves. It is apparent that these older ones who grew up in contact with Rhodes (at whose funeral I was present in an ox wagon) and with the birth and early days of Southern Rhodesia and Northern Rhodesia and Nyasaland, since their parents had a hand in fashioning these states, have now become a dwindling minority and in any case they are not given to saying much. They have been displaced by newer settlers out of all proportion in numbers to the old hands who blazed the trails. And most of them more numerous recent arrivals are more talkative and perhaps more eloquent than the older ones, who I would say generally have forgotten the arts of speaking or speechmaking, having been perhaps too busy and too absorbed in the everyday work of the colony or more occupied there than in the political theatre, into which perhaps they did not know how to enter, or too shy or had never learnt how to conduct themselves in it, that is, except for a few eminent exceptions, such as the Prime Ministers of Southern Rhodesia and of the Federation itself and some of the compilers of the Constitution.

I have thought it worthwhile to seek an audience with the Commission, even if I did not represent the Pioneers & Early Settlers Society or any official body but merely as an individual Rhodesian born of pioneer descent whose ancestry have been almost 300 years in Africa and who had no other home but Africa (i.e. in particular the Federation) and whose blood, sweat and tears have been spilt in Africa, over its wastes and deserts as well as in the fertile parts for all that time. To begin with therefore I would like to ask the Commission if there is any point on which they could give me a lead that is on which they would care to have an opinion from me, or on which they may have any doubt themselves, and on which my experience of this country, and long contact with the African people might be able to clarify.

If they are satisfied that they have had sufficient evidence presented them on which to form a clear recommendation one way or another for any changes in the Federal Constitution, and so do not require much more information of any particular kind, then of course I shall withdraw with apologies but if they may not think it necessary to invite any statement from me on any one topic but at the same time if they be willing to hear what recommendations I should presume to offer them, then at least I can reply as follows and make the following suggestions. But before making this suggestion I would with their permission like to amplify my status and the grounds on which I feel justified in speaking to them.

In one respect particularly I must say that I have many African friends of most endearing qualities of courage and good humour in adversity of generosity and kindness and indeed with all the noblest human traits of character as well as of the average human failings. Some of them with extraordinary habits but understandably in their ecology and that I am concerned with the welfare of these friends quite as deeply as with that of the European. I can bring proof of this friendship in several directions and that I have African friends who have risked their lives for me and for my son and for whom I would do the same. In fact I too have done so on several occasions always fortunately with a happy conclusion or I would not be here. I have found them in their own environment generally a happy people and with the most dignified manners and codes of their own and quite rigid principles and discipline within their own culture which however is that mostly of a rustic or a peasant people. I have found them to be trusting and educable and often to have good powers of mimicry and oratory and good musical ears so that they are able to learn fairly quickly to read and write and to speak English and generally they can soon ape the European, more often unfortunately but inevitably in his worst aspects, the better ones are not so easy to see. I hope however no member of the Commission has neglected to read Tshaka Zulu by Ritter because the picture he gives in that book shows more clearly than most other authorities a just estimate of the barbarism which prevailed then for the African about 130 years ago, and still prevailed strongly at the time of Lobengula, when the white men entered Rhodesia 70 years ago and indeed still forms a large part of their present background and thought today, in fact wherever there may be witchdoctors or wizards with any power left to them.

Some of these still believe that the liver of a human body and other parts of the anatomy preferably of a young girl or boy cut from the living body are effective medicine and required for the success of certain ventures. The psychology, character and habits and culture of the African people however are probably well known to the members of the Commission and I apologise if I weary them but I can hardly shrink from mentioning these more sinister barbarisms so that people in England should know that sort of thing is not to be eradicated entirely in 2 or 3 or 4 generations in spite of education and Christian teaching. It still prevails to some extent in Voodoo in the West Indies and in the U.S.A. after a much longer period and years of European contact and teaching than we have had here.

To summarise then I have ventured to appear before the Commission on the authority of my own experience and for the sake of those African friends whom I would not like to see suffer in poverty and hunger as well as for all the people both white and black and coloured European, Asiatic and African, who may be puzzled as to how to define the partnership which is written into the preamble of the present Federal Constitution at which many scoff. To me that word implies respect, tolerance, friendship, even love, but not necessarily complete integration, not at first anyway, not for a very long time 4 or 5 centuries, not in the sense of a mixing up of the races in marriage, because that always has been a retrograde step followed by degeneration and a falling of the standard of living and of poverty which breeds a corresponding falling in the standard of behaviour and conduct.

The coloureds who need to be the bravest people, and often are, to sustain their deeper struggle to live, though not possessing much in worldly goods, can be envied in one thing at least, that is in their ability to see both sides, and to know too that (in the very long run perhaps) their time will come—though it may take many centuries till we are all their colour as Bernard Shaw predicted. Meanwhile they are an embarrassment and shunned as outcasts both by whites and by the blacks.

It is not to be looked upon as surprising that the whites fear this mixing of blood and take pains to preserve their heritage as purely as possible and that similarly the blacks do not wish to lose their identity for a doubtful secondary status and equal or worse poverty. On these grounds therefore I submit the following. First that it is essential having borrowed more than a hundred million pounds for it that the benefits to be derived from Kariba and the electrification of the Federation and the stimulation of industry be allowed to go forward in peace and in a favourable economic climate. I say therefore that too rapid a rise in African representation in the Federal Government at the expense of European control would seriously jeopardise the stability of the Federation and any talk or implementation of African nationalism beyond that at present obtaining in Barotseland say or a similar protectorate status, would seriously undermine the confidence of both overseas and internal finance and investment. There would be a flight of capital away from black dominance. The climate for such favourable investment must above all things be peaceful and obviously favourable to the growth of the seeds of a dynamic prosperity. The fruits of Kariba and of the Kafue hydro-electric and of the Shire Valley scheme as well as that of the Sabi and of the Kyle Dam all pointing to a

great promise and flowering of prosperity in the Federation. These provisions for food and wealth must not be lightly upset. The consequences of riots and strikes and aspiring African nationalism elsewhere in Africa may be looked on favourably in England or America but for this country it is different. There are white Africans here too and believe me they will fight to defend what they have. Their stake is too great. But they are willing, and a majority have said so, to share the coming wealth, and to go along together with the African. But to attain it would require a second period of 10 years of the status quo. In that time the African population would have increased by several millions, possibly from about 7 millions to 9 but they would be better educated, better housed, better fed and perhaps better prepared to impose a self regulation of their prolific and heedless fertility which by its unrestrained and irresponsible uncontrolled rate of propagation gives rise to such places as the Old Bricks in Harare. Only education and a revision of their customs of Lobola where a girl child is the equivalent of the wealth of 5 or 10 head of cattle when they may learn that women should cease to be sold to the highest bidder. Only by education and a rise in their standard of living can the Africans be led into the promised land of prosperity and eventual equality. I would suggest therefore that the constitution be reviewed perhaps in 5 years, but not sooner and that at present it is perfectly adequate and should be maintained as it is for at least 10 years so that the industrial revolution now budding in Central Africa may proceed peacefully and the Africans learn how to step out of barbarism and adapt themselves to modern economy in a peaceful way. I suggest that the above mentioned economic progress is of paramount and supreme importance and only from it can real wealth and prosperity come to all, therefore the constitution should remain as it is with only one exception that in order to create still greater confidence in the stability of the Federation that I fully second Sir Edgar Whitehead's present effort to have the reservations in the Southern Rhodesian Government Constitution removed so that no veto or restraint may be possibly laid on us by the Birtish Government on bills which may affect the African in Southern Rhodesia. We have shown ourselves to be worthy of this trust and there has been no need for protest or comment by the British Government for 36 years i.e. since the beginning of our independence, we have respected our trust but if there is a danger of the domination of our European brothers and cousins in Northern Rhodesia and Nyasaland by a black government we shall not abandon them and we shall need them to stand if not within dominion status at least with equal independence and to form a bastion of civilisation and true democratic freedom. Too rapid an ideological rise in African representation at the expense of European control would jeopardise the stability of the Federation. There was a danger of a severe depression in the price of copper. It was supremely important to implement Kariba, Kafue and the Shire Valley Scheme and bring in strong industrial development and to develop agricultural sources for ample food for all and to gain internal prosperity following electrification. This would require a second period of 10 years. By that time the African population would have increased by 3 or 4 million but they would be better educated and at a higher standard of living and more prepared to regulate their prolific powers of reproduction and fertility. I would suggest a review in 5 years with possibly greater African representation but no great change for at least 10 years. Winds of change are all over the world and chiefly in China.

Oral Evidence

T. D. PAPENFUS

Mr. Papenfus read his memorandum to the members of the party. Questioned on it, the witness was asked whether he was suggesting that the Northern Rhodesian and Nyasaland Constitutions should remain as they were for five years. He replied that he would not press for the independence of Southern Rhodesia if this meant the same for the Northern Territories. He would not object to some slight advancement in the Northern Territories provided European control were preserved. The witness was asked whether he would have any objection to some African advance so far as the Southern Rhodesian Government was concerned, and if not, how this could be achieved under the moratorium he had suggested. He replied that some Africans could be nominated for reserved seats but that European guidance should be trusted. He also said that the Federal Government provided the framework for economic stability, and that there should be no change in the Federal Constitution at the forthcoming Review.

Memorandum

C. J. MATINGA M.F.P.

I, Charles Jameson Matinga, of Blantyre, Nyasaland, Federal Member of Parliament for Nyasaland South, wish to appear before the Commission to give evidence on the issue of Federation.

I am 58 years of age, having been born on 10th September, 1901 and was educated at Blantyre Mission, Nyasaland, and trained as a Teacher. I also worked for the Nyasaland Government as a Clerk in the Public Works Department and was promoted to the post of Storekeeper, 1934, and took over duties formerly performed by a European. Retired in 1955 after reaching a senior post as Storekeeper having completed 32 years service.

During the period I was in the Service, I took a keen interest in the welfare of my own race and as a result, was a member of Southern Province Zomba Native Association at its formation, Secretary for Blantyre Native Association from 1929 to 1937, Member of Advisory Committee on African Education 1937 to date, Member of Southern Province Minimum Wage Board, Member of Venereal Disease Committee, Member of the Central Labour Advisory Board, Member of the Board of Governors of the Blantyre Secondary School to date, Member of the Unified African Teaching Service Board, Member of the Blantyre District African Loans Board, Founder and Organiser of Ndirande Welfare Club, Founder and Organiser of the Nyasaland African Congress and first Vice-President October, 1944 to 23rd January 1945, and President General, 1945 to 1949, Farmer and Brickmaker and dealer. Own freehold land since 1944 and employ African labour varying between 70 to 150 during the year.

Initiator of anti-Rhodesia in 1935 while serving Blantyre Association and it is for this very particular point, I wish to begin my case, as there seems as if few people understand what and how this slogan of anti-federation arose. Also that while there seems a strong resentment of all that Rhodesia stands for there is also a growing number of Africans from Nyasaland going to work in Southern Rhodesia and also why myself having started this anti-Rhodesia changed my mind to support Federation as in the best interests of Nyasaland.

It was about May 1935 that European residents of Nyasaland including Rev. W. P. Young of Livingstonia Mission, then a member of Legislative Council in Nyasaland with special responsibility for African affairs assembled at Blantyre to discuss the possibility of forming "Greater Rhodesia League". There were about 600 of them present. It was the time, if I can remember correctly a United Rhodesia Party was formed in Southern Rhodesia with a view to uniting possibly the two Rhodesias. Two or three months later I arranged a meeting for the Blantyre Native Association and the meeting was attended by people from Chikwawa, Cholo, Mlanje, Chiradzulu and Neno or Lisungwe areas. They were just observers since it was a responsibility of Blantyre Native Association. The estimated number of people who attended was 5,000. It was at this meeting that speaker after speaker said all they wanted about the badness of Southern Rhodesia and most of the speakers including myself spoke of anti-Rhodesia though at that time I had never been to Rhodesia. As government had sent a detective whom I knew, I called him to speak and this one was the only man who knew of Rhodesia since he was a Rhodesian. As a result of the Europeans' proposal of a Greater Rhodesia League and the Africans reaction to it, the Governor of Nyasaland, Sir Harold Kittermaster, declared at the opening of Agriculture show at Limbe that he decided to refer the matter to the Colonial Secretary. Thereafter a Royal Commission on Amalgamation was appointed by the His Majesty King of England.

Before I proceed on this subject, another matter arose during the year of 1935 and that was the question of migrant labour and this caused very considerable concern in that at that time many people used to leave the country freely and never come back and their families began to get worried. Besides an individual firm was recruiting and it was felt that there was no proper arrangements made for the families' maintenance. Many wives of the migrant labour complained that once their husbands left the country they never wished to come back from Southern Rhodesia and in fact they either got married or stayed for periods which caused a break to many families and so the Government appointed a Commission to inquire into the incidence of uncontrolled labour movement to Rhodesias and the Union. I mentioned this as it is tied very considerable in the arguments I have to bring in the favour of Nyasaland staying in the Federation and also why I changed my mind in the campaign against Rhodesia. This I shall refer to again later on.

The Rhodesia-Nyasaland Royal Commission was then appointed 1938 arrived in Nyasaland in June and began taking evidence in Zomba, on 18th June, 1938. The Blantyre Native Association, which was responsible for creating anti-Greater Rhodesia League was the only Native Association which met the Commission and gave evidence in a memorandum sent to the Commission. Its delegation was 12 men including myself. It was during this time that I realised that most of the arguments advanced were merely hearsay and the only complaint

made verbally to the Commission was mainly about "Situpa" that if amalgamation came pass laws would be introduced in Nyasaland and that the status of the chiefs would be reduced. Many said there were no recognised chiefs in Southern Rhodesia and also that Southern Rhodesia oppressed the Africans ruthlessly. Others complained that amalgamation meant that Africans will be subjected to imprisonment as some labourers while in Rhodesia were found with amalgam and were imprisoned. They confused amalgamation with the word amalgam. Such was the evidence that one of the Commissioners, Mr. Mainwaring, invited us to the house of Mr. Rodger at Blantyre Mission and said he was sorry but that he thought the Africans had been very unconvincing and didn't really appear to understand the situation.

As I had not visited Southern Rhodesia at that time, and my arguments were based on what I heard from those who worked in Rhodesia, I decided to visit Southern Rhodesia in 1941 to find out how the Africans were being oppressed there. I asked the Government and the Provincial Commissioner Southern Province, Mr. Eric Smith at that time, arranged for me to report to the Chief Native Commissioner, Mr. Simmonds. The Chief Native Commissioner arranged for me to visit a few reserves. First he introduced me to the Director of Native Education, Mr. Stark, who showed me several schools including a two days stay at Domboshawa. I was then introduced to the Agricultural Officer, later on Director of Native Agriculture, Mr. Alword, who arranged for me to visit and see Native Agriculture Shows in Shiota and Zeke Reserves. Lastly the Chief Native Commissioner took me to Makwiro Native Purchase area where I attended agriculture courses for two days.

I visited Shiota again in 1943 and stayed one week with Mr. Mbofana when he was Agriculture Demonstrator and again attended his lectures as well as seeing many villages. Also visited Ntabazinduna Reserve just to see what was going on.

Another visit was made in 1943 and this time I tried to find out what one would get if one just stayed or remained in townships. I stayed one month in Southern Rhodesia in Salisbury, Bulawayo and Gwelo and not one day was I victimised by Police for being in the town with friends. With this experience I began to think cautiously.

During that period, however, there were several Native Associations in Nyasaland working independently of each other and as the question of amalgamation was coming on I made an effort to get the associations together on the experience I gained from South Africa in 1941 and that thinking that through one effort Africans could approach their problems realistically. This we managed and in 1944 African Congress was formed.

In 1945 a Central African Council consisting of the Governments of Southern Rhodesia, Northern Rhodesia and Nyasaland was formed and this was queried by me as leader of Congress as a step for amalgamation or Federation. The Colonial Secretary, Mr. Hall, denied that it was intended so and that if any change was to come Africans would be consulted. In 1948 Mr. Creech-Jones visited Nyasaland when he was Colonial Secretary at a meeting in Blantyre. He similarly denied and said this question was not in his Office and if it was considered Africans would be consulted. Asked if Great Britain could not develop the country without any closer ties with Southern Rhodesia, he said as a result of the two world wars it was impossible for Britain to find sufficient money for development of her overseas colonies and that the days of small units were fast dying, and it was necessary that countries like Nyasaland should associate with their nearest neighbours.

In 1951 then came the Federal scheme and at the first meeting when the Provincial Commissioner just tabled the white paper saying the Africans should decide themselves, I suggested that Government be asked to allow all the chiefs in the Protectorate and their representatives to come to Blantyre so that this question could be decided on the realistic approach as, although Africans had been turning the suggestion down every time there were other matters which should not be ignored. I referred to the question of migrant labour and its effect on the community, African education, and several other points. The Provincial Commissioner Mr. Eric Barnes, agreed but later he informed us that the Government had turned down my suggestion.

Thus the initiative was left to the Congress and at its first meeting at Blantyre Market square, just as the meeting began, telegrams came from London, one of them from a society known as "Union Democratic Control" saying boycott the Federal Scheme and the meeting with Mr. James Griffiths. After that no one was allowed to express a word on the scheme, and the Congress declared that any one who expressed the contrary would be dealt with as an enemy.

As that was the case, I then drew up a personal memorandum to Mr. James Griffiths who was coming to Nyasaland for Victoria Falls Conference. Similarly I addressed Mr. Henry Hopkinson then Minister of State for Colonial Affairs, on points which, to my way of thinking, should be considered. The main points were:—

(*a*) That since 1920 the British Colonial Policies have been changing from time to time so that one did not understand which one would be permanently followed. In other words there has been a wavering on policies towards the colonies for since 1920 there have been Native Paramountcy, Trusteeship, Indirect Rule and now Partnership. This created suspicion and hence opposition, for in this respect the British seem to follow a policy of wavering.

(*a*) Native Policy

(*b*) Leadership in the Federal Sphere

(*c*) Education

(*d*) Economic set up in Nyasaland

(*e*) Migrant Labour

In the case of (*a*) I had watched for a very considerable period say from 1920 to the time of federal scheme and what I feared was whether Southern Rhodesia Parallel policy was working well and in the event of Federation whether it would be applied to Nyasaland.

(*b*) I wished that the Africans should go into the question of Leadership i.e. in the case of producing a suitable leader from rank and file of Africans whether the Colonial White men could accept such a man to be a Premier in the Federation at a future date when Africans have advanced to the same degree as white men.

(*c*) That for partnership to be of value to both races there should be no division of education but must be under one control, even though separate facilities may be prolonged. What I wanted was to press for Federal Government when established to set one common standard of education for all races.

(*d*) That before rejecting entirely the Federation scheme, the Nyasas should go into the economic set up of the Protectorate as from my experience there have been so many schemes but lasting for a very short time. That at that time no major secondary industry existed and to depend on agriculture only was to me not an answer to the economic needs of a rising generation. In this I wished the British to say whether they could find enough money to develop Nyasaland outside the Federation.

(*e*) Migrant Labour. That before rejecting the federal scheme the African Congress should consider seriously that if Southern Rhodesia Native Policy is as bad as it was being painted, why do so many Africans leave Nyasaland in very large numbers to work in Southern Rhodesia, all them going quite freely.

The suggestion was accepted by the Blantyre Branch of which I was the local President but when I attended a Conference at Zomba to discuss the Federal Scheme, I put forward my views, but immediately it was announced that The Union Democratic Control wished that African Congress should send a delegation to London and demand self-government, no one wished to talk of anything and thus the position got out of hand. However I put this challenge and asked that a new approach be made and that since forming African Congress the question of self-government had never been raised, and therefore it should not be mixed with Federal Scheme issue. The meeting not only did not wish to give me a hearing but did not wish me to be present and as a result of my insistence not to mix the two issues which in my opinion were not related, the Congress took a threatening attitude and in 1952 in July came at night to attempt to kill me. Due to this attitude the position became extremely difficult for everybody and whether a Chief or not they did not wish to express views in favour of Federation. Intimidation was general.

Now that the Monckton Commission is to consider what should be done to improve federation, I wish to give evidence. I am convinced that the Federation has been a success and beneficial to the country.

I feared about the Native Policy that it might be an issue which might create difficulties. Today it is far from what I thought. Southern Rhodesia since it accepted federation on partnership card, has made such concessions that to break or scrap the federation would only show the rest of the components did not wish it to work. As I have stated in the earlier remarks, I instituted the anti-Southern Rhodesia when I had not known exactly what the Europeans then were doing for the Africans. It was only when I visited Southern Rhodesia that

I realised I was wrong and since federation I am satisfied they are doing everything possible to meet the policies of the northern territories and it is up to the two territories to respond.

One of the other points I raised to both Colonial Secretaries under Labour and Tories, was leadership. This is now in practice in that already one African of the federal governing party is a Minister and as this man continues to show a sense of responsibility I have no doubt there will be further openings for Africans in the federal sphere. Besides two Africans are now in London discharging duties of greater responsibilities. It does not matter whether they have come from Southern Rhodesia or Northern Rhodesia. The fact is Africans are being associated fully in the affairs of the Federation and it is up to them to show a sense of responsibility that they can be of use to the country as are the Europeans doing.

I realise education is a thorny question but I think if the Commission can recommend for it to become federal, the Commission will be rendering a good service. I regret it was not federal and I blame nobody but those who refused to see other peoples' point of view. Those Africans who refused to discuss the scheme at the commencement of Federation made a great error. This should not be left out of Federal sphere at the next review.

With regard to the economic set up in Nyasaland, this is one of the questions I referred to Mr. Creech-Jones and Mr. Griffiths in my memoranda both as leader of African Congress and as independent person. As I have said earlier, I have 35 years as a political leader to my credit and during this period I have been as much concerned about the welfare of my own race as any other African in this country. I have done this not only by speaking for my race but by offering employment to my people and this dates actually from 1932 when I first obtained a contract for brick-making from the Nyasaland Government. Since then I have been employing people of my own race and I am now employing them from 70 to 150 persons per month depending how I can afford. Anyone trying to defeat this argument is welcome to see what I do for my labour at my farm and I go a long way to say if the Monckton Commission is to be of great help to Africans, a visit to my farm will convince them that the case for Nyasaland is not political but for economic development of the country. At the same time see what any of these loud speakers are doing for their people. I have told the Colonial Secretaries of State that what is primarily wanted is economic development of the country.

If I am permitted to ask the Commission, will it tell me why, if the Africans are totally opposed to anything Southern Rhodesian there is a steadily growing number of migrant labour seeking work in Southern Rhodesia greater than it was some years back when the case of federation was being talked about. For instance about 1946, 35,000 Africans left for work in Rhodesia or South Africa that is a time when no one was talking loudly about federation and 10 years after, that is in 1956, about 75,000 left Nyasaland for work mainly in Southern Rhodesia—a country which is said to be oppressing them. This ever increasing number of Nyasas seeking employment in Rhodesias is an indication of how the Nyasas are dependent on Southern Rhodesia economy a point which I wish African Congress could have considered. In addition to this there has been marked industrial progress ever since Federation became operative in Nyasaland. So far, just to mention a few openings. we have Cement, Biscuit, Netting, Textile, Sweet and Cotton Seed Oil and Cattle cake factories which have been established and which show that once there is a common union, much could be done for the future of the country. Therefore I say if there is a country which has derived benefit from federation. Nyasaland is one of those countries. My only regret is that Industries which could have turned Nyasaland into a most promising unit of the Federation continue to be established or centralized in the Rhodesias and the Commission should make a note of this.

It is true there are a few Africans who think they can run the country. These people do not represent the true feeling of the masses. They take advantage of the ineffectiveness of the Nyasaland Government to run a country fairly well. I indicated this to the delegation from the United Kingdom Branch of the Commonwealth the Parliamentary Association when they visited the country some two or three years ago, the same remark I made to the Colonial Secretary in 1957 and also to the Governor of Nyasaland in February, 1958. I said that the main cause of continued unrest in Nyasaland is the Government policy of trying to please a few African extremists at the expense of the right principles.

My recent visits around the Southern Province and two districts in the Central Province convinced me that the masses and the Chiefs or Native Authorities do attach more importance to the continued leadership of Europeans than any other community or race in Nyasaland. What they do regret is that the Federal Government, which has the means to create prosperity, is not directly concerned with their day to day problems. It is therefore my considered opinion that if Federation is to go as I wish it to, African affairs must be in the hand of the people on the spot and not 6,000 miles away.

There is another point I wish to cover very briefly. This is the suggestion that one-man-one-vote will solve the problems of the country. In fairness to my own people, I say this is not so. Nyasas have many years to come of training. The introduction of indirect rule was a step towards this end but so far educated Nyasas have never tried to interest themselves with the set up of indirect rule. In 1953 I made suggestions to the Nyasaland Government that a minimum of £180 or £250 per annum be the requirements for training of Africans as voters if such was introduced. Also that by tradition Native Authorities or those people with great standing in society should qualify for a vote. As an educational qualification I preferred standard VIII but my supporters indicated that Standard VI should be the minimum. I still hold these views. One-man-one-vote is foreign to native traditional way of life.

I should add that I have had considerable personal experience of being intimidated since I left African National Congress in 1949. Serious violence has been used against my wife. myself and my property on several occasions. On one occasion my wife and I were actually threatened by African members of the Nyasaland Police while in the police lines for protection. I can give details of intimidation and violence used on myself and others to the Commission which will prove that the African extremists do use violence deliberately to suppress opposition. I am convinced that, but for this, there would be wide African support for Federation.

Salisbury

7th March 1960

Oral Evidence

C. J. MATINGA, M.F.P.

CHAIRMAN: Would you like to add anything to the memorandum?

A: There was one important point which was omitted about the African Affairs Board which I wished to stress because I never welcomed it for various reasons.

Q: Could you tell us your reasons for not welcoming it?

A: My reason for not welcoming it was this, that if you are running a Government and you have some spies trying to check your movements you find that any person who is a Prime Minister would either dissolve Parliament or disband the Affairs Board. I must say that possibly I was right because I found out that in most of the legislation we have never found anything that discriminated. But the main point why I did not welcome it was this: that if you are running the country on the basis of partnership, there is no need to try to have partnership because it shows that behind the back the European does not wholly welcome the African; if you do welcome the Africans and you feel that an African can play an important part in the structure of the Federation, there is no need to have an African Affairs Board. With my experience during the last year I am fully convinced of that and when your recommendations are being studied I would like to stress that point that the African Affairs Board should be disbanded.

Q: Would you substitute anything for the African Affairs Board, some safeguard of rights of minority communities?

A: Depending whether there are some motives which one should feel that the European did not welcome the Africans as part and parcel of our Federation, then you may have some safeguards. Judging from experience, particularly from Nyasaland, I find that the Europeans are willing and prepared to share. By partnership, if you think that we are going to work together, then a stage might come when an African will take a greater part. perhaps becoming one of the Prime Ministers, perhaps take a major share in the statutes of the country and there is no need to have safeguards. Those safeguards show that the other races do not welcome the Africans and therefore they must be guarded, but, as I say, with my experience in Nyasaland I am fully convinced that the Europeans there are willing to work together with the Africans and therefore safeguards are not necessary.

MR. GONDWE: Do you say the same applies to this country?

A: From the little I have seen, there is one point which surprises some of us and that is since the Rhodesian people accepted Federation on a referendum, they are prepared and they are trying to do their bit to break pin-pricks which still have been obstructing our relationship. Looking from those angles, I do think that they are willing to meet the Africans, but there is a point you have to appreciate that from the early days they designed their legislation in order to administer the country, and the removal of those conceptions might be a long

process. They just cannot be wiped out in one day. For instance, when we go in the Post Office we find that we can queue with the Europeans without somebody creating ill-feeling. So I could not say wholly that the Europeans are prepared but there are some people who are willing to accommodate the Africans as equals in society. The cause of discrimination was the African white policy coming from South Africa running possibly right up to Cairo, but with Central Africa rebelling from those policies.

CHAIRMAN: Would you agree there remain quite a number of pin-pricks?

A: Yes, There used to be and there still are but the way is being prepared to meet the people.

Q: Do you think a process of eliminating these pin-pricks could be accelerated or do you think the pace could not be forced?

A: Here where you have people of different cultures meeting together you cannot just do it overnight. It is a case for me to understand the European way of life and the European to understand the African way of life, and that will take a little longer.

Q: Do you think there is a genuine desire on the part of the bulk of Europeans in Southern Rhodesia to remove these pin-pricks to see there is no discrimination?

A: That is a difficult question to which to say Yes or No. But here again you have on the one side African extremists and on the other European extremists.

Q: You think there is no need for an African Affairs Board because you think there is no intention of the European majority in the Legislature to discriminate against the African?

A: I should have given this evidence in Blantyre where I can give you documents from Colonial Secretaries, which were presented in 1951. Having studied the federal scheme, I said that by creating the African Affairs Board you are creating suspicion among Africans; if you have got a genuine desire to implement partnership, you do not need to have the African Affairs Board because that again does question whether you would create racial strife. The African might deliberately bring a point to say this is discriminatory, and they will stick to that, and the other people will say the African people are ungrateful. Then again, whoever may be leading the Government will say, "I am trying to do my very best to meet the African and you say my ways are discriminatory." The best way is to finish with the African Affairs Board and even to go to the country and ask for a new mandate. That is a point I made to James Griffiths in 1951. With my one year's attendance at meetings of the African Affairs Board, I did not find anything which was intentionally discriminatory.

Q: Would you see any reason to have in the Constitution some Bill of Rights?

A: Yes, you could do, but that Bill of Rights should be for all races, not necessarily protecting one race at the expense of the other. I must say this, that I have always had in mind that if we are going to make the Federation a country where all races can work together, the best thing which we should do is to find out whether we are all citizens of the Federation. At present we have some people who are protected. From what? That is the point. That is what I find difficult. If you protect others, then there is something sinister with the other party. If they are prepared to work with the others you do not need any protection.

PROFESSOR CREIGHTON: I notice you suggest that African education should become a federal subject. Are there any other changes that you would like to make in the distribution of powers as between the Federation and the Territories?

A: That has been one point, again, which I put already to Mr. Griffiths and also to Mr. Hopkinson when he came. We are trying to build a common citizenship and a partnership. Then you create a Federal Government with all the best resources at its disposal and you say you can have money and do what you like, but do not look after the interests of the Africans. Nyasaland has not the best resources at its disposal: you say look after the interests of the African education. A suspicion is bound to arise that your intention is to create the African as a second-rate citizen, and I must say that I am fully justified in this suspicion because, taking Nyasaland as an example, since Federation that Federal Government has had a colossal sum of money to develop Coloured, Asian and European education in such a way that we came to suspect that the intention of Federation is still to make Africans second-rate citizens. If you are expecting the African to play a greater part in the future of the Federation, it is my view that African education must come within the scope of the Federal Government so that the money that the Federal Government is having must be fully shared with all the races, and the standard of education must be exactly the same. Take one point of view: for some reason or other we have been so fortunate as to have one African become a Minister in the Federation, but if a man reached Standard III, the best standard he could reach, how can we expect him to play a greater part in the building of Federation if his education is limited to the primary stage? If Federation is going to be to the benefit of all, surely the Commission should recommend that African education must be a responsibility of the Federal Government.

In Nyasaland, where I am fully acquainted with the structure of African education, you will find that capital expenditure is about £30,000 for over a period of five years. What can you do with £30,000 with a race which is developing? You are able to find capital expenditure on a vast scale in the Asian schools in the community which produce only 500 students a year whereas we are having every year about 30,000 to 40,000. That is where I suspect the whole intention is not to allow the Federal Government to develop African education.

Q: Are there any other Territorial powers you would like to transfer to the Federal Government?

A: I ask that Education must become Federal, and again one point, I just feel that the Police Force must become Federal.

Q: Would you explain why you feel that should be so?

A: We have a system whereby the head of the family becomes the person who determines your future. In those early days we trusted our Chief or Headman as a figurehead in uniting hands and protecting hearts, irrespective of belonging to this or that tribe. But in the modern society to run a country you have Police and you expect that Police should be an impartial body for the good of the society. To some of us we thought that too, but to express our feeling frankly we have come up against a difficult situation whereby I would support Federation for various reasons when some of our friends become so angry and say these people are doing this, we just discovered that the Police Force has not been wholly loyal to the Crown. They have been the medium of discrimination in Government policy or plans which they tended either to suppress Congress or they tended to be biased, and some of us have suffered by the Police themselves. In one instance I was travelling in a car and the Police called out to the people: "This is Matinga, the man who should be killed." If that is the position, the quicker we get the Police Force federalized, the better. I have tried to bring the case quite openly to various Police officers with no success, to try to stamp out that feeling, and I feel if we could have a Police which could protect the people it would be better. With those who suffered great difficulties with intimidation, had it not been that the Government appealed to the Federal Government for protection, we do not know what would have been our position.

CHAIRMAN: Why do you say there would be greater assurance of protection by the Police Force if it were federal and not territorial?

A: My experience is that there is a great difference between the British South Africa Police and the Nyasaland Police. Here you can report your secrets and they will never leak out, whereas in Nyasaland when I go and report secrets the next morning they are out.

Q: But if the Police Force was federal, you would feel the ranks of the Police Force serving in Nyasaland would be filled with men of the British South Africa Police?

A: Not necessarily, but you have a common policy and it is possible to switch the people in Nyasaland to meet friends, and once they have experience of how their friends are moving you will be able to have a common policy.

Q: You would transfer some away from home where local loyalties would no longer affect them?

A: Yes.

MRS. HUXLEY: You have mentioned in the memorandum the question of intimidation. As a result of that and other reasons, there is widespread opposition, is there not, as you know probably better than anyone, to Federation? How would you go about trying to convert the people of Nyasaland to support Federation?

A: When we talk about secession or anti-Federation, it is not the case that we are speaking for the whole community of Nyasaland. You have a few intellectuals who have the feeling that once Federation fails they will come on the top. Then you have the traditional element who are actually working in chorus with the Government and these people do not want Federation. Immediately after the emergency was declared, about May, I went round all the Native Authority centres in the Southern Province and I tried to find the feelings from the Chiefs, whether they were behind this, and they told me they were against it. I said: "Are you prepared to get Federation broken?" Vast numbers of people—in fact, in my first tour all except two Chiefs—said: "We do not want to break Federation. What

would happen to our people if we break Federation? Where are they going to work? We have no complaint about that. The position is this: that the Government said, say what you like in 1951, and of course we followed what the leaders of the Congress said, 'Do you not accept Federation.' And we just answered what Congress said; we never supported them, we did not express our views." I went through the whole of the Southern Province. I found the expression just the same.

Q: You think under the surface people do not want to break but in the meantime how would you feel with the Malawi Congress which has great influence?

A: If Malawi people were enjoying a widespread support, why do they resort to intimidation? I do not think any Malawi could stand on the platform and say that the whole country is behind them. The very fact that they have adopted an attitude of intimidation just shows that they do not enjoy the support of the community. Of course, there is one point which I stated earlier, that when this question came up I was the only person in Nyasaland and Rhodesia, about 1935, who created that feeling. Nobody asked me why. It is just the same thing when you are asked why do you not want Rhodesia; they will tell you the reason why. The only point they could do is to say we would be forced to carry a situpa. Even if we examine the situpa it is not sinister in itself. We had experience in Nyasaland about 1930 on the road going to Zomba, a man was killed by a lorry. He had no papers and it was seven days before he was buried. The Government took a photograph and put it in all the papers but it took a month before he was identified; he was from an outside village. Then about 1947 there was a bus accident, so many people were killed and their papers remained at Lilongwe and they did not know where those people came from, except one from Fort Johnston who had a receipt. They telephoned the District Commissioner and he was identified within two days and he was buried, whereas the other bodies remained for a very long time. From my personal knowledge on most occasions when I have been to Southern Rhodesia I have entered here without applying for a local pass; I have never been asked for one. You have to take into consideration whether pass laws are really sinister, but I do agree that the implementation by Governments might create that situation. Something to assure that you are a citizen has to be adopted. The first thing any African is going to have is some sort of identification card; is there anything sinister in that?

MR. GONDWE: Would you agree that the difficulty in this respect with the situpa is that it only applies to one section of the community? If it applied to all sections of the community it would not be objected to by Africans in the Northern Territories?

A: I quite agree on that point.

MR. ROBINSON: Do you think there should be some sort of identity certificates for all citizens?

A: Yes.

MR. WOODROW CROSS: Europeans may not have to carry them but they have always their birth certificate or marriage certificate and they are required from time to time.

A: I will accept that. It is the sort of ticket which always must be stamped, that is the objection, but, as I say, again, that particular card itself is not sinister.

CHAIRMAN: You said that the Malawi Congress had resorted to intimidation and that it is widespread. How would you stop that intimidation? You said the expression against Federation was by people who had been intimidated to say they did not like Federation; how would you overcome that?

A: Just now it is too late. But there was a time when they could have suppressed it. But here you have a Government which possibly is too narrow to govern the three countries. They have been allowed to have publicity, they have given a free hand for the Malawi to do whatever they want without a deterrent.

We feel very sorry that the only people who have been shot dead and punished are those people who never belonged to African Congress, never belonged to Malawi, but people who were brought into friction because they were told if you do not come forward, when we take power we are going to kill you, and these people came forward, not to say they were against the Government, but they thought the country was in the hands of the Malawi. These people are very poor, they have no means, they have never been defended in the courts by legal experts, but money has been coming from Ghana in support of the Malawi and that has given the ignorant people an idea that the country is in the hands of the Malawi. It is that ignorance which has created all these situations. I do say that ignorance is a thing to which you cannot apply a yardstick; there is no limit. The only way is to try to rule the country in a way which people should really know that to commit a crime does not pay.

MR. GONDWE: You would say that the Malawi Congress Party at present is all-powerful in Nyasaland and that many people have just come to identify themselves with it? I agree with you in that respect, for fear of reprisals when Malawi takes over the Government because they think themselves that they will take over the Government in the very near future. Would you not say, Mr. Matinga, that the way to fight Malawi would be to have another strong political body established in Nyasaland whose aims would be acceptable to people in Nyasaland?

A: Yes, if you are dealing with an advanced society, I would agree that it is possible to do that. But here it is a country where fear is really ruling the community I have tried to think about that point; it is very difficult.

Perhaps Mr. Gondwe will remember as long ago as fifty years when Dr. Heatherwick was travelling from Mlanje to Zomba, he was with Professor Drummond, and in those days we had to carry loads. There was a man who was carrying about a 70 lb. load and the others about 50 lb., but amongst those people this one was the happiest. He went on the whole way, jumping, dancing, chanting, and Professor Drummond said: "I will give a fortune if I could know what is inside that person." But suddenly he said my mother or somebody else has died, I want to go away, and the man did not wait to be paid and he went away. That is the point as far as Nyasaland is concerned, the difference of civilization. Unless you know what is inside the African you will never be able to rule the country. It is exactly the same spirit which is amongst the people. The people say the country is ours. They say Dr. Banda is our king and our god and it is just as widespread. They say we are going to have self-government, but individually it means to say perhaps self-government will give them what they like, irrespective of what the law wants a man to do. That is where the situation is very difficult in Nyasaland.

Then again with the modern way of communication we get to hear in England that we have got the Secretary of State saying he is our champion and they believe he is the only man. But given a chance, the Labour Party got into power, is he going to act differently from what the Conservative Party agrees? I doubt that. As far as my experience is concerned, whether Tory or Socialist come to power it will make no difference to us. The reaction is, why should I look after my cattle? Why should I bow to the District Commissioner? Why should I pay taxes? Can you run a country without taxes? My own Chief was only able to do what you are doing up to 1928. Each year at the time of clearing the garden we had to work for nothing. Was this not a tax? We should not do just as we like yet today people are thinking that.

MR. ROBINSON: May I go back to the Police question? You made a very serious assertion about the Nyasaland Police, that when you were travelling in Nyasaland in the company of the Police, they called upon the people to attack you. I would like to know something more about that. To what extent have you been personally intimidated by the Police?

A: Except in one case which I did not report, all the reports have been put before the Government. The first time I did not realize—in December I was travelling from Fort Johnston and I was asked for a lift, I had no permit to lift anybody except my legitimate employees. This chap said: 'I am a Policeman, I am on duty and there is a chap who committed a murder and I want to go and meet him at Kalambo." Then I felt I must help. I put him in the lorry. The first thing he told me was that he was going there to investigate this because they did not condone murders but he said: "I am going to resign, not only me but all the Police people we have are going to resign. We are only awaiting a word from the Congress about which time we are going to go." Then I got a bit nervous. I said: "Why?" He said: "Because we feel we cannot work any longer because we are underpaid and our people are subjected to biased influences and we do not want to become stooges." He did not know that I was Matinga. The first thing he said was: "A man like Matinga who is selling this country is the first man we are going to eliminate." I was sorry I had to carry him. The next morning I reported to the District Commissioner and gave him the instance.

Then on 26th April, 1959, my wife received a warning that she must leave quickly because the Congress were coming to break our house and stone her. She telephoned the Police and she insisted on having a European who refused to come and give her support. They said we cannot help you. Immediately going to the Club they started stoning and she went straight to the Limbe Police and told Mr. York, and Mr. York tried to make the European apologise.

The third instance was the day Dr. Banda was arrested. A crowd of over 200 came to my house. They broke my telephone wires and spoiled my house. My wife managed to escape. I

was in, I came out with a shotgun and saw the crowd. They were full of hate. When they saw I had some weapon they ran out. Eventually my wife managed to report to the Police. It happened about 10 o'clock. About 4 o'clock the Police came. They took me. But while I was waiting in the Police Station the Constable started swearing and spoke all things; I felt very shocked. I told the Officer-in-Charge: "I am sorry, I would rather go and allow myself to be killed in my house because I cannot go to the Police location." They said they are not going to allow you. I realized that they were actually heavily committed. I went to the Police location. I stayed only one night. That night I was subjected to abuses by the Police. Next morning I rushed to where I lived and the next night the Police came to fetch me. I said I cannot stay because I am being abused by Police constables. I refused. I said: "I am not asking you for any protection."

Then there is the incident which I have related with the Police constable shouting: "This is Matinga who should be killed." It is very difficult for me to report right away, because I thought the news would go round right away. So I went round the Southern Province and finished my tour by which time I reported. They said they knew the chap, but whether they punished him or not I do not know. You may have a memorandum signed by Chief Mpana where a policeman was standing here and the Congress chap started threatening me and my friends and said: "Matinga is one who is doing this and should be killed." I ran from that place to my house, which is about eight miles away, quickly rang the Police and I insisted on a European, and a European policeman came and I reported all that had taken place with a Police constable standing by, and he took no steps to do anything.

Another incident was where four police constables were sent to arrest an African. The African happened to be a Rhodesian man and immediately they found the man they asked him: "Are you Matinga?" and they started beating and beating him so badly and assaulted him so heavily he was bleeding; he was sent to the Medical Officer and the Medical Officer thought that mere treatment would not suffice. He must be X-rayed. The case went to the experts where he was discharged; he was being arrested. This man had sued the Commissioner of Police but whether the Commissioner of Police has done anything about those people, I do not know.

Q: Have you made these complaints to official quarters, to the Government?

A: I have made in the House a statement that I am going to report, but except the one incident about these four people, the rest have been reported and no action has been taken. That is where people cannot express the view that they refuse Federation because of that policy. I do know so many people, not only in Blantyre but throughout the country, who are being intimidated on those lines with full knowledge of the Police, and no action is taken.

CHAIRMAN: Thank you very much.

A: I do hope your findings will be in the best interests of the Federation rather than a section, because I do believe as far as Nyasaland is concerned the Colony is most backward, and you should try and consider how best a country could be developed either out of Federation or within the Federation.

G. F. SURTEES

Mr. Surtees said that he had been born and educated in England, and had since served in the R.A.F. in the United States and Canada. He had first seen racial partnership in practice in the United States. Subsequently he had come to Southern Rhodesia, where he had been farming for nine years, and after that four years in the transport business. His views represented those of the average Rhodesian: he was not a member of any political party.

The witness made the following further points:—

1. Although his first impression of Africa was that Africans were not getting a square deal, he had come to the conclusion that they were not in fact being unfairly treated. Although there was an occasional African of exceptional ability, the average was low, and only fifty years ago they were completely uncivilised. It was unreasonable to expect them to reach a full state of civilisation overnight.
2. It was difficult to bring them to further advancement on purely European lines; for example, they did not regard being sent to prison as a social stigma in the same way that the European did. Witchcraft and superstition were still very important to them.
3. The European in Southern Rhodesia took a great pride in his country, and was more politically minded than his opposite number in the United Kingdom. He regarded the difficulties he faced as a challenge to show the rest of the world what could be done. In this partnership between African and European was essential, and neither could make progress without the other.
4. Qualifications for the franchise should be on a non-racial basis; Europeans should not qualify for the vote unless they deserved it.
5. If the Federation broke up there was a grave danger that Southern Rhodesia would be forced into closer association with the Union of South Africa. This was the last thing they wanted. Moreover, Nyasaland would be quite unable to stand on its own feet economically, and it was the duty of the Federation to do everything in its power to help Nyasaland to advance.

CHIEF CHINAMORA ZWIMBA

The witness said that they were very thankful for some of the instructions issued under the Land Husbandry Act. Better methods of ploughing and the use of such things as cattle manure and compost were benefiting many people by providing improved crops. Nevertheless, there were very difficult points arising from the Land Husbandry Act, in particular the limitation of the numbers of cattle. In the reserves, people had multiplied and there was not now sufficient ground for all to cultivate. They recognised that some people would have to live permanently in the towns, but there should be land available for people to come to when they were no longer able to work in factories. He would ask the Government to look urgently at this problem before the congestion on the land became too great.

In answer to questions, the witness made the following further points:—

(*a*) The maximum land holding in the reserves was 12 acres, and the minimum was 4 acres. The amount actually given to individuals depended on the demand in a particular reserve.

(*b*) Many people came to the Chiefs to ask for land to cultivate in the reserves. Such people might have been in the towns when the allocation of land took place. It was very difficult for a father if his own son had been deprived of land in this way.

(*c*) The provision of more land was a matter for the Government; something should be done to provide more land as a matter of urgency.

CHIWESHE RESERVE COUNCIL—Shadrech Mokom Bochoto, Isaac Magunji and Andrew Whata

The witnesses said that the people in the Chiweshe Reserve were very crowded; there were upwards of 20,000 people in a very narrow area, with an estimated capacity for 18,000 head of cattle. The people were asking for two things: they wanted more land to plough, and they wanted more schools. At present there were fifteen junior primary schools from Sub A to Standard III, but only one senior primary school. If they could have two secondary schools, this would relieve the pressure on other secondary schools elsewhere.

The land in the Chiweshe Reserve had not yet been allocated, but there was not enough land for all the people living there. There was some undeveloped European land adjoining the Reserve, and this should be bought by the Government from local farmers to be added to the Reserve.

SALISBURY

26TH APRIL 1960

Memorandum

FEDERAL STANDING COMMITTEE OF THE UNITED FEDERAL PARTY

TABLE OF CONTENTS

Introduction

1. This memorandum is presented by the Federal Standing Committee of the United Federal Party (for short the U.F.P.) on behalf of the Party as a whole. It will treat mainly of what may be termed the Federal aspects of the Constitution. Territorial aspects will be dealt with by the three Territorial Standing Committees of the Party in separate memoranda.

2. The U.F.P. embraces people of many shades of opinion who are in broad agreement on matters of principle and major policy, but naturally have some diversity of opinion on matters of detail. Some members of the Party will give evidence independently, and their evidence will probably differ in certain respects from the case here presented.

3. It is the policy of the U.F.P. that the Federation of Rhodesia and Nyasaland should be advanced to full membership of the Commonwealth as soon as possible. The Party recognises that this entails not only the removal of the powers reserved to the United Kingdom Government in relation to the Federal Government's sphere of action, but also advance to responsible or representative government in Northern Rhodesia and Nyasaland. It recognises also that this advance may have to come in stages, and that, as the Commission's terms of reference also recognise, there must be a "programme".

4. This memorandum is not concerned to prove that the Federation should be maintained in being, a matter which the U.F.P. respectfully submits is outside the Commission's terms of reference.

5. This memorandum will be concerned, in the main, with the removal of the reservations relating to the Federal Government, or as it will be termed hereafter "Independence in the Federal Sphere". It will deal only briefly with the distribution or redistribution of functions as between the Federal and Territorial Governments. It will be left to the Northern Rhodesia and Nyasaland Standing Committees of the U.F.P. to elaborate the case for advance to responsible or representative governments for these territories.

6. Before proceeding to the main case some chapters will be devoted to background material namely:—

(1) The history of Political Parties in the Federation, with special reference to the U.F.P.

(2) The peoples of the Federation.

(3) African attitude to Federation.

After setting out the case for independence in the Federal sphere, the memorandum will discuss "safeguards" which may be devised in place of the present reservations. It will go on to discuss the Federal Electoral Franchise and the reasons why it is considered that the present Electoral Act is a satisfactory basis for Federal elections.

Chapter I

The Scope of the Commission's Enquiry

7. The Commission is enjoined "to consider the constitutional programme and framework best suited to the attainment of the objects contained in the Constitution of 1953 including the Preamble." It is in fact only the Preamble which refers specifically to the objects for which the Federation was established. The fifth clause in the Preamble mentions among these objects—

(1) "the security, advancement and welfare of all their inhabitants";

(2) The fostering of "partnership and co-operation between their inhabitants"; and

(3) the enabling of "the Federation, when those inhabitants so desire, to go forward with confidence towards full membership of the Commonwealth."

8. The Commission's task is to advise the five Governments in preparation for the Review provided for in Article 99 of the Constitution. When dealing with the meaning and purpose of this Article in the House of Commons on 24th June 1953 the Secretary of State for the Colonies, the Rt. Hon. Oliver Lyttleton (now Lord Chandos) said:

> "I emphasize that this Conference is not to decide whether Federation should be abolished or discontinued. Nothing of the sort; it is a conference to make such alterations in the detailed working of the Constitution as experience of its work has shown to be necessary during this decade, the first decade of its life."

9. The U.F.P. believes that the Commission's terms of reference must be viewed in the light of the foregoing pronouncement, and also in the light of a joint declaration of the United Kingdom and Federal Governments of 27th April 1957 whereby it was agreed that:

> "The purpose of this Conference is to review the Constitution in the light of the experience gained since the inception of the Federation and in addition to agree on the Constitutional advances which may be made. In this latter context the Conference will consider a programme for the attainment of such a status as would enable the

* Not reproduced.

Federation to become eligible for full membership of the Commonwealth."

10. To the extent that the lack of full responsible Government in either the Federal sphere or in any of the Territorial spheres is an impediment to the attainment of full membership of the Commonwealth, the 1960 Review Conference must include in the programme steps for the removal of such impediments. It would appear that the Commission, too, must have regard to these matters when it considers the Constitutional programme and framework.

11. It is clear from the Preamble to the Constitution that the task in which all five Governments, that is the United Kingdom Government, the Federal Government, and the three Territorial Governments, are concerned is to build within the boundaries of the Federation, and out of its diverse inhabitants a nation capable of taking its place as a full member of the British Commonwealth of Nations. This nation is to be based on partnership and co-operation between the inhabitants of the three territories.

12. The ultimate constitutional framework which the U.F.P. envisages for this Nation is a Federation in which the Federal Government is independent of the United Kingdom Government in the spheres of government which are federal, and the Territorial Governments have progressed to full self-government, independent of the United Kingdom, in the spheres of government that are territorial.

13. The U.F.P. submits that the Commission must consider this framework as a whole, and must also consider the programming of the various steps. It submits also that the grant of independence in the Federal sphere must be one of the first steps to be taken as a result of the 1960 Review.

Chapter II

The History of Political Parties in the Federation with Special Reference to the United Federal Party, its Constitution and Policy

14. As a general rule Constitutions and Laws which have a direct bearing on them such as electoral laws, are silent, or nearly silent, on the subject of political parties. The working of the Party Political System of any country is, however, of considerable importance in the study of its constitutional history and development. The successful working of the Constitutions of the United Kingdom and her associated Commonwealth Nations, as also of the United States of America and other foreign states, is dependent on the existence of a sound and responsible party political system.

15. The building up of political parties and the establishing of sound traditions in them is apt to be a slow and difficult task. This is the more so when some of the political leaders are heavily engaged at the same time in laying the foundations of sound government in a newly formed nation. The U.F.P. believes that on the whole the growth of political parties in the Federation has reached a stage when they effectively contribute to the proper working of Government and Opposition. It is therefore hoped that the following brief history will not be considered to be without value.

16. At the time when the Federation was inaugurated in 1953, there was a fairly well-developed party political system in Southern Rhodesia, where elections of members to a Legislative Council on a common qualitative franchise had been held during the period 1898-1923, and to the Southern Rhodesia Parliament from 1923-1953. In Northern Rhodesia elections on a much more limited scale had taken place for certain members of the Legislative Council in the period 1926-1953, but party political divisions among elected members did not run deep. Mr. Roy Welensky had formed a Northern Rhodesia Labour Party in 1941, but at the time of Federation there was no properly organised political party bent on securing the election of members of the Legislative Council. In Nyasaland before Federation, nothing in the nature of Parliamentary elections had ever taken place, and consequently there were no Parliamentary Political Parties. In Northern Rhodesia and Nyasaland there were exclusively African political bodies known as the Northern Rhodesia African National Congress, and the Nyasaland African National Congress, but these evinced little interest in the respective Legislative Councils of these Territories.

17. In 1953 Lord Malvern—hitherto President of the United Party of Southern Rhodesia, and consequently Prime Minister of that Territory—took the initiative with Sir Roy Welensky, leader of the unofficials in Northern Rhodesia, and Sir Malcolm Barrow, leader of the unofficials in Nyasaland, to form the Federal Party. It was hoped that this Party would embrace persons of all shades of political opinion amongst those who had worked for Federation, and those who, although originally opposed to Federation, were prepared to strive to make it work. This hope was in a great measure realised, and the Federal Party at its outset included in its membership persons who had belonged to all the various political parties in Southern Rhodesia, besides persons interested in political matters in the other territories. From the outset the Party was non-racial, and it included European, African, Coloured and Asian members.

18. Lord Malvern had intended that the Party should confine itself to politics in the Federal sphere, so that the political divisions which had become manifest in Southern Rhodesia need not occur in the Federal sphere, where they might not have the same relevance. He considered that the existing Political Parties in Southern Rhodesia could remain as they were, or re-organise for the purposes of the Southern Rhodesia territorial elections. In the case of Northern Rhodesia, however, as there were no active political parties in existence, and a territorial General Election was due within a few months, it was considered that it would not be practicable to duplicate a party political system in both Federal and territorial spheres. It was decided that though primarily the Federal Party should engage in Federal elections, it could also engage in Territorial elections if it saw fit. At the outset it confined itself to the Federal aspects in Southern Rhodesia and Nyasaland, but in Northern Rhodesia its activities extended to the Territorial sphere also.

19. Meanwhile some of those persons who had been opposed to the formation of Federation banded together as the Confederate Party. This Party purported to operate in all territorial spheres, as well as the Federal.

20. In the first Federal Election held on 15th December 1953 the Federal Party won 27 out of 35 seats, including two African seats in Southern Rhodesia, while the Confederate Party won only one seat.

21. Meanwhile in Southern Rhodesia the United Party, led by Mr. R. S. Garfield Todd, combined with the Rhodesia Party to form the United Rhodesia Party, and won 26 out of 30 seats in the Election of February 1954. The Confederate Party had no success in this Election. In Northern Rhodesia in the Legislative Council elections during 1954, the Federal Party also won the majority of seats for elected members. In 1956 the Confederate Party disappeared, and a new opposition party grew up called the Dominion Party led by Mr. Winston Field. This Party operates in the Federal and Territorial spheres, and now has members in each Legislature except the Nyasaland Legislative Council. With the rise and growth of the Dominion Party a desire was evinced in the Federal and United Rhodesia parties, whose membership was virtually identical, for a merger, so that a united front could be made against the Dominion Party.

22. Eventually in October 1957 the Federal Party reconstituted itself as the United Federal Party, which would operate in the Federal and all Territorial spheres. The intention was to dissolve the United Rhodesia Party. Before the merger of the two parties was complete, a split occurred between Mr. Garfield Todd and his Ministers. The dispute was referred to a Congress of the Southern Rhodesia Division of the newly constituted U.F.P., as a result of which Sir Edgar Whitehead, Lord Malvern's former Minister of Finance, was elected as Territorial Leader, and became Prime Minister of Southern Rhodesia in place of Mr. Garfield Todd, who, however, held office as Minister of Labour in his first cabinet.

23. The split in the ranks of the Southern Rhodesia Division was only temporarily healed, and in April 1958, following the defeat of Sir Edgar Whitehead at a bye-election, dissident members under Mr. Garfield Todd revived the United Rhodesia Party. A General Election then took place in Southern Rhodesia, when the U.F.P. under Sir Edgar Whitehead were returned with 17 out of 30 seats, the remaining 13 going to the Dominion Party. Mr. Todd and his U.R.P. candidates were totally defeated.

24. In November 1958 the Federal General Election took place for the enlarged Federal Assembly of 59 members. The U.R.P. did not contest this Election; the U.F.P. won 47 seats, and the Dominion Party 8 seats. As regards the 12 African seats, the U.F.P. won 3 of the 4 in Southern Rhodesia, the Dominion Party won the remaining seat. The U.F.P. won the 2 elected African seats in Northern Rhodesia. The other two African seats in Northern Rhodesia, which are controlled by a purely African electoral college, were won by Independents, who belong to the Northern Rhodesia African National Congress. The U.F.P. also secured the 4 African seats in Nyasaland, all of which were unopposed, the Nyasaland African National Congress having decided to boycott the Elections. Here it may be mentioned that the African National Congresses of the three Territories have never directly participated in Federal Elections, though in the case of the two African members for Northern Rhodesia, whose election is controlled by a purely African electoral college, the African National Congress is believed to have exerted a large influence.

25. In Nyasaland the first Territorial Elections ever to take place were held in 1956 for 6 non-African members of the Legislative Council. At this stage the U.F.P. had not decided to intervene in Territorial Elections in Nyasaland, and the six seats were won by Independents. Five of these were in fact members of the U.F.P. and the sixth subsequently joined the U.F.P. None of the African members, whose election is in the hands of purely African electoral college, was a member of the U.F.P.

26. In Northern Rhodesia the general election of the Legislative Council under the new 1958 constitution was held in March 1959. The U.F.P. won 13 seats, the Dominion Party 1 seat, the Central Africa Party 4 seats. The last mentioned Party was formed in 1958 and incorporates the revived U.R.P. with Mr. Garfield Todd as Federal Leader, and Sir John Moffat as Leader of its Northern Rhodesia Division. At the Northern Rhodesia General Election for the first time the African National Congress participated in the elections in the special constituencies in which only African candidates were nominated. They secured the return of their Leader, Mr. Harry Nkumbula.

27. The present state of the parties in the Federal and Territorial Legislatures is as follows:

Assembly	*Type of Seats*	*U.F.P.*	*D.P.*	*C.A.P.*	*A.N.C.*	*IND.*	*Total*
Federal Assembly	African	9	1	0	0	2	59
	Open	37	7	0	0	3	
S. Rhodesia Assembly	All seats open to members of any race	17	13	0	0	0	30
N. Rhodesia Leg. Council ...	African	2	0	2	1	3	22
	Non-African	11	1	2	0	0	
Nyasaland Leg. Council	African	0	0	0	5	0	11
	Non-African	0	0	0	0	* 6	
		76	22	4	6	14	122
* *of these, 5 were always U.F.P. and 1 joined later*		+ 6				− 6	
Total		82	22	4	6	8	122
Of which there are:	Africans	11	1	2	6	5	
	Non-Africans	71	21	2	–	3	

It will thus be seen that the U.F.P. has

(*a*) more than twice as many elected members as all other parties in the Federation;

(*b*) more elected members in each Assembly than any other party;

(*c*) more elected African members than any other party.

U.F.P. Constitution and Policy

28. The Constitution of the U.F.P. admits to membership persons of any race and whether citizens or British Protected Persons. Branches of the party may be confined to one sex or to one race, but branches are encouraged to extend their membership to both sexes and all races. Persons of all races have been elected to the Standing Committees of the Party. Copies of the Constitution of the Party as printed in 1958 are annexed.

29. The U.F.P. policy in electoral matters is that political divisions should be based on Party not on race. While accepting the reservation in the Federal Assembly of 12 seats for Africans and 3 for Europeans to represent Africans, the U.F.P. believes that ideally there should be no racial tags attached to Parliamentary seats. The Constitution Amendment Act 1957 consequently provides a means whereby these special representatives for one race will eventually "fade out". Meanwhile the Party put forward candidates for these special seats wherever possible, and it was pleased that the Dominion Party did likewise, and that the Government and Official Opposition both have African Parliamentary representation in their ranks.

30. The U.F.P. policy statements as printed for the Southern Rhodesia General Election June 1958, the Federal General Election November 1958, and the Northern Rhodesia General Election March 1959, together with a short summary of policy for Nyasaland published in mid-1959, are annexed.

Chapter III

The People

31. The Federation is the home of two main races—African and European—plus a smaller number of Asians and persons of mixed descent referred to as Coloured people. The Preamble to the Constitution makes it clear that the area comprising the Federation is the rightful home of all its lawful inhabitants, whatever their origin.

Population

32. The population at 30th June 1959 was estimated to be:—

	European	*African*	*Other Races*	*Total*
Southern Rhodesia ...	215,000	2,630,000	15,400	2,860,400
Northern Rhodesia ...	73,000	2,280,000	9,600	2,362,600
Nyasaland	8,800	2,750,000	12,100	2,770,900
Federation ...	296,800	7,660,000	37,100	7,993,900

33. The ratio of Europeans to Africans should be noted. In Southern Rhodesia it is 1 to 12, in the Federation 1 to 26. This compares with 1 to 100 in Portuguese East Africa, 1 to 100 in Kenya, 1 to 400 in Tanganyika, 1 to 600 in Uganda (the whole of East Africa averages about 1 to 215) and 1 to 200 in the Congo. The total of 334,000 non-Africans in the Federation may not seem many when compared with large cities in Britain, but their stake in the Federation is vast, their past achievements considerable and their future role vital not only for themselves but also for the advancement of the African. The size and permanence of the non-African community is one of the factors which distinguishes the Federation from most other states in Africa. It is because of this that methods which may be tried in more homogeneous societies should not necessarily be applied here.

34. Certain marked differences between the three racial groups should be noted.

Africans

35. When the Pioneers came into areas which are now within the Federation as recently as one life-span ago, they found an indigenous population consisting of a number of Bantu tribes sharply divided by tribal differences. The people were engaged in pastoral and agricultural pursuits, the work being performed largely by the women, the men being occupied in hunting and inter-tribal clashes. The Bantu had no written language and no form of education according to any recognised standards. They had erected no permanent buildings and could fairly be described as being in a primitive state.

36. African advancement began with the advent of the first Europeans and has continued ever since. Missionary organisations started rudimentary schooling and some elementary health services. These tasks were enormous because of the large number of Africans involved, because of starting absolutely from scratch without any foundations whatsoever upon which to build, because these activities were entirely new concepts which found no ready response in African minds, and because there was so little money available.

37. With the establishment of formal administration in each of the three Territories, the Governments gradually assumed responsibility for those and other services but progress, particularly in education, was very slow. In all three Territories missionary bodies still provide the greater number of schools with the aid of government subsidies.

38. For the reasons mentioned, the majority of the African people are still illiterate and have not made great progress in acquiring working skills. Many have tended hitherto to work for comparatively short periods, returning periodically to their rural homes for lengthy sojourns to attend to crops or cattle or family matters. Intermittent spells of work have meant the carrying forward of a minimum of accumulated experience. In all three Territories the majority of the African population exists in the Subsistence Economy—varying from 54% in Southern Rhodesia to 75% in Nyasaland. The average income

in the Subsistence Economy is low. Wages in the money economy rise year by year, as does the degree of productivity per head. The average wages per African employee throughout the Federation is £80 a year.

39. African society is no longer an undifferentiated mass. From the lowly beginnings which have been portrayed herein, substantial progress has been made particularly in recent years. Although most Africans still have inadequate schooling, many are fully literate. A tendency towards greater responsibility in employment is discernible. A small number of professional men has emerged, consisting mainly of teachers, clergy and journalists. There is now also a class of African businessmen.

40. Many Africans, particularly those at the lower end of the scale, are more concerned with their material day-to-day affairs than with politics, but many others have recently started to show a political consciousness, some embracing extreme Nationalism whilst others are moderate and wish to co-operate with other races.

41. Very few African women are in employment (those few being mainly domestic servants) and very few take part in business or political affairs.

Europeans

42. The opening up of the countries which now comprise the Federation, and their conversion from wilderness into a modern state has been due in great measure to the energy, initiative, skill and capital of the Europeans who have made this their home. They have been greatly assisted by labour provided by Africans, sometimes poorly paid.

43. The European group provides most of the professional and technical men, financiers, businessmen and skilled artisans as well as an appreciable number of farmers and ranchers. The main avenues of occupation (including both principals and employees) are:—

Commerce and Finance	23%
Manufacturing	13%
Construction	12%
Transport and Communications ...	10%
Mining	9%
Government Admin. Services ...	9%
Agriculture	8%
Medical & Educational Services ...	7%
Other	9%
	100%

44. A high proportion of European women are gainfully employed. There are relatively few unskilled Europeans in the Federation, and not a great many who are only semi-skilled. The immigration policy of the Federal Government has been selective, designed to admit only those who could bring skill or capital to the common weal.

Asian and Coloured

45. Almost all the Asians in the Federation are merchants, with a small number of professional men, mainly a few doctors and teachers. Asian women do not seek employment except in shops owned by close relations.

46. Some of the Coloured men are self-employed, usually as cartage or other contractors rather than as traders. Some fill skilled occupations, whilst others are semi-skilled. Many Coloured women seek and obtain employment, frequently in factories and in semi-skilled jobs.

Educational Attainments

47. There are wide discrepancies in the level of education attained by the three main racial groups. By and large the general scholastic standard in the White section is high—probably no lower than in Britain. The selective character of immigration has maintained fairly high standards in this direction, and figures to be quoted shortly will show that European school-leavers in the Federation achieve satisfactory scholastic levels.

48. The attainments of the Coloured and Asian communities are not as satisfactory, the facilities for these people prior to Federation having been less good than for Europeans. There has been considerable improvement in the last six years, especially in Nyasaland where previously facilities were almost non-existent. In spite of past difficulties the Coloured and Asian people are literate, some achieving university levels.

49. African education is a territorial subject and there are some fairly wide differences in the attainments of the territories in this respect. In all three territories African education is only partial because the facilities do not yet exist to offer full range schooling to all African children. The current endeavour in Southern Rhodesia, for instance, is to provide five years' education (i.e. up to Standard 3) for rural children, and eight years' (up to Standard 6) for urban children, with secondary education and technical education on a selective basis.

50. Figures quoted in Appendix III show that progress in development of African education has a relationship with the ratio of Europeans to Africans in the population. Where this is highest, i.e. in Southern Rhodesia, the facilities provided for African education are the best and the enrolment of school children is the highest. More is in fact done pro rata for African education in Southern Rhodesia than in any other African country.

51. The following figures indicate the great differences which exist in the educational levels of attainment of the three groups:—

1958	*Estimated Potential African School-children*	*Actual African School-children*	*Actual as Percentage of Potential*
Southern Rhodesia ...	510,000	449,000	88%
Northern Rhodesia ...	444,000	232,000	52%
Nyasaland	538,000	271,000	50%
Total	1,492,000	952,000	64%

52. Some African children do not remain long at school the numbers drop rapidly with each higher standard.

53. Children leave school having attained the following standards:—

	European (Federation)	*Asian and Coloured (Federation)*	*African (Nyasaland)** (estimated)
Proportion leaving school below Form III (Std. 8)	12%	77%	99·5%
Proportion leaving from Form III and above ...	88%	23%	0·5%

**Figures for Southern Rhodesia and Northern Rhodesia are not available, but will be better than those of Nyasaland.*

54. School-leavers intending to go on to University or undergo professional training are (approximately):—

European	25%	Results of survey
Asian and Coloured ...	10%	Results of survey
African (S. Rhodesia) ...	0·6%	Estimated
(N. Rhodesia) ...	0·4%	Estimated
(Nyasaland) ...	0·2%	Estimated

Conclusion

55. One of the real problems in this part of Africa is poverty and the Governments must find means whereby all the inhabitants can enjoy continuously rising standards of living, with the greatest immediate progress at the lower levels. Poverty is a relative term and it should be noted that, although the incomes of the mass of people are so small, some of them have in their link with the land and in their native customs a form of social security which saves them from the harsh effects of poverty as it is known in parts of Asia and even at times in depressed areas in western countries.

56. The facts disclosed in this chapter also indicate the vital necessity to press forward even more vigorously with African education and training. To close the gap between European and African levels in all directions is a necessary but monumental task. The United Federal Party believes that nothing would be gained (and much would be lost) if closing the gap were achieved by finding a common mean between the two levels. To reduce the standards of those above the mean—Coloureds, Asians and Europeans—would be of no service to any race in the country. The only course is to aim at building a state based on European standards, elevating the African people step by step until they reach European levels—to build up, not to tear down. By these means there could be achieved a harmonious community with all individuals judged according to their merits and where differences of race would be merely incidental.

57. The task of elevating the mass of the African people to European standards could not be accomplished by African Nationalists. The United Federal Party is unaware of their ever having produced any realistic policy or programme, or any practicable solution to the problems of their fellows. The progress of the Africans materially and politically, will continue to depend to a very considerable extent on their fellow European citizens' initiative and enterprise.

58. A start has been made and exciting progress has already been achieved. Its successful continuance will require wise political leadership and vast sums of money.

Chapter IV

African Attitudes to Federation

59. It seems clear from the terms of reference themselves, as well as from the Government pronouncements on them that the Commission is precluded from considering any scheme for the dismemberment of the Federation or the association of its members in any other way. Evidence of the opponents of Federation directed to achieving these objects will presumably be disregarded for such purposes.

60. Nevertheless the attitude of the people of the Federation to the form of government they enjoy has a bearing on the constitutional changes to be discussed by the Commission, and the attitude of Africans in particular, owing to the weight of their numbers, is of such importance as to warrant special treatment.

61. It is commonly supposed that the majority of Africans are opposed to Federation. The U.F.P. believes that relatively few Africans have much, if any, appreciation of the meaning of Federation or any understanding of the constitutional issues involved.

62. In none of the African languages are there words to denote the most ordinary juristic or constitutional concepts. It would be impossible through the medium of African languages to give any adequate description, for example, of the difference between a federal and a unitary state. Relatively few Africans have a sufficient knowledge of English to enable them to grasp explanations of matters of this kind.

63. Apart from language difficulties the ideas involved in constitutional concepts are themselves strange to people whose contact with government is very remote, and who, in the vast majority of cases have never exercised the vote in parliamentary elections.

64. That there are some Africans who are well capable of understanding the niceties of these constitutional questions is not disputed. Even in such cases, however, few, if any of them, would have much practical experience or expertise in matters of government.

65. Whether or not they have any appreciation of the meaning of Federation or of the constitutional issues it is certain that many Africans are ready to denounce Federation. The U.F.P. believes that opposition has been fanned up. 'Federation' is blamed for all sorts of matters. Grievances, whether of territorial or federal origin are attributed to Federation. If there is a drought or failure of crops this is likely to be attributed to Federation. In the minds of some Africans Federation is an evil looming up in the future from which their leaders are protecting them. Others believe that it is a state of affairs which exists in some other territory but which has not yet reached Nyasaland.

66. It is respectfully submitted that if evidence is received disclosing opposition to Federation the witness should be tested about his understanding of that term, and also as to the reasons which prompt his dislike or opposition.

67. The U.F.P. believes that essentially the real opposition to Federation on the part of African leaders stems from their desire for the creation of separate independent African states on the lines of Ghana. They believed that Nyasaland and Northern Rhodesia were destined for such a future, and the inauguration of Federation frustrated their hopes. The setting up of a larger multiracial state based on partnership has no appeal to them because they have become obsessed with a narrower African nationalism. They do not wish to share the government with European "settlers".

68. It is important to realise that the African nationalists have this much in common with the European "settlers"—both desire to see the disappearance from the scene of the Colonial Office type of administration. Europeans and moderate Africans however would like to see it replaced by responsible governments in which both races have a share, and in which responsibility implies a certain degree of civilisation and experience in political and administrative matters. African nationalists would like to see it replaced by African dominated governments based on the enfranchisement of the illiterate masses.

69. The U.F.P. believes that the African Nationalist leaders who seek independence for Nyasaland and Northern Rhodesia outside the Federation have given little thought to the economics or the practical realities of the situation. They have not considered the lack of experience in politics or administration in their ranks. They have not given any thought to questions of policy or finance. If questioned about the viability of their countries they take refuge in the thought that the United Kingdom, the U.S.A. or the U.S.S.R. will see them through, it does not matter which. They feed their followers on slogans such as "Poverty with freedom is better than riches with slavery".

70. The U.F.P. submits that the lack of responsibility of African nationalist leaders is amply demonstrated by their utterances in the debates recorded in the Nyasaland Hansards.

71. It is abundantly clear that African nationalists have resorted to widespread distortion of the truth in their propaganda and to intimidation, threats and violence directed at all Africans who do not agree with their policy or submit to their desires. The recent disturbances in Nyasaland are evidence of the intention of certain African nationalist leaders to subvert the Constitution. It is significant that when a number of these leaders were removed from circulation it became possible for moderate Africans to join the U.F.P. in substantial numbers, when previously they were fearful to do so.

72. An appendix is attached (Appendix IV) setting out the proved activities of the African National Congress movements in each of the three territories.

73. Unfortunately the recrudescence of the Malawi Congress Party has given rise to further intimidation and violence as evidenced by threats and violence directed to persons appointed to the Nyasaland legislature and other bodies.

74. The most plausible reason given by African nationalists for their opposition to Federation is that it has resulted or will result, in bringing to Northern Rhodesia or Nyasaland the race policies of Southern Rhodesia. Similarly it is suggested that the Federal Assembly and Government are dominated by Southern Rhodesia.

75. An examination of the record of Southern Rhodesia will show that this Territory has had a remarkable record of good race relations. There has been very little in the way of racial riots or disturbances since 1896. Southern Rhodesia has by far the largest European population of any Territory in the Federation and its legislation in regard to African Affairs has followed a pattern somewhat different from that in the other Territories.

76. The U.F.P. believes, however, that even before Federation, the attitudes of Europeans to other races were changing. Since Federation and the emphasis on Partnership as the policy in race affairs, there has been a pronounced change in the attitude of most Europeans which has given an impetus towards the removal of discriminatory practices. No doubt much remains to which exception can be taken but no person of goodwill can deny that in Southern Rhodesia, as in other Territories, there have been considerable changes, since Federation, in the direction of which Africans would approve. The U.F.P. believes that so far from Federation resulting in discriminatory practices being carried from Southern Rhodesia to other territories it has in fact resulted in less discrimination all round.

77. As for the suggestion that the Federal Assembly and Government are dominated by Southern Rhodesia, this is demonstrably untrue. The representatives of no single territory have a majority in the Federal Assembly but in any event voting there has never proceeded on Territorial lines. In the Government, the first Federal Prime Minister was indeed a Southern Rhodesian but he was succeeded by one whose whole political life before Federation was spent in Northern Rhodesia.

78. Turning to the Public Services it will be found that several of the most senior members were drawn from the civil services of the Northern Territories.

The Emergencies of 1959

79. The declaration of a State of Emergency in Southern Rhodesia and Nyasaland and the proscription of the Zambia National Congress in Northern Rhodesia, followed by the detention of large numbers of Africans in Southern Rhodesia and in Nyasaland and the restriction orders made in Northern Rhodesia, coupled with the rioting which took place in Nyasaland and entailed the use of police reinforcements besides the Defence Forces, have combined to make many people in the United Kingdom wonder whether it is right to keep the Federation in being or whether one or more Territories should be allowed to secede. Some of these people have been inclined to blame European "settlers" for the disturbances. They would urge that these recent events indicate at least that the Federation should not be allowed any advance in status at the present time.

80. It should be pointed out that the States of Emergency were declared by the Territorial Governments on their own initiative as they have the primary function of preserving law and order. This action was necessitated because of subversive movements directed at the overthrow of the governments of the Territories and the Federation. The U.F.P. believes that the disturbances were not due to any genuine grievances, or any defect in the Constitution or the administration of government, but were due simply and solely to the action of African Nationalist leaders attempting to force the United Kingdom to allow Nyasaland

to become an independent African State regardless of the consequences to its people.

81. It is submitted that the great mass of Africans have no real understanding of the issues at stake and if left to themselves would be willing to accept Federation on the present basis and even on a basis of its attaining advanced status. African opposition is based on narrow African nationalism which if given way to would be disastrous for all concerned. Given a clear and definite indication that Federation is permanent and firm government which shows that agitation, violence and intimidation will not be tolerated, and given good and just government which responsible political leaders in the Federation can supply, most Africans throughout the Federation will accept the situation with a good grace.

82. The grant of Independence in the Federal sphere and of an increased measure of responsible self government in the Northern Territories will be the best means of gaining the loyalty to Rhodesia and Nyasaland of the majority of its African inhabitants.

Chapter V

The Case for Independence in the Federal Sphere

83. The ultimate destiny of the Federation recognised in the Preamble to the Constitution is full membership of the Commonwealth and this entails more than Independence in the Federal sphere. It entails also self government by the constituent territories. The U.F.P. is pledged to strive for the attainment of both these objectives. It recognises that in the special circumstances of the Federation it may be necessary to advance by stages towards the ultimate destiny, although events in relation to other states in Africa suggest that progress may have to be more rapid than was at one time thought to be practicable.

84. The U.F.P. believes that as a minimum it will be necessary as a result of the 1960 Review for the United Kingdom to concede to the Federal Government its Independence in the Federal sphere. This step ought preferably to be accompanied by substantial changes in the Constitution of Northern Rhodesia and Nyasaland in the direction of responsible or representative government.

85. The Party believes that there are in fact cogent reasons for the early concession to the Federation of a much wider and fuller status—a status compatible with full membership of the Commonwealth. As a concession of Independence in the Federal sphere is part of the process of gaining Commonwealth status, these reasons will be stated in their wider context before setting out specifically the reasons for conceding the narrow form of Independence as a first step.

86. It has been, for many years, the avowed policy of successive Governments in the United Kingdom to advance the various British Colonies and Protectorates in Africa and elsewhere to full self Government. This policy is being rapidly implemented. All over Africa erstwhile dependencies of the United Kingdom are being advanced to independent status. The same policy is being pursued even more rapidly by certain other metropolitan powers. In some cases the territories concerned have had a measure of self government and some experience in the workings of a legislature based on a franchise system, having a more or less close kinship with British Parliamentary institutions. In others they have had little or none of this experience.

87. Before Federation came about in 1953 Southern Rhodesia had enjoyed virtual self government for 30 years, and had indeed attained such a status that her Prime Minister for many years regularly attended the Commonwealth Prime Ministers' Conferences. Had Federation not come about there can be no doubt that, in keeping with developments elsewhere in Africa, Southern Rhodesia would by now have attained full independence within the Commonwealth. In the interests of a wider Federation, however, Southern Rhodesia submitted to a delay and the Federal Prime Minister took the place of the Southern Rhodesia Prime Minister at the Commonwealth conferences.

88. Since 1953 several countries which had not until that time enjoyed nearly the same degree of self government as Southern Rhodesia have been conceded full independence, notably the Sudan, Ghana and Nigeria. Others appear to be on the verge of gaining, if not complete independence, a large measure of self government although they have nothing like the experience in the arts of Government as the people of the Federation. It now appears that the Belgian Congo which borders on the Federation is to receive full independence in 1960 despite the fact that there has hitherto been no semblance of parliamentary government within its borders.

89. It is the natural desire of any dependent country, except where its inhabitants are so primitive or backward as to have little political consciousness, to advance to independent nationhood or to link up with some other country and become a part of the self governing nation. Self government is in fact the general desire of the great majority of those inhabitants of the Federation who think about these matters. Some want it for the Federation as a whole, others want it for their own territories as separate entities. The U.F.P. is a party embracing members of the former group—the African National Congresses are parties of persons in the latter group.

90. In view of the rapid changes elsewhere in Africa the U.F.P. believes that it will be impossible, and in any event it would be most undesirable, to defer for long the advance to full self government of the Federation and its constituent territories. The choice must lie not between maintaining the Federation in a state of tutelage or giving it independence, but between giving independence to the Federation as a whole or allowing the Federation to disintegrate into independent fragments. The United Kingdom Government with the Governments of the Federation have put their hands to the plough of making a multiracial nation based on partnership between the races of the three territories and there can be no turning back now.

91. It is sometimes overlooked that nationalism in Africa north of the Limpopo is not confined to Africans. The purpose of the Federation was to make white and black nationalism flow together in a multiracial partnership, leading to a united nation.

92. It is inconceivable that the Federation should be the last geographical unit in British Africa, or perhaps in Africa as a whole, to escape from tutelage. It is inconceivable because one of the territories has for 36 years enjoyed almost full self government, and has demonstrated in the process a capacity for sound stable government which has produced a minimum of friction between the races. It is also inconceivable because the Federal Government for nearly seven years has also proved itself. How would it be possible to justify full self government to the Congo where there have hitherto been no parliamentary institutions, where none of the inhabitants have had experience in government, while denying it to the Federation? While it is natural for the people of a dependent country to desire to advance to full and independent nationhood, there are solid practical reasons why these aspirations should be conceded when the time is ripe

93. Firstly government from a distance or attempts from a distance to curb the local government, are often ineffective or unwise. No government situated thousands of miles away can have a proper appreciation of the local circumstances, problems and difficulties. Clashes beween external and internal politicians are inevitable.

94. Secondly if there is any form of dependent local government this cannot command the full respect and loyalty of its citizens if its decisions are liable to be interfered with by an external government.

95. Thirdly there is usually uncertainty about the future of a country which has not attained an independent status. This discourages both the inhabitants and potential investors or immigrants.

96. In the case of the Federation a strong case can be made out for the grant of full independence at a very early date. The U.F.P. is, however, conscious of the difficulty, without unseemly haste, of advancing Nyasaland in one step to full responsible government within the territorial sphere. In that Territory Africans, who form the vast majority of the population, have no experience whatever of elections, few have much educational attainment or practical experience to fit them for the responsibilities of government either as politicians or as public servants. It may, therefore, be premature to concede responsible government in the territorial sphere at one stroke.

97. Recognising this difficulty, the U.F.P. does not press the case for the immediate grant of such a status as would enable the Federation to apply for full membership of the Commonwealth. The Party does, however, press the case for the grant of independence within the sphere of government allotted to the Federal Government as being an essential step to the fuller status which is the ultimate destiny of Rhodesia and Nyasaland.

98. At the outset it is necessary to define Independence in the Federal sphere. The Federal Government is described in the Preamble to the Constitution as "responsible government". There are, however, certain restrictions in the constitution upon its freedom of action. The most important of these are:

(1) The United Kingdom has the power to veto any Federal legislation and especially any such which has been reserved at the instance of the African Affairs Board.

(2) The United Kingdom in strict legal theory can legislate for the Federation. In April 1957, however, the United Kingdom Government recognised the existence of a convention precluding it from exercising this

power without the request of the Federal Government.

(3) Federal legislation in conflict with U.K. legislation may in some circumstances under the provisions of the Colonial Laws Validity Act be *ultra vires*.

(4) The United Kingdom Government has the final say in the appointment of the Governor-General who has important functions under the constitution.

99. It is proposed to set forth first the reasons why, in the opinion of the U.F.P., Federal Independence ought to be conceded by the United Kingdom at the 1960 Review, and then to examine suggestions for "safeguards" to take the place of the present restrictions.

100. It will be essential as a result of the 1960 Review to show to the people of the Federation substantial progress in the direction in which most of the countries of Africa are going—full nationhood. A concession of this nature would serve, as no other single step would serve, to show that the Federation is firmly established and that its break up will not be countenanced.

101. Unfortunately, the provision in Article 99 of the Constitution for a Review has had a most unsettling effect. It has afforded an opportunity for all the opponents of the Federation to renew their efforts to destroy it. In every country in the world where Federation has been embarked upon there has always been opposition, which has recurred at every suitable opportunity. In the case of Rhodesia and Nyasaland the 1960 Review gives impetus to the opponents of Federation. In the case of certain African opponents, in particular the African National Congresses, they have stopped at almost nothing to denigrate the Federation and to intimidate any Africans who would otherwise have been willing to co-operate to make it succeed. It is a remarkable fact that with the proscription of the Nyasaland African Congress it became possible for the U.F.P. to enrol about 2,000 African members in that Territory. With the recrudescence of the Congress in the guise of the Malawi National Congress, intimidation, threats and violence are on the increase.

102. Mere declarations about the permanence of the Federation have little effect on the African population when the opponents are able to point to the 1960 Review and suggest that this is the occasion for breaking up the Federation. The grant of independence in the Federal sphere would be a signal to the opponents of Federation that it is here to stay. It would restore confidence, as nothing else would do, to those who believe in the realisation of the purposes of the Preamble. This confidence would extend to the European inhabitants in the first instance, and to the outside investor whose capital is so greatly needed in the interests of development of the country for the benefit of all races.

103. Under present conditions it is extremely difficult for the Governments in the Federation to gain the confidence of the African inhabitants. These are an easy prey to the political agitators who opposed the creation of the Federation in many cases because this frustrated their hopes of Northern Rhodesia or Nyasaland becoming independent states, in the governments of which these same agitators would play a leading role. So long as the present reservations in the Federal Constitution remain these agitators can point to the existence outside the Federation of a superior government which will help the inhabitants against the Federal Government. This naturally tends to lower the prestige of the Federal Government. The grant of independence to the Federal Government would be a blow to those opponents of Federation and the U.F.P. believes that once it becomes impressed upon the African population that Federation is permanent, they would generally be willing to accept the position, especially as the material benefits became more apparent.

104. The grant of this concession by the United Kingdom Government would be taken by all as a strong indication that the United Kingdom Government is willing to trust the Federal Government. Trust is apt to beget trust and establish confidence all round.

105. The U.F.P. submits that a decisive declaration by the United Kingdom Government of its faith in the Federation is amply justified by the record of the Federal Government in the 6 or 7 years since Federation was inaugurated.

106. The tasks facing the Federal Government in 1953 were formidable. A completely new government machine had to be created and set in motion. A large volume of legislation had to be enacted. There were endless legal and financial problems to be solved. All this would have been difficult enough in a federation where the territories were at the same general level of political and constitutional advancement, and the population of a homogeneous character. These conditions did not obtain in the Federation.

107. All this was efficiently accomplished. A Federal Public Service has been brought into being of a quality of which any country might be justifiably proud. The necessary legislation has been competently enacted. Two general elections have been successfully carried through. Although the cumbrous machinery necessitated by an awkward constitution has creaked it has never broken down. The record of the Government in its administration will bear comparison with that of any of the governments advanced to Commonwealth status since 1946. The United Kingdom Government could withdraw from the Federal scene secure in the knowledge that the Government here is conducted in the best British traditions free from corruption. Can the same be said of some of the other countries in Africa likely to attain complete independence at an early date?

108. One of the main tasks confronting the Federal Government was the enactment of a uniform Federal Electoral Act. This subject was naturally highly controversial. Before this law could be enacted it was necessary to get the agreement of the United Kingdom Government and the three Territorial governments to a constitution amendment which, amongst other matters, provided for the enlargement of the Federal Assembly. It is worthy of note that the Federal Government succeeded in getting the consent of four other governments to this controversial legislation. The U.F.P. believes that the Electoral law has done much to assist in the cause of establishing political partnership between the races. In particular it has directly associated European voters with African Members of Parliament with immense advantage to the cause of mutual understanding. It has also opened the way to British Protected Persons, who never before even in territories administered by the Colonial Office had enjoyed the right to vote.

109. Turning from the tasks of government to the political scene, a difficult task confronted the political leaders in laying the foundations of the political institutions so important to the proper working of government. Several political parties founded on the initiative of Europeans have been firmly established on a multiracial basis. They have encouraged Africans to play their part in the political life of the Federation with the help and guidance of those who have had experience in political parties carried on under the best British traditions.

110. In Commonwealth affairs the Federation has played its part by making contributions to imperial defence, and units from the Federation have seen service in Malaya and the Royal Rhodesian Air Force has served in the Middle East.

111. In the economic sphere the advantages of Federation are everywhere apparent. It is not suggested that the progress so noticeable on every hand stems directly from the Government, but it can fairly be claimed that the Federal Government provided sound administration under which private enterprise could flourish.

112. In addition, however, the Federal Government directly initiated the Kariba Dam project, gaining for it the largest loan hitherto made by the World Bank, a project shortly to be opened by Her Majesty Queen Elizabeth the Queen Mother. This was one of a large number of capital projects undertaken by the Federal Government for which loan funds have been raised both inside the country and overseas. The point to be recognised is that the Federal entity is a much stronger economic unit than the sum of the three territories separately. Individually, the territories had vulnerable economies, but they were of a complementary character so that, brought together, they constitute a more balanced, a more widely spread, and viable economy. Federation is a much better risk, and therefore more able to raise money, than the territories separately, thus making it more easily possible to finance development projects in the areas where these are most needed. These are not necessarily the areas that would otherwise attract investment.

113. The existence of Federation with its greater economic stability leads to increased business activity and a large flow of taxes. This in turn makes it possible for revenue funds to be devoted for advancement purposes in those parts of the Federation which suffer the greatest need. For example, total Government expenditure on African education in Nyasaland in 1948 was £181,021, whilst in 1957 it was £981,254.

114. In the realm of social services the Federal Government has responsibility for non-African education, i.e. the education of Europeans, Coloureds and Asians. It has also responsibility for Health for all races. Before Federation the services maintained by the Territorial Governments differed greatly. The Federal Government has had a complex and difficult task in spreading its favours in the Territories. In particular it found that education of Coloureds and Asians in Nyasaland had been badly neglected. This has been rectified and a separate statement is annexed (Appendix I) showing what has been done in Nyasaland in this respect.

115. As regards health services the improvements which the

Federal Government has been able to make in all three Territoris are considerable. A statement is annexed giving details (Appendix II).

116. It is likely that some objections to the grant of Federal Independence will be based on the alleged African fears of the Federation being dominated by Europeans in general, or the Europeans of Southern Rhodesia in particular. The U.F.P. believes that there is no justification for these fears but that on the contrary it can be shown that where the European population is the greatest, African advancement in education and in material prosperity is the greatest. In Nyasaland where the ratio of Europeans to Africans is very small the least progress has been made in these fields. Since Federation it has been possible for more to be done for the African than before. The fact remains that in Southern Rhodesia with its much greater ratio of Europeans to Africans the greatest advances for the African have been made.

117. A statement is annexed (Appendix III) showing how educational and other benefits for Africans have a direct relationship with the ratio of European to African population.

118. African nationalists and their supporters will no doubt attempt to offset the argument above by the suggestion that the amount of discrimination against Africans is greatest where the proportion of Europeans to Africans is greatest, namely in Southern Rhodesia. This is a very superficial view, but in any event the impact of Federation has been considerable in liberalizing European opinions and actions in Southern Rhodesia, whose Government have recently enacted a number of laws designed to remove discrimination in various fields.

119. One of the "safeguards" which the present Constitution provides is the African Affairs Board. If Federal Independence is conceded the provisions relating to this body would have to be considerably modified or some other "safeguard" substituted for it. In this connection it is pertinent to examine the Federal Parliament's record in legislation from the standpoint of discriminatory laws. This will show a remarkable absence of any disposition of the Government to embark on racial discrimination. Only on two occasions did the African Affairs Board find it necessary, by a majority, to ask for the reservation of bills, namely the Constitution Amendment Bill 1957 and the Electoral Bill 1958. In form neither bill differentiated and the Board had to rely on the "practical effect" clause. The Government disagreed with the opinion of the Board, and gave what the U.F.P. believes were sound reasons for doing so. Here it may be mentioned that the two bills were in a set. Any one of the three Territories could have blocked their passage by refusing to adopt the resolution which was a sine qua non of the introduction of the Constitution Amendment Bill to the Federal Assembly. All the territorial legislatures passed the necessary resolutions, and the United Kingdom Government ultimately upheld both Bills. It must not therefore be assumed that the opinion of the African Affairs Board was right.

120. Although the U.F.P. believes that "safeguards" against the enactment of discriminatory legislation are not really necessary to protect the African it is willing to have internal safeguards written into the Constitution. Such safeguards can be devised which will be just as effective but without detracting from the sovereignty of the Federation. This subject will be discussed in the next chapter.

Chapter VI

Constitutional Safeguards

121. In a previous chapter (paragraph 98) the main external restrictions on the freedom of action of the Federal Government have been set out.

122. The abrogation of the Colonial Laws Validity Act in relation to Federal legislation should present no political difficulty. In the case of the older "dominions" this was done by the Statute of Westminster and similar United Kingdom legislation would be necessary in the case of the Federation.

123. The United Kingdom's power to legislate for the Federation is the subject of a Convention, recognised in the Declaration of 27th April 1957, whereby it is only exercised at the request of the Federal Government. The U.F.P. submits that this convention should now receive statutory recognition. The principle having been recognised by the United Kingdom Government, the enactment of the necessary legislation should present no difficulty.

124. The abrogation of the United Kingdom's power to veto Federal legislation will also require United Kingdom legislation. The U.F.P. anticipates that the United Kingdom Government may be reluctant to abandon this power unless it is satisfied that the Federal Constitution contains some suitable device which will serve to discourage the enactment of Federal legislation which might differentiate against Africans to their detriment.

125. The U.F.P. is not averse to the provision of a suitable internal "safeguard" because it does not believe that future governments will deliberately set out to enact differential legislation unless there is some very good practical reason for doing so. But if such "safeguard" is to be provided the U.F.P. believes that it should serve to discourage differentiation against non-Africans as well as Africans. In other words, if a safeguard is required to allay fears of racial domination it should be available for all. In this connection it may be mentioned that the present Constitution makes special provision for securing the representation of Africans in the Federal Assembly but makes no corresponding provision for securing representation of non-Africans.

126. It will be appreciated that it is not possible to impose a complete ban on legislation which differentiates between races. There are many instances where differentiation is necessary because of differences in customs, standards of education and the like. To give an example, the system of trial by jury is probably unsuited to Africans at their present stage of development, but this need not deprive other races of the right to jury trial. What is required is a means of deterring a government from passing laws which differentiate to the detriment of a section of the population.

127. It is often suggested that the Federal Supreme Court or some similar body of independent lawyers should be used as a brake on the enactment of differentiating legislation. There are, however, very important objections to this.

128. There would be no objection to the Court being asked to determine whether a measure is in form one which differentiates, but there are grave objections to asking the Court to adjudicate on the desirability or otherwise of the measure. Such an adjudication obviously involves political considerations and it would be wrong to make a court, however eminent, the arbiter of political questions.

129. There are several devices which might be provided in the Federal Constitution in substitution for the United Kingdom's power to veto Federal legislation. This memorandum will proceed to discuss three such devices namely an Upper Chamber, a Constitutional Council or a Bill of Rights.

130. The African Affairs Board is part of the present machinery under which the United Kingdom's power of veto may be exercised. A Board of the same or similar character could be used in conjunction with an Upper House or a Constitutional Council but the U.F.P. believes that it would be simpler and better to dispense with such a Board.

131. The U.F.P. has not come to any definite conclusion which of the three devices mentioned above would be the most appropriate, nor has it come to any definite conclusion as to the precise form any such device should take. Suggestions will be made in broad outline as to the possible shape of an Upper House and a Constitutional Council simply as a basis for discussion.

An Upper House or Second Chamber

132. The Federal Constitution in Article 97(5) confers on the Federal Legislature the power to establish and constitute a Second Chamber. In considering the devices which might be used for the purpose of scrutinizing differential legislation and perhaps delaying or preventing its enactment, a Second Chamber therefore merits very serious consideration. Of all the devices which could be chosen this is the one most likely to find general acceptance because most people would regard such a body as a normal part of the legislature and many would think that the establishment of an Upper House would be a sign of progress in the constitutional sphere. There is no doubt that it could in fact serve a useful purpose in scrutinizing all legislation, acting as a reviewing body and on occasion as a brake upon any tendency to impetuosity on the part of the Government.

133. There do, however, appear to be certain disadvantages. The use of an Upper House for delaying or preventing the enactment of discriminatory legislation is probably without precedent. If it is constituted according to the usual precedents it would probably not be regarded by some as strong enough to serve the extraordinary purpose of dealing with discriminatory or differential laws. If it is specially constituted to serve the latter purpose effectively it may prove to be too powerful vis a vis the Lower House in relation to its normal functions. Moreover the procedure for dealing with "run of the mill" legislation may require to be different from the procedure for dealing with differentiating measures. It may therefore be necessary to have some intermediate body between the Upper and Lower Houses to judge whether a measure is of a differentiating character or not. In total there would then be produced an extremely cumbrous legislature.

134. One of the difficulties in relation to the creation of an Upper House is that there are a thousand and one ways of

constituting such a body and several ways of trying to reconcile its disagreements with the Lower House. This makes it very difficult to secure general agreement on the form it should take and the difficulty is likely to be vastly increased when the Upper House is required to perform extraordinary as well as ordinary functions. There has been much criticism of the present Federal Constitution from the standpoint that there is a multiplicity of governments or parliaments disproportionate to the income of the Federation and the availability of suitable manpower. The creation of an Upper House would possibly evoke criticism because it would tend to increase expense and be wasteful of manpower.

135. If, despite these considerations, it is deemed desirable to create an Upper House, consideration will have to be given to the extent of its powers relating to differentiating measures. The U.F.P. believes that a power to delay, but not to prevent, is all that should be allowed for. In any event, the Party believes that the Upper House alone should not have power completely to prevent the passage of any legislation. If a deadlock is reached between the Upper and Lower Houses, it should be possible to resolve such deadlock by some procedure such as a joint sitting, from which the legislation could emerge if passed by a two-thirds or possibly greater majority. Alternatively, it might be resolved by invoking the opinions of the Territorial Legislatures.

136. There follows an outline of a possible Upper House:—

(i) There should be 30 members of whom 15 would be African and 15 non-African.

(ii) 5 Africans and 5 non-Africans would be residents of each Territory.

(iii) (*a*) The Governor-General in his discretion but after consulting the Federal Prime Minister and the Territorial Prime Minister or Governor would nominate 1 African and 1 non-African for each territory.

(*b*) The Governor of each territory, in his discretion but after consulting the Prime Minister or the Leader of the Unofficials would nominate 1 African and 1 non-African.

(*c*) Three Africans and three non-Africans would be elected in each territory, probably indirectly by electoral colleges.

(iv) The Upper House would be dissolved at the same time as the Lower House and be constituted as soon as possible after a federal general election.

(v) The President would be a person elected by the Upper House either from its own ranks or from outside. In the event of an equality of votes the President would have a casting vote.

(vi) Ministers may be drawn from either the Upper House or the Lower House. All ministers should have a right of audience but only to vote if members of the Upper House.

(vii) The Upper House should have power to amend or reject bills, but a bill so rejected or passed with amendments not acceptable to the Government must be passed after the lapse of 12 months from the date of rejection or amendment if the Government or a succeeding government decides to go on with the Bill.

(viii) If greater powers are considered necessary in relation to bills of a racially discriminatory character, these should be delayed for a further period or until after the holding of a general election or until accepted by a joint sitting of the two houses with a prescribed majority.

(ix) A discriminatory bill would be defined as one which imposes liabilities or duties or grants rights or privileges unequally as between Africans and non-Africans.

(x) Bills to amend the Electoral laws or the Constitution could be subject to the same conditions as discriminatory Bills.

A Constitutional Council

137. In lieu of an Upper House with the general powers of such a body and the special powers of dealing with discriminatory legislation there might be a much smaller body of a nominated character whose main purpose would be the scrutiny of discriminatory legislation, franchise bills and bills to amend the Constitution. It might also be consulted when an appointment of Governor-General is to be made.

138. Such a body would normally be smaller than an Upper House and thus more economical in manpower. It would be constituted having regard to the special purpose mentioned above, and need not, when so constituted, embarrass the government in regard to "run of the mill" legislation.

139. It could operate with or without the assistance of a Select Committee of the Federal Assembly to draw its attention to legislation considered to be discriminatory. The Council should have power to delay the passage of any bill in the three categories mentioned above to which it found objection. The U.F.P. does not believe that it would be right to vest an absolute veto in a body of this kind. If the Government were not disposed to amend or withdraw the legislation on the representations of the Council the deadlock might be resolved by recourse to a joint meeting of the legislature and the Council, with a prescribed majority, or it might be resolved by recourse to the opinions of the territorial legislatures. The procedure might be varied in relation to the class of bill under consideration. The Council would also be concerned with subsidiary legislation and would probably be a more effective body for dealing with such matters than an Upper House.

140. Members of the Council should have such terms of office as to make them independent in outlook. The Council might ordinarily sit at some place other than the seat of government if this were considered desirable though there would probably be advantage in members being able to hear debates in the Federal Assembly. Indeed, the Chairman and Vice Chairman might be given a right of audience in the Federal Assembly.

141. Such a Council by its very nature would be likely to be less susceptible to political influences than an Upper House.

142. It might be constituted in a variety of ways but it seems clear that there would have to be equal representation of the three territories and probably also of Africans and non-Africans. It would probably have to consist of 6, 12 or 18 members. These might elect their own Chairman, or it might be considered better to have a Chairman in addition. Members should hold office for at least five years and be so remunerated as to make them reasonably independent.

143. The following are suggestions as to how the Council might be chosen:—

(*a*) The Federal Prime Minister after consulting the Speaker and the Leader of the Opposition to choose an African and a non-African from each territory, i.e. 6 members.

(*b*) The Territorial Prime Minister or the Leader of the largest political party represented in the legislature each to choose an African and a non-African, i.e. 6 members in all, again after consultation with the Speaker and Leader of the Opposition.

(*c*) These 12 members should choose a Chairman and Vice Chairman from their own number. Alternatively, the Governor-General in his discretion to appoint an independent Chairman who should have a wide knowledge of all three territories.

144. The choice of the members hight be made from panels of names of persons with prescribed qualifications as to age and experience in public office or the like.

145. Alternatively the appointing authorities could be the Governor-General in his discretion in regard to (*a*) above, and in regard to (*b*) the Federal Prime Minister after consulting the Territorial Prime Ministers or Leaders, or from panels of names submitted by the latter after consulting the Leaders of the Opposition.

A Bill of Rights

146. As this term is understood, it means the writing into the Constitution of a clause prohibiting discrimination on racial grounds in all or in certain specified respects. Legislation enacted in contravention of the clause would be *ultra vires* and would be so declared at the instance of any complainant by the Federal Supreme Court if that body is satisfied that the law violates the prohibition against discrimination.

147. There are several precedents in modern constitutions for Bills of Rights. The most recent example perhaps is the Nigerian Constitution. It is noteworthy that there is often an escape clause to provide for some degree of latitude especially in times of emergency. A Bill of Rights which sets out, inter alia, to protect the rights of the individual in respect of personal freedom by insisting on a fair trial before he can be imprisoned may be rendered nugatory by the exception relating to emergencies. In the last resort, no responsible government can afford to allow sufficient freedom to its inhabitants which would enable them to subvert the constitution. The protection of a Bill of Rights may, therefore, turn out to be illusory.

148. There are other difficulties. A law may have stood unchallenged for decades and then unexpectedly it is the subject of a challenge which, if successful, may bring the administration into a state of chaos. Admittedly all legislation in a federal scheme is susceptible to challenge for *ultra vires*, but if the challenge succeeds and the law is really necessary, another

government would be *intra vires* and the matter could be put right. But if there is a prohibition of legislation on grounds of discrimination, presumably all the governments would be inhibited.

149. Experience has shown that the most unexpected results occur and laws are challenged successfully in ways that were probably never intended or guessed at when the constitutional "safeguard" was devised. In some cases it would be most difficult to predict whether a law would be capable of classification as discriminatory. Take for example a law which proposed to deal with criminal trials and to provide a jury trial for non-Africans and a trial by judge and assessors for Africans. Both Africans and non-Africans might equally challenge the law as discriminatory against them, because a European might argue that he preferred a trial by judge and assessors to a jury trial, while the African might do the reverse.

150. If the basis of the clause were to be a prohibition only against laws which discriminate to the detriment of the complainant, this would involve the Federal Supreme Court in the political task of deciding what is good for the people. In the opinion of the U.F.P. it is very undesirable to run any risk of involving the Courts in politics.

Amendments to the Constitution

151. The grant of independence to the Federal Government would give rise to certain difficulties in connection with constitutional amendments, since at present the necessary rigidity is supplied by the compulsory reservation of constitutional Bills for the Royal Assent.

152. In designing a method of constitutional amendment the following factors must be taken into account:—

(*a*) The retention of an exclusive amending power by the United Kingdom Parliament is not necessarily incompatible with full independence (vide Canada).

(*b*) A federal constitution requires that the constitution should be relatively rigid, and in particular that the balance of legislative power between the territorial governments and the federal government cannot be altered by unilateral action on the part of either.

(*c*) if it is thought necessary to provide a "racial safeguard" for ordinary legislation, there is no logical reason for excluding constitutional amendments from such safeguard.

153. In the light of these factors it is possible to suggest in outline a method of constitutional amendment which would be compatible with full Commonwealth Status or with the lesser status of Independence in the Federal sphere.

1. Amendments to the Constitution to be passed by a prescribed majority of the Federal Assembly and ratified by simple majority in legislatures of two out of three Territories.
2. Constitutional Bills to be subject to same "anti-discrimination" treatment as is designed for ordinary legislation, i.e. scrutiny or delay by Senate or Constitutional Council.
3. No alteration of Constitution diminishing the proportionate representation of any Territory in the Federal Assembly (or Senate or Constitutional Council) to become law unless approved by a prescribed majority of the legislature of that Territory.
4. All provisions laying down the procedure for Constitutional Amendment, and the structure of other safeguards to be placed beyond the amending power of the Federal Assembly, thus necessitating a request to the United Kingdom Parliament for alteration of such provisions. This request should be supported by at least two of the Territories.

154. The above does not take into account the question of constitutional amendment on the initiative of the Territories. If this is considered desirable it could be provided that on the request of two Territorial Legislatures the Federal Assembly must convene a joint sitting of all Legislatures to consider proposed amendments. Proposed amendments might be passed by prescribed majority of the joint sitting.

155. The joint sitting formula could also be applied to a request to the United Kingdom Government for amendment of the entrenched provisions by a provision that no such request should be acceded to unless supported by a prescribed majority at a joint sitting of the four Legislatures.

156. If provision is made for the establishing of an Upper House as part of the Federal Legislature or of any territorial Legislature, the foregoing suggested procedure may have to be modified in detail.

157. Finally, it may be desirable to draw a distinction between formal amendments and others of a more drastic nature, or between amendments which affect merely the working of the Federal Lgislature or its creatures without directly affecting the Territories. A less rigid procedure for amendment might be appropriate in some of these cases.

The Governor-General

158. The full members of the Commonwealth choose their own Governors General or President without reference to the United Kingdom except when of their own volition they seek to appoint a resident of the United Kingdom. So long as the United Kingdom retains control of the appointment of the Governor-General of the Federation, Rhodesia and Nyasaland could not claim to be fully independent.

159. The U.F.P., as explained above, is pressing at this stage, only for the narrower form of independence—i.e. independence in the Federal sphere, pending the time when the constitutional advancement of the northern territories will enable a fuller measure of independence to be accorded.

160. In the present Constitution, the Governor-General has certain important powers. These mainly relate to the reservation of bills. It should be noted, however, that in relation to requests by the African Affairs Board for the reservation of bills as differentiating measures, the Governor-General has virtually no discretion. He must usually reserve the bill on request. The decision whether to advise Her Majesty to refuse assent lies with British Ministers. The U.F.P. submits that if the appointment of the Governor-General is vested solely in the Federal Government, this would not impair the safeguard which may be provided as indicated previously in this memorandum against differentiating measures.

161. If any qualms were felt about the matter, the constitution could limit the choice of a Governor-General for a period by excluding persons who had been actively associated with politics in the Federation within a certain period or, for example, by requiring that the Governor-General should be a person who had held high judicial office for a certain term of years.

162. Even under the present arrangements, it is customary to consult the Federal Government about the choice of a Governor-General and the Southern Rhodesia Government about the choice of a Governor.

163. The U.F.P. believes that the time has come when the United Kingdom should entrust the choice of Governor-General entirely to the Federal Government, subject perhaps for a term of years to some limitations as regards the field of choice.

Chapter VII

Allocation of functions as between Federal and Territorial Governments

164. The U.F.P. believes that on the whole the basis of the allocation of functions as between the Federal and Territorial Governments provided for in the present Constitution is sound. No doubt it will be contended by some that in the light of experience certain changes should be made.

165. The U.F.P. hesitates to make recommendations on this subject at present because it believes that the subject cannot be adequately considered except against the background of the constitutions of the Territorial Governments and possible changes which may be made with regard to these. It must be borne in mind that the original allocation of functions was based *inter alia*, on the broad principle that matters affecting the day to day life of Africans should be dealt with by the Territorial Governments, while certain other matters which were capable of uniform treatment without affecting the peculiar susceptibilities of Africans should be dealt with by the Federal Government. A shift in the extent of representation of Africans in either the Federal or the Territorial Legislatures might well affect opinion as to the propriety of a function being exercised by one government or another.

166. As at present advised the U.F.P. is of the view that the distribution of functions should remain broadly as now. Here it may be mentioned that, as a rule, in neither the Federal nor the Territorial general election campaigns of 1958 and 1959 did the subject of transfer of functions as between governments attract much notice, and the political party policies published for the purposes of such elections on the whole make no special feature of the need for such changes. The main exceptions in this regard are with regard to Police, the Preservation of Law and Order, and, in the case of Nyasaland, the federalisation of non-African Agriculture. Since the general elections there has been some evidence of a tendency on the part of certain persons to seek to enlarge the scope of the Territorial Governments' functions at the expense of the Federal Government. The U.F.P. would strongly resist any proposals to transfer non-African education to the Territorial Governments. It would not be averse to a change in regards to Roads, whereby the entire

responsibility for road construction would be placed on the Territorial Governments, subject of course to the necessary Financial adjustment. It would favour the regulation of road traffic remaining a concurrent subject.

167. As regards Police, and the Preservation of Law and Order, the U.F.P. recognises that in a federal system these are ordinarily a prime responsibility of the Territorial Governments. The Federal Government has, however, a considerable interest in these matters from the standpoint of:—

(*a*) the enforcement of Federal laws;

(*b*) the maintenance of peace and security and the preservation of the Constitution.

168. The present Constitution permits of the setting up, with the consent of the Territorial Governments, of a federal police force analogous to the Royal Canadian Mounted Police. This force would be hired by the Federal Government in detachments to the Territorial Governments who agreed to come into the scheme, and who would retain operational control of the forces in their territories.

169. The U.F.P. policy lays down the establishment of a federal police force on these lines as one of its objectives. Since this policy was drafted, however, enthusiasm for this system has waned as a result of the recent friction between the Federal Government in Canada and the Newfoundland Government over the supply of reinforcements.

170. In the view of the Party other ways must now be tried of protecting the legitimate interests of the Federal Government in these resepcts.

Emergency Powers

171. The present constitution does not make clear the respective rights and duties of the Federal and Territorial Governments to declare a State of Emergency and to legislate for the contingencies arising in such emergencies.

172. The Constitution of the Federation of the British West Indies furnishes an excellent precedent of what, it is submitted, is required in Rhodesia and Nyasaland in this respect and it is submitted that this precedent should be followed when the constitution is revised. The effect of the provision is that in a Federal emergency, territorial laws may be suspended or temporarily amended, and in a Territorial emergency, Federal laws may be similarly dealt with unless the Federal government objects.

173. These powers of suspension or temporary amendment may be vitally necessary in an emergency and it is important that they should not fail for *ultra vires*.

Chapter VIII

The Electoral Franchise

174. The Federal Electoral Act of 1958 was enacted after discussions had taken place in April 1957 between the Federal and United Kingdom governments.

175. The Electoral Act was preceded by a Constitution Amendment Act of 1957 which enlarged the Federal Assembly and made certain changes in the manner of electing some of the African members from Northern Rhodesia and Nyasaland.

176. The Electoral Act was controversial and the African Affairs Board by a majority considered it to be a differentiating measure chiefly because of the provisions relating to the election of the additional African members in the Constitution Amendment Act and the Electoral Act. The Government disagreed with the opinion of the African Affairs Board and maintained that the law was not a differentiating measure. In the event the United Kingdom Government refused to apply a veto to the Bill, which became law.

177. The main principle underlying the Electoral Act 1958 is the retention of voting power in the hands of civilised and responsible persons. The Act provides for two common voters rolls open to persons of all races known as the General Roll and the Special Roll, the former requiring high and the latter relatively low qualifications. General voters are entitled to vote for ordinary constituency candidates and for certain categories of special representatives of Africans, while the special voters are entitled to vote only for the latter categories.

178. The U.F.P. maintain that the system of qualitative franchise is in the real interests of all the inhabitants of the Federation and that there should be no lowering of the present qualifications. The vote is not an abstract end in itself but a means towards achieving just and responsible government, the respect for democratic institutions and the best possible life for the people. It is therefore essential that voters should be able to distinguish not merely between rival candidates but between the political principles and policies of the Parties concerned. This means that the vote should be exercised with reason, judgment and public spirit. It is therefore not a universal right but a responsibility to be acquired by those who can use it with discernment.

179. There are many examples of people who have been granted franchise rights before being ready to exercise their responsibilities with reason, judgment and public spirit. The granting of the vote may have seemed to be a democratic move but in many cases adult suffrage has been the means whereby a power group has been enabled to seize control with the result that military dictatorships or other oligarchies have supplanted the proposed democratic forms and the people having enjoyed the franchise fleetingly have then been deprived of it completely. This aspect is well understood by many politically conscious Africans in the Federation, who fear that this could happen here. They see the present system of qualitative franchise as the only sure path to true democracy for their people.

180. The Electoral Act has been criticised by various other persons and parties but the U.F.P. believes that it provides a sound and satisfactory basis and that it should not be altered, The Party believes that Universal manhood suffrage is not a suitable basis for the election of Parliaments in Rhodesia and Nyasaland. It considers that the arguments against universal suffrage are well set out in a recorded speech of Sir Charles Cumings, a member of the Tredgold Commission on the Southern Rhodesia Electoral Act. Consequently copies of that speech are annexed in support of the retention of a qualitative franchise.

181. The Federal Electoral Act is sometimes criticised on the ground that the special voters do not, as in Southern Rhodesia, enjoy the full voting rights of the general voters. They are entitled to vote only for the representatives (African and European) of African interests, but not for the ordinary constituency members. This criticism does not take account of the differences between the Federal Assembly, where 12 seats are reserved for Africans and 3 for Europeans to represent African interests, and the Southern Rhodesia Legislative Assembly where no seats whatever are reserved for Africans. This difference in a great measure accounts for the differences between the Federal and the Southern Rhodesia Electoral laws.

182. Many who criticise those responsible for enacting the Federal Electoral Act do not appreciate the magnitude of the concession made to Africans when the franchise was extended to British Protected Persons, a step never taken previously by the Territorial Governments. It is noteworthy that the Southern Rhodesia Electoral Act made no such concession. The removal of the citizenship barrier opens the way for Africans to have an increasing influence on the voters' rolls, if they care to avail themselves of the opportunity. In Nyasaland especially their influence could soon be very significant.

183. The objection of the African Affairs Board to the provisions allowing general voters to vote for the African members deserves to be answered. The U.F.P. believes that the system of reserved seats for Africans should give way in time to a system where all seats are open. Pending that time, however, it believes that the general voters have every right to participate in the election of African members of Parliament whose vote in Parliament has the same weight as the vote of any other M.P. The U.F.P. believes that the system whereby the non-African voter participates in the election of African members is beneficial both to the European voter and the African candidate. It forges a valuable link between the two. The non-African voter's prejudice against African politicians is broken down in this way. He has opportunities for hearing African candidates expound their view from public platforms. The African candidate is given the opportunity of addressing largely non-African audiences. European and African candidates stand shoulder to shoulder for the same political parties. If the election of African candidates were vested solely in African voters (as it is in the case of two African members for each of the Territories of Northern Rhodesia and Nyasaland), this would isolate the European voter from the African candidate and M.P. in a very unfortunate way.

184. The U.F.P. believes that the Electoral Act promotes the working of political partnership between the races and encourages members of all races to join political parties together – parties which carry on the traditions of British Parliamentary Democracy. This theme is further developed in Appendix V.

Composition of the Federal Assembly

185. The Federal Assembly was enlarged by virtue of the provisions of the Constitution Amendment Act 1957, which came into effect at the General Election of 1958. This was a step which had the concurrence of the three territorial governments and the United Kingdom government. The Constitution now provides for the eventual elimination of "reserved seats" or, as it has been put, for "fading the colour out of the Federal Assembly". The time may come for a further increase in the number of members and it may also come for a review

of the quota from the respective territories. The U.F.P. believes that there is an element of contract in this matter and that no change should be effected which would disturb the ratio of members to territories without the consent of all three territories. Moreover, the Party considers that as the constitution was amended with effect only from 1958, no change need be contemplated for the foreseeable future.

Chapter IX

Conclusion

186. Most African countries north of the Federation have a predominantly black population. Europeans form a very small percentage and consist largely of civil servants or others who have no permanent roots in Africa. Kenya is the only one of those countries which has a substantial number of Europeans, Coloureds and Asians, but even in Kenya these people are in a very much smaller ratio to the black Africans than is the non-African population of Rhodesia and Nyasaland.

187. South of the Federation in the Union of South Africa where the ratio of Europeans to black Africans is the highest in Africa, the declared policy is separation of the races.

188. Whatever may be the most suitable form of government for these other countries it is clear that Rhodesia and Nyasaland must remain multiracial and pursue a policy of racial partnership. This policy is often described as an "experiment" by outside well wishers and critics but such a way of looking at it is quite wrong. It is not a policy which can be discarded in favour of some other policy. It is the only way in which the various races can successfully co-exist—the only *modus vivendi.*

189. The working out of partnership in the Federation is not an experiment but it may well be an example to other countries where there are racial problems.

190. The political problems facing the Federation are tremendous but so are her resources. The three Territories between them have almost illimitable natural resources. They enjoy a climate that is hard to beat. European initiative, skills, and capital are needed to exploit these resources in the interests of all the inhabitants. Without them the condition of the African population would inevitably relapse into a sorry condition. What the Federation needs above all else is sound, stable government. Attempts to control the governments of the Federation from afar are impracticable, and lead to inefficiency and frustration. The saying that "too many cooks spoil the broth" is particularly apposite to the Federation and its external critics.

191. It has been demonstrated in this memorandum that the greater the concentration of European population within the Federation the greater the material prosperity and educational facilities for the African. Also that under European leadership more *pro rata* has been done in the Federation for African education and similar services than in any country to the north. The U.F.P. believes that Europeans in the Federation as a whole recognise the need, not only to promote the material, cultural and educational advancement of Africans, but also to allow them to take a share in the government of the country which should increase as the Africans demonstrate their ability and sense of political responsibility. They believe that the best way for Africans to develop politically and economically is in association with the Europeans.

192. No fair minded person can deny that considerable progress has been made in the economic life of the country and in implementing partnership and co-operation between the races. Nor can it be denied that much more could have been achieved if African nationalists had sought to co-operate instead of to disintegrate the Federation.

193. The U.F.P. believes that of all the emerging nations in Africa, Rhodesia and Nyasaland holds out the brightest promise for the future. To withhold constitutional advancement in 1960 when it is being thrust upon the less developed and responsible populations of other African countries would be to cause intense frustration to the positive people who have striven to uphold the lofty ideals of partnership and co-operation. It would give some sort of bitter satisfaction to those negative people who have consistently carped, criticised and refused to co-operate.

194. Above all, there should be no decision to have another Review at any predetermined time in the future. Recent experience has shown quite conclusively that when it is known that there is to be a Review of the Constitution, the period prior to that time is one of doubts and uncertainty in the minds of the inhabitants of the Federation and of investors from beyond the borders of the country. That prior period would create a suitable atmosphere for agitation, demands and worry. It would be a period not conducive to the establishment of new enterprise and investment of either equity capital or loan funds. The plant will not flourish if it is pulled up every few years for the roots to be examined. There should be neither delay nor further review.

195. On the 23rd October 1953 Her Majesty the Queen in a gracious message to the people of the Federation said:

> "An inspiring vision has been vouchsafed to you. To realise it will call for sustained endeavours in so developing the resources of the Federation as to make possible a better living for all by the expansion of education, health and other services. These endeavours will meet with the sympathy of all those who in every part of the world look with goodwill upon your efforts and wish for the Federation a great and successful future."

196. The U.F.P. firmly believes that its leaders have made the sustained efforts referred to in Her Majesty's gracious message. Thus far in the year 1960 the sympathy referred to in the message, if it has found outward expression seems to have been drowned in the flood of hostile criticism promoted by those who seek to destroy the Federation. The grant of a significant and substantial constitutional advance would be of the greatest encouragement to those who are endeavouring to make the sustained endeavours which Her Majesty desired to see. Withholding it would tend to discourage them and to give a bitter and empty satisfaction to the negative forces of disruption.

Salisbury

February 1960.

Appendix I

Improvements in Educational Facilities for the Coloured and Asian Communities since Federation

Many new Government schools have been built for Asian and Coloured children since 1954 and there has been a tremendous increase in the number of pupils enrolled as the following figures indicate:

Primary Schools for Coloured and Asian Children

	Prior to Federation	*In* 1958	*Percentage Increase*
Southern Rhodesia ...	16	18	12·5%
Northern Rhodesia ...	8	15	87·5%
Nyasaland	1	18	1700·0%
Total	25	51	104·0%

Numbers of Coloured and Asian pupils in Primary Schools

	Prior to Federation	*In* 1958	*Percentage Increase*
Southern Rhodesia ...	2660	3882	45·9%
Northern Rhodesia ...	603	1711	183·7%
Nyasaland	133	2286	718·8%
Total	3396	7879	132·1%

The provision of primary, secondary and technical schooling for these communities in all three centres is continuing vigorously.

Appendix II

Health Services

The improvements in the service since 1953 are impressive, as the following figures indicate:

Expenditure on Health Services

being the increase in expenditure from 1953 to 1959, shown as percentages at 1953 figures.

	Recurrent Expenditure %	*Grants* %	*Capital Expenditure* %	*Total* %
Southern Rhodesia ...	66	55	- 50	44
Northern Rhodesia ...	99	108	317	116
Nyasaland ...	184	426	227	196

The population has increased, of course, but more is now being spent per head on health and other services than ever before. The increase in expenditure on health per head (including Africans) from 1953 to 1958 is 63%. In terms of money this increase in six years has been £3,352,822 (from £4,478,147 to £7,830,959).

Use of Hospitals

Showing, as a percentage, the increased use of Hospitals and Clinics from 1953 to 1958, with population increases for sake of comparison.

Percentage Increases, 1953–1958

	Population	*Hospital Inpatients*	*Population*	*Hospital Inpatients*	*Population*	*Hospital Inpatients*	*Outpatients*
	%	%	%	%	%	%	%
Southern Rhodesia	32	23	36	53	15	57	63
Northern Rhodesia	47	39	60	n.a.	13	102	44
Nyasaland	80	*	38	*	11	78	249

* *Separate figures are not known, but increase of Europeans, Coloured and Asians was* 107%.

Appendix III

Some Examples showing that Africans benefit from large, settled European populations

Far from there being any substance in the belief that a large European population is inimical to African interests, there are many indications that Africans derive direct and substantial benefit from Europeans, these advantages increasing with the size of the European population. This is because employment opportunities are created and European enterprise leads to a greater flow of money and more taxation being available for services.

The following are some examples:

AFRICANS IN EMPLOYMENT, 1958

	Numbers Employed	*Percentage of African Population*
Southern Rhodesia ...	616,800	24%
Northern Rhodesia ...	267,400	12%
Nyasaland	174,200	6%

(*About* 200,000 *Nyasaland Africans are employed outside that Territory*).

ENROLMENT OF AFRICAN SCHOOL-CHILDREN 1958-1959

	Total number of children enrolled	*Percentage of potential scholars*
Southern Rhodesia ...	462,829	88%
Northern Rhodesia ...	245,816	54%
Nyasaland	270,882	50%
Total and Average	979,527	64%

If Northern Rhodesia and Nyasaland had enrolled African school children to the same degree as Southern Rhodesia, those Colonial Office Territories would in 1959 have had the following *additional* number of children at school:—

Northern Rhodesia	155,464
Nyasaland	213,118

Increases in Enrolments from 1953 *to* 1959

	1953	1959	*Percentage Increase*
Southern Rhodesia ...	269,964	462,829	71%
Northern Rhodesia ...	154,171	245,816	60%
Nyasaland	219,476	270,882	23%
Total	643,611	979,527	52%

African Teachers

	1953	1959	*Percentage Increase*
Southern Rhodesia ...	7,660	11,800	54%
Northern Rhodesia ...	4,588	5,249	14%
Nyasaland	2,416	3,259	35%

Number of African School-children per Teacher

	1959
Southern Rhodesia	39
Northern Rhodesia	47
Nyasaland	83

Appendix IV

Activities of African National Congress Movements which are now prescribed

In each of the three Territories, official enquiries were conducted into the activities of their own African National Congress movement and reference is now made to the respective Reports of those enquiries. It may be supposed that extreme Nationalism will continue in the same general character disclosed below, although under new names.

1. Southern Rhodesia

The Review Tribunal in Southern Rhodesia found that the following activities were proved to be the principle objects of active Congress members. Much activity in fulfilment of the objects had taken place.

(i) To excite disaffection towards the constitution with the object of altering the constitution by unlawful means.

(ii) To excite disobedience and hostility to the Laws and lawful authorities of the Country.

(iii) To excite racial hostility and disseminate subversive propaganda.

(iv) To coerce the Government by:
(a) Demonstrations;
(b) Processions;
(c) Strikes.

(v) To ridicule and undermine the authority of:
(a) Native Commissioners;
(b) Land Development Officers;
(c) The Chiefs;
(d) The Police;
(e) African Members of Parliament.

(vi) To organise boycotts.

(vii) To misinterpret and falsify facts with a view to bringing the Government and Europeans into disrepute.

(viii) To intimidate people to join Congress by threats of boycotting business and threats to life.

(ix) To give out that Congress was more powerful than the Government.

(x) To co-operate with the Nyasaland African Congress, the Zambia African National Congress, and the Northern Rhodesian African National Congress and to co-ordinate its activities with those organisations.

(xi) To infiltrate into and obtain control of other African organisations.

2. Northern Rhodesia

The Report of an Inquiry into all the Circumstances which gave rise to the Making of the Safeguard of Elections and Public Safety Regulations, 1959, found that persons and bodies of persons in diverse places throughout the Territory had taken the following actions:—

(a) have conspired to make use of intimidation, force, violence and restraint against persons in the Territory in order to induce or compel such persons to refrain from voting at or from standing as candidates for the said election;

(b) have conspired wilfully to obstruct voters at the polling stations or on their way thereto during the said election;

(c) have conspired to make use of intimidation, force and violence against persons on account of such persons having voted at or having stood as candidates for the said election;

(d) have conspired to commit acts of arson;

(e) having conspired maliciously to cause damage to property and to cause death and injury to persons;

(f) have conspired to organise, hold and participate in unlawful meetings and assemblies;

(g) have conspired to corrupt members of the police force and other public officers;

(h) have counselled and attempted to procure, and have committed acts preparatory to—
(i) the use of such intimidation, force, violence, restraint and obstruction;
(ii) the commission of the aforesaid acts of arson, acts of malicious damage and causing death and

injury and acts of corruption;

(iii) the aforesaid organisation, holding and participation in unlawful meetings and assemblies;

(i) have published, uttered and reproduced untrue statements concerning the Government of the Territory, the Federal Government and the other Governments within the Federation as by law established, the departments, military forces, police forces and public officers of such Governments, with intent to bring the said Governments, departments, military forces, police forces and public officers into hatred and disrepute and to inspire contempt towards them;

(j) have published, uttered and reproduced statements with intent to promote feelings of illwill and hostility between different classes of the population of the Territory;

(k) have published, uttered and reproduced statements indicating and implying that it would be incumbent and desirable that voters in the Territory should refrain from voting at the said election.

3. Nyasaland

In Nyasaland, Congress conducted a vigorous campaign of intimidation against other Africans including arson, personal assault and extortion. Notes of a meeting held on 25th January, 1959, included plans:—

to "start war";
to dig up roads;
to destroy anything belonging to Europeans;
to refuse to pay taxes;
to "hit Europeans or cut throat";
to end European agriculture.

The items above are extracts from a translation of the Chinyanja notes relating to a meeting of 25th January, 1959, quoted as Appendix II on page 146 of the Report of the Nyasaland Commission of Inquiry, Command 814 (the Devlin Report).

That document also contained the following statement:—

"6. The people who discredit Congress should have their names written down".

In paragraph 168 of that same Report, the Commission recorded:

"We have found that violent action was to be adopted as a policy, that breaches of the law were to be committed and that attempts by the Government to enforce it were to be resisted with violence. We have found further that there was talk of beating and killing Europeans, . . ."

Appendix V

Political Partnership

The changes brought about in the composition of the Federal Assembly by the Constitution Amendment Act, and the electoral system, are sufficiently described in the White Paper issued by the Federal Government in September 1957, C. Fed. 72.

The position may be summarised briefly thus:

(a) The Federal Assembly has 59 members of whom 15 are of specified race and 44 may be of any race. The 15 consist of 3 Europeans, whose purpose is to represent African interests, and 12 Africans.

(b) The Electoral Act governs the election of 53 of these 59 members. The other 6 consist of a European and two Africans in each of the Northern Territories. The 2 Europeans are nominated by the respective Governors and the 4 Africans are elected by all-African electoral colleges prescribed under laws made by these Governors.

(c) The 53 members whose election is covered by the Electoral Act consist of 9 special members whose race is specified (viz. 1 European and 4 Africans in Southern Rhodesia and 2 Africans each in Northern Rhodesia and Nyasaland), and 44 general unspecified members representing 24, 14 and 6 constituencies in Southern Rhodesia, Northern Rhodesia and Nyasaland respectively.

(d) The Electoral Act sets up a qualitative franchise with two voters rolls, each of them open to members of all races and to Federal Citizens and British Protected Persons alike. Qualifications for the general roll are relatively high, and the general voters may vote for general unspecified members and also for special members. Qualifications for the special roll are relatively low, and special voters may vote only for the special members.

Africans are in a small minority in most of the general rolls, and have not bothered to register in large numbers on the special rolls, though many are eligible. Thus, at present, the Europeans on the general roll are able to dominate the election of the special representatives. The position in this respect could greatly change if African apathy and boycotts were eliminated.

The Federal Government has been much criticised for allowing the general voters, mainly European, to participate in electing 8 of the 12 African members. Sir John Moffat, the Rev. Andrew Doig, the Dominion Party, and several African members were all in agreement that African members should be elected only, or chiefly, by Africans. The United Federal Party stood firm, on the principle that members of all races should participate in the election of the four Southern Rhodesia African members and the 4 additional African members in the Northern Territories.

The reasons are summarised below:

(1) Ideally, the legislature should not be divided into racial groups. The provision of a group of special representatives for Africans is looked on as a temporary expedient, until such time as Africans, on their merits, in open competition with other candidates, may hope to be elected. When that stage is reached, the Constitution provides a device whereby "colour" may be faded out of the Constitution. Meanwhile the rights of Africans to vote and to speak in Parliament are identical with the rights of the other members. They are not debarred from debating or voting on European education, or any other subject which affects Europeans only. In principle, it seems right that European voters should participate in electing such members.

(2) The main reason for bringing the European into these elections is not the principle mentioned above, but the belief that political partnership between the races is best promoted by bringing the African candidates and European voters into direct relationship for the mutual benefit of both.

If the election of these African members were to be left to African voters only, there is a very strong probability that their election would soon be controlled by purely African parties with a policy of racial domination. In fact this has occurred in the 1958 elections, as regards the election of the 2 remaining African members, whose election is left to a purely African electoral college. The same would have occurred in Nyasaland, but for the boycott there by the African National Congress of any participation in the Federal elections.

These purely African political parties might boil down to the Congress alone, but, even if not, such parties would develop along lines foreign to the traditions of British political parties. They would not attract European membership, or get the benefit of disinterested European help or advice.

The scheme devised by the Federal Government on the other hand is one in which parties cut across racial divisions. Two main parties, both with members of all races in their ranks, and both sponsoring African candidates, as well as European candidates, were the main contestants in the recent general election. In Parliament the danger is avoided of either a multiplicity of small parties, some based on European, and some on African membership, or a two party system, one party being European and the other African.

It is worth examining the matter further. During the first five years of Federation, the party political system has crystallised out into two main parties, based on the European pattern, and the African National Congress parties. Membership of the two main parties is open to members of all races. These parties naturally wish to make a bid for the election of African candidates, as well as European candidates. They must therefore attract the best African material they can find. The African candidates in turn are pleased to join political parties, where they can pit their brains against Europeans, and learn from their established procedures and traditions.

Thus, at Party congresses, conferences and other meetings, there will be found Africans amongst the Europeans; they will have the advantage of listening to the best European political debaters, of participating in the debates themselves, and of influencing the thoughts of European political leaders. On the other hand, European party members will come into lively contact with the aspiring African politician. Political congresses will have in their membership African delegates, candidates and members of Parliament. At the tea and lunch intervals, they will be seen discussing matters freely with their European counterparts.

But the matter does not begin and end with the annual party congress. Each member of the Party, who is a member of Parliament, whether or not he is an African, will probably be given opportunities to attend branch meetings in his constituency.

Let us examine the relationship of the general voter and the African candidate. In some cases, the European voter is inclined to refuse to exercise his vote for the African candidate. In the 1953 Federal General Election, many European voters abstained from voting for the African candidates. In the 1958 election the

percentage of abstentions was probably lower. (The so-called spoilt papers were almost entirely blanks).

The political parties direct considerable propaganda at the voters designed to get them to exercise all their votes and this will become increasingly effective. Even those Europeans, who at first boggle at voting for Africans, can usually be persuaded to do so. Having decided to vote, they will take an interest in the platform performances of the candidates. The African candidates in some cases attracted much larger European audiences than their European fellow candidates. It was up to them to make a good impression and many of them did so.

Each African candidate's constituency consists of a group of general constituencies. A comparison of the votes cast for the general member and the African member on a constituency by constituency basis shows that, in some cases, the successful African candidates polled more votes in certain general constituencies than the successful general member. In these cases, the unsuccessful African candidate no doubt polled less votes than the unsuccessful European candidates.

In voting for an African candidate, the European may be said to "break the ice", and it may well be that in the future, with the experience he has gained of African candidates, he will more readily accept an African candidate who stands on his merits in open competition with European candidates.

Once elected under the auspices of a political party, of course, the African member has within that party the same rights and privileges as any other member of Parliament. He comes under the Party whip and has the opportunity of attending the Parliamentary party meetings, where he can gain and contribute. Freedom of speech is perhaps greater in such circles where discussion is confidential, and he has a valuable opportunity to influence European opinion.

Surely it is vastly better for the African politician to get his political training under the auspices of political parties with the best traditions of British Parties, with the opportunity of influencing and being influenced by European political leaders, rather than to be hived off into political parties of Africans only.

The operation of the system described above has led to the election of 9 African members in the United Federal Party, amongst 37 European members, and to one African member in the Dominion Party, amongst seven European members.

Appendix VI

Declaration of April 1957

Joint Communique issued simultaneously in Salisbury and London on 27th April, 1957, between the Governments of the Federation and of the United Kingdom

1. Discussions were held in London from 12th April to 17th April, 1957, between Sir Roy Welensky, Prime Minister, and Mr. J. M. Greenfield, Minister of Law, of the Federation of Rhodesia and Nyasaland, and Lord Home, Secretary of State for Commonwealth Relations, and Mr. A. T. Lennox-Boyd, Secretary of State for the Colonies, about certain aspects of the constitution of the Federation.

2. They reviewed the progress made by the Federation since it was established in 1953. They agreed that this progress had justified the hopes of its founders and provided a sound basis for further development of the policy of partnership between races which the Federation is pursuing.

External Affairs

3. The Federal Constitution provides that matters of External Affairs may, from time to time, be entrusted to the Federation. The Federal Prime Minister represented that the time had come for the Federation to assume more responsibility in this sphere, particularly in the field of relations with other countries, and the appointment of representatives of the Federation in such countries. The United Kingdom Government have agreed to entrust responsibility for external affairs to the Federal Government to the fullest extent possible consistent with the responsibility which Her Majesty's Government must continue to have in international law so long as the Federation is not a separate international entity.

Direct Access to the Sovereign

4. In recognition of the constitutional position of the Federation, H.M. the Queen has been pleased to approve that in future the Prime Minister of the Federation should have direct access to the Sovereign on Federal subjects affecting the Sovereign personally, on the award of Honours for services to the Federation, and on a number of ceremonial matters.

Administrative Arrangements in the United Kingdom

5. There was discussion of a proposal by the Federal Prime Minister that a separate department of the Unitel Kingdom Government responsible to the Secretaries of State for Commonwealth Relations and the Colonies jointly, should handle relations both with the Federal Government and with all three Territorial Governments. United Kingdom Ministers explained that this was part of the general question of the responsibility of different Ministers for relations with the various parts of the constantly evolving Commonwealth. The whole question would have to be examined and in this examination Sir Roy Welensky's suggestion would be borne in mind.

Legislation

6. The Federal Government having represented that the Federal Legislature should have the power to legislate with extra-territorial effect, the United Kingdom Government have agreed that legislation for this purpose will be introduced into Parliament at Westminster at a convenient opportunity.

7. The Federal Prime Minister drew attention to doubts which had arisen in regard to the purpose and effect of article 29(7) of the Federal Constitution and to the subject of legislation in the United Kingdom for the Federation. "United Kingdom Ministers made it clear that the United Kingdom Government recognise the existence of a convention applicable to the present stage of the constitutional evolution of the Federation, whereby the United Kingdom Government in practice does not initiate any legislation to amend or to repeal any Federal Act or to deal with any matter included within the competence of the Federal Legislature, except at the request of the Federal Government."

Public Services in the Federation

8. Public service questions were also considered. The United Kingdom Ministers said that in principle it was accepted that all Civil Services in the Federation, whether Federal or Territorial, would eventually be locally based and look for their future to the Federal area.

9. Accordingly steps would be taken to work towards this objective and in particular the question of inter-changeability of officers would be examined in consultation with the four Governments of the Federation.

Proposals for the Enlargement of the Federal Assembly and for the Federal Franchise

10. The Federal Prime Minister informed United Kingdom Ministers of the position reached in his discussions with the Prime Minister of Southern Rhodesia and the Governors of Northern Rhodesia and Nyasaland in regard to the enlargement of the Federal Assembly and to the Federal franchise. United Kingdom Ministers accepted in principle proposals for the enlargement of the Federal Assembly. The Federal Prime Minister stated that he would not be able to inform Her Majesty's Government of the Federal Governments' definite proposals for the franchise, or to present a Bill on this subject to the Federal Legislature until further discussions had been held in Salisbury. Meanwhile, however, he could assure United Kingdom Ministers that a Franchise Bill would be introduced and would ensure that British Protected Persons otherwise qualified would not be required to change their status in order to be eligible for the Federal franchise, and that the qualifications for that franchise would permit of a reasonable number of such persons acquiring the franchise. United Kingdom Ministers took note with satisfaction of these assurances.

Review of the Constitution

11. The Federal Constitution provides for a review not less than seven nor more than nine years from the date when it came into force (October, 1953). In this connection the two Governments have agreed on the declaration annexed.

Declaration on the Review of the Federal Constitution

1. Her Majesty's Government in the United Kingdom and the Government of the Federation of Rhodesia and Nyasaland have already made it clear and take this opportunity of reaffirming that they are opposed to any proposal either for the amalgamation into a unitary state of the Territories now composing the Federation or for the secession of any of those Territories from the Federation.

2. Article 99 of the Federal Constitution provides that not less than seven nor more than nine years from the date of the coming into force of the Constitution there shall be convened a conference consisting of delegations from the Federation, from each of the three Territories and from the United Kingdom, chosen by their respective Governments for the purpose of reviewing that Constitution. The Constitution came into force in 1953, and it is agreed that the conference shall be convened in 1960.

3. The purpose of this conference is to review the Constitution in the light of the experience gained since the inception of federation and in addition to agree on the constitutional advances which may be made. In this latter context the conference will consider a programme for the attainment of such a status as would enable the Federation to become eligible for full membership of the Commonwealth.

Salisbury

27th April 1957

Oral Evidence

UNITED FEDERAL PARTY* Represented by: P. Duncan, M.P.; F. G. Collins, M.P.; Mrs. M. Rosen, M.P.; C. M. Chipunza, M.P.; R. M. Rich, M.P.; S. S. Sawyer, M.P.

CHAIRMAN: We have read your memorandum with great interest, and perhaps you may care to supplement it for us.

A. (MR. DUNCAN): The first thing I would like to draw your attention to is a certain wording in the terms of reference, that is to advise the Government on the constitutional programme and framework best suited to the attainment of the obects in the Constitution and Preamble. I would like to run through these objects laid down in the preamble, to see where we have succeeded in meeting them and where we have failed, together with the reasons for the successes and failures.

I would first like to define a term which I shall be using, the African Congresses. When I refer to the congresses I mean essentially African political parties which use force, intimidation and violence to attain their ends.

I shall be critical about the Colonial Office, but I would like to make it clear that my criticism is not directed towards individual civil servants. We are fully aware that many of them are of the highest calibre. It is really a criticism of the system.

The first object contained in the preamble is to conduce to the security, advancement and welfare of the people. As far as security is concerned, the Federation has established its forces and increased them, and during the last year or two it has been able to assist in Imperial defence, with air forces sent to Aden and Cyprus; and we feel it is a necessary function for a country which feels it is capable of getting independence.

The vital issue on internal security is a Territory matter, and as you know there have been emergencies in the last few years in all three Territories. It is significant that in Southern Rhodesia very prompt action was taken when threats of intimidation and violence were causing disruption in the country. This was done without any loss of life whatever, and today we are in the position where there is virtually no violence or intimidation. Unfortunately the action taken in the Northern Territories was not so prompt, and it led, as you know, to considerable loss of life in Nyasaland before law and order were restored. We believe this is due to vacillation caused by the fact that the Governments of the Northern Territories aren't really able to take the action they would like promptly because they have to consider all the time the effect on public opinion in Britain and in the British Parliament.

We feel that is most detrimental to the administration of the country and therefore, if we are really to establish law and order satisfactorily, the Governments of these Territories must be established here so that they can take the best possible action without having to worry about the political effect elsewhere.

The next object in the Preamble is to conduce to the advancement and welfare of the people. Here we are faced with a grave problem which is perhaps not fully understood, and that is the vast increase in the African population. The increase is terrific, and in 25 years' time it is expected to be doubled. The increases up to now have been absorbed quite satisfactorily on the land by the African people remaining there and cultivating it. Only a certain proportion came out into the urban areas.

In Nyasaland the land is very largely occupied, and the increased population is going to have to find employment elsewhere; and that is happening now in Southern Rhodesia as a result of the Land Husbandry Act.

During the next 25 years a great deal of employment will have to be found for many Africans, and unless we can meet this demand by increased industrialisation we are going to be faced with an unpleasant problem, which may well cause the starvation of a large number of people. Comparing the Territories again, we would point out that Southern Rhodesia on the whole has made very much greater progress in providing employment for the indigenous population. A large number of African workers come from Nyasaland in particular, and also from the borders outside, to Southern Rhodesia to work. We believe Southern Rhodesia, with its local government, has gone much further ahead in providing opportunities for employment and has also made greater progress than the Northern Territories in employing a greater number of the indigenous population.

To solve this problem of industrialisation, first of all we need political stability and also confidence in the countries to enable us to borrow large sums of money and to encourage new enterprise to come and establish itself here.

As regards the advancement and welfare of the people, the economic side is essentially handled by the Federal Government, and we submit that great progress has been made since Federation in this direction by sound government. The Federal Government has been able to borrow large sums of money and has been able to encourage people to come here and establish industries.

By contrast, the activities of the African Congresses, which have been disruptive activities and endeavours to thwart the rule of law, have led to a lack of confidence, particularly in the Northern Territories. It is very noticeable today that new industries coming in are reluctant to go to the Northern Territories. Most of the industries are coming into Southern Rhodesia. There are other reasons, of course, but the lack of confidence engendered by the congresses in the Northern Territories is having a serious effect there.

The Congress leaders are inclined to ignore this economic problem. We are well aware that there are many other political problems, but if one ignores the economic problem one is going to be in a serious state within a very few years, particularly in Nyasaland where there is this surplus population. If Nyasaland, by any chance, should cease to be a member of the Federation there may be very serious consequences to that country. There are at the moment almost 200,000 Nyasas working in Southern Rhodesia, but Southern Rhodesia is now having a certain trouble with unemployment in the African field, and quite recently legislation was passed preventing foreign Africans coming to work in Southern Rhodesia. That does not apply to Nyasaland Africans, as members of the Federation, but it would almost certainly if Nyasaland ceased to be part of the Federation.

If we are to progress at a great rate in this economic sphere, we believe it is vital to increase health facilities, education, and so on so that the utmost confidence can be established in the Federal Government. We believe it is necessary at this stage for the Federal Government to be granted its independence in the Federal sphere, to make it perfectly clear that Federation is here to stay and the Federal Government is a permanent government. Otherwise should this vote of confidence not be granted, the impression given is that it is a temporary government—and who is going to lend large sums of money to a temporary government?

The next object contained in the Preamble is to foster partnership and co-operation between the inhabitants. Many different views have been given on the meaning of "partnership". The two words "partnership" and "co-operation" are synonymous, and they mean working together to build up the state. We do not think it means what the extreme European element would like: it is not the same form of government as exists in South Africa.

Our conception of partnership in the political sphere has been put to you already by the General Secretary of this party, and what we are trying to do is to get the branches of the party, both African and European members, or African branches or European branches, to come together at the policy-making decisions at our congresses, so as to represent a party of people of all races. At our last congress in Lusaka we had a considerable number of people of non-European race: I think 25 per cent of the genuine delegates were non-European. In our party caucus we have managed to work together very well, and 25 per cent of our members are Africans.

It is very encouraging to know that we have never once had a discussion in that caucus on a basis of black versus white. We have found that all members examine the problems before them in the Federal House purely on the merits of the problem and not on a racial basis.

As you are aware, our conception is to establish a limited democracy, that is to limit the franchise to persons who are considered to be civilised and responsible. I am aware that is a very difficult conception to put into practice. We have drawn a line and we say that people above that line are considered to be responsible and civilised. I know, of course, that is a conception that can be challenged, but wherever you draw that line there are always going to be hard cases below it. This franchise has been established, and I would like to remind you that when it was introduced we of the Federal Government were the first to enable the protected persons of the Northern Territories to be considered on an equal basis with British citizens. The previous discrimination by the Colonial Office in those Territories, which did not allow the protected persons the same rights as a British citizen, was removed by us.

In laying down that franchise we have undoubtedly opened the way for a large number of Africans to go on to this roll, as the economic growth of the country proceeds, together with the educational growth of the people. We see a time not so far distant when there will be many Africans on that roll, and in due course there will be more Africans than Europeans.

*See also evidence by A. T. Adams, General Secretary of the United Federal Party, at Salisbury, on 21st April, 1960, p. 161.

What we aim to do in the meantime is to get people to work together politically in political parties of mixed races, so that when they appear in the Federal Legislature you will have both black and white on the parties of each side. Our aim is to get rid of this purely racial division of black versus white.

There are many racial discriminations in Southern Rhodesia. If you look at the situation today without knowing what it was a few years ago, no doubt many of you will be appalled at some of the discriminations you see. I would urge you to look at this not as a static situation but as one which is moving all the time; and to those of us who live in this country the change of thought among Europeans in Southern Rhodesia is most marked, and the advances that have taken place in the last few years are considerable. We shall undoubtedly go on removing these racial discriminations at an increasingly fast pace, because the thought of the European people has changed enormously in this direction. However, in the present politically uncertain state, particularly in the Northern Territories, Europeans are wondering what is going to happen next; and this is not an atmosphere likely to give them confidence and to get agreement for rapid removal of racial discriminations. What is required is to sort out the political uncertainty and then it will be much easier for the Government of Southern Rhodesia to remove these racial discriminations.

I would point out that the African Congresses of the Northern Territories appear to be completely opposed to partnership or co-operation. On many occasions they have stated they require those Territories purely for the Africans. We, as a party, are the one major political force in these Territories working genuinely for this co-operation. There is a long way to go, but we believe we have started on the right track and have laid a good foundation for better and faster progress in this direction.

One aspect of the British Government's policy for the Northern Territories which I believe interfered considerably with the working together, is the habit of inviting or encouraging African politicians from those Territories to deal direct with the British Government, over the head of their own local governments. This is undermining the authority of those governments, and does not encourage the politicians to work with the people in this country. This is one of the reasons why we are most anxious to obtain independence for the whole of the Federation, so that the people in the Federation shall work here together without the feeling that there is a right of appeal over the shoulders of local Governments. So long as that persists we feel the people will look elsewhere instead of trying to work together here with one another.

The next object in the Preamble is to enable the Federation, when the inhabitants so desire, to go forward with confidence towards the attainment of full membership with the Commonwealth. I look upon this as an injunction to all the governments to work towards that end. This immediately raises the difficult problem of consent. I believe it is possible for a government to govern a country with the passive consent of the people, provided that there is no active opposition; but where there is active opposition there also must be active consent: you cannot function without it.

To deny that there is opposition in the Northern Territories would be ridiculous. There is considerable opposition. In my opinion it could be divided into two types, the genuine opposition of the African people who, when they were presented with a scheme for Federation, felt that the racial practices of Southern Rhodesia would be extended to the Northern Territories. This fear was based on failure to understand the nature of Federation. At that time I would say it was not understood by many people. I remember Mr. Todd, who was then Prime Minister of Southern Rhodesia saying that its basic object was to do Southern Rhodesia out of a job in four years. They were thinking in terms of a unitary state. It took some time before even Europeans also understood the nature of Federation, which is quite different from the unitary state. There was undoubtedly a genuine reason for this apprehension of the people of the Northern Territories that the practices might spread, but when the nature of Federation was fully understood it was found that instead of those practices spreading from the south, the far more liberal practices of the Northern Territories have spread to Southern Rhodesia. It was not clearly explained to the Northern Territories that matters which affect the day to day life of African do not come under the Federal Government but are purely the prerogative of the governments of the Northern Territories. It was a reasonable fear, based on the normal conservative approach of the African people. They distrust change until they see how it works. When they find it is all right they will accept it.

The other aspect of this opposition is that it has been deliberately stirred up by the Congress politicians. They have said as I mentioned, that discriminations practised in Southern Rhodesia will now be passed to the north, land will be taken away, and so on. One politician—and it was brilliantly done—even gave the impression that Southern Rhodesia is now governing Nyasaland, which, of course, is entirely contrary to the facts.

My opinion is that we must do much more about the genuine fears of the African people. It is a question of making contact with them. The Federal Government is in a difficult position here because the only sphere in which it really has direct contact with the people is in health. Nearly all the spheres where government officers have contact with people come under the Territorial Governments, so that a large part of the explanations of Federation on the government side lies in the hands of the Territorial Governments.

However, the Federal Government have taken steps, through its information service, to try to get across to the African people its conception of Federation and what it intends to do.

It has had very good co-operation from the Governments of Southern Rhodesia and Nyasaland, but virtually none from the Government of Northern Rhodesia. The other method of getting it across is through political parties. Here, we need to do much more to make this contact with the people. In the Northern Territories it is different; considerable steps have been taken, particularly in Nyasaland, to explain the matter but efforts have been thwarted every time by the intimidation and violence used by the Congresses. Many times in Nyasaland and Northern Rhodesia, where Africans have understood the position and agreed to come out in support of us, immediately they have been clamped down on, either by Zambia, as it was in Northern Rhodesia, or the Nyasaland African Congress. The only way to get this across is by working through Africans of the same point of view as our own and spreading the doctrine, as it were, like ripples on a pool.

It is absolutely vital to stop this intimidation and violence, and when it is stopped we must make the greatest possible efforts to get across to the people as a whole the meaning of Federation, the fact that the Federal Government is there to assist them and not to take away any of their rights.

Those are the objects contained in the Preamble. We believe that in nearly all these cases the object can be attained far better by governments based here than elsewhere. I have already pointed out the question of internal security.

As far as the advancement and welfare of the people is concerned we believe it is our task to get on and do it; and we suggest that the Southern Rhodesia Government, apart from its racial practices, has, in fact, taken great steps to further the advancement and welfare of the people. Education is a particularly good example.

We believe the Federal Government's record of government over the past few years really entitles it to higher recognition. In its own sphere it has done a good job of work, and we maintain that at this stage it should receive independence in its own sphere, because events are emerging now which mean that it cannot stand still, but must either go forward or else Federation must disintegrate. We cannot remain indefinitely in a state of tutelage because it gives the impression to outside people that the Federation is a temporary thing, and we cannot satisfactorily govern in those circumstances.

The question is often asked: "Why do you want Nyasaland in the Federation?" "Why not get rid of it? It is just a nuisance to you". We here do not believe that to be the situation. If one looks further ahead, the other territories in Africa who have received their independence when they were in a very undeveloped state economically, and also as regards knowledge of government have either developed a dictatorship structure or the possibility of the whole thing disintegrating into tribal warfare. They are already established in the Sudan, and Ghana appears to be going rapidly in that direction. The possibility of tribal warfare is very great in the Belgian Congo. The other possibility is that, in the search for funds with which to develop the country, you will have Communist infiltration in this part of Africa. This is a real threat. There are already Communist activities in Liberia and the Sudan. A similar thing has happened in Eritrea. The Russians have started a technical school in Ethiopia which will include in its teaching Communist doctrines as well as other subjects. There is also the same thing happening in Guinea.

It is very probable that if Nyasaland leaves the Federation it will rely on Russian assistance. It is often said: "Britain will lend plenty of money should we get independence", but it is not very likely. Britain did not bolster up the Sudan when she got independence; Britain has now withdrawn her assistance from Ethiopia; and I do not see that she is liable to give unlimited sums of money to Nyasaland for a long time. If Nyasaland ceases to be a member of the Federation, the country would soon be in an appalling state. We are opposed

to handing over any part of the Federation to a Congress-type government. What is more, should that occur in Northern Rhodesia we should be faced with a line on the Zambesi, with black nationalism to the north, and white nationalism to the south. That may lead to a situation where you have a major war between these two ideologies.

We believe that by making Federation work we will be able to prevent that. We are strongly opposed to the fact that where the British Government has handed over territories to people who are inexperienced there has been trouble. They have completely betrayed every loyal supporter in those territories. This is something which many African people in the Northern Territories fear at the moment. They are afraid the British Government may well hand the thing over to a Congress-type government and they fear the consequences.

As regards our plan for achieving independence, Dominion status is sometimes talked about. We do not like it because it is confusing. We prefer to talk of complete membership of the Commonwealth, which is self-explanatory, or independence in the Federal sphere, which is what we seek now.

At the moment the Federal Government in practice is very largely dependent in its own sphere; but there are certain reservations in the constitution, such as the power of veto by the British Government, which in actual law has the power to legislate for the Federation, if it wishes. That has been qualified by the 1957 declaration stating that it will not legislate for the Federal Government. However, on one occasion the Labour Party said they would not recognise that if they got into power. The Colonial Laws Validity Act, also applies to the Federation; the British Government appoints the Governor-General at the moment, who has considerable power under the Constitution. We are asking now that those restrictions be removed, and that the Governor-General be appointed on recommendations from here.

This does not do much more than give legal effect to what the present position is; but it is nevertheless important because those powers are there, and we consider the time has come when they should be removed.

We do not envisage at this stage that the Federation shall be entirely independent, inasmuch as it will be able to declare war on someone without the consent of the British Government, or conversely, that the British Government might declare war on someone but the Federation could opt out of it. In the sphere of international affairs we are not asking for complete independence, but a continuation of the present arrangement, whereby the Federal Government establishes its own High Commissioners in certain cases but in other matters deals through the British Foreign Service. There is no intention of the Federal Government to take over the powers of the British Government in the Territorial Governments. That is most important. A lot of confused thought has arisen on that. Many people thought the government wanted to take over Colonial Office powers in the Northern Territories. That is not so: We ask that the Federal Government should be independent in its own Federal sphere.

As far as the Territories are concerned, we believe that Southern Rhodesia should obtain its independence straight away. Regarding the Northern Territories, we advocate that the type of constitution to be introduced in Northern Rhodesia should be as nearly as possible similar to that granted to Southern Rhodesia in 1923. That is rather a vague term; but the intention is that Northern Rhodesia should be governed by a Cabinet and Prime Minister, in the same way as Southern Rhodesia is today, but with certain legislation to be subject to veto by the British Government, with restrictions in the Northern Rhodesia constitution similar to those we had in Southern Rhodesia in 1923, enabling the British Government to have considerable powers of veto.

One of the chief points here is that we are extremely anxious that the Civil Services of the Northern Territories and here should be locally based. It should not be recruited in Britain and it should look to this country as its home. We consider that to be of considerable importance.

We advocate a scheme for Nyasaland whereby an Executive should be nominated within Nyasaland. At the moment it is a purely nominated Executive; but again we try to get away from the Colonial Office because we feel the system of government which enables the day to day administration of the country to be the subject of questions in the House of Commons and publicity in Britain is not conducive to good government in the Territory itself. Therefore we advocate the system of an appointed Executive within Nyasaland, with a Legislative Assembly which is advisory but which could also have certain useful functions, such as Select Committees, to advise on legislation and suggest amendments to it.

In all these types of government, safeguards are obviously required. I will deal purely with the Federal Government at the moment: the powers we are asking to be removed from the British Government should be put into the hands of somebody here in the Federation which is representative of the people, to prevent the Legislature passing discriminatory measures; to delay, if need be, the alteration of the franchise; to make it more difficult to tamper with the franchise; and to make it considerably more difficult to alter the Constitution. We believe similar bodies should be established in the Northern Territories so that the British Government, in the first place, through nominations on these bodies, still has its ultimate power of control over the basic rights of the people, particularly in such matters as land.

From the party's point of view, we do not mind which type of safeguard is used though a strong safeguard is necessary; but if the British Government hands over to some body to safeguard those interests, then we are very much in favour of the thing being a really powerful body, to exercise a genuine stop on any discriminatory legislation which it may be wished to introduce. The real safeguard, however, is in the Federation itself—the fact that the Territorial Governments in each Territory deal with the matters that affect the day to day life of the Africans. It is correct to say that the Federal Government does not interfere in these matters; it has no power and it is purely up to the Territory to deal with them.

In the terms of reference we are also asked to suggest a constitutional programme. This was a difficult one on which to reach a conclusion. If one could ignore the events elsewhere in Africa and just consider a programme on the state of development of the people of this country, then one would logically spread out the programme over many years; but events are marching so fast elsewhere that we consider that this is quite impossible. The object of the programme, or what is required as soon as possible, is the independence of the Federal Government in the Federal sphere; the independence of the Territorial Government of Southern Rhodesia in its sphere; the advancement in constitutional development in Northern Rhodesia to a 1923-type constitution, for want of a better phrase—and the establishment of a form of government in Nyasaland whereby there will be persons appointed from within the Territory rather than persons overseas. That we consider to be the first step. Later on we consider that the reservations in the Constitution of Northern Rhodesia should be removed very slowly, step by step, as certain subjects no longer require to be vetoed. Those matters should come away from being reserved and that Northern Rhodesia will also then gain Territorial independence much the same as Southern Rhodesia; but we do not consider that that should take a very long period of time. We also take the same view of Nyasaland, that the reservations from the British Government in the first place should be removed to somebody within Nyasaland, again in a comparatively short space of time.

I have dealt very briefly with these matters because I think it will be much better by discussion to get to the bottom of them.

Our conclusion then is this: the first thing that we have to do to make this Federation really work is to establish the will to govern. In our view the will to govern appears to have been lost, particularly in Nyasaland, and we feel that by establishing Governments here with people who are really determined to make Federation work that the will to govern can be re-established and we can get on building up effectively, having established that the next point obviously is to establish the rule of law again, and we would point out here, Sir, that one of the things which is making it so difficult to establish rule of law in the North is the established idea in Northern Rhodesia, and it is thought by very many of the inhabitants that the British Government will hand those Territories over to the Congress movements of the North who themselves rely essentially on intimidation to get their own way. They say they speak for the whole of the African people yet they have to use this intimidation against the people they pretend are their supporters. We believe that this rule of law must be established and we believe also that when the rule of law is established that very many more people will be found to be in favour of Federation straight away than at present is apparent, and by going out to obtain the consent of the people by making it apparent how Federation is assisting them we are of the opinion that we can obtain consent of these people. We agree that there is a lot to be done on this point but we also consider that it most certainly can be done.

The next item will be the more rapid removal of the racial discrimination in Southern Rhodesia. I have already made the point that if the future is much clearer, the political situation much calmer, then I believe these racial discriminations can be removed at a considerably faster rate.

When we obtain political stability that we seek, then it will be possible to get on with the economic development of the country. It would be far easier to attract capital to this country

and it will be possible to increase the earning power of all the people, which, as I have already pointed out, is so extremely vital in our view and will enable us to improve the educational facilities which in itself would ensure that far more Africans come on to the voters' roll and have a genuine say in Government; and we feel that this increased participation in Government will follow and is vitally important.

That, Sir, is our case fairly briefly. I am afraid it has taken a long time to say but we are convinced that this Federation can be made to work. There are any number of people who see the difficulties, and the difficulties are, of course, enormous in all directions, not only economic but politically as well. The difficulties are there but so many people will say it is too difficult, let us throw up our hands and divide. I do not agree with that because in our view we have not had a real opportunity to make it work as it should work because we believe that this form of Colonial Government of the Northern Territories where this thing is too far divorced does not enable the people to work together to make it a success; and we believe there are enough people in this country with the will to make it work and provided the intimidation and violence is overcome then we will be able to get together and make it work, and make it a great nation for which the potential is already apparent. Thank you.

CHAIRMAN: Thank you very much indeed. I think most of my colleagues will have some questions to ask. There are one or two I would like to put myself.

You deal with the Preamble of the Constitution and in particular you deal with the words "the enabling of 'the Federation, when those inhabitants so desire, to go forward with confidence towards full membership of the Commonwealth'", so that if one has to pay attention to those words in working out the programme, it is not possible to contemplate the attainment of full membership of the Commonwealth until the inhabitants have so desired; is that not so?

A: That is our view, but we are not prepared to say how you can actually measure it, but one must obviously get rid of the definite hostility to it before we can attain full membership of the Commonwealth.

Q: It does not say when the Governments of the Territories so desire, but when the inhabitants so desire; and I suppose you would agree that involves those who act for the Territories and when they are in a position to speak with the assent of the majority of the Africans so far as they are represented?

A: Yes, I agree with that view. I do not think you can actually measure. I do not think you can do it by a referendum or anything of that nature, but I think the stage will come in actual practice. It is a question of independence given to the Territorial Governments of the Northern Territories which will come when it is apparent that there is sufficient agreement within the Territories that the other stage is desired, and when that stage is desired full membership of the Commonwealth is almost a formality because independence has been achieved.

Q: If you were working out a programme it would be very hard to postulate independence in a full sense for the Federation until the inhabitants have been able to give an expression by some means which had been thought sufficient of a desire for such a move?

A: Yes.

Q: If you are taking independence in the Federal sphere, the same considerations to some extent apply, do they not?

A: They could be made to apply, but I do not think they necessarily do because we maintain that this independence in the Federal sphere, which is merely giving a legal validity to the present practice, is necessary to reach the stage in development where the inhabitants can really progress to the stage where they can, if you like, express an opinion.

Q: I understand the desirability of getting that consent; but I was only wondering on the question of the programme if a good deal of importance would not be attached psychologically by the inhabitants of Territories other than Southern Rhodesia to the grant of independence in this Federal sphere before they can express a view saying it is to happen?

A. (MR. COLLINS): The grant of independence in the Federal sphere is to a large extent a formality.

Q: Why are you pressing for it so much?

A: Because it is of considerable importance in the eyes of the outside world that we should have the status that we believe we deserve.

Q: I am only suggesting to you for your consideration that it is of considerable importance in your attempts to persuade all the Territories to come into this idea of partnership that they should not be faced with a step of such psychological importance, to which as you say there is not very much practical importance at this moment?

A: There is, of course, as Mr. Duncan mentioned, the practical danger that one Party in the United Kingdom has said it will not observe the terms of the 1957 Declaration. That is of very considerable practical importance to us. We admit that on practically all the other issues the practice of the Government in the United Kingdom is such that there is no particular need to worry about it, except from the point of view of our status and the other matters which Mr. Duncan mentioned.

MR. MENZIES: I would like to stress what you have said. We are dealing here with a federal instrument, the instrument of government known as your Constitution, and the words in the Preamble are quite expressive: That the Federation, when those inhabitants so desire, to go forward with confidence towards full membership of the Commonwealth—words could not be clearer, that the move even on the federal plane towards full membership is conditioned upon the desire of the inhabitants, whatever these words mean, and I do not think you can ask for full membership of the Commonwealth unless you can assure some authority that the whole of the inhabitants, not every person, but the full membership of the Federation, desire that move.

A. (MR. DUNCAN): We agre with that entirely. We are not asking for full membership of the Commonwealth at this stage. We maintain that you can only have full membership of the Commonwealth when the Territories of the Northern Territorial Governments are independent of Britain, and we are not asking for that at this stage. We grant that one must obtain a reasonable degree of consent before membership of the Commonwealth can be obtained.

Q: How much assured are you on your proposition of full membership of the Commonwealth?

A: Very considerably in the Northern Territories on this line. As we understand it, to obtain full membership of the Commonwealth, it would be necessary for the Territorial Governments of the North to be virtually independent, as we are asking for Southern Rhodesia to be at the moment. Under our proposals now we are not proposing that the Northern Rhodesia Government should be independent of Britain. We are proposing that Britain should still have considerable powers of veto and right to legislate in Northern Rhodesia, and that they should also have considerable say in Britain on Nyasaland, so we are not asking for full membership.

Q: How does full membership of the Commonwealth come down to the Territorial sphere? You are in the Federal domain now and one of the Commonwealth of Nations?

A: We maintain that Federation as a whole cannot be maintained until its Territories are also independent, almost totally. I am aware that in Australia I think the Colonial Laws Validity Act works in some of the States but that is a comparatively minor reservation, but at the moment under our programme there are major reservations in the Northern Territories to the British Government. We maintain we cannot become a full member of the Commonwealth until this reservation of the Territorial sphere is also removed. So at this stage we are asking for independence of the Federal Government in the Federal sphere which we maintain is not the same as full membership of the Commonwealth, and we feel this is necessary and would go on building up the Federation to the extent that the consent of the inhabitants can be acquired for the eventual full membership of the Commonwealth.

(MRS. ROSEN): I would say what we are asking for is legislation of the position as it is at the moment. The full independence, that is restrictions are taken away from the Federal Government which in fact operates under the 1957 Agreement, for the two reasons which have been given: (1) possibility that a change of Government in Great Britain might not accept this or might turn against this; and (2) to give certain status and to give strength to the Federal Government, and in the view of our Party this is taking steps forward to a stage where the agreement of the people to full membership of the Commonwealth can be attained. We read this Preamble as meaning that we should do everything within the Federation to lead to a state within the Federation where all the people will desire us to have full membership of the Commonwealth, and to have that we feel there must be stability in the Federal Government. People must realize that within the Federal sphere the Federal Government has strength and has status and is able to carry on its work within the Federal sphere without interference. I do not think this in any way cuts across the desire of any lawful inhabitants. I think it is simply a step towards realization of what Federation is and after all we have been operating under this for the last seven years and nobody has suffered from it.

CHAIRMAN: As I understand it, Health is a concurrent subject under the Constitution and in fact the Federation has moved into that sphere as it was fully entitled to do. In that sphere which they will have adopted they would get independence under your wish?

A. (MR. DUNCAN): Yes.

Q: Supposing under that independence they were to pass a law in relation to Health which was thought to be discriminatory against Africans. What steps would be open to you?

A. (MR. COLLINS): That is where we erect some form of superior body which we have mentioned.

Q: On this assumption there would be nothing which the United Kingdom could do?

A: No, but before we reach that stage the superior body in which the United Kingdom Government would have had to have confidence would have been erected.

Q: If that is going to happen, you would then suggest, among others possibly the Senate?

A: Among others.

Q: Let us take the Senate which is dealt with more concretely, but the Senate would be a body of which there would be not more than half Africans; is that right, fifteen I think the number was?

A. (MR. DUNCAN): Yes, one of each.

(MRS. ROSEN): That was a suggestion.

Q: Of course there is one thing, the way in which the Chairman or Presiding Officer of the Senate would be selected, but I gather he would have under this proposal a casting vote. There is not very much certain security in that if their majority is unlikely to be other than a Government majority?

A. (MR. COLLINS): That is why Mr. Duncan, in his opening remarks, stressed that we did not mind how stringent the safeguards are, and if you find that objection in the suggestion of a Senate, we do not feel strongly. All we suggest is that some body which is based out here should exercise these powers.

Q: I gather that the body in the form which you put it to us would be prepared to follow but not to prevent legislation if it was discriminatory?

A. (MR. DUNCAN): That is the form it is in at the moment but as we have already said we are perfectly agreeable to go further in this matter. We consider basically that the higher authority whichever it is—and personally I think that I would prefer a Constitutional Council, but that is purely a personal matter—should have genuine teeth, and it should definitely be able to stop anything that is discriminatory. We are perfectly agreeable to that because we feel that it is undoubtedly our duty to produce some scheme whereby that body does have this power purely to get away from the accusation that we are trying to usurp powers from the United Kingdom Government.

Q: Discrimination is a very important part of this thing, and it would not do to assume that all discrimination ought to be avoided. There are elements of discrimination in a particular case which in the general interests of the public would have to be retained.

A: Yes. I think that is a good argument possibly against the Bill of Rights, because whatever the highest body is it must be able to decide whether it is to the advantage of the people. As you say, many discriminations are to the advantage of the people and if you have a body locally elected on which there could be just as much African representation, if not more, they very likely will have to agree to legislation which is discriminatory because it is in favour of the people. What one has to produce is terms of reference whereby they prevent discriminatory legislation which is harmful to others.

SIR LIONEL HEALD: I am sure you want your approach to this matter to be a thoroughly logical one.

A: As logical as possible.

Q: I hope you will not mind if I try to follow that up for a little and see how it works. You have told us that you consider the present form of government in the Northern Territories to be unsatisfactory, that the remoteness of the Colonial Office in London is one of the reasons and that the Territorial Governments have failed to enforce law and order. What worries me a little about this is the enforcement of law and order, establishment of the rule of law as you call it, is the responsibility of the Territorial Governments. Nothing that you have said this morning suggests that there is going to be any change in their powers, so how are you going to carry out your first essential objectives that you stated in your conclusions—to establish the will to govern, to establish the rule of law? How is the Federal Government going to do that when the powers are in the hands of the Territorial Governments?

A: No, I am sorry, I was not meaning to say the Federal Government was going to do it. Granted we are speaking for the Federal Standing Committee of the United Federal Party, but I have gone very much further and put the Party's view of Territorial matters in the Territories. I am not suggesting that a Federal Government should interfere with the establishment of law and order in Territorial spheres. We believe as a Party that if Territorial Governments in the Northern Territories are based here and are free from the difficulties of having day-to-day administration dealt with in Britain and the appeal of African politicians over the heads of the local Governments, if those Governments are established here and work here, that they will in fact have a greater interest, if you like, in being perfectly certain that they establish law and order by the Territorial Government. We realize that this is going to be a very great task, no matter who has the task of establishing law and order. Particularly in Nyasaland it is going to be a very considerable task, and we fail to see how a considerable degree of force will be avoided. But we would point this out, and that is endemic in the situation today, whether Colonial Office governed or locally appointed Government, that action will have to be taken or else the thing will have to be handed over to the Congress Parties who themselves rule by force. There is force in this. You cannot get away from it, the Congress Parties impose their will on the people by force.

Q: It is an essential part of your programme if you are to reach those objectives that you stress very strongly at the end of your speech, it is essential that there should be certain changes in the Territorial Governments?

A: Yes.

Q: Then you may have to consider what those are because you must proceed on certain assumptions, and I think we are clear that in order to get the situation in hand so that the Federal Government can proceed on the lines you want to see it go on, you have to have some alteration in the Territorial Constitution?

A: Yes.

Q: I want to clear one matter out of the way. In paragraph 172 of your bible, I thought you might be referring to that because it is there suggested that in the case of emergency: "In a Federal emergency, Territorial laws may be suspended or temporarily amended and in a Territorial emergency. Federal laws may be similarly dealt with unless the Federal Government objects." It is quite clear that when you are talking about establishing the will to govern and rule of law, you were not contemplating that?

A: No, I was not. I was contemplating the establishment of the Governments in the Northern Territories locally essentially. I gather these emergency powers come under what has been tested by the West Indian Constitution.

Q: I am much obliged. As regards this assumption we must make as regards the alterations to the Territorial Constitution which I think you have told us is inherent in your plan, in this document you do refer to a programme in paragraph 12 as regards the Constitution in which the Territorial Governments have progressed to full self-government, independent of the United Kingdom, in the spheres of government that are territorial. That is the machinery that would have to be dealt with in the law and order situation?

A: Yes.

Q: Then in paragraph 84, substantial changes which ought to be made in the 1960 Review in the Constitution of Northern Rhodesia and Nyasaland in the direction of responsible or representative government. Could you tell us what form of Territorial Government you are assuming which would be independent of the Colonial Office, and yet also independent of the Federal Government and would achieve the objectives that you want to see?

A: In Northern Rhodesia—and after all the Government of Southern Rhodesia has had it since 1923—that is a locally elected Government with franchise similar to the federal franchise with a Prime Minister and Cabinet locally.

Q: Northern Rhodesia now?

A: Yes.

Q: Next year?

A: As soon as possible.

Q: And in Nyasaland?

A: A completely different type of government because we maintain in Nyasaland the persons there have had no training in the form of democratic government, virtually no training, and we foresee that it will be necessary to have a type of appointed government at the moment. At the moment the Government is an appointed government, appointed by the Colonial Office. Our idea is that it should not be appointed by the Colonial Office. In the first place the Governor should be in charge, that there should be a Constitutional Council drawn from people of the highest standard there, and that the Executive Council should be appointed by these bodies, by the Constitutional Council and Governor. The Legislative

Assembly should be the elected Assembly which in the first place should operate as an advisory body, advising on amendments to Bills and policy, working on various forms of Select Committee but without power to veto actions of the Executive Council.

Q: You contemplate a Government of that kind should be operating next year, with the power of life and death in Nyasaland and with no control whatever from the United Kingdom?

A: No direct control but the Governor will be the king-pin in the procedure.

Q: The local dictator?

A: Yes.

Q: Thank you.

A. (MR. SAWYER): I think in any event the United Kingdom can still grant independence we seek in the federal sphere even before the various Governments have achieved the position. I think it is quite clear that no such thing as Dominion status, full membership of the Commonwealth, can be granted until the territories have attained independence. I do not think we can argue that independence in the federal sphere, can await the setting up of these Governments.

CHAIRMAN: As I understand it, some of the argument addressed to us this morning was a little critical of control from 6,000 miles off, and I wondered to whom the Governor would be responsible?

A. (MR. COLLINS): At the moment he is presumably still responsible to the United Kingdom. I do not see how that can be avoided.

Q: I do not see how questions in the House of Commons are going to be avoided.

A: It is a difficult one, I admit.

(MRS. ROSEN): I think questions in the House of Commons would be limited in the same way as questions in the House of Commons were limited as far as Southern Rhodesia was concerned from 1923, and if you establish in Nyasaland this Constitutional Council and legislative body which is based in Nyasaland, there will have to be some constitutional way by which the Governor again will have a right of veto or reference on certain matters and not on everything, probably on discriminatory matters again. We want to get away from the fact that the Federation or any part should be a political football in the House of Commons.

SIR LIONEL HEALD: Again I am not sure that you appreciate that I am not being critical or still less discourteous, but we are trying to understand. Is it not the really logical answer to the whole of your problem, as you put it to us this morning, that there should be amalgamation and not federation, so the Federal Government has complete control over what goes on in Nyasaland?

A. (MR. DUNCAN): No, we do not agree with the unitary State because the various territories are at different stages of development and they develop along their own lines, and that is one thing that we have been accused of all the time by African politicians in the North, that the white settler is to take over the Northern Territories. We have no desire to do that and we maintain that the territorial spheres of the Northern territories are developing according to their particular composition.

MR. ROBINSON: May I devolve a little further into the interesting question of the proposals you are making for the new Constitutions for the two Northern Territories. I would like to begin with Nyasaland. It always has been an established principle in the Commonwealth that a Government is either responsible to the Secretary of State or the Government is responsible to an electorate in that colony. I do not think that it has ever been contemplated that you are going to create more or less an independent dictator in the form of a Governor, but that is apparently what you want to do in the case of Nyasaland in the immediate future. It is suggested that he should be advised by some kind of Select Council of wise men, and they are apparently to help him in choosing Ministers or Executive Councils from Nyasaland. Have I got that right? This is a new idea.

A: Yes, that is correct.

Q: When something happens in Nyasaland, to whom is the Governor and his Council responsible?

A: The Governor eventually is responsible to the British Government in that he is appointed by the British Government for his period of office. But, as Mrs. Rosen has said, this is an attempt to get day-to-day administration of Nyasaland away from the influences it has had to suffer over the last few years in Britain. We maintain with the present set-up in Nyasaland the Government has really pretty well ceased to function, and it is not surprising when you have a Commission of Inquiry, such as the Southworth Commission into the manner in which the Police handled the crowd, it completely destroys confidence of the Police, and it has become almost impossible, we believe, for the Government of Nyasaland to operate under the present circumstances. We therefore produce these proposals to try and overcome that particular difficulty, and the idea was that the Governor should be appointed by the British Government and that certain specified measures should again be subject to the veto and so on, as is contained in the other Constitutions. I am aware it is a novel system of government, but we maintain that the present system of government has failed and something stronger must be replaced.

Q: I am only anxious to see whether the new system is going to work. Let us take the important case of the arrest and subsequent release of Dr. Banda. That was a matter of the very highest importance. That was a political issue which was of the greatest importance to the whole Federation and which attracted attention in other parts of the world. Under your system presumably the Governor will continue to act under the orders of the Secretary of State?

A: No, not in day-to-day administration.

Q: Are you going to call the arrest of Dr. Banda and release day-to-day administration?

A: I think the arrest of anyone who deals with intimidation and violence undoubtedly comes under the day-to-day administration.

Q: This is a matter of the highest political importance and it is quite obvious that the British House of Commons would certainly not agree to a matter of that kind being dealt with by a Governor who was not responsible in doing so to anybody, and I am not able to find out what other body it would be other than the Secretary of State?

A: Ultimately I agree he would be responsible to the Secretary of State; but we do not agree that matters such as the arrest of anybody who deals in criminal activities should be a matter for discussion in the House of Commons.

Q: Exactly how are you distinguishing between matters which are to be considered in the House of Commons and those which are not?

A: I think you draw up a legislative list of those that are.

Q: The arrest without trial of somebody who is considered to be dangerous is not one of the matters that should be discussed in the House of Commons?

A: I agree under this system I do not like arrest without trial any more than anyone else; but if you are to have legislation to deal with these people, and a proper charge brought against them, and deal with cases of trouble in Nyasaland, there appears to be no way of dealing with the situation.

Q: I will leave Nyasaland but I think it will be a little difficult to establish a Constitution to work satisfactorily. Coming to Northern Rhodesia, there your proposal is immediately a Constitution similar to that of Southern Rhodesia of 1923 should be introduced. Is it your proposal that there should be no considerable widening of the franchise?

A: (MR. RICH): We do not feel that the franchise should be widened at this stage. It is the basis of the future of the Territory, the whole idea is to keep government in the hands of responsible, civilized people, and we feel that the franchise as at present framed achieves that end. The African in the last Territorial election had considerable sway in two instances, in fact it resulted in the defeat of one European candidate in one case; in the other, it undoubtedly resulted in the election of a European candidate.

Q: Are you aware that the proportion of votes of Europeans in Southern Rhodesia is 68%, and the total of the European population is approximately 3% of the total population?

A: Yes.

Q: You are really suggesting that constitutional Government responsible to the Legislature should be set up there with all the same powers which the Southern Rhodesia Government enjoys at the present time, and it should be responsible to an electorate of which 68% are European, and Europeans are only 3% of the population?

A: That is the effect of it at the moment, but those figures will undoubtedly vary as times goes on and the number of Africans will undoubtedly increase.

Q: But you are insistent that this Constitution should be introduced next year?

A: I feel personally there should be steps towards it. In three or four years' time that will be the situation.

Q: It is the intention of the United Federal Party that a constitution should be introduced analogous to that which was introduced in Southern Rhodesia in 1923?

A: Surely there are similar situations in Northern Rhodesia

to the situation as it was in Southern Rhodesia at that time: In Southern Rhodesia there have been important improvements in a very short time.

(MRS. ROSEN): You are thinking in terms of Africans and Europeans, whereas we are thinking in terms of responsible people, people who have the vote and can exercise discrimination when going to the polls. We are thinking in terms of people who can select a government which can rule for the benefit of the people, which is part of democracy, it is not just rule by the people but for the people. We believe we have developed a system which is good, although we have had to create an arbitrary line, just as the age of 21 in other countries is an arbitrary line. There must be this line somewhere in every franchise, and we have drawn it where we believe people have acquired discrimination, to distinguish them from those who are not yet at that stage. We feel it is wrong to think about these matters in racial terms. We are trying to build up a country of Rhodesians and Nyasalanders, not a country of black and white. The whole conception of the United Federal Party is to go along those lines. We do not think it matters whether it is 68 per cent European or 68 per cent African, so long as the people on the voters' roll are people who can choose the right type of legislators, who will help the country along towards whatever system the country wants.

Q: Do you think that will appear to be an entirely reasonable arrangement for the great majority of the people in the Northern Territories, and that a system of that kind is likely to reconcile them to Federation?

A: In Northern Rhodesia there is the arrangement of values and votes which has allowed for special representation. I think the franchise arrangements there could be carried on in a similar manner but with a properly elected government. We do not want to get away from the slightly artificial arrangement whereby Africans have got into the Northern Rhodesian Government; but we want to feel there is a government there elected by the people with its own Cabinet and Prime Minister, running its affairs within the country.

MR. JUSTICE BEADLE: Have you paid enough regard to the statement which has been repeatedly made by the British Government and which was re-affirmed by Mr. Macmillan in Salisbury a few weeks ago, that Her Majesty's Government in the United Kingdom will not remove her protection from the Northern Territories until the Government is satisfied that the mass of the people so desired? If you are suggesting a government in Northern Rhodesia similar to the Southern Rhodesian Constitution of 1923, Her Majesty's Government will in effect be removing her protection from Northern Rhodesia without in any way ascertaining the views of what most of the people desire. How do you meet that one?

A. (MR. CHIPUNZA): The United Federal Party has taken heed of this statement by Mr. Macmillan. There has been no attempt whatsoever to remove the protection of the people from Britain, but what is important at this juncture is that within these Territories there must be enough confidence instilled in the people; and that can only come about when you have a locally-based government that will breathe the spirit of the land. You can only do it by trying to organise things in such a way that the people on the spot have a greater say in their affairs without necessarily removing the protection the people have had. There is no other way you can bring about confidence and stability unless you have the people themselves having a stake and a much greater say. At the moment one of the most disturbing things is that our lives here have virtually become a permanent period of emergency, because we are always at the mercy of whoever is in power in Britain. I think we would all agree that the various Ministers of State in Britain have never been consistent: things have been changing all the time, and people feel we cannot go on like that. We must give the people a greater say. One may complain about the franchise, but when Northern Rhodesia had its first election African voters had a say. In Southern Rhodesia, although there is not a single African in the Southern Rhodesian Legislature there is no doubt that any political party today cannot ignore the wishes of the African people. Although there are few voters, no party or politician can ignore that.

Q: What I was asking was how can you reconcile giving Northern Rhodesia a constitution similar to Southern Rhodesia with the statement made by Mr. Macmillan in Salisbury; because unless you can reconcile those I cannot see how you have any reasonable possibility of getting it. It is no use recommending something which is going to conflict absolutely with the statement made by the British Prime Minister.

A: (MR. DUNCAN): It depends on the interpretation of "British protection". My view does not necessarily mean to say that the Colonial Office has to have a majority in the Government of Northern Rhodesia. Surely the British protection is there when you have still in the Constitution the right of the British Government to legislate for Northern Rhodesia, a complete right of veto, and so on. We are not asking for Northern Rhodesia to have complet independence in the Territorial sphere. That would take it out of British protection, I agree; but as long as the British Government has the final say in the form of veto and the right to legislate, the protection is there.

Q: But is not British protection in the sense that it was used by Mr. Macmillan a term meaning that those states would in effect remain British Protectorates until such time as the people in those countries wished otherwise. I am trying to find out whether you could get something which you are asking for without asking the British Government to go back on an undertaking. Unless you can do that we are chasing moonbeams.

A. (MR. SAWYER): My reading of Mr. Macmillan's statements in Salisbury was not that there would be no further advance in the Northern Territories constitutionally, but that he would not hand over British powers to a Dominion in the Federation until such time as there was evidence of consent. What we are proposing is an advance short of full independence.

Q: Surely what he meant was that the ultimate responsibility must rest with the British Government? There is a fundamental difference in a government like the Southern Rhodesian Constitution, one which is responsible to an electorate and not responsible to the British Government in the United Kingdom. The suggestion you made for Nyasaland would not conflict with what Mr. Macmillan said because in such a situation the Government must remain responsible to the Secretary of State, and that must remain a Protectorate form of government.

A. (MR. DUNCAN): In its normal working, a government such as that of Southern Rhodesia is responsible to the electorate, but I maintain that if the United Kingdom retains the right of veto and the right to legislate for those Territories, it still retains the ultimate right of government there. It would be a locally elected government which deals with normal administration, so long as the British Government has the ultimate power to legislate for it, if it wants to.

Q: You maintain the Southern Rhodesia constitution of 1923 still left it in the position of being a Protectorate?

A: No, it was declared a colony before that. That may be splitting hairs; but I do not think the Southern Rhodesia-type government would necessarily have been inconsistent in a Protectorate. You could still have a Protectorate with that degree of self-government.

CHAIRMAN: That is to remain until it is quite clear that the expressed wish of their peoples is to enter into and form an independent Federation?

A: Yes, sir. That is not inconsistent with what we have said. We are not asking for full and independent Federation at this stage. When you get that you get to the stage of full membership of the Commonwealth.

MR. GONDWE: As regards Nyasaland, the United Federal Party do not want to see a government of Africans. They feel such a government would cause trouble, as there was in 1953.

A: No, what we are opposed to is not African government in Nyasaland but a government led by a party which gets its support by intimidation and violence. We are opposed to the government being handed over in Nyasaland to a party which intimidates people and will not allow freedom of expression.

Q: If the Legislative Council in Nyasaland is going to be an elected body, how are you going to avoid electing members of the Malawi Congress Party, or some other party?

A. (MR COLLINS): You cannot avoid it. That is the whole purpose of the suggested Constitution; so that for a period of years there shall be some restraint on the powers of the elected legislature, to give time for political parties and for political responsibility to develop, in Nyasaland. That may be hopeful, but it is after all the only hope. You undoubtedly will get members of the Malawi party in the Legislature: you cannot avoid it.

Q: You want to have an Executive Council which is nominated. Is there any precedent anywhere at all for this?

A: The present one.

Q: The people of Nyasaland would like to see a responsible government. I quite understand the United Federal Party would also like to see that; but are you aware that opposition to Federation in Nyasaland is based on this point, that the continued presence of Federation or Nyasaland being in the Federation for all time, would mean there would not be any self-government for Africans?

A: No: the question, as postulated, was not correct. We are opposed to self-government in Nyasaland at present because we do not think that Nyasaland has reached a stage where it is possible, but we are not opposed to it in principle; we

recognise it must and will come. If it is the case that the Nyasaland African objects to Federation because he believes that it is standing in the way of achieving responsible government there, I do not believe it is. I see no reason why it should.

PROFESSOR CREIGHTON: Referring to the general objectives set out in paragraphs 93-95, item 1 in the Federal Legislature list is "External Affairs". Then you go on to other items. In fact, the measure of freedom inside that has been limited, has it not?

A: Yes, But we consider the present arrangement works well whereby, by agreement between the Governments, the Federal Government deals with certain aspects of foreign affairs, for instance, there is the establishment of the High Commission in certain places; but we do not want Her Majesty's Government to take over completely in that field. We consider there should be no basic alterations in that field.

Q: So that for practical purposes in external affairs the position would remain exactly the same as it is at present under your proposal?

A: That is correct.

Q: Dealing with internal affairs in paragraph 98, you set out a list of restrictions on the constitution upon its freedom of action. As regards (1), within the history of the Federation only two statutes have been reserved. The United Kingdom, in fact, restored them to validity, so that no validity has been impaired by that?

A: That is correct.

Q: As regards (3), have you in fact bumped against the Colonial Laws Validity Act in any respect?

A. No. It is not a major item.

Q: Then (4), referring to the appointment of the Governor-General, in point of fact he is appointed with your approval, is he not?

A: Certainly the advice of the Federal Prime Minister has been taken, but the ultimate responsibility lies with advice from the United Kingdom Government.

Q: I assume that approval is generally sought in advance?

A: Yes.

Q: As regards (2), this convention which has been recognised in fact meets your requirements, and the only difficulty is because of the implied threat of the Labour Party that it might not abide by the terms of this agreement?

A: That is correct.

Q: In all other things you have nothing to say at all as regards internal legislation. You are, in actual fact, as free as you want to be in theory?

A: Yes.

Q: Then it boils down to this item. I suppose constitutionally the Labour Party would be just as ready to repudiate a statute as to repudiate a convention, would it not?

A: I imagine constitutionally it might be able to, but I am not a constitutional lawyer.

Q: But this is the only ultimate objective you have, to increase the stability of the Federation and to promote the confidence of its citizens and advance the respect of the outside world?

A: Yes, I think the respect of the outside world is very important. The whole position of confidence at the moment, due to political uncertainty—there is great talk of disruption of Federation. We want to make clear that there is no question of disruption and that the Federation will prosper. By granting independence in these matters—as you point out, there is not any great practical difference between the present situation—it will give that confidence and authority to the Federal Government.

Q: It puzzles me to see how far this objective can be obtained by the mere legislation by what is in fact the continued existence of present arrangements. You are legalising the existing state of affairs in internal affairs. You attach very considerable importance to this achievement?

A: Yes.

Q: But you must also be aware that there are sections of opinion in the country which view it with considerable alarm. Why then do you press for something which in reality is nugatory when it may, in fact, divide the population of this country very seriously?

A: As I have already said, we consider this question of the vote of confidence in the Federal Government to be of vital interest to us. It is opposed by the African political leaders who wish to disrupt the Federation. This is the crux of the matter—is the Federation to continue and to build up, or is it not? We maintain it must do, and we want it clearly declared by the British Government that it is going to do so. We believe that when it is made abundantly clear to all it will be very much easier to work the Federation internally because confidence will be there that Federal government is here to stay. These uncertainties create a very difficult situation with the indigenous population, because they do not know what is going to happen next and they become perturbed, which leads to political turmoil.

Q: It is difficult to understand how you can in fact create confidence and have increased stability when in fact you will be exacerbating a division of opinion which exists over this matter. The people in the north really believe that the achievement of your objectives would limit or restrict the guardianship which they believe is essential to their existence. In actual fact the argument is over a comparatively trifling number of things.

A. (MR. SAWYER): I would not agree these were trifling things or just a legalisation of the position. The resident of any particular Territory in the Federation would normally look to his own Territorial Government and then to the Federal Government. The whole thing is bedevilled by having a further loyalty to yet a third government. As Mr. Duncan pointed out, it has led to extreme confusion in people's minds. If there were only two loyalties, more permanency and stability would be attained.

Q: Other Federations have grown up inside the Commonwealth with this double or treble loyalty between the internal states and the United Kingdom. Australia was past the quarter century before it achieved the things you wanted in seven years, and Canada was nearly 60 years. Why are you in such a hurry?

A. (MR. DUNCAN): The rest of Africa is in such a hurry.

Q: Do you want to emulate them?

A. (MR. DUNCAN): No, but if we are going to be left behind and the British Government is not prepared to grant even this degree of independence to the Federal Government, it merely gives the impression that the Federation is a temporary state. We maintain it must become permanent.

Q: You want to build a British Dominion in Central Africa, do you not?

A: Yes.

Q: Is this not one of the best ways of building it?

A: I do not know that it is. It does not help to have another government looking over your shoulder to see that you govern properly.

MR. CRAWLEY: You claim independence for the Federal sphere in order to emphasise that the Federation is permanent. How do you reconcile that with what Sir Edgar Whitehead said that if changes were agreed in the constitutional conference which Southern Rhodesia did not like, she would feel able and entitled to leave the Federation?

A: I cannot agree that Sir Edgar has actually said Southern Rhodesia would be entitled to leave the Federation. I am fairly familiar with his thinking on this point.

Q: I am not referring to his thinking but to what he said.

A: You will have seen the press report of what he said, presumably—I do not know what it does say.

Q: No. I have it from the Federal News Letter.

A. (MR. SAWYER): I do not think Sir Edgar ever said he would go back and hold a referendum on the basis of secession. The broad import was that if there were two black nationalist states in the Northern Territories, which would lead to reactionary troubles, the whole thing would be untenable.

Q: But he nevertheless maintained the right of Southern Rhodesia to leave the Federation?

A. (MR. DUNCAN): No, I cannot agree. I was at a meeting when Sir Edgar was asked whether Southern Rhodesia had a right to secede. He said that by law it had not, and the only way secession could come about was by agreement between the governments. That is our interpretation.

MR. MOLSON: The full text of the speech is here, and the first is the report in *The Times;* "He did not believe that if the Governments in both Northern Territories were operated on a nationalist basis by African nationalists the Southern Rhodesian electorate would consider remaining federated with the two governments on that basis." When he was speaking later in the Legislative Assembly he said, "That is why I said the other day that if African nationalists"—and the emphasis was on nationalism—"take over in both the Northern Territories I thought it would be almost impossible for us to remain in the Federation." Those are the two texts, and the second one is authentic because it comes from Hansard.

A: I think that is compatible with what Mr. Sawyer said. He is not stating that Southern Rhodesia can unilaterally secede in either of those cases: he has merely said the electorate

would be thoroughly opposed to being joined with two Congress-type governments in the north. When asked whether Southern Rhodesia had the right to secede unilaterally at this meeting, he said quite definitely that it had not. The only way was by agreement between the various Governments. That is the position.

MR. ROBINSON: It may be of interest to the Commission to know that I heard Sir Edgar Whitehead on Saturday night in an interview on the B.B.C. and he made this statement: "I have deliberately never used the word 'secede'. I have merely indicated that certain circumstances might not make it work." That was in answer to a question on the B.B.C. on Saturday night which was relayed here.

MR. CRAWLEY: He may not have used the word "secession" but he used the words "not be able to remain in the Federation." There may be a distinction there but I cannot see it. As regards your proposal in Nyasaland, you said the Governor could be appointed by the United Kingdom. If a Governor can be appointed, he can also be removed?

A: Yes.

Q: You re-defined partnership. Would you say from your experience that the use of the word "partnership" has been misleading and would you like to substitute in a new Constitution some other word?

A: I think the word "co-operation" is more satisfactory, because when the word "partnership" was first used it was considered to mean immediate equality. I am perfectly willing to agree that partnership will mean equality as an aim. We are aiming at getting individuals, no matter what race, treated entirely equally, but when you start with a position where everything is unequal you cannot make it equal overnight. I think the word "co-operation" is a more satisfactory one.

MR. TAYLOR: Regarding the proposed Constitution of Nyasaland, we received a paper there explaining this form of Legislative Assembly, and as I recall it the suggestion was made that the Legislative Assembly would be elected on the basis of a very wide franchise—almost one man one vote—and the Executive Council would be nominated. Only the Executive Council had the power to introduce Bills into the Legislative Assembly, and the Legislative Assembly had to approve, in the normal parliamentary manner, all such Bills as were presented to it, except that if it refused to pass a measure which the Governor, as the head of the Executive, considered should not be delayed in the public interest, such as a monely bill or a budget, he would exercise a more or less United States presidential veto on the right of the Assembly to hold up the passage of that legislation. That I think is rather different to the Legislative Assembly having only advisory powers, which we have been told they would have. Have I summed up accurately, very briefly, the sort of constitutional arrangement that you want in Nyasaland, or has there been some change in the memorandum?

A. (MR. COLLINS): With the greatest respect, I have the memorandum before me which was submitted to you by the Nyasaland division, and some of the things which you have just said are an extension of the memorandum. For instance, there is nothing in this memorandum to suggest anything approaching the "one man one vote" franchise. There is nothing here which talks about a very wide franchise. In fact the position of the party is that the franchise should be based roughly on the present Federal one.

Q: Does the memorandum say that this legislative body is only advisory, or does it make provision for it to axe Bills which were introduced by the Executive?

A: It could not stop a Bill presented by the Executive, if the Executive wished to insist on it.

Q: Yes, otherwise it had to pass them in the ordinary way?

A: It has power to amend, and legislation will then go back to the Executive Council for reconsideration, and the Bill in due course would be submitted either with or without amendments to the Legislative Council. In the ultimate issue the Legislative Council has not power to obstruct the passage of a Bill if the Executive insists. Of course, I am not stating what they said to you in evidence but only what the memorandum says. As far as we are concerned we adopt the memorandum.

MR. CHIRWA: The United Federal Party wishes to have independence in the Federal sphere. Of course, there is a Convention of 1957, and you know that some people are pressing this Convention in that it does reduce the powers of the Constitution. Suppose you had this independence within the Federal sphere, in spite of what has been done, if there was legislation to that effect, or a clause in the coming Constitution, do you think yourselves you would be winning the support or co-operation of Africans if you insisted on it?

A. (MR. DUNCAN): If it is explained to them carefully and if the explanation reaches them properly, the safeguards we are quite willing to have in will give the African a very strong say in stopping anything that may be discriminatory, and we think Africans would accept the position. So long as it is thought we are just taking the powers away from the British Government so that we can do anything we like with basic African rights, there will obviously be strong opposition to it. I would like to make it clear that we are agreeable to any form of safeguard for these rights and we do not mind how severe it is. Once that is appreciated and the body is there with African representation on it and those rights will be preserved, the people would be prepared to accept it.

Q: You have virtually said in this memorandum you would not like to see any change in the present composition of the Federal Assembly.

A: Yes.

Q: You are suggesting that you want these powers for a government which is mainly European?

A. (MRS. ROSEN): With the safeguard of an Upper Council—or whatever the constitutional lawyers suggest as the best safeguard—with that safeguard superimposed to take the place of the British Government. We do not ask that the Federal Government should take over all these powers and that there should be no safeguards against discrimination.

Q: You would agree the present composition of the Federal Assembly is mainly white?

A: Yes.

Q: You are actually suggesting that the British Government should surrender these powers. What is really important is the body which makes the laws and prepares legislation. In this case the most important body is the Federal Assembly, which is at present European. Do you not think that if that was accepted the British Government would get into more trouble from the African people in view of the fact that the Africans at present distrust the Federal Assembly? Do you think you would improve the situation of the Federation in the eyes of the African people?

A. (MR. COLLINS): The question is not really sound basically. There must be a misconception that the powers of the British Government, referred to in paragraph 98, will be surrendered to the Federal Assembly. It will be surrendered to somebody, and we hope you, as a Commission, will be able to advise on the appropriate body. It will be surrendered to somebody quite different from the Federal Assembly and, as far as dealing with discriminatory legislation is concerned, superior to the Federal Assembly. It is not a surrender to the Federal Assembly, but a handing over to an entirely separate body. If it is going to be represented to the African population in the manner in which Mr. Chirwa put the question, I entirely agree with him that we shall meet with trouble; but if it is put correctly and honestly I am sure it will be accepted.

CHAIRMAN: It would have to contain a provision that the powers of this so-called superior body would be limited to delay. That is what is in your document.

A: I am not so sure we are absolutely adamant about that.

(MR. SAWYER): Would it not also be subject, as a body, always to the pressure of public opinion? All governments have to take this terrific weight of opinion into account.

MR. CHIRWA: You have said that some of these people have to be nominated by the Prime Minister of the Federation. Obviously he must take into account the people who put him into power and you must accept the fact that at present the people who did that are Europeans. Therefore the members of this body must be people who are acceptable to the majority of voters?

A. (MR. DUNCAN): What we have put down here are various suggested alternatives. The fact that one of these is a senate and that various people should be nominated by the Prime Minister or the governments of various territories is merely a suggestion. We are quite agreeable for some other form of body to be brought about. If you have a senate which is dealing with ordinary legislation as well as discriminatory matters, you are in a difficult position because if the country is to be governed at all you somehow have to have some form of agreement between the Senate and the Federal Assembly: otherwise, you get no legislation passed at all, or else you have delay, which makes the operation of a country's government very difficult. I am inclined to agree with Mr. Chirwa that if you have a senate on that basis, his argument is sound. I said I personally preferred a constitutional council which would be appointed and I think you can devise a means of appointment completely divorced from the political parties. I would like to see quite a small body, representative of all races here —African, European, Asian and Coloured—who are appointed in some way out of a panel drawn up by persons of an

independent point of view, possibly the Governor and the Chief Justice of each territory. The final choice might be made by someone as impartial as possible, but I like the idea of an appointed body of that nature because it is not then under the influence of the political situation. It would be very much more independent.

SIR VICTOR ROBINSON: If I told you, as a constitutional lawyer, that the only satisfactory way of appointing such a Council of State would be to place the authority to make the appointment with the United Kingdom, would you be happy?

A: If that appointment could be made indirectly through the Governor, I would be happy.

Q: That would be first class. The Governor would then act on the advice of the United Kingdom Ministers?

A: I do not know about that, but if he is the Governor-General, and the representative of the Queen, I think one can say he is the most independent-minded person you can find.

Q: And he would not act on the advice of any local Minister?

A: We would be agreeable to that. As we say, this body must have teeth to be of any value.

(MRS. ROSEN): I would also like to draw attention to paragraphs 139-141, where we have put suggestions as to the manner in which difficulties and disagreements could be dealt with.

MR. ROBINSON: Perhaps one of the weaknesses of the document you have put in is that you talk about the body, whatever it may be called, having powers of delay, and in paragraph 135 you say the party believes that a power of delay, but not to prevent, is all that should be allowed for. In South Africa there has been a Constitution which contained two entrenched clauses and, though it was not possible to alter those clauses, it did not prevent other statutes being altered, as a back-door method of achieving the same purposes. Whatever the constitutional device is that is created to prevent discrimination, are you agreeable that the method of its composition and anything to do with its establishment should become fixed and unalterable, because if some such arrangement was not arrived at eventually, by some device or by alteration in the appointed body or something of that kind, you could destroy the whole purpose of its appointment.

A. (MR. SAWYER): It would have to be a final body. You could not run the risk of having it distorted. Obviously we are mainly concerned with the independence of the Federal body. We put forward the suggestions to assist the Commission in their task.

Q: Do you want the United Kingdom to transfer powers whether or not you can have some such instrument established that is not fixed and permanent, because you may have a white majority today but you tell us you will have a black majority tomorrow; if we accept that, surely all races want protection for evermore?

A. (MR. DUNCAN): I personally agree it should be fixed and permanent, but I think you should make the constitution as difficult to alter as possible, so that it cannot be chopped and changed. My opinion is that your Constitutional Council, or whatever is established, should be established in a permanent way. That is not the view of the party. The view of the party is that all this is for discussion so that the best arrangement may be arrived at. But we think that this device, whatever it is, must be a potent device. It would be quite useless if it were something that could be fiddled with and changed overnight.

MR. JUSTICE BEADLE: Are you now suggesting you should substitute for the African Affairs Board, which is a locally elected body, a Constitutional Council, which should be a nominated body—in fact, nominated from Whitehall? Would you regard that as a constitutional advance?

A. (MRS. ROSEN): Yes, the African Affairs Board, although it is an elected body, does not have the final say but only the power of deciding what is discriminatory and sending that forward to the British Government for final veto or otherwise. We suggest the Council as it has been suggested here—but one might need a select committee of the House or an African Affairs Board or something like that—should decide on which basis it should go forward. The Constitutional Council is the final arbiter in the discussion of whether this is a good law or not, and not the British Government.

(MR DUNCAN): I did not agree the Constitutional Council should be appointed by Whitehall; I said by the Governor-General who is the most independent man one could find to do it.

Q: But he would be a nominee of Whitehall?

A: He is appointed by the Queen. I was considering him in his personal capacity as Governor-General. He would be the most independent-minded person.

MR. MENZIES: Surely the Governor-General is guided by his own Ministers? When he is appointed to a Dominion he is advised on constitutional practice by the Ministers with whom he functions?

A: Again these are suggestions, to get the most independent-minded person possible. My personal suggestion was that the Governor-General and Chief Justice should do the appointing, but I was not considering appointment on advice from the Prime Minister, because then immediately it becomes political.

MR. CHIRWA: How can you avoid the Prime Minister having access to the Governor-General on the matter of the constitution?

A: If it is given to the Governor-General in his own discretion, I do not see that he has to take the advice of the Prime Minister. The Chief Justice does not get the Prime Minister's advice on how to conduct cases in the Supreme Court. The whole thing is to get someone of independent mind.

Q: Why are you afraid of people being nominated from Whitehall?

A. (MRS. ROSEN): That would mean relying on the opinion of a government 6,000 miles away. Would not the Governor-General have a better knowledge of the people in the country than Whitehall? Obviously the Governor-General and the Chief Justice, living with the people and seeing them, have a better opportunity of knowing which people are most suited to carry out an appointed Upper Chamber.

MR. ROBINSON: Would you have any objection to the local authority, whoever it might be, appointing representatives from the Commonwealth, including the United Kingdom—a certain number of appointees?

A. (MR. DUNCAN): That point has not been considered by the party, but I do not think we would necessarily object to it.

(MR. CHIPUNZA): It might not be a practical thing to have men appointed to a council that is functioning here who may have to be away from the country for many months.

SIR DONALD MACGILLIVRAY: In paragraph 191 of your memorandum you said that the United Federal Party believes that Europeans in the Federation as a whole recognize the need, not only to promote the material, cultural and educational advancement of Africans, but also to allow them to take a share in the government of the country which should increase as the Africans demonstrate their ability and sense of political responsibility. They believe that the best way for Africans to develop politically and economically is in association with the Europeans. I imagine when you talk of ability you mean ability in public affairs, not ability in other fields. Would you tell us what opportunities there are in Southern Rhodesia for Africans to demonstrate their ability in public affairs and their sense of political responsibility?

A. (MRS. ROSEN): Yes. They have African councils in the rural areas, advisory boards in the towns and in certain towns they have a form of residents' associations. The councils in the rural areas are built up towards independent management of their affairs within these areas, and I think the whole of the Southern Rhodesian system is built on bringing the African forward. Perhaps Mr. Chipunza would enlarge on this. The system of bringing the African forward into the capability of being able to manage first their own affairs and village affairs.

Q: Do you suggest that there is there an opportunity to develop a greater sense of responsibility? In village councils the Native Commissioner is invariably the chairman and by and large I suggest that the members of the council are advisory to him. In the townships there are these bodies but they are, as you say, advisory bodies. There is no executive authority vested in them and it does not give great opportunity to exercise responsibility. Of course, in the central government there is not a single African in the legislature.

A. (MR. DUNCAN): First of all, I think you said the Native Commissioner was invariably the chairman of the rural Council; that is not correct.

(MR. CHIPUNZA): My experience in local government in the council from which I come, which is in the African Purchase Area, is that the position of the Native Commissioner there is more of adviser, the whole of the responsibility being carried by the people. It is true that in the Legislature of Southern Rhodesia there are no Africans but when you take the day-to-day councils through the country one has only to go out and see these things in action and see the part the people are playing. There is much to be done but at the same time these things are there. One does not have to talk about them. One has only to go and see what the people are doing.

MR. CRAWLEY: We have had evidence from chiefs and other councillors that the Native Commissioner does not consult

them over the majority of the decisions he takes. Would you say that evidence is untrue?

A: In some cases that does happen but in others, where you have a council which has been going for some time and you have a man with understanding, they are playing a greater role.

(MR. DUNCAN): One should not look on this as a static position. The thing is changing all the time. Gradually there are more opportunities for taking responsible action which are coming forward. In the political field I think you are really getting on to the question of the Southern Rhodesia House not having any Africans. That is due to the common voters' roll and to there not being sufficient Africans in any particular constituency for an African candidate to put himself forward. There is no legal bar to it. But as we see it, wages and education are increasing, we maintain, quite quickly now and large numbers of Africans should be able to come on the voters' roll, and if we can keep on building it up at the pace we would like, more and more will come on, and in a comparatively short space of time a considerable number of Africans should be in the Southern Rhodesia House.

SIR DONALD MACGILLIVRAY: Are there ways of demonstrating responsibility in the Southern Rhodesia Legislature other than the common voters' roll? Would it be possible to devise other means whereby they could be given these opportunities to demonstrate that?

A. (MRS. ROSEN): I think they are demonstrating political ability through the political parties. Mr. Duncan pointed out at the beginning that 25% of our last Congress was non-European through the political parties. African people are quite definitely demonstrating their development of political thought. It is rather significant. I have some figures here which show that there is a potential of somewhere in the region of 25,000 who could have registered on the Southern Rhodesia roll who have not done so. Admittedly there are 14,000 Europeans who are not registered. There is political apathy amongst peoples in Southern Rhodesia. Had the Africans enrolled as they should have done, it is quite possible by now there would have been at least two African members sitting, and we hope it will emerge at the next election that in at least two constituencies political parties will put forward African candidates knowing they will have an opportunity to win. Obviously no political party is going to put forward a candidate where there is no possibility they would win the seat. It will be a pity at this juncture to alter this development in Southern Rhodesia which has always been on the lines of a common voters' roll and the ability for the people to get on to it if they desire to do so. I think it would be a pity to bring contrived artifices into this.

Q: In dealing with the electoral franchise, you say the main principle underlying the Electoral Act of 1958 is the retention of voting power in the hands of civilized and responsible persons. Do you regard those qualifying for a vote on the General Roll as civilized and responsible persons?

A. (MR. DUNCAN): It is a very difficult line to draw, but that is the best we have been able to do about it. Some people who are meant to be civilized do the most extraordinary things.

Q: Do you regard those who are qualified for the Special Roll as civilized and responsible persons?

A. (MRS. ROSEN): Those that are on the Special Roll are taking a step towards the full conception of the civilized and responsible person.

CHAIRMAN: Independence within the Federal Roll

A: Quite definitely. I feel these people are learning it is giving them a step up and having not reached quite the arbitrary line, which I mentioned before is an arbitrary line, but they are beginning to develop responsibility and therefore they should have some say in the election of the people who are representing them in the Federal House.

SIR LIONEL HEALD: You say that the special voters are uncivilized and irresponsible people?

A: I did not say so. I said they were people who are well on the way to being civilized and responsible.

SIR VICTOR ROBINSON: They are not sufficiently civilised to go on the General Roll?

A: It is not a question of civilization in that sense because if you talk about people being capable of voting you might say that Germany was civilized under Hitler, and you would probably be wrong, but it is a question of discrimination. Surely where we talk about civilized and responsible people we are thinking of people who have powers of judgment and discrimination and a knowledge of balance in the party sense of responsibility, and until a person has had a certain amount of education he has not got powers of discrimination; they can be half-way towards it.

MR. KATILUNGU: What about in the Northern Territories where you have very powerful Native Authorities with Councillors around them who do advise, and they have not had any education. The same applies to village headmen who administer those particular areas. Would you think they are not civilized?

A: I am not saying they are not civilized. Would they be able to discriminate in party politics?

Q: That is the point I am raising.

A. (MR. SAWYER): You have Southern Rhodesia with all its terrific level of development and advance in health and education. I do not know what proofs you may see in that particular situation. There is certainly lots of room for improvement but you can see the proof of the systems here.

Q: I have a few questions to ask. I think, arising from Mr. Duncan's opening remarks when he was dealing with the preamble to his memorandum, much has been said of trying to win the confidence of Africans in regard to their loyalty towards the Federation of Central Africa, and in this memorandum you have raised the question of safeguards. With your experience and information that you have as a representative of the United Federal Party, are you aware that one of the demands of the African politicians in the Northern Territories is that they will only recognize that they have been afforded the best safeguards when they find themselves with a good number of representatives in their Legislature, otherwise any other safeguards are not acceptable to them?

A. (MR. DUNCAN): I am not all that familiar with the view of the people of Northern Rhodesia. I accept that.

Q: Would you agree that some of the people who have given evidence—what I might call very uncompromising evidence—saying we people in the Northern Territories would be prepared to consider the continuation of Federation only and only when we achieve self-government in which a majority of Africans will rule. Will you agree with that proposition?

A: I accept that they say that; yes. Are you asking us to accept that we should only go forward to full membership of the Commonwealth once there is an African majority?

Q: Not at all. I was dealing with the questions of safeguards and the uncompromising attitude which has been expresed through a certain amount of evidence given that Africans in the Northern territories—I am talking particularly for Northern Rhodesia—will be prepared to consider that responsibility, continuation in the Federation of Central Africa, only if there is to be an African majority in the Legislative Council. Would you accept that?

A: Surely a majority of Africans in the Legislative Council actually is not a conception we should work on. We want to see a majority of both black and white in Government, not a mixture of black versus white. In the Territorial sphere we are not proposing at the moment that those spheres should become independent but we are in agreement that further time is required to enable more people to come on to the voters' roll and the evolution of the political stability in the Northern Territories; and I think in the Territorial sphere of Northern Rhodesia we shall undoubtedly see more Africans coming on and getting elected to the Legislative Council fairly soon. We are not at the moment pressing that the Territorial Governments of Northern Rhodesia and Nyasaland should immediately become independent.

Q: But you do not object to Northern Rhodesia immediately becoming a self-governing country before attaining the full independence?

A: We say it must become self-governing before full membership of the Commonwealth can be attained. That is a prerequisite to full membership of the Commonwealth being attained but I am not prepared to say that Northern Rhodesia will necessarily have more Africans in the Legislative Council than Europeans, but we look upon it in the general political evolution of the country.

Q: When you were dealing with the question of the strong opposition you said you recognized the genuine needs expressed by the Africans in the Northern Territories, and you went on to say that the Federal Government should do something to overcome this kind of thing. You went on to talk about African Congresses as nationalist organisations. Are you not aware that in the two Northern Territories they have already merged two different political organizations, you may call them nationalist organizations, but I do not. They are really genuine political organizations whose principles are quite different. One says they would like to see self-government in which both Europeans and Africans would participate, and the other one is the one which says they would like to see complete black Government. Which one do you support?

A: We support any person who wants the political evolution to be on a non-racial line; that there should be both black and white working together, but we do not support any political

party that uses violence as one of its political weapons.

Q: While you do not support the latter body, do you agree that the opposition in order to overcome the complete political difference between European and African politicians is that they advocate a wider franchise system, would you allow them to proceed with that?

A: For the Territorial Government of Northern Rhodesia?

Q: Yes.

A: Our general point of view is that it should not be broadened. Actually here we are speaking about the Territorial one of Northern Rhodesia, not Federal. We believe, generally speaking, that our basis of franchise, although as I say it is extremely arbitrary, does enable government to remain in the hands of responsible people; but then there are all the special provisions in the Northern Rhodesia Constitution. Are you suggesting they should be lowered considerably?

Q: I thought so.

A: I do not think we would agree that they should be lowered further. It is a question of drawing this arbitrary line. It is extremely difficult to know where to draw it. What we are opposed to essentially is that the political power should be vested in people who do not understand the workings of a democracy and are probably very susceptible to the emotional appeal and particularly that it can be done on this basis of violence and intimidation.

Q: Let us leave intimidation and the question of what has happened aside. We are dealing with the Constitution of the two Territorial Governments in the North. Under the present franchise, there are quite a number of Africans who are perhaps qualified economically but have not sufficient education to enable them to fill in the forms—I am dealing with the question in the most interesting area with which I am quite familiar, that is the mining industries, the secondary industries on the Copperbelt—you have a big number of Africans who have served in industries over 20 or 30 years and whose economic qualifications can give easily £300 to £400 per annum in accordance with the present statistics, and the question of copper bonus, etc., and annual income. These people could not write English but are able to write in the vernacular. In view of the economic qualifications and responsibility they have in industry it is very complicated, would you deny them the participation in electing the Government of the country in which their economic responsibility is expressed so practically?

A. (MR. RICH): You have cited a specimen block of people who can come into the arbitrary group who suffer hardship on the arbitrary line. I personally have sympathy with them, but it is a further demonstration of what happens when you have to draw a line somewhere. Because they earn a considerable salary, obviously it indicates that they have skill and ability. Because of their upbringing years ago there were not the facilities to obtain education and because of this they are debarred from getting on the roll. They are the sort of people for whom personally I have a great deal of sympathy, but it underlines the fact that the arbitrary line has to be drawn somewhere. Wherever you draw it you strike those who fail to make it.

(MRS. ROSEN): You have the anomalies of the university student, particularly the man who is studying to be a doctor, who probably under the Constitution will not be able to get a vote until he is about 28 because he will not start earning until about 26, although he might have the highest educational qualifications. He will not achieve the monetary stability which is required. There are anomalies and I think we concede that it is very difficult to know what to do; but these people have qualified under the Special Roll in the Federal Assembly and in Northern Rhodesia so they already can get one step forward.

Q: Having recognized the strong opposition to the Federation, whether the reasons for opposition are genuine or not, the opposition is there in so far as the two Northern Territories are concerned, do you think even at the time when this Federal Constitutional review is being made and this opposition being continued, you are still going to insist on the existence of the Federation incorporating the three Territories, and if so have you any means of insisting against this strong opposition?

A. (MR. SAWYER): The first one is the grant of independence in the Federal sphere in which for the reasons you have indicated you first of all have to establish law and order in the North, at least in one Territory the Government has ceased to govern. Secondly, we have to improve—and I agree with Mr. Chirwa and Mr. Katilungu there is room for improvement—our relations with the African as much as the Federal Government can. Thirdly, I think we have to show the African in the North mistakenly believes that the discriminatory measures of Southern Rhodesia are going to be imposed in the Northern Territories. They have to be taught that the wind of change in Southern Rhodesia has been quite extraordinary in the past ten years. So they have no fear of either losing their land or of having discriminatory matters passed against them. Fourthly, probably even more important, we should for the first time have the active support of the United Kingdom Colonial Government. Through the civil service administration of the Territories we have been considerably hampered, in the initial stages of Federation, by their being precluded from giving advice to people who all their lives had looked to them for support. If we had practical support we could get Federation across; we recognize the opposition.

SIR DONALD MACGILLIVRAY: In considering the possibility of an Upper House, you would propose that there should be equal representation of the three Territories. Would you also be in favour of equal representation in the Lower House?

A. (MR. DUNCAN): No, we are not in favour of altering the proportionate representation. I imagine it was done on that basis because it was thought that Southern Rhodesia for one thing would be able to produce more people of experience to assist in the Federal Government. After all, the chief sphere of operation of the Federal Government is an extremely complex economic sphere and I think that arrangement was come to probably largely for that reason, and we do not favour the change in the composition of the Federal Assembly.

Q: I am just wondering why you distinguish between the two Houses. You say the right proportions are 30 members of whom 15 would be African and 15 non-African in the Upper House, but not the lower.

A. (MR. SAWYER): Where appropriate, black and white.

Q: I am not saying equal numbers of Europeans and Africans; I am talking about equal representation from the three Territories.

A: Some situation will arise where you will really be creating artificial representation on that basis—20, 20, 20; that is twenty from Nyasaland at the moment? Would you not be artificially creating something instead of letting the ordinary terms of franchise apply.

Q: You say there would not be enough men with sufficient experience and ability in economic matters in the Northern Territories?

A. (MR. DUNCAN): I think the possibility of obtaining people for the Federal Assembly with the knowledge and experience and potential was considerably greater from Southern Rhodesia than from the Northern Territories, and I suggest the number is probably much the same today.

Q: In the course of time that situation may change?

A: We have provision for amendment of the Constitution which presumably could be changed to accord.

(MRS. ROSEN): The numbers of voters in the Territories must have influenced the division.

MR. ELLMAN BROWN: I think you have admitted that there is tremendous intimidation. You have also admitted as far as Nyasaland is concerned law and order has broken down. Evidence has been led that the opposition of the Africans in the Northern Territories to Federation is so deep-rooted that it could only be maintained by force. Do you (a) agree with the opposition—that is the way to do it—or do you (b) agree that a looser federation based more on what I call the strong economic ties can be devised, and that that will bring about more co-operation in the Federation? Which would you prefer?

A. (MR. COLLINS): I do not believe if we can re-establish law and order that the opposition is so deep-seated that it cannot be overcome. I do not believe that. I do submit to you that it is extremely easy for a witness to say control and one must show one's position, but there is a certain amount of cogent evidence on that issue. For instance, the effect of the declaration of the emergency last year in Nyasaland and the subsequent recruitment of a large number of Africans to the United Federal Party. This is not a Party matter but that did say something in favour of Federation. I believe that if conditions can be established where the African is able to judge for himself what is the true situation, and that involves a large measure of information, a large measure of removal of these things which are preventing him forming his own opinion, unless these things can be established, I am myself fearful that we cannot overcome it.

MR. HADLOW: Without the use of force?

A: I do not believe the situation has got to such a position in Nyasaland at the moment that it might be necessary to use force to re-establish law and order. What measure is anybody's guess; but the alternative must be faced squarely and that is that you are going to hand over to force which has been used against us. You either are capitulating to the use of force against the established law and order and handing over to lawless people or else you have to face it squarely and say

we may have to use force to re-establish law and order, but I believe that having re-established it, it would not be necessary to maintain the position by the application of force.

MR. ELLMAN BROWN: The second part of my question: if you can get greater co-operation in the North by a slightly looser federation with strong economic ties, if that could be arranged, would that be acceptable or are you determined to keep the *status quo*?

A: I would prefer to keep the *status quo,* but that is an answer right off the cuff, and I do not think that we can be expected to give a considered answer to that question without having put before one a detailed statement of the proposed arrangement. I am not ruling it completely out. My preference is for the *status quo* because I believe the *status quo* can be made to work, and as far as Nyasaland is concerned it has been so beneficial in many respects that I would wish it to remain, but I do not think I can answer on a general proposition of a looser economic tie without knowing what the implications are.

SIR LIONEL HEALD: Do you appreciate there are two different kinds of force that can be involved? One is force you mention to restore law and order and the other is the continued application of force in order to impose something on people that they are not willing to take. Have you taken both those things into consideration—

A: Yes. I specifically said I did not think it would be necessary to continue application of force to maintain law and order.

MR. ELLMAN BROWN: You have dealt fairly fully with the constitutions of the two Northern Territories. In Northern Rhodesia the policy is to maintain the power of the chiefs and build it up. Apparently in Nyasaland the idea is to break it down. Which do you really feel is the better way to do it?

A: I heartily disapprove of the Nyasaland attitude towards the Chiefs as stated by you.

(MR. CHIPUNZA): That could be supported here in Southern Rhodesia. In any district the chiefs have power and influence and as a result it is not possible for anyone to walk into any reserve and make a nuisance of oneself.

MR. CHIRWA: Mr. Collins says that it would be possible to continue Federation and maintain law and order without any force at all. Can he explain why the Government still finds it difficult at this stage to release all the detainees that have been detained without any trial at all? Do they not feel that the security situation is settled?

A. (MR. COLLINS): I said quite clearly it may be necessary to use force to re-establish law and order, and in saying re-establish what I meant was it was not being maintained at the moment and until it is properly maintained it may be a security risk to release these particular gentlemen who are in detention. That is a matter for the powers that be in Nyasaland. But my answer is that the first and most immediate necessity is to re-establish law and order and re-establish the will to govern which appears to be lacking in that particular Territory.

Q: You are suggesting in Nyasaland what should be done is to detain more people. If you continue Federation you are bound to have more troubles and then you have to use force to break that resistance. After then, what next? Are Africans going to give up because after the 1959 emergency the position has become worse, the resistance has grown more and more; how are you going to combat that resistance?

A: The whole point is that we have admitted this morning that we have not been able to get adequately at African opinion today. My contention is, having first re-established the maintenance of law, the second step—and that, incidentally, implies the removal of intimidation which is a major problem, having done that, the second step is to fortify and reinforce our efforts to educate the African in the true benefits of the Federation which are not at the moment reaching him. It is a big problem. I believe not only that it can be done but I see no alternative but to attempt it. One has to attempt it.

A. (MR. CHIPUNZA): Is it not true that if Africans to a man were solidly opposed to Federation, there would be no need for many Africans to be so frightened and to live in fear through threats of intimidation, because if Africans were solid to a man nothing could be done here to force them to accept Federation: but the position at the moment is that in order to get Africans to be on the side of opposition it is necessary to use these threats of intimidation and all things that are unacceptable in any organized community.

CHAIRMAN: You would make a great mistake if you assumed that everyone who was intimidated against giving evidence was against Federation. We have had plenty of evidence to the contrary.

A. (MRS. ROSEN): We have assumed there that intimidation would not be needed if the forces of the Congress Party had such solid support that it would not be necessary.

Q: The intimidation is to prevent people coming to us and a lot of people who, in spite of intimidation, have come and have told us they did not like it.

A. (MR. RICH): The question of intimidation is wider than this Commission.

(MR. CHIPUNZA): African opinion which is against Federation should have the opportunity of expressing this opinion.

MR. CHIRWA: You are suggesting that with regard to the Nyasaland Constitution we have an Executive that is nominated by a body of wise men.

A. (MR. COLLINS): By the Government with the advice of wise men.

Q: Shall these be from within the Executive Council, shall they be from the Legislative Council or from outside?

A: They can be picked from anywhere. If they are picked from Legislative Council they lose their seats on the Legislative Council and there naturally follows a by-election and the vacancy is filled. If they are ministers, the proposal is that they have the right to address the Legislative Council on any Bills coming before it, but not to vote.

MR. GONDWE: It has been said here that the Government of Nyasaland has lost authority in the country, and that there law and order has broken down. What does the United Federal Party suggest in order to restore all law and order immediately?

A: With greatest respect, I think we have answered that. Firstly, the establishment of a Constitution such as we suggest, that obviously will take a little while, but we do not believe that with the present governors—and I did not say Governor—governors governing people in Nyasaland there is the will to govern. It appears to have been lost certainly in some quarters and I think the only immediate solution is to substitute somebody for those people; somebody who is willing to govern. That is the short answer.

Q: Thank you very much. What you suggested at first was a bit difficult. You suggested that force would have to be used again—who by? By the present Government or by another government?

A: I have answered that.

Memorandum

DOMINION PARTY*

A Summary of the evidence to be submitted regarding the Constitutional future of the Federation

Failure of Federation

We are of the opinion that Federation as at present constituted has proved a failure, in that it has not fulfilled the objects as set out in the Report by the Conference on Federation held in London in January, 1953 (Cmd. Paper No. 8753). These were to achieve security for the future and to ensure the contentment and well-being of all its inhabitants.

We do not specifically desire any abandonment of an association of the Territories comprising the Federation and our proposals, if adopted, will enable it to remain intact as an economic and to some extent political entity. It should be pointed out, however, that conditions within the Federal area are so unsatisfactory and uncertain that a situation has been created whereby, unless a constructive step forward is taken this year at the London Talks, complete disruption may well result.

The Desire for Independence

There is strong feeling in the country regarding our right to control our own affairs. This feeling has been accentuated by statements made during the recent British General Election criticising and deriding the Europeans in the Federation. It is true that this type of attitude was confined to certain sections in Britain whose views did not prevail at the polls; but there is an ever increasing body of opinion that a continuance of control from London may well, at some future date, deliver us to the mercy of a government in Britain unsympathetic to and contemptuous of the rights of Europeans in the Federation.

Statements made during the British General Election have given rise to a feeling of insecurity. This factor has been so well appreciated that more and more people are leaving to seek their future elsewhere, while the rate of immigration has fallen rapidly.

The Attitude of the African

It can be argued, and doubtless will be argued, that the

*The Dominion Party pamphlet entitled "Central African Alliance" a copy of which was received from the Dominion Party in Salisbury, has been reproduced under Evidence at Lusaka, Northern Rhodesia, on 15th March 1960, Volume II.

above views reflect the Europeans' attitude of mind and are not representative of African opinion. As the Dominion Party attaches great importance to the rights of the African in these issues we would like to deal with this aspect. We feel that African opinion should be given every consideration provided it is in a reasonable and comprehensible form and not simply blind antipathy to change. We would point to the need to differentiate between the views of ordinary Africans and those belonging to the "agitator class", the views of Africans in Nyasaland as opposed to Africans in Southern Rhodesia, the views of one tribe as distinct from the views of another, and so on.

Having differentiated between different African viewpoints as far as this is possible, it will be necessary to ascertain whether such viewpoints are based on facts and correct information or are the result of local or imported propaganda.

It had to be borne in mind that the political and economic advancement that the African has so far achieved in the Federation is almost entirely due to the activities of the European, who has taken the African from a state of barbarism to one of semi-enlightenment within a few generations, has given the weaker tribes protection against the stronger and created a system of impartial justice. It is most significant that within the borders of the Federation the African has advanced most where the European population has been largest, and that where the Europeans are few, primitive conditions have remained practically unchanged.

African opinion deserves full recognition; certainly when it is informed opinion and based on the facts; it must be borne in mind, however, that where an area is almost entirely composed of a homogeneous African community, the opinion of that community, in political matters, must inevitably carry more weight than one in which the component parts carry a substantial section of other races. In some cases it will be necessary to make decisions contrary to expressed African opinion, in the knowledge that the overall benefit of the country, and indeed of the African himself will be greater, although the latter is unable to appreciate it at the time.

A large, friendly European community is an essential in the Federation. Without the European there will be a strong tendency to revert to practices belonging to another age. The African in the Federation has not yet reached the stage where he does not benefit from European assistance and guidance. He (the African) must continue to advance, but without, at this juncture, being called upon to shoulder responsibilities beyond his capacity.

A Central African Alliance

Having given due regard to the rights of both sections, we propose that the Federation be converted into an *Alliance* which would comprise the Dominion of Rhodesia, an independent state, and certain African protectorates subject to a measure of control by the United Kingdom on a basis and for a period to be agreed. We accordingly attach an explanatory pamphlet.

The Franchise

The franchise question in the Federation is becoming more difficult and explosive every day. In order to implement the preamble to the Constitution, important electoral concessions have been made to Africans and they now have a considerable say in the running of the country. But the danger now arises of the European being eliminated as a political factor, which, as has been pointed out, will not be desirable even from the African point of view.

Under the Alliance, the pressure would be greatly relieved as the majority of the protected Africans would have political rights in their own protectorates while the remainder of the African population could enjoy reasonable franchise conditions within the Dominion.

It is true that the Copperbelt would be within the Dominion, but here it is suggested that an arrangement be made for the protectorates to receive their fair share of the revenue.

We submit that the Central African Alliance is fair and reasonable and likely to attract both African and European support.

The Senate

The function of the Upper House would be primarily to preserve the rights and privileges of the inarticulate masses and to assume the protective functions previously exercised by Her Majesty's Government. The African Affairs Board should be abolished as an undesirable political instrument and its functions transferred to the Senate, but instead of protecting the rights of Africans only, it should safeguard the rights of all.

Democracy

The temptation to assume that the answer to our problems lies simply in a straightforward introduction of Western Democracy will, we feel, have to be resisted. It is our considered opinion that democracy in its Western European form does not work in Africa. The African is not ready for it and there is nothing in his political history to suggest that he is adapted to popular rule. Should undue extensions to the franchise be introduced resulting in African political domination, dictators will emerge who will have little respect for the rights of the people as understood in a Western sense, and the ordinary African will be much worse off than he is today.

We contend that the European has the moral and mental equipment to provide the best guidance to the inhabitants of the Federal area, while the African's share of control is gradually increased in proportion to his increased capacity.

The decisions to be taken on the future of the Federation should not ignore the national characteristics of its inhabitants, and their genuine interests. They should not be based merely on some imported political theory which has no practical significance in these surroundings

Bantu Nationalism

There is a tendency in certain quarters to assume that an irresistible wave of black nationalism is sweeping down the African continent and that the best way to meet it is meekly to capitulate to its demands, however unreasonable and impossible they may be.

We feel that such a view is distorted and exaggerated. While African nationalism is increasing and is a force not to be despised, it is not as trenchant a factor as may be imagined. A great deal of Bantu nationalism appears to be imported from across the seas, a further proportion comes from the Press which exploits the more sensational utterances of African politicians and, of the remainder, some is genuine and the rest comes from agitators.

From our observation the ordinary African, who has not been subjected to ceaseless incitement and propaganda, would seem not to be imbued with quite the thirst for political advancement with which he is often credited. We believe he realises that continued European guidance is likely to be a more stable and progressive factor than a sudden upheavel under which he may be the first to suffer.

Strategic Picture

It would be idle to ignore the importance of the African continent in the struggle against Communism. A weakening of the position of the European in Central Africa, and consequently of British influence, can have important strategic repercussions. One thing is certain, that the African Continent could not be held as a bulwark of the West without Europeans.

Secession

If the Central African Alliance Plan is not accepted, there is no alternative except complete independence for Southern Rhodesia. This in turn means the severance of the Federal link, which means secession. An unwilling partnership is doomed to failure, and it would be better to agree that it should be dissolved before the stress becomes intolerable. We believe that any financial disabilities which may or may not arise from the severance of the Federal link will be offset by other factors, and in any event, the people of Southern Rhodesia would be prepared to make sacrifices for their future, but it is doubtful whether they would be prepared to do this to perpetuate the present unsatisfactory state of affairs.

Decisive Recommendations

The Dominion Party considers that clear cut and decisive recommendations within a reasonable period are essential. Unduly protracted deliberations, arriving at no definite conclusions, will aggravate the present atmosphere of insecurity and, apart from their political effects, will cause the Federation enormous financial damage at a time when it is least able to withstand a depression.

We believe that the early creation of a Rhodesian Dominion will have the opposite effect. Confidence will return, new hope will be born. The developed portions of the Federation are ripe for independence and to retard or impede a natural process will benefit no one.

Salisbury

28th January 1960

Oral Evidence

THE DOMINION PARTY. Represented by W. J. Field, M.P., W. J. Harper, M.P.

CHAIRMAN: Would you like to say something in supplementation of your memorandum?

A. (MR. FIELD): If I may, I would like to give the background to the comparatively short memorandum which we have submitted. I would like first to trace very briefly the history of the Dominion Party, in so far as it affects the work of this Commission.

After the referendum had been held in Southern Rhodesia and it had been decided to embark on this experiment of Federation, those who had opposed it and some who, like myself, were in favour of it in principle but opposed it on the terms of the constitution, decided the only thing we could do was to co-operate in every possible way to try to make the experiment work. This was proved later to be an entirely wrong tactic, in so far as it lulled the Government into a sense of omnipotence and made them extremely slack in pursuing what should have been their first task—to sell the Federation to the Northern Territories. You must remember that only Southern Rhodesia had been asked about this, and not the other Territories. No effort was made to liaise with the ordinary people of the two Northern Territories.

We saw that the Federation, in our opinion, was not going as planned and that nothing was being done, particularly by the British Government, to prove that Federation was a good thing. No directive had been issued through the administration of the two Northern Territories to prove to the African population in the main that Federation was beneficial. I am not blaming the ordinary officials: it was a matter of direction from the Colonial Office.

We also saw there was no easy passage whatever to independence, which we looked upon as our goal, either with or without the consent of the peoples of the Territories. Also, more was being read into this Federation than had been intended, as we understood it from the referendum campaign. It was meant to be an economic union and an economic union only. Of course, it was intended to be more than that, but not what was read into it as time went on, which was a political union as well. Also certain promises were made during the campaign in the Northern Territories. What was said was this: when the architects of Federation were questioned as to how long Southern Rhodesia would have to wait before she got the independence she would have got a number of years ago—and she would have got it very soon after 1952, there is no doubt about that—the reply was that the two Northern Territories would be advanced to that state in which they would enjoy comparable status, after which the three Territories would advance to complete independence in the British Commonwealth together.

So far as we could see, no move was taken to implement the promises with regard to the two Northern Territories. This was a serious thing from their point of view, and still more from the point of view of Southern Rhodesia, whose independence was going to be withheld before these steps were taken. The Dominion Party was then formed. This was the basic reason for forming it—as far as I am concerned anyway—and we had one thought in common, that a new approach had to be made and quickly, to Federation if it was in fact going to survive in any form at all.

We appreciated that whatever plan we made must comply with that requirement. First, there must be a willing association, not one maintained by force; because everybody knows that is impossible nowadays. Now, of course, you cannot please everybody. It must be an approach, we thought, which would fulfil the original conception of economic advance, and so on, rather than make it a tight political association which it appears we are attempting to do at the moment. It must also be one which would maintain Western standards in those areas which have already achieved them, so that there would at least be a good example to follow. It must retain government in the hands of civilized, responsible people: it must retain independence for the Territories. That applies particularly to Southern Rhodesia.

Historically, no territory really begins to develop economically or in other ways till the hand of the Colonial Office has been removed from it. From the point of view of the Northern Territories, it is also important, but it is particularly important to keep good faith with Southern Rhodesia. It must also be one that complies with the requirement that neither the Northern Territories together will dominate Southern Rhodesia, or vice versa: that, again, was promised. It should be a plan which could be published, and which every one could chew over and have ample time to study. We have wasted so much time over this, when something of this sort should have been started seven years ago and gradually enabled people to learn about it bit by bit. Incidentally, I might mention that if this association is going to succeed in any way, the name "Federation" must be changed.

We had all this in mind, as we felt we should publish this as soon as we could bring it into some sort of shape. Time was not on our side. The Northern Territories should have something positive before them, instead of taking the negative attitude of no association between the territories at any time.

I would like to refer once more to the importance of the time factor. That is, in relation to the fact of these things being published and known as early as possible. The sort of approach that might be taken to, say, a Geneva Conference, when at our Conference either at the end of this year or early next year, people may come and spring surprises on the various Territories—this idea shows a complete ignorance of African thinking and psychology. We are now suffering from this lack of being sensitive to the right approach.

That was another reason why we put out our plan so quickly. Now you have the Central Africa Alliance plan, designed as a basis for discussion. I do not intend to go through it now, because I understand you have already put questions to various people, and particularly to my colleague in Northern Rhodesia, Mr. Van Eeden. You know that is based on the old Stewart Gore-Brown plan. Constitutional law is not my job, of course, but I will answer questions as best I can.

We thought this plan was one which would offend the least and please the most. There is no attempt to please every one: it is not appeasement. I have discussed it with African political leaders and others in Nyasaland, and not on one single occasion have I not found them perfectly prepared to discuss it. I have communications from African leaders—they can be produced at any time if you wish—saying that they look upon it as a reasonable basis upon which to start discussions. I have been able to persuade Africans from their idea of a blank refusal, because Federation is completely useless. They cannot leave or come back as they wish. Once out, they would be out for keeps. I found them not unreasonable about it at all. Unfortunately I have not had the same opportunity of discussing it in detail with leaders in Northern Rhodesia, although I have toured that territory more than Nyasaland.

Constitutional law had to devise a means of doing what the country wants. It was suggested to me in London recently by people very experienced in these matters that you could not possibly run such an affair with a Commission. I do not accept that. Of course there are difficulties, but on the other hand they do run vast affairs in this world with Commissions, and that is how the European Common Market—the association of the Six, and also I believe of the Seven, is run. N.A.T.O. is also run on a similar basis. So I do not accept it is impossible to do it here.

I will not talk about secession or the possibility of it, because Mr. Harper will deal with that. As a party we are not for it, and we do not want it, but do not rule it out, because people can do a lot if they are pushed far enough. If it comes about, do not assume that an association with South Africa is out. I personally do not like it, but it might become necessary. Do not let people tell you that the Afrikaans-speaking people and the English-speaking people bitterly dislike each other. It is not right: it is not right for the younger generation. They play games together and they think in the same way. With the changes that may occur in Southern Africa, it should not be ruled out as an utter impossibility. I am not suggesting this is a good thing or that we support it as a party, but it could take place.

We do not expect to attain all our objectives at once. It would be possible to do it by degrees, after confidence and trust were established which do not exist today. That is the first thing to do. One of the greatest problems we are faced with today is lack of trust and fear of the unknown, which is one of the most prevalent features in Africa. Once confidence is established we should be able to progress by degrees. The Central African Alliance plan is one which could lead to a defence union with other countries. We have heard some talk of joining the Congo.

As regards the two Northern Territories, and their attitude to Southern Rhodesia, it is said that 3,000 Europeans own and occupy 51 per cent of the land in the country. In the first place, it is true that about 5,000 Europeans do own and live on this land, but to say they live there exclusively is nonsense. According to the figures, there are well over a million Africans there, and they live there permanently, many of them. On our particular holding we have 23 Europeans. There are 900 Africans living there, and we get a very small turnover. Many of them come from Nyasaland voluntarily and they are very happy, and I would be delighted if you have time to come over and see them, and see the African living in his natural conditions. I might add that what they would be able to tell you about Federation could be got on half of a cigarette card. The African had never heard of it.

Finally, there is no body of people more loyal to the Crown than the members of the Dominion Party. We have no loyalty whatsoever to the Colonial Office or any other Ministry. Our loyalty is to the Union Jack and the Crown. I would suggest it would be unwise to make any suggestions as regards a solution which are going to push us too far, because there is no doubt that the first result will be Southern Rhodesia's secession from this Federation. I speak purely as an individual now, but I would rather be like the people of, say, Southern Ireland—a poor independent— than to be here under a system which I

disliked and distrusted. I would not do it. I would resist it with every bit of influence that I have or shall have.

(MR. HARPER): Sir, I am a political leader, and it is my task to sum up and estimate public opinion in this country, apart from moulding it to some extent. It is my estimation at the moment that conditions in this country are right for the electorate of this country, if the matter is put to them fairly and squarely, to vote for a break up of this Federation and for secession. As Mr. Field has already said, as a party we would prefer to avoid that, and so one comes to the position of trying to look for a suitable compromise. In party documents the matter of secession was raised. In the first paragraph it says, "if this plan is not accepted there will be no alternative but complete independence for Southern Rhodesia." The plan is a somewhat elastic document, but there are certain fundamentals in it which, if they were not agreed to, would call for perhaps a different view of what we should do

For some time we have felt that the British Government is somewhat intractable in their approach regarding the retention of power in the Northern Territories. Bearing in mind that we prefer to avoid a complete secession, I have prepared certain proposals which I have just brought here. These are my private and personal proposals, and though I am here as Leader of the Opposition—of the Dominion Party—in Southern Rhodesia there has not been time as a party to have these proposals looked into and accepted. They are put forward entirely as my personal ones. They are in the last paragraph—*Document handed to Commission.*

The first objection of Southern Rhodesia, as I understand public opinion, is the possibility that their affairs will be dominated in due course, through the medium of the Federal Government, by the electorates of the two Northern Protectorates. That is a very real objection, and weighs very strongly with the public today. We should try to avoid the situation where one Territory dominates another. We were promised in 1952, at the time of Federation, by Mr. Hopkinson when he was here, that the question of domination of South by North or North by South would not be allowed to take place. But that was not really in keeping with the situation as we knew it, because, under a parliamentary system, if for example a substantial number of Southern Rhodesian seats were to go into the hands of a party which was not the government party, it must be quite apparent that if the majority came from the Northern Territories, plus a small nucleus from the south, it would obviously be unpleasant. That was the basis on which Federation was sold. It must be put right. The proposals have to take this into account.

If my first point is accepted, that there should be no central Federal Government, one then goes on to the question of civil and military services. I have suggested they should be absorbed by states which are parties to Federation, except in so far as certain of them would be acquired by the staff of what one might term a Central Africa Administrative Commission. This Commission would have as its heads political appointees of those governments subscribing to the Commission. The views would be reflected right through the government into the Commission by virtue of their being political appointees. If they were permanent, the electorate would have no say in what they were doing. A scheme of this sort would commend itself to perhaps Tanganyika, with whom it might be mutually acceptable to join.

The next point was that the functions in each area must be a matter for the members of the states, and not superimposed. Where it was impracticable for one state to accept it, obviously it would not accept it and there would be no friction to that extent. Under (*f*), I have suggested that the matter of legislation should be dealt with by the states themselves, where requested by the Commission. You will see the link between the state and the Commission and political appointees, so it would channel through to the government, and the legislation would be accordingly brought forward. The main feature which fits the sort of objections we are having at the moment would be that no state would be forced to operate under legislation which was not instituted of its own free will. As regards (*g*), this implements the points raised by Mr. Field, and it runs throughout the whole of this—people in an alliance on a basis of free will, which was the fundamental idea behind our Central Africa Alliance. The next point (*h*) states that member states will be politically independent.

This is in broad outline and is put forward as a general idea. This is what I feel, as a political leader, would be politically acceptable in this country. It would have the benefit of keeping the Federation together and, if necessary, increasing it without treading on the toes of the individual states.

Q: Thank you very much. I would like you to explain a little more about the geographical set-up. I see from the plan that Barotseland is under a High Commissioner, out on a wing as it were, and similarly with Nyasaland. On what principle is Northern Rhodesia dealt with?

A. (MR. FIELD): That was dealt with on the principle that, if we were given sufficient time, we would be able to show that development there would be so advanced, by comparison with the territories not part of the Dominion, that at the end of a period to be decided upon, they could decide themselves whether they wished to remain part of the Dominion, join with Nyasaland or form a Dominion of their own. From your visit there you will know it is a pretty loosely-knit country and not a composite unit like Nyasaland, and to suggest they could govern themselves in the near future would be foolish. It was purely an accommodation, if you like, on the part of the Territory itself.

Q: You felt there was sufficient difference from the rest of the Northern Territories to make it come in later if it wanted to?

A: It would be part of it, enjoying all the development and advantages of being part of it, with the knowledge that it could, at the end of a specified period, quit if it wanted to. We have no specific period in mind but we thought perhaps about 10 years. However, that is a fit subject for discussion.

Q: And the whole basis of this approach is that, as the Federation now stands, it cannot successfully continue?

A: Sir, that is our opinion and this is our approach to enable it to continue. We would not have bothered you about this sort of thing at all if we had not wanted to keep it. This is our approach to keeping it.

Q: If there is now a referendum in Southern Rhodesia on the question of whether they should remain in the Federation or let it break up, they would be more inclined to let it break up?

A. (MR. HARPER): I think if it was a bald proposal of that sort, public opinion is such that, provided it could be backed by financial statistics, as regards the position of Southern Rhodesia on its own, the balance of opinion today would be let the Federation break up.

Q: There would be some anxiety as to the size of Southern Rhodesia?

A: There would be anxiety as to the reduction of demand.

Q: And I suppose on the loan side, considerable loans are being made to the Federation, backed no doubt by the resources of the Federation?

A: That would obviously weigh, though just how tangible that argument is, one does not know. Against it must be weighed such factors as the country being on its own, having stability, which would weigh against the instability of the present situation.

Q: But from the point of view of the economic future of the Territories at present comprising the Federation, there would be something to be said, if we could get it politically stable, for the larger unit, the whole of the territories?

A: If the common factor is that there is still stability in the larger unit, yes; but your hypothesis is shaky, of course.

Q: Yes. The basis of your paper is that it should be an alliance on a voluntary basis of economic units, each politically independent? That is what you want—an economic unit?

A: Yes.

Q: And that raises the point I was putting, that you need more security to get finance for all the Territories?

A: Yes.

Q: You do not contemplate any sort of political nexus, except what is described here?

A: I would suggest it is better to have a position from which you can grow, rather than one which would deteriorate, as the present situation has. In other words a small beginning always lends itself to development, because it is progressive.

MR. MENZIES: This scheme which is printed is somewhat different from what Mr. Harper said.

A: Yes, those are the proposals I have put forward. In my preamble I made it clear that these proposals dovetail to some extent with the Central Africa Alliance, because they are also proposing what I have put forward. They are only put forward in the event of the Central Africa Alliance plan being found unsuitable, and also in the event of the electorate of Southern Rhodesia desiring secession.

Q: So the printed plan represents the party's view, and the other plan represents your own view?

A. (MR. FIELD): The printed leaflet is what we want. Mr. Harper is the Southern Rhodesia Territorial leader: therefore, if things reached an impossible stage, he has brought these suggestions today to meet those conditions. They really do not contradict each other at all.

Q: But you have put up your document as a practical thing?

A: So far as we are concerned, federally, that is all we want.

Q: As it involves the government by what is to be called the Dominion of Rhodesia, the whole of Northern Rhodesia with some sort of control over what you call the Northern Territory, all that is left really out of the contentious elements that face us, as a Commission, is Nyasaland. Nyasaland goes out of this concept of yours?

A: Yes.

Q: And you are still left with virtually the whole of Northern Rhodesia to handle, together with Barotseland; but that is a peaceful place and has not got the same objection to Federation as we discovered throughout Northern Rhodesia. How is it conceived by your party that there is going to be any greater acceptance of this scheme than of Federation today?

A: In the first place they have got something before them that they can consider. The bulk of the country is taken, except Barotseland and the Northern Province, the Fort Jameson area, Kasama, and all round. Geographically it is a big area and represents about half. It only leaves a little over 500,000 permanent Africans resident in the so-called Dominion of Rhodesia. So it would not be right to say we are taking the whole of Northern Rhodesia. I think it would give confidence for the Africans to know that, if at the end of a certain specified period the thing was not working out, they were then entitled to leave. At the moment they have no such entitlement; and the same is true of Nyasaland. They have been told categorically that there is no machinery by which they can leave. It must be remembered they were never asked in the first place. Well, here is the machinery for them. If I lived there, I would be the first to admit it was impossible to govern that Territory on their own. They have no people trained in the art of government or administration, and it would be a time to think it over. Afterwards, if they wanted to go, they could go.

Q: What you call at economic association seems to me, looking at this document, to be only Federation of a restricted area in another form. First of all you have to get rid of the present framework of Federation. Then you substitute a body which has very considerable legislative powers. Its revenues are ill conceived, if I may say so, because the only source of revenue which is mentioned is Customs—no income tax or revenue from any other source is mentioned, and yet you say it has to provide all services.

A: The answer is simple: the whole of the revenue, to all intents and purposes, comes from this area anyway, apart from Customs.

Q: How do you propose to collect it—what is the legislative machinery?

A: Exactly the same as in Australia: a Dominion of Rhodesia with a Dominion government. It is intended that the Dominion of Rhodesia should be capable of collecting its revenues. It will collect its revenues in exactly the same way as any other Dominion.

Q: Between whom is the economic tie-up?

A: Between Nyasaland, the Dominion of Rhodesia, for the time being with the Northern Territory and Barotseland, plus any territory which cares to join it.

MR. CHIRWA: Have you discussed this scheme with some of your constituents?

A. (MR. HARPER): These are my own personal ideas, and nobody else has any responsibility for them. I have discussed them with others, not only with constitutents but with other people. in the formulation of ideas.

Q: It is an economic union, based on economics?

A: I do not know whether that means a complete economic union. It could quite easily be that, arising from a proposal of this sort—there might be a limited economic union. I have nothing particular in mind. I left it open. This is a plan, and that is a matter between economists to decide as to what is possible.

Q: Do you think the European inhabitants of Southern Rhodesia would agree to an economic union with Northern Rhodesia and Nyasaland without having political ties with those countries?

A: Yes, in exactly the same way as we have an economic union and trade agreements with South Africa without political ties. That is, a trade union.

CHAIRMAN: In the original blue print, at (*f*) it says: "Bearing in mind the relatively greater development and stronger economic position of the Dominion of Rhodesia, and the desire of the Dominion to see the other territories reach full development, both economic and political, within the British Commonwealth, the Dominion will, from its revenues, make a grant in aid towards the development of the other territories." So that in the plan formulated by the party they are assuming that. You are now being asked if the Europeans in the south would accept it?

A. MR. FIELD: I recall Mr. Chirwa's words well, if I may repeat them, when he was a Member of Parliament. He asked me if we would approve of Nyasaland having internal independence as a country, as we have in Southern Rhodesia, and at the time he prepared to continue economic help. My reply was categorically "yes". This was before we ever published this in blue print form.

MR. ROBINSON: In paragraph 4(*a*) of your blue print of the Alliance, you say that the approach of the British Government is frankly along racial lines, whatever lip service they may pay to other ideas; and in paragraph 4(*b*) you say, "Encouraged by the British Government, the Africans in those areas of the Federation where European interests are small, have rejected the vague and undefined policy of 'partnership'." Would you say why you feel your first statement to be true and also what evidence you have that they have encouraged the Africans to reject the policy of partnership?

A: Yes. It is because the British Government made no attempt whatever at the beginning of Federation to sell the idea of Federation, and also of partnership—though I dislike the word. I consider that is the encouragement they have given. In the past, whenever the Africans in the Protectorates went to their District Commissioner for advice they got it, except on this one point, and that made them suspicious: without any doubt that quite definitely encouaraged them to reject it. As regards the other point, I did not write the piece you quote: it was based on the Stewart Gore-Brown plan, and the basis of it was worked out by Mr. Van Eeden and myself.

Q: Under (*e*) it says that Europeans are determined, even though they express liberal views, to remain in control and secure their own survival. In this Dominion of Rhodesia which you are contemplating you will have something in the order of three million Africans, if we take the figure of half a million which Mr. Field has mentioned as being in the northern section. Do you think that by all these arrangements—you have now shed large areas and are left with the Dominion of Rhodesia according to your plan with three million Africans and roughly three hundred thousand whites—do you suggest to the Commission that the constitutional arrangements and franchise arrangements should be so devised as to ensure permanent European control?

A: No; the words could be interpreted that way, but it should be, as our party policy states quite definitely, for the foreseeable future. It would be quite absurd for any one to try to legislate for posterity indefinitely, and nobody who says this or that situation will exist at such and such a time can be right. We have no policy in view that will be devised to bring such a state of affairs about. In fact I do not think it could ever be done.

Q: In other words, these words must be read in the light of your policy?

A: Yes, quite definitely.

MR. JUSTICE BEADLE: Mr. Harper, you state at the end of your precis of the Commission that the member States will be politically independent. Do you mean by that that the member States would no longer be under the control of the Colonial Office?

A. (MR. HARPER): Not necessarily. For example, if one took the case of Nyasaland, which happened to join a Commission of this sort, it does not necessarily mean that it would be run by Nyasalanders, but it would be relative, for example, to Southern Rhodesia.

Q: You mean independent of Southern Rhodesia, not politically independent—they could still have the same governments as they have now?

A: That is right.

Q: Is there anything fundamentally different in your suggestion from the old Central Africa Council? I have just been looking at the Constitution, and they seem to be identical. That was the arrangement we had in 1953. Have you based your Commission on the old Central Africa agreement?

A: No, I have never read that agreement, and apart from hearsay, I have no knowledge of it. I have based this purely on the demands of the situation as I see them, arising from the unhappy state of things in the Federation. .

Q: This was exactly the same as the agreement we operated on prior to Federation.

A: Perhaps there might be a difference in that your Commissioners, for example, would be political appointees.

Q: In the old agreement they consisted of two from each

state, the Prime Minister and the Governor of Southern Rhodesia, and the Governor and Chief Secretary of each of the Northern Territories; so as to some extent they would be political appointees also?

A: That is quite right.

MR. MCCLELAND: I have been looking at this map here, and in drawing the boundaries of your Dominion in Rhodesia you appear to discard the northern province and eastern province. They cut across to the Northern Territories. Is that correct?

A. (MR. FIELD): There is no actual discarding, but there is an open invitation for them to continue as part of the set-up.

Q: But nevertheless, as far as this is concerned, they are treated as a portion of separate Territories?

A: No, they are treated as part of the Dominion, at a time to be decided.

Q: I assume you have excluded the Eastern Province because of its geographical situation, and it fits closer into Nyasaland; and you have excluded the Northern Province because it is predominantly an African state and likely to remain so. There is little European development.

A: No; but there is very little European development, apart from Fort Jameson, in the other part. It will be part of the Dominion of Rhodesia for a specified period. That is stated quite definitely. They could opt out of it, if they wished, after a period. Because of this lack of European population and political development they would be treated separately in the Parliament of Rhodesia. This is rather important. We felt that here was an opportunity to try to make co-operation—which I prefer to use rather than the word partnership, which means so many things to so many people—to show how an association of this sort can work favourably for the African territory concerned, as well as to the benefit of the area as a whole. We would like the opportunity to try to do this. Whatever is thought and whatever bitterness there is at the moment in Nyasaland, say, I believe that if we have an opportunity of proving that this can work we should be given that opportunity. It is quite possible that this bitterness which exists on the part of certain political leaders in Nyasaland—they are the people who get seen and heard, of course—would be mitigated. I believe that here is an opportunity to make it work.

Q: I can understand the reason for this separate treatment of this particular portion, but, if you accept the theories that apply to that one, I cannot understand why you have included the North-Western Province, which basically is in exactly the same position as the Northern Province—that is the section going up towards Mwinilunga. It contains some of the northern province and a large chunk of the Central Province.

A: The general idea was that this is not a firm and fixed idea but a basis for discussion. We have never suggested at any time in our various publications on this that we are set on these absolute boundaries as marked here. It is possible that during the drawing of them we may have included some sort of area to which may apply the same terms and conditions; but in general terms I do not accept what Mr. McCleland is saying. I know Northern Rhodesia very well, and had business interests there long before the war. The general line of rail is what we are referring to, based on the old Stewart Gore-Brown plan, and if there are adjustments to be made, obviously they can be made.

MR. CRAWLEY: As I understand it, the north-eastern Territories, to begin with, will be under the Dominion of Rhodesia; and the United Kingdom will have no rights within them at all?

A: No.

Q: On the other hand you visualise the possibility that they might secede within x years if they wanted to. What guarantee would you have, let us say, if your opponents achieved power within those years, that they would not alter the constitution and remove the right of secession?

A: You seem to have less faith in our political opponents than we have. An agreement of that type is the sort that should be made right out of party politics. I would suggest that neither party in Great Britain could guarantee something of that character. I would prefer these things not to be on a party political line at all: or else the Dominion Party and the Federal Government Party should approach this and try to get together. That is the only possible solution.

Q: You would not like any reference to the United Kingdom on that point?

A: I do not want any interference from the United Kingdom in our affairs.

LORD CRATHORNE: Am I right in thinking that the great majority of your support in the Federation comes from Southern Rhodesia, by and large?

A: Yes, we actually got more votes in the Federal election, strangely enough, than in the territorial election, where we got a majority of the votes. I think we actually got 35 per cent of the votes in Northern Rhodesia but only one seat; and to all intents and purposes none in Nyasaland. I think we would have had some more had there been some Africans on the voters' roll.

Q: So the bulk of it is in Southern Rhodesia; there is a certain amount of support in Northern Rhodesia; and very little in Nyasaland. In the blue print you say that the situation is so uncertain that complete disruption may result. That is your considered view?

A: Yes.

Q: Am I right in thinking that your real fear is that unless something very definite, of a different nature from the present situation, takes place there will be no chance of keeping Southern Rhodesia within a Federation or association, which you and your party think is in the interests of the whole?

A: That is so.

Q: So really, from that basis you have put up this as a cockshy, which is a reorientation of the Gore-Brown proposals, to try to fit into the modern age—to try for some idea by which you will be able to have an association between the Territories without a complete breakdown which would drive Southern Rhodesia out?

A: That is so,

MR. KATILUNGU: Looking at the map it seems that the Dominion of Rhodesia would cover the Southern Province, Western Province, North-Western Province as well as part of the Central Province. In these areas which are indicated to be covered by the Dominion of Rhodesia are situated hereditary Native authorities who perhaps settled on either Native trustee land or Native reserve land. When a situation of this nature had been created, where do you think these Native areas would be transferred to and what will come out of the title of the land on which they are settled today, since you indicated that this land which you have indicated to be embraced by the Dominion of Rhodesia comprises European settlement as such?

A: Yes, we have considered that and quite obviously existing rights must be continued. There would be no expropriation of Chiefs' land—we look upon this as a question of detail, but very important detail indeed—but we would continue exercising such authority probably even more than now if it was looked upon us to do so, but there would be no interference with people's way of life.

SIR LIONEL HEALD: In regard to your commision, you say "(*a*) there will be no central or Federal Government" but you say nothing about any kind of Assembly. For instance, in the East Africa High Commission or the Council of Europe you do have some kind of Assembly, and even in the Common Market there is something of that nature. Would you contemplate that something of that kind would be required?

A. (MR. HARPER): No. If by Assembly one meant a body capable of legislating, I would say "No", because you are straight back to your Federal Government.

Q: Something in the case of the East Africa High Commission, for example, that was only capable of acting as a Legislature when there had already been agreement?

A: I have no adequate knowledge of it, but as I understand it the East African High Commission was capable of imposing taxation.

Q: That merely enabled it to act as an agent to the people who had already agreed.

A: I relate taxation to great power; that if you can tax, you can govern.

Q: The Council of Europe is merely a talking organization.

A: Yes. My suggestion would be that they might make regulations with regard to the matters they have to administer, but they would not make legislation; their legislation would be in terms of legislation made by the States as far as this proposal is concerned.

Q: When they had agreed upon something in their discussion, then it would be necessary for the component States to introduce the necessary legislation?

A: That is right, and their channel of arrangement would be by virtue of their political opponents.

MR. JUSTICE BEADLE: I want to see whether it is possible to reconcile your scheme and the people concerned with certain pronouncements which have been made by Whitehall; if it is not possible, please say so. Your scheme virtually amounts to amalgamation into a unitary State of the central and wealthiest part of Northern Rhodesia with Southern Rhodesia. In 1950 a joint announcement that was made by the Federal Prime Minister and by the Secretary of State for the Common-

wealth Relations Office specifically said that the two Governments were against amalgamation. That appeared specifically in that statement, that they were against amalgamation. They were in favour of continuing Federation. Can you start with that one? Can you reconcile that joint announcement with your scheme?

A. (MR. FIELD): I cannot reconcile the announcement with the scheme but, after all, governmental announcements at the highest level have been made in the past, though not all have been adhered to. I have heard it said that this Federation would not be allowed to break up, but if any particular territory decides it is going to get out, no agreement or Government is going to stop it. I cannot reconcile it, but on the other hand I do not count a pronouncement like that as making it impossible to bring some such scheme as we suggest, maybe in a slightly different form or in a compromised form. I think it is still possible. Let me put it this way: No such pronouncements would put us off setting out to do what we think is right.

Q: The next one to reconcile is this: A statement has been made from time to time on at least two occasions I can recall by Mr. Macmillan in Her Majesty's Government, that the Government would not remove her protection from the Africans in the Northern Territories until such time as those people wish it to be removed. If you amalgamate into a unitary State which has the full status of a Dominion, are you not removing Her Majesty's protection from the Africans in that state before their are being consulted or able to to express an opinion in the matter?

A: That, of course, is one of the reasons why where the bulk of the Africans live, which is in the shaded State, we have left that question completely open.

Q: Half a million are in the middle?

A: That is so, but if you try to find somebody who is going to satisfy everybody, it is absolutely impossible. You are bound to offend somebody somewhere.

MR. CHIRWA: May I put a question to Mr. Field. I know of course, that you have travelled many times to these territories of Northern Rhodesia and Nyasaland and I think among the European political leaders; I wondered if you had the opportunity of meeting many of the nationalist leaders, including Dr. Banda? Are these views of yours based on the views you had received from those Africans and Europeans?

A: No, Mr. Chairman, we put this out long before we had ever heard of Dr. Banda. The only time that I discussed it with Dr. Banda was when he came to see me with one of his lieutenants in Blantyre and we certainly have not been influenced in our views by Dr. Banda; either Mr. Chirwa or Dr. Banda or any other African leader that I have met. We put this out with the knowledge of the peoples of the country in general as what appeared to us to be a fair and reasonable solution, but if the question is, was I put up to this by Dr. Banda, certainly not.

Q: What about the reaction of these leaders?

A: I remember what yours was, for one.

Q: I remember, too. What about the others?

A: It would be wrong for me to say. I am quite prepared to do it in private. This part of what I am going to say is not to be published later.

The discussion was continued in private for several minutes.

MR. GONDWE: Mr. Field says that he met African leaders in Nyasaland. Could he inform this Commission whether he met European leaders as well at the same time, and, if so, what was their reactions?

A: I did not meet European leaders then, but apart from Sir Robert Armitage, with whom I discussed it, I did not discuss it with European leaders. I found European leaders in Nyasaland prior to this had been so blind to the future that it looked to me to be a complete and absolute waste of time. They did not appreciate realities. What I had tried to put over to them before was this: If I were a European farmer living in Nyasaland, I would very much rather have this sort of set-up with assurance and guaranteed protection, and people on hand who could carry it out if necessary, than I would the very uncertain situation that exists at the moment. No, I did not discuss it with European leaders, apart from Sir Robert Armitage. I will say our difference on this point was that I considered Nyasaland's future as a territory must be decided before her association with the other territories was decided. We did not want a pig in a poke again.

Q: I am asking this question because I think it is known by everybody that Africans in Nyasaland are dead against the present set-up and that the Europeans in the territory would like to continue this association as we have it at present. Are you not betraying your own kith and kin when you do not make an attempt to discuss this thing with them, because they are part and parcel of the country of Nyasaland and the whole aim is partnership. I think you subscribe to that, though you say "No", that the word itself is somewhat unfortunate because it cannot be given any interpretation. But surely you would like your own kith and kin in Nyasaland to participate in something which is to the benefit of them as well as to the benefit of the country as a whole?

A: First of all, of course, it is quite wrong that I have not attempted to discuss it with them. I did so fully at the time of the election. I addressed several meetings in Nyasaland, putting our ideas in general before them, and I made this statement which I have repeated. I consider that, given the type of ideas, they would be very much better off. As for betraying them, we are saving them. This is the only guarantee they have got of permanent security. The Colonial Office does not make the guarantees we are prepared to make. I believe that if I was a Nyasaland farmer I would feel very much safer under these conditions than I would at the present moment.

MR. TAYLOR: I wonder if Mr. Winston Field would enlarge on that—the thought of protection? You said just now that if you were a European farmer living in Nyasaland you would feel a lot happier than you would feel under anything else.

A: Not under anything else, but under the present set-up.

Q: Why would you feel happier? What guarantees are you giving, what protection are you giving? Supposing the State of Nyasaland passed discriminatory legislation against you or tried to expropriate your land or do something, what clause of your treaty with that territory would enable you to be given that protection?

A: Whatever clause was put in for that purpose. Quite obviously there would be clauses to the treaty before they got independence, including a clause safeguarding the rights of the Europeans. At the moment there is turmoil in Nyasaland where rights have been threatened. Whether to the same extent as publicised or not, we do not really know; but under these conditions, with an association of the territories with the necessary authority on hand to see the clauses were carried out, would be a very much better state of affairs than it is at the moment where they have no such guarantee whatever.

Q: Mr. Harper's independent proposals on the last page: "Such legislation as the Commission may require will be made". What sort of legislation do you envisage the Commission may require the member States, the Dominion of Rhodesia, for example, to make?

A. (MR. HARPER): As you see in (*e*) in the plan the functions and areas in which the Commission would administer would be a matter for agreement between its members. One has assumed that certain functions have been agreed to and certain legislation would be required without putting that back to the Government, and in order to make this work it is necessary that the legislation should be passed.

MR. MOLSON: I have one or two questions about Southern Rhodesia. It was pointed out in the Northern Territories that the chief unwillingness for them to be members of the Federation was due to colour bar and discriminatory legislation in Southern Rhodesia. I thought I saw in the paper while we were travelling around that the Party which Mr. Harper leads divided against the Bill to make it possible for the hotels to become multi-racial. Is that the considered policy of the Dominion Party, and, if so, on what is it based?

A: The policy of our Party is to support the Land Apportionment Act which has been an Act in this country for many years and it is our historic way of life. Certain areas are African, certain areas are European areas. As chance has it, there has been a substantial amount of development in the European areas. Our feeling is this, that while there is necessity for facilities of a multi-racial nature we feel that the rights of those who do not wish to live in multi-racial conditions are equally as important as those who do. That is why we insisted that at Bulawayo Fair all the facilities should not be multi-racial; we insisted there should be one facility for Europeans only and one facility for Africans only. We are prepared to support it.

Q: I quite follow that. Indeed, I should be disposed to agree that to repeal the Land Apportionment Act would be a very wrong thing to do, but does your Party oppose all of it?

A: My Party does not oppose all of it without envisaging what those proposals were.

Q: At the present time all the large urban areas in Southern Rhodesia are included in the European areas and none of them is included in the African areas?

A: Historically the position was this: When the Europeans came here they found the Africans were substantially living

in the areas in which they are living now and their statement was that they were not driving them out. They have developed in the areas in which they settled. Development has followed the European.

Q: Are we to understand your Party would be opposed to any amendment of the Land Apportionment Act which would enable Africans to share in the financial, commercial and industrial development in the urban areas that are now included in the European areas?

A: Financial, urban? Is the suggestion that the Africans should take part in the existing business areas?

Q: Yes. Your answer, as I understand it, was this: That I think you used the words it has happened that the development of the urban areas, Salisbury and Bulawayo, and so on, with all industrial concerns, their shops and so on, have, in fact, and by chance taken place in the European area. I am asking whether we are to assume that your Party would always be opposed to an amendment that would enable the Africans in future to take some part in those urban areas?

A: The assumption, of course, to start with, that the Africans do not take part is quite wrong, because as a matter of fact in their own urban areas it is entirely a matter for them. There facilities are entirely for the African. For example, if I wanted to open a store in an African area, I am not permitted to do so. There have been proposals which we have supported that there should be urban areas set aside for Africans to purchase freehold property, and we support the proposal that in those areas where they purchase freehold property all the facilities should be theirs.

Q: But you would be opposed to their being entitled to purchasing any land or any freehold which is in the existing European area?

A: Yes, we would be.

Q: Does the same apply as regards rural areas? I think I am right in saying that 42 million acres are reserved for the great African majority and 48 million acres for the small European minority. Would you be opposed to any amendment of the Land Apportionment Act which made some of the European land available for the Africans

A: The broad figures as I understood is 48 million for the African and 51 million for the European minority, but one has to bear in mind, as Mr. Field has said, that a very substantial number of Africans are in European areas and the question as to whether one would be permanently opposed to it is answered by saying one would not be permanently opposed to anything. The question is whether it would be reasonable to do so, and that would be considered at the time the proposition came forward.

Q: Until 1930 there was nothing to prevent Africans buying land in what are now European areas?

A: That is quite right, and there was nothing to prevent Europeans buying up all the African land.

Q: It is because of that I did not suggest it was desirable to repeal the Land Apportionment Act, but I did want to know how far your Party was prepared to go in the way of making amendments, taking into consideration the changes since 1930.

A: All amendments would be based on reason, and one would have to see that the reasons were sufficiently cogent for us to accept them.

SIR LIONEL HEALD: If you walk out of here and go across the square you see they have seats and they have "Europeans" on them. Do you think that is a necessary thing to do?

A. (MR. FIELD): I very much doubt whether you are right, unless some of the old paint has been rubbed off. They are not meant to be there.

MR. JUSTICE BEADLE: It has no legal effect?

A: I would tell you this: I would certainly like to see seats there reserved for elderly Europeans where Africans would not be allowed to sprawl on them and take up three places where one would do.

SIR CHARLES ARDEN-CLARKE: The Central African Alliance in (4), "under the Treaty, the Dominion of Rhodesia will recognise that, for a period of time, it has certain responsibilities and obligations", and one of those obligations is to make a grant-in-aid towards the development of the other Territories. That period of time will expire, or the treaty may be revoked. Meanwhile, the whole of the revenue-earning part of what is now Northern Rhodesia has come in the hands of the Dominion of Rhodesia. The possibility, not a probability, but Her Majesty's Government must surely envisage the possibility of getting landed with all the rest—the Protectorates and possibly the Northern Territory as you have shown in here, and having to subsidise them, having no local revenues to do it with; how would you meet that objection?

A. (MR FIELD): It is a very difficult thing to meet unless one accepts that these are acknowledged in all good faith. After all, when you enter into an agreement you enter into it in mutual trust, with the anticipation that you must stick to the points you have agreed on; and after all, if one follows it through to the logical conclusion, under present conditions it is saying that the Federal Government has to spend the extra money they do in fact spend in Nyasaland over and above that which they receive from that Territory. I believe the balance is somewhere between £3 and £4 million at the moment. I believe they should have spent more than that, and it might have had more effect in other ways, but it is very difficult to guarantee that certain obligations that one has undertaken will be carried out by somebody else. I can only suggest that when these things are undertaken, as I have suggested before, they will be adhered to in the spirit in which they are entered into.

Q: Apart from revocation, shall we take "for a period of time"? That time will expire, and at the end of that time supposing it is not renewed?

A: I see no reason why it should not be renewed, providing the economic alliance was satisfactory. Our idea is this, that will go on until development in Nyaysaland reaches that stage where the country can be self-sustaining as a result of the extra moneys expended there.

MR. ELLMAN BROWN: I would like Mr. Field to say if he has based his plan that it is quite impossible to force Federation on Nyasaland if it does not want it. That is fundamental, it just won't work. I will admit that probably you decided your plan before the troubled days of last year and the year before. Would you say, firstly, as a result of the agitation that has gone on in Nyaysaland—and if this plan were to be put into practice and if Dr. Banda got virtually what he wants with financial help it will not have a corresponding effect in Northern Rhodesia, and would he be perfectly happy with the Africans coming in within the Dominion of Northern Rhodesia?—that they will be prepared to accept the position? Is there not a likelihood that Nyasaland, having got what it wants, will encourage the Africans in Northern Rhodesia to take stronger steps to achieve what they think they should have?

A: That is, of course, a possibility which one cannot deny, but you say first of all, would I be perfectly happy? Of course I would not be perfectly happy about it, and it is impossible to be perfectly happy if you do not please everybody. Northern Rhodesia is a very much more complex problem than Nyasaland. It is not a composite country in the same way, in my opinion, as Nyasaland is. I appreciate that there are certain tribes that they have on the Fort Jameson side that should belong to the Nyasaland side. There are minor adjustments which should be made. I believe it would be possible to put this over as an idea provided we sow seed very quickly; it might even now be too late. Of course I would not be perfectly happy about it.

Q: But try and overcome another difficulty. Mr. Justice Beadle asked whether this idea could be reconciled with certain political statements by British Ministers. One of those statements was that they would not do anything in the two Northern Territories without the wish of the majority of the people there. Would you consider a scheme like this? Instead of having a Dominion of Rhodesia you had your Government of Rhodesia proceeding as it is bound to do on the present thing there in the form of a Federation between the two Rhodesias, leaving what I call the political aspirations of the Africans in the North to deal with functions which affected their daily lives. Do you see any advantage or do you feel that is completely unacceptable to Southern Rhodesians you represent?

A: You are asking me to suggest that we are prepared to accept defeat before we have started.

Q: Defeat of your plan, but I am just assuming that knowing the pronouncements that have been made there are going to be difficulties of getting, shall we say, the British Government and Whitehall to agree to this. Is there any thought or any value in working out a possible federation with Northern and Southern Rhodesia with some of these parts on a High Commissioner basis?—If you are suggesting would we consider it possible to work a federation of the white portion of Northern Rhodesia with Southern Rhodesia, obviously it would be possible to work it, but we have to consider various things from the Southern Rhodesia point of view, and I discussed this with Mr. Harper. Obviously some of the objections of the Federation would be removed, but I do not think it would be such a workable plan as the others. But, of course, it has its possibilities and nobody is foolish enough to refuse to consider whatever proposals are put forward as alternatives.

A. (MR. HARPER): The proposition, as I understand it from

Mr. Ellman Brown, is surely we are still carrying on with Federation but we knock off bits of the territory?

Q: Keep the alliance—But you will have the Federal Government, that is three Governments still. You have not altered the picture except in regard to the size of the pieces of land; you have not fundamentally altered the form.

MR. ELLMAN BROWN: No.

MR. ROBINSON: Following on Mr. Molson's question, perhaps you would be good enough to tell us in the new Dominion of Rhodesia would it be his policy to extend the application of the Land Apportionment Act to the towns in Northern Rhodesia and the towns on the Copperbelt, and would it also be the policy of the Party in respect of those hotels and restaurants and public places in business areas which have become multi-racial to de-multi-racialise them?

A. (MR. FIELD): The Dominion Party policy is quite clear. We want no laws against integration. If people wish to do so, we want no laws segregating people. We wish people to do as they individually wish, so if you say to a certain hotel this is multi-racial, then you can do it; that applies to anybody. If you do not wish, you need not follow. That is the basis of our thinking in our laws. I have travelled this world a lot and wherever I have seen any attempt made to force people to mix, it builds up resentment, and that is what our thinking is based on. Of course it would not be possible to extend the Land Apportionment Act in the way you are suggesting; there would be no intention of altering the status of hotels, that kind of thing, it would be morally wrong. We are quite certain a system can be worked out that such-and-such can apply in Southern Rhodesia, but, again, that is the type of case which I would look upon should be discussed round a table. I have no doubt at all that the problem you put up can be overcome.

Q: In the last sentence of your pamphlet you refer to your Senate and you say it will have special powers which will provide safeguards in respect of Native lands, discriminatory and presently reserved legislation. You have told us that the Dominion of Rhodesia would be a completely independent, self-governing sovereign State. In creating that constitution, would your Party be prepared to have built into the constitution a fixed and unalterable system of safeguards which might include the non-application of the Land Apportionment Act in Northern Rhodesia?

A: Yes, we would. On the point of detail we have not discussed it, but, speaking without discussing it with my colleagues, I think we would be prepared to. Incidentally, as Mr. Justice Beadle will remember, this idea of a Senate was decided upon some considerable time ago without any dissentient voice in the Southern Rhodesian Parliament, a body to look after the interests of the people who are never protected, and our idea of a Senate was carried on from what was agreed upon by all Parties in the Southern Rhodesian Parliament some time ago.

MR. KATILUNGU: In your Dominion of Rhodesia, you have not indicated what would be the form of your franchise qualifications to embrace those rolls?

A: I think we have said here that it would be based on the present franchise laws.

MR. CHIRWA: May I ask Mr. Field whether he has read these proposals of Mr. Harper and what his reaction is?

A: Mr. Chirwa can ask me but I have only just seen them. I did discuss them with Mr. Harper yesterday. He asked me if I had any objection to him putting them forward today and I could see nothing objectionable in his putting them forward.

Q: Following that question, what was the policy of your Party towards Africans owning freehold land in the African areas in the locations?

A. (MR. HARPER): We have supported it in the House. As a matter of fact the proposals which have been put forward by the Southern Rhodesian Parliament have been substantially those which members of the Party have agreed.

MR. WOODROW CROSS: Apparently you have sounded opinion in Nyasaland about the reaction to your plan. You have been many times to Northern Rhodesia and have no doubt sounded opinion there. Do you think you would get substantial support from Africans in Northern Rhodesia to your plan?

A. (MR. FIELD): I did say at the outset I had not been able to sound African opinion in the North to quite the same extent, because Mr. Kaunda and certain others have not been available, but certainly I discussed it with the two African Members of Parliament and they did not like the idea. But as far as I can find out they do not like any idea, and they had no positive idea of their own to put forward. I have discussed it with Chief Kazembe and his Council, and Chief Mushota. It was looked upon as a basis for discussion and I think in their case, at least, somebody has put something out and we know where we are. We have the idea some people have in mind instead of utterly disgraceful secrecy.

MR. GONDWE: I think the African leaders that Mr. Field wanted to meet, like Kaunda and Nkambula, would never have been sympathetic to this idea because they would have been included in the Dominion of Rhodesia. We in Nyasaland would be out of this Dominion and we would welcome it.

CHAIRMAN: I am sure we are very grateful to you for coming and helping us. I hope we have not harried you too much.

A: Not at all; we enjoyed it.

Memorandum

RHODESIAN NATIONAL ASSOCIATION (Representing Coloured and Eurafrican Interests)

G. T. Thornicroft—President, A. J. Pillay—General Secretary

We have the honour to submit a memorandum hereunder for consideration by your Commission.

We wish to give oral evidence to the Commission in due course when we hope to be granted sufficient time to enable us to elaborate on the points raised in our memorandum.

We understand that the main concern of your Commission is to enquire into the position affecting all sections of the lawful inhabitants of the Federation in relation to the Federal Constitution for the purpose of advising all the five Governments concerned.

1. We beg the Commission to study more carefully and in detail the political situation as it affects the Eurafrican and Coloured Community as a minority group.

According to the present set-up the Commission will find that the Eurafrican or Coloured Community are placed in a position where for the unforseeable future, if not for ever, they will be without direct and effective representation in both the Federal and Territorial Legislative Assemblies.

2. The present Federal Constitution provides for the protection of political minorities to enable them to obtain direct representation in Parliament in the following manner:—

(a) There is provision for three Europeans who are elected or nominated by special arrangement, one from each Territory, to represent what is styled as Special African interests.

(b) Twelve Africans, four from each Territory, are elected and/or nominated by special arrangement to represent African interests.

(c) Over and above this, there is nothing to stop any of these specially elected and/or nominated members, as mentioned in (a) and (b) above, or any member of their race to stand for election and/or to vote for any candidate seeking election in what is generally regarded as an ordinary Constituency. It is therefore abundantly clear that the Federal Constitution guarantees that in any event there shall be direct representation for Africans while they remain a political minority.

As a minority group, politically and numerically, we are amazed and dismayed to discover that similar arrangements have not been provided for us in the Constitution.

(d) We are entirely in agreement with the political provision made for the Africans, even though this provision may be a temporary measure.

In the Federal Constitution we are grouped neither with the Europeans nor with the Africans. In fact we are not mentioned at all in the Constitution (vide judgment Thornicroft vs. Malcolm Barrow, Federal Minister of Home Affairs), this places our section of the Community in a difficult and false position, and it is, therefore, essential that we, as a minority, should be specially provided for in the same manner as already expressed.

Both the British Government and the Territorial and Federal Governments have continually refused to acknowledge and/or consider our claims, and have shown an utter lack of interest and sympathy in our political aspirations.

(e) Whenever we raise this issue we are misunderstood and accused of wanting to introduce race-politics. We must however, make it quite clear that we ask for this provision not as a separate racial group, but as a minority group seeking protection from being swamped by the powerful majority groups in the Country.

3. We further attach herewith, for the study and consideration of the Commission, copies of the following Memoranda:

(a) To the Federal Prime Minister, dated 3rd June, 1957;

(b) To the Right Honourable Earl of Home, Secretary of State for Commonwealth Relations, dated 30th September, 1957;

(c) Letter addressed to the Chief Secretary, Government of Northern Rhodesia, dated 28th March, 1958.

These documents speak for themselves and we submit them as part and in support of our evidence (see Annexures below).

Finally, we wish to emphasise the fact that without direct political representation in the Country, we have become frustrated, politically ineffective and lacking in that sense of *"belonging"*.

We therefore make a strong appeal to the Commission to view our case and position with special care and consideration.

Salisbury

18th January 1960

Annexure I

Letter from the Rhodesian National Association to the Federal Prime Minister

P.O. Box 524,
Salisbury,
3rd June, 1957

The Secretary,
Department of the Federal Prime Minister,
Causeway.
Dear Sir,

Proposed Amendment to the Federal Constitution

I have the honour to submit hereunder a memorandum on the subject above which I shall be glad if you will kindly place before the Honourable Prime Minister, for consideration.

It is noted in this amendment that it is proposed to increase the number of seats in the Federal Assembly for both the European and African members. We are disappointed, however, to find that no provision is made for the election of Eurafrican or Coloured members to the Assembly.

When Federation was being negotiated we requested that provision be made for the election of special members to represent Eurafrican and Coloured interests in the Legislative Assembly of the Federation. Both the Prime Minister, the Right Honourable Sir Roy Welensky and the Secretary for Commonwealth Relations in the United Kingdom Government should be aware of and should have on record the reasons for our request. We were told at that time that our interests, rights and/or privileges would be the same as those applicable to Europeans. We regret to have to state that this has been proved not to be thus. We find ourselves placed in a worse position politically than both the Europeans and the Africans.

We have no voice in the affairs of the country and are without safeguards in the political and economic structure of the state.

We are a minority and shall remain forever as such. It would appear to be unjust and unfair, therefore, to suggest that a community which numbers well over 20,000 souls in the Federation should remain without direct representation. While we do not wish to appear ungrateful for what certain European members of Parliament and the Government have done for us, we regret that we cannot accept this as sufficient reason for denying us the necessary means and right to be elected and to represent our own interests in Parliament. It should be realised that the first duty of any European representative in Parliament lies with his own race and it is most unlikely that a European member go against the wishes of his own people in favour of the interests of the Coloured people or any other race for that matter.

The Government is aware of the position that the Federal Constitution as at present framed, makes no mention of Eurafricans or Coloured people in any way, while it is true to say that special mention and/or reference is made of both the Europeans and Africans.

The Government may not realise and appreciate the special problems affecting Eurafricans and the Coloured people as a whole and the fact that in the Federal Constitution we as a community or a group form a part of the inhabitants of the Federation are compietely ignored and are given no status whatsoever.

We are in fact without any effective representation in Parliament of the country which is equally our motherland and permanent home.

We are not prepared to accept the theory that we are grouped with the Europeans for the purpose of this Constitution, when in fact there is no mention on record of evidence to this effect in the Constitution. It is clear and true that we are denied the economic and political privileges and rights, which are enjoyed by the Europeans.

In view of this insecure and ambiguous position, we beg to submit that it would appear necessary to include in the proposed amendment of the Constitution the following:—

(a) Special arrangements for the election to the Federal Assembly on the same pattern as is provided for the election of African representatives.
  (i) Two Eurafricans or Coloured members for Southern Rhodesia.
  (ii) One member for Northern Rhodesia.
  (iii) One member for Nyasaland.

(b) Special safeguards to be entrenched in the Constitution for the political rights of Eurafricans and other members of the Coloured community against any attempt at any time in the future to remove such persons from the Common Voters Roll and/or to deny them any political rights or representation in the Legislative Assembly.

(c) The position of the Coloured people to be made clear and secure in the economic and social structure of the country with particular reference to employment in the Public Service.

(d) Whilst it is not in our power nor it is our intention to express an opposition to the proposed amendment, we would respectfully point out that our position in the economic, social and political set-up of the country is far from being satisfactory. We, therefore, beg the Government not to ignore our request merely because it is based on a racial pattern, but to appreciate the facts which we submit cannot be reasonably and justly disputed.

We make our recommendation with no desire for sectional gain or interest but with a sincere and earnest desire to take a more practical and effective part in the political affairs of the country, and thus be able to make our contribution to the political stability and honest and just representation in the Parliament of the State which is intended to represent all sections. In support of our submission we would point out that the present plan of representation as set out in the Constitution is already based on a sectional and racial pattern, in that seats in the Legislative Assembly are allotted on a proportional and racial basis. The Coloured community is entirely excluded from this plan.

As a minority group and in view of the racial set-up and policies of the country, we can see no other solution to our political problems, and as a point of fact, there is no other practical way or method which could enable members of the community to take a realistic and effective part in the political affairs of the country. We therefore, respectfully appeal to the Government to give our case as stated in this memorandum serious and practical consideration. We feel assured that all reasonable thinking people in the political field of the country will agree and support our aspirations.

Annexure II

Letter from The Rhodesian National Association to the Right Hon. The Earl of Home

P.O. Box 524,
Salisbury,
S. Rhodesia.
30th September, 1957.

The Rt. Hon. Earl of Home,
Secretary of State for Commonwealth Relations,
c/o Government House,
Salisbury.
Sir,

On behalf of the Eurafrican and Coloured persons of mixed descent who number approximately 20,000 souls in the Federation of Rhodesia and Nyasaland, we have the honour to greet you, and in common with other inhabitants of the Federation extend to you Sir, a very cordial welcome.

We are aware of the purpose of your visit, which we understand is to study the views of the people in relation to the general development of the Federation. We believe that your study also concerns the general relationship between the different races and/or groups comprising the inhabitants of this Federation.

(1) We respectfully wish to make it known to you, Sir, and through you to Her Majesty's Government in the United Kingdom that there exists in this Federation, a community which is quite separate from both the European and African communities. This community known as "Eurafrican" or "Coloured" is not provided for within the framework of the Federal Constitution, and which, we are of the opinion, is entirely unknown, as a group, to you and to Her Majesty's Government in the United Kingdom.

(2) For administrative and general purposes we are in this country grouped as a separate community, but for some convenient reason or purpose we have been left out of the Constitution conferring Federation on the three Central African Territories.

(3) We submit that as a minority group, our economic, political and social status is very unreal and far from being satisfactory.

(a) Politically we find ourselves in a very awkward position, in that it is impossible in the present circumstances to elect a member of our own community to the Federal Assembly to watch or advance our interests, and to enable us as a community to take an effective part in the affairs of the country in general.

(b) Our position in the economic set-up of the country is not recognised and/or accepted by the Federal Government.

(c) We are not allowed to qualify for positions in the Public Service, and whenever our services are accepted in certain minor Departmental positions, it is on a differential basis in regard to pay and conditions governed mainly on the ground of race-colour, and not on merit.

(4) We would respectfully beg the Secretary for Commonwealth Relations to study very carefully the special problems affecting the Eurafrican or Coloured people of mixed descent, and to realise that this community which forms part of the inhabitants of this Federation as a separate entity, has been ignored and denied recognition by Her Majesty's Government in the United Kingdom when granting Federation upon the Central African Territories.

(5) As a minority group which is very poorly provided for, we are not prepared to accept the theory daily being put to us, that we must wait for the day when we could be elected to the Legislative Assembly of the country in the ordinary way on merit. We regard such unfair and unrealistic presumptions as a mockery to ourselves as a community and out of keeping with the British sense of justice.

(6) In view of this insecure and ambiguous position in which we are placed, we beg to submit that it would appear necessary, in order to protect the interests of a minority, that when the time comes for the revision of the Federal Constitution in 1960, the position of Eurafricans or Coloured people of mixed descent, be clearly defined and the following provisions made:—

(a) The formulation of a plan providing for the election of at least four members of the Coloured or Eurafrican community to the Federal Assembly in the following order:
(i) Two for Southern Rhodesia,
(ii) One for Northern Rhodesia, and
(iii) One for Nyasaland.

(b) Special safeguards to be entrenched in the Constitution for the protection and guarantee of:
(i) Economic and social rights,
(ii) Political rights of the Eurafrican or Coloured persons against any attempt at any time in the future to remove such persons from the Common Voters Roll and/or deny them political and economic rights or representation in the Legislative Assembly.

(7) Whilst it is not in our power to oppose effectively any change in the status of the Federation, we wish to express our fears and very grave concern at the granting of any further powers upon the Federation when our position remains insecure and without definite and positive clarification.

(8) My Lord, we have no desire to exaggerate our claims, but we would like you, Sir, to know the real position in which we are placed in regard to the affairs of this Federation. We do not believe that it can be the wish of Her Majesty's Government in the United Kingdom, that because we are a minority we should remain without direct representation, and thus be denied the opportunity of participating and contributing in a direct and effective manner in the affairs of the State of which we are a part.

(9) We wish to add, that although we are a minority, we have never been found wanting and are always ready to offer ourselves for service in time of war, and in any cause which affects the Country and the Commonwealth as a whole. We served as a unit in the last World War. Our loyalty and devotion to Her Majesty the Queen has never been at any time in doubt or found wanting in any way.

(10) In conclusion, My Lord, we would suggest for your serious consideration, that a special and independent Royal Commission be appointed by Her Majesty's Government in the United Kingdom, in order to verify what we have said and to investigate and report on:—

(a) The political disabilities and disadvantages of the Eurafrican or Coloured persons of mixed descent and origin who are at present a separate entity in the Federation.

(b) The economic and social problems affecting the general progress and welfare of such persons as a group.

(11) We appeal to you, Sir, to study our humble submissions carefully and most seriously with a view to finding a remedy for the removal in a practical constitutional manner our fears and concern in regard to our position and the points raised in this memorandum.

Annexure III

Letter from the Rhodesian National Association to the Chief Secretary, Government of Northern Rhodesia.

P.O. Box 524,
Salisbury,
S. Rhodesia.
28th March, 1958

The Chief Secretary,
Government of Northern Rhodesia,
Lusaka.
Dear Sir,

I respectfully beg to submit hereunder, comments and suggestions in connection with the proposed Constitutional Reform and/or arrangement for the composition of seats for representative members of the Legislative Council, of the Government of Northern Rhodesia. I shall be glad if you will kindly submit this Memorandum for consideration by His Excellency the Governor and your Government.

(1) In this connection the main issue appears to be concerned with the composition or ratio of representation between Africans and Europeans.

(2) No doubt your Government, Sir, is aware of, and must acknowledge, the existence in the Territory of Eurafricans and/or Coloured persons of mixed descent, as a separate and distinct racial group or community. No mention appears to be made regarding the representation of this section of the community, and it will be very much appreciated if you will kindly advise as to:—

(a) What arrangements are made or included in the proposed Reform for the representation of Eurafricans in the Legislative Council of the Territory.

(b) What measures, if any, are provided for the economic and political advancement for this section of the community.

(c) What number of seats in the Legislative Council is recommended for Eurafricans in proportion with seats allocated to the other racial groups.

(3) It will be highly appreciated if you will kindly furnish us with a copy, if available, of the plan dealing with the proposed Constitutional Reform which is to be submitted to Her Majesty's Government in the United Kingdom.

(4) According to reports we understand that seats in the Legislative Council are to be formulated so as to provide representation for two groups classified as "Africans" and "non-Africans". If this is so, we beg to submit that this plan appears to us as vague and misleading, and places members of the Euafrican or Coloured community in a false and ambiguous position.

(5) It may be realised that Eurafricans cannot be classified as "non-Africans" nor can they be described as "non-Europeans", because they are the product and/or descendants of both the "African" and the "European". As such they have become, and it is true they are classified and recognised as a separate group or race on their own. It would therefore appear necessary that this position be accepted in full and in practice by the creation and inclusion into the Constitution of the Territory of at least two (2) seats to which members of this race could be elected on the Legislative Council. Her Majesty's Government in the United Kingdom should be made well aware of this unavoidable new situation in the political structure of the country.

(6) Eurafricans in Northern Rhodesia are very appreciative of, and value the interest being shown in their welfare, by the Government, but fear that their political advancement and aspirations cannot be realised if arrangements are not made for their inclusion in the proposed pattern providing for the election of representatives on the Legislative Council of the Territory.

(7) The principle of direct representation for all racial groups has been approved of and accepted by the British Government in almost all the British Territories. As a minority, particularly needing safeguards and protection, we are in agreement with this policy, because we believe this to be the only practical way of ensuring fair and adequate representation for all sections of the community in a country with a multi-racial population. We further believe that this form of representation is the only genuine guarantee for the representa-

tion and protection of the interests of the minorities such as ourselves.

(8) If acceptable by you, Sir, I am prepared together with leaders of the Eurafrican Association of Northern Rhodesia, to discuss this matter with you and your Government in Lusaka at a place and time convenient to you.

Oral Evidence

RHODESIAN NATIONAL ASSOCIATION—Represented by G. Thornicroft and Messrs. Selous, Raftopoulos and Ascroft.

CHAIRMAN: In one of your enclosures to your memorandum dated June '57, you mention a figure of 20,000 souls—that is throughout the Federation?

A. (MR. THORNICROFT): Yes. It is not exactly up to date, it would be slightly more now. You will get them from the census, which is as nearly accurate as possible. One must take a broad estimate of the people.

Q: Can you give us a rough breakdown as between the three Territories?

A: Southern Rhodesia should consist of at least between 14,000 and 15,000 souls, with 2,000 to 3,000 in Northern Rhodesia; and Nyasaland is confused, I am afraid. When we say Coloured people we mean people with mixed blood, between Asians and Africans and Europeans. Asians have no objection to their own kind being classified as Indian, because sometimes it is difficult to tell the difference between a pure Indian and a mixed Indian. Therefore in Nyasaland the number of Asians is larger than Coloured: and that is because a large number of half-caste Indians classed themselves for census purposes as Asians, whereas in fact they should be grouped with the people known as Coloured. I took it from the census point of view. Taking Asians and Coloured people together in the Federation, there are well over 30,000, but there are more now, because it is not up to date. You cannot say specifically how many may be properly called Indians or Asians, of mixed blood. These people are a cosmopolitan group which, for administrative purposes, are taken as an entity and grouped as a single unit.

Q: Your main contention is that there should be political representation of the community. You have suggested that that should be achieved through a special seat in the Federal Parliament?

A: For the time being, yes.

Q: Would not those Federal seats be filled by election on the common roll?

A: Not under special circumstances. No Coloured or Asian could hope to win a seat in the ordinary way in the present circumstances, because the racial grouping of the country is a natural one.

Q: You suggest that there should be reserved seats for Coloured persons as there are for Africans. How would they be filled—by election on a common roll, not just election by the Coloured people themselves?

A: No, we would prefer the same system and methods as used in the election of special European representatives and special African representatives, not necessarily elected by any special group.

Q: Because of the small number of Asians, those would be put in on the vote of other communities. Would you regard that as representation?

A: Yes, at least they would get an opportunity of taking part in the affairs of the country. Assuming that we did not provide special seats for Africans who are elected now, as we may say, by Europeans because there are very few Africans on the common voters roll, you will find that if that was not provided for—I say this emphatically—there would not be an African in the Federal Assembly. I will go further and say that at least some Africans choose to join in a party which has more European voters, if they wish to get to Parliament, because they are dependent on a mainly European vote, so much so that in some cases it makes the position complicated. There is nothing to stop any other African standing for an ordinary constituency. That is the point.

Q: If there were such special seats, do you think it would be right that there should be special seats for Asians?

A: Yes.

Q: You think, perhaps, there should be a total of four such special seats, two for Southern Rhodesia, one for Northern Rhodesia and one for Nyasaland?

A: Yes, we go on the numbers.

Q: Would you think that was a large number, having regard to the fact that there are only 20,000 plus throughout the Federation, in proportion to the others?

A: It is essential that there should be at least one representative in each Territory. For that matter, if it suited those who are making the constitution, we ourselves would not mind having a representative for Southern Rhodesia and another representative for Northern Rhodesia and one for Nyasaland. It is a matter of having each Territory represented in the Federal Assembly. For instance, you have one African from each Territory representing special interests for Africans. You have four Africans from each Territory, and yet some of the Territories have more Africans than others. I do not know on what methods the computation was based in giving equal numbers to each Territory. We say that we have no direct representation at all, and some of us have tried to stand for an ordinary constitutuency only to find unfortunately, under the present set up, that Europeans will not support such a candidate. I have been one of those who have tried in many ways.

Q: This system would mean you would have one member representing the 2,000 souls in Northern Rhodesia. I suppose that is men, women and children?

A: As I have said, those people would be representing 2,000 souls. You will find some members of the Coloured community who are as white as a European, in this case they classify themselves as Europeans, due to the discriminatory conditions in the country. I do not criticise the census. No one is going to tell someone who looks light that "You are not European". Therefore as far as we are concerned we regard the census as a little misleading and not quite exact. There are more Coloured people than 2,000 in Northern Rhodesia.

MR. CHIRWA: When you put these representations to the Commission, did you consider the Territorial legislature as well?

A: Yes, as far as Northern Rhodesia and Nyasaland were concerned, in those two Territories the pattern of the constitution is based on a racial representation. You will find in one of my annexures I have included a letter written to the Government in Northern Rhodesia, during the reconstruction of their present constitution. There again we got nowhere, and were ignored in the usual way. We do not consider the Southern Rhodesia Legislative Assembly in this matter, because the Southern Rhodesia Constitution in its present form is non-racial; so we are not the only people being penalised. It is open to all. It is when you come to share representation on a racial pattern, once you provide separate seats for certain groups, you must give the same thing to everybody. We claim we should be given representation in the Federal Assembly and in the Territorial assemblies of Northern Rhodesia and Nyasaland, and perhaps when the time comes that the constitution of Southern Rhodesia is amended to provide representation on a racial basis, Southern Rhodesia as well. At present we are not justified in putting our case as regards the Southern Rhodesia Legislative Assembly. We suffer the same fate as Africans, who are in the majority and because of the pattern of the Constitution nobody is debarred from standing as a candidate, but when you are in the minority of voters you cannot hope to get representation in Parliament.

Q: Do you think the present Federal franchise satisfactory from the point of view of your community?

A: Not quite. It is a bit too high. That is due to many things, but the economic position of other people is not equal to Europeans: also there is the educational standard. Some people are not qualified on that because the educational standard is higher for Europeans than for other people. Because of these disabilities, the present franchise of the country is not in our favour. Even if it were, assuming all of us in our community were earning good money and had good educational facilities, the principle would be against us. We are a minority group.

Tanganyika is going to get self-government. They have six ordinary seats: they are open to everybody, but it is clear that the majority of people who get those seats will be Africans. Because of that they have provided specially ten seats for European minorities, and eleven seats for Asian minorities. If they failed to get any seats in the ordinary way they are guaranteed at least those 21 seats, so as to have a say in the affairs of the country. If that can be done for the European minorities, who are in a far better position than ourselves, surely we are justified as a community—not because we want to cherish ourselves or to go to Parliament to shout about ourselves—but we belong to the country and we would like to take part in the affairs of the country, and contribute towards them.

MR. KATILUNGU: Coloured people belong to certain political parties and will therefore be able to contest any seat in any constituency throughout the country, and possibly can expect to be voted for by those few Eurafricans on the Roll.

A: This is a matter best answered by illustration. In the last

election I personally tried. In 1953, before Federation came into effect, I was told there was no need to give a special seat for Coloured people because they were in fact Europeans and would enjoy the same privileges. When the election time came I was chosen by some friends to stand in the same way as European members to represent African interests. I was turned down through the Attorney-General because it was ruled that the word "European" meant European on both sides and did not apply to Eurafricans. I took the matter to Court, and to Appeal Court, and was told that according to the dictionary a person of African and European descent could not be described as a European. He was a Eurafrican; and because there was no mention of Eurafricans in the Constitution, my case was ruled out. In the last election I was allowed to stand for an ordinary constituency. I did so, not because I thought I was going to win. I approached a big party, but was told I could not be nominated by them because I was not sure of winning, and therefore would lose the party one seat. I wanted to stand as an Independent. A small party, the Constitution Party, approached me to stand on their behalf. I knew they were a small party and were only making use of me for their own publicity purposes, but I took a chance and stood as their candidate. I put up a big battle, but against odds. It is true that I got a majority vote of non-Europeans, Africans, Asians and Coloureds, but I did not get many votes from Europeans; in fact even the members of the party to whom I belong, the Liberal Party, voted against me because they said, "Don't vote for Thornicroft: he will lose." They judged me beforehand, you see, although I defeated the Dominion Party.

Why should I depend on the non-European vote? I should depend on my own ability. If I am good, I am good for the country and not for a particular race. We hope to do away with the racial problem as we go along, but under the circumstances people are still racially minded. We want to help with affairs and with racial problems, but as long as we are shut out and told to wait until things get better, it will take us a long time to get where the other people are. I have gone into these things, and it has cost me a lot of money.

MR. CHIRWA: Are you suggesting the European voters who are in the minority vote on a racial basis?

A: I am quite positive of that. When I stood for the Liberal Party, I know that Europeans belonging to the group for which I was fighting actually canvassed for my opposite number. They told their European people "Vote for the U.F.P. because by voting for Thornicroft you are letting the Dominion Party in." It is a matter of races. I wanted to recruit two or three Europeans just for going about with me. I was going to pay them £150 a month. I could not raise one person, because they said they would be ostracised for having supported a member of the Coloured people. I went from individual to individual, offering money if they would assist me. None of them would volunteer to do the job. In the end I did it single handed, with a few Eurafricans and Coloured people.

MR. MENZIES: What is the practical value of having a Eurafrican representing particular interests? What are the particular interests that you anticipate would be represented in Parliament?

A: Our particular interests are no different from the interests of any other race. Each group of people has certain particular domestic problems which affect them specifically, and anybody who lives in Southern Rhodesia knows that, but generally apart from particular interests of the section, there are national interests. It is desirable in a multi-racial country such as this that every racial group should be a party to whatever we do in the country. It makes everybody feel that whatever law is passed is agreed to apply to his section. There is no point in asking me what is my particular interest. If I have to say that it will take a large book.

CHAIRMAN: We understand, I think, that there would be a European representing the interests of Coloured people in Parliament. I understand that would be a reserved seat for a Coloured man to represent your interests.

A: Yes, we have Europeans who are voted for by all races. It is true they do certain services which we appreciate, but there comes a time when there is a clash of interests between Europeans and other races, when the European is morally bound to side with his people. It is not because we think that man is no good: it is a natural trend of things. Certain things are applicable to us and not to Europeans. We want to be with Europeans, and we want there to be one Coloured person in Parliament as well as 20 Europeans. He would be doing a good job for the people. He will convince the other European members, in a quiet way, of the disabilities which his people are suffering, and he can also help them to win the cause of his people. All these things are lacking to us. We want to be amongst people who are doing the work of the country on merit, not because we happen to belong to a certain race. We cannot go against the Africans or Europeans. We belong to both of them. We accuse them both of being irresponsible.

MR. SELOUS: We would like to try to build up the Federation for our younger generation so that this land will be a happier land for our children, not for any one particular race, and so that they can render equal service to the state, as any other man, without a fear of being legislated for by any other members of different races. About the Federal franchise, the Coloured community as a whole recognises the qualification of education, but we get worried with the monetary qualification.

CHAIRMAN: Thank you. That is your primary point, political representation in the way you have described?

A. (MR. THORNICROFT): Yes. I would like to read a letter to you received from the Governor of Northern Rhodesia in reply to a letter written by myself. At one point he was left with two seats, apart from those allocated to Europeans and Africans. He was entitled to nominate two persons for those seats in the Legislative Council, one for an Asian and one for a Eurafrican. To our surprise, the Governor nominated one Asian—which is to the good, because they are in the same position as we are—but rather than nominate a member of our community, he nominated an extra African. So I wrote him a letter and accused him of having no interest in the welfare of Eurafricans. His Excellency then replied to me and said that I had failed to recognise that the major principle behind the constitutional provisions was the object of building Northern Rhodesia into an non-racial state—but you see, we wanted to be a party to that non-racial state, and were not allowed. The Governor went on to say that he felt confident that those members who had been elected and nominated, together with the ex-officio members, would regard themselves as representing the interests of all four groups of people in the country, their supporters as well as their opponents, of whatever race.

We are not doubting the ability of these people, but although His Excellency mentioned four groups, he has dished out seats to three groups and left us out. Unfortunately, the Government is not sympathetic to us, so even where there is a pattern of racial grouping—and you will notice that in Northern Rhodesia the people are talking only race, why cannot we talk race? We may be a bridge, and might bring about peace between the Africans and the Europeans. You can never tell about that; but at the moment we are simply counted as nil.

SALISBURY

2ND MAY 1960

Memorandum

CENTRAL AFRICA PARTY

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CENTRAL AFRICA PARTY—FEDERAL EVIDENCE

I. *Introduction*

1. It is desirable and right that the eight million people of the Rhodesias and Nyasaland should be governed in such a manner as would "conduce to their security, welfare and advancement". To achieve this a Federation was established in 1953 and a Constitution was given. The drafting of any Constitution "is a work of so great difficulty, that no human genious, however comprehensive, is able, by the mere dint of reason and reflection, to effect it. The judgements of many must unite in the work; experience must guide their labour; time must bring it to perfection, and the feeling of inconveniences must correct the mistakes which they inevitably fall into in their first trials and experiments".*

2. Just as important as exercising the utmost care in the framing of a Constitution, is the need to have it accepted by the people whose lives it is to affect. It was not enough to postulate that the Constitution was a good instrument and that it would eventually bring the country to full membership of the Commonwealth. It was fundamental that its terms should apply to all our people and that the benefits it promised should be enjoyed by all, without distinction of race or colour.

3. In 1953, those in authority believed that the African people in general were not sufficiently advanced to be able to understand what Federation meant or what great benefits it would bring. If those responsible believed that it was right, or at least practicable, to impose the Federal system without its immediate acceptance by a majority of the people, then they should have recognised that the only way to make it succeed was to make its advantages manifest to a majority of the people without delay, and also to ensure that those benefits were experienced in the actual day to day life of the people.

4. Six years of Federation have brought considerable economic development, particularly in the Rhodesias, but while such advancement is of great importance, it is limited to a small section of the wide field of "life, liberty and the pursuit of happiness". Only when economic progress is accompanied by the extension of liberty, by the growth of security, and by the strengthening of bonds of partnership and co-operation, can it fairly be held that the Constitution is fulfilling its purpose.

5. Some plead that more time must be allowed before judgements are made. Many people hold that an expanding economy itself meet the needs of our people: bread, not votes, can save the Federation.

6. If, with economic development, there had been no deterioration in other spheres of our life, then a case might have been made for patience and a continuation of things as they are. In the past six years, however, liberty has been substantially reduced; the people are rapidly losing any sense of security; growing racial feeling is threatening the existence of the Nation and the position of government itself has been brought into jeopardy; because our Governments have failed to gain sufficient support from the people to provide stability.

7. If the consent of the people is not won, then it can be only a matter of time before authority comes into disrepute and the future maintenance of law and order will degenerate wholly into a police and military exercise.

8. The vital test of the good faith of the European is his readiness or otherwise to remove colour from politics. The Constitution provided that qualifications for the Federal franchise should be decided by the first Federal Parliament, in which the majority of Members was European. Here was the acid test of partnership, here was opportunity to show good faith by extending the franchise as widely as possible within the limits of literacy and responsibility. If this had been done, the whole course of Federation would have been changed. In 1957, however, Parliament flouted the danger of denying political rights to Africans, and while making a pretence of non-racialism, it used the device of the artificial economic colour-bar to maintain a political colour-bar. Only a few hundreds of Africans were able to vote alongside the 80,000 white electors at the following election. The Electoral Act of 1957 is the greatest single blow to a possible unity and it is designed to hold almost all power in European hands for the foreseeable future.

9. Our Federation was based, not upon a community of men, free, equal and independent; but was placed in the hands of 80,000 white electors, the majority of whom would, at the most, admit that Africans in general might sometime in the distant future become capable and responsible fellow-citizens. In these circumstances government can hardly escape appearing to be completely arbitrary in the eyes of the majority of the people. In our Federation men of only the one race have consented together, and this is our great weakness.

10. But the African people as a whole, while not having consented together with the white population, believe that they have rights, inalienable rights, which are being denied to them.

11. History teaches us that power corrupts and our Europeans, because they hold all political power, should therefore be very careful in its use, especially when they find themselves in conflict of opinion with almost all our African people. We hold that the Government did not recognise the necessity of winning the confidence of the majority of the people because Europeans in Central Africa have become so used to being able to impose their will. Nevertheless, to those who felt this way, the future remained uncertain while Her Majesty's Government in the United Kingdom continued to bear responsibility for the Federation and to hold defined powers. The Federal Government therefore decided to demand that the British Government should relinquish all responsibility relative to the Federal Government itself.

12. To African people this move appeared to seal their fate and to condemn them to the position of second-class citizens in the land of their birth. Locke held that no man or society of men has "a power to deliver up their preservation, or consequently the means of it, to the absolute will and arbitrary domination of another", and such a spirit is becoming increasingly observable amongst our African people. They hold that they have a "right to preserve what they have not a power to part with", and that the plans of the Federal Government threaten their position as men who desire freedom and opportunity.

13. A serious omission from our Constitution is a Bill of Rights. Some of the most important aspects of human relations cannot be determined by law but it is essential that a standard be set,

**David Hume*—1888.

and that every individual be guaranteed liberty, security and opportunity to the extent that the law can provide. So much of our present distress and uncertainty stems from fear, and if people could be shown that their fears were unfounded, we would banish most misunderstanding.

14. Our immediate task is to show that the terms of our present Constitution do not meet our need, to submit evidence which will convince you of our danger, and to impress upon you that we can become a great nation only if the artificial barriers of race and colour are removed from us, and every individual is guaranteed those rights which should be inalienable in a British country.

15. We have come to the time of our decision and, in the ultimate, it will have to be made in the hearts of our people. Nevertheless, that decision could be determined by the outcome of the 1960 Conference; although we recognise that no matter how adequate the Constitution may become, its success will depend upon the spirit of those who direct it.

II. *The Constitutional Issues*

16. The Statement of Policy of the Central Africa Party starts with five principles and the first of these is to build a united nation of all our peoples under the Crown. We also declare that unless a genuine non-racial policy is accepted without reserve and applied without compromise Federation cannot succeed. In the six years of Federation, this has not been done. As a result the main problem now is not how to improve *this* Constitution, but how to get *any* Constitution accepted.

17. Federation was established in spite of strong opposition from all African leaders in Nyasaland and Northern Rhodesia. We accept, however, that the United Kingdom Government believed that Federation was in the true interest of all our peoples and that opposition to it would die out when the benefits became apparent. Because it was founded on a policy labelled "partnership", which implied removal of disabilities based on race, the British Government had every justification in believing that the policy would prove acceptable and that fears would disappear.

18. These fears did not disappear; they grew and became more general and more bitter. Had the Federal Government shown in its early years a firm determination to apply the policy to which it was pledged, opposition might have died down. Not only did it fail to do this but by its actions it intensified the original fears and convinced the Africans that their original suspicions were justified. Race tensions have increased with alarming speed during these years. In Southern Rhodesia this is probably only a manifestation of a state of mind which is appearing throughout the continent, but in Northern Rhodesia and Nyasaland it is far more than this. There they consider Federation to be a menace which will certainly delay and may even prevent their attaining self-government in their own lands. The actions of the Federal Government provided much justification for this attitude. For example, the threat of its leader to "go it alone" was interpreted by all Africans as a direct threat to their security and the demand that Northern Rhodesia should no longer be subject to Colonial Office influence as a direct attempt to deprive them of British protection and to halt the pace of their political progress.

19. The degree to which the Federal Government can be held responsible for the present situation is a matter for individual assessment but the implacable hostility of the African population to this Federation is all too apparent in the two protectorates and it is to this fact that future action must be related. So great is this hostility and fear that the very word "federation" has acquired a potent emotional content and *any* scheme with this label would be rejected by Africans without further examination.

20. The present Federal Constitution was prepared under the handicap of African opposition and because those who drafted it were well aware of its defects and believed that the opposition would cease they made provision for this revision in the hope that the later conference, freed from this handicap would make substantial alterations by agreement. This cannot happen because the coming conference will suffer the same handicap. In this respect the purpose of this conference cannot be served.

21. The conference at the end of this year has now a far heavier task. Not only must it completely alter the Federal set up to a form of association acceptable to the majority of the people, but it must do so in such a way as to save us from the bitter racial strife which now threatens to a degree far greater than the Nyasaland troubles of last year. This implies facing unpleasant facts which Europeans in the Federation would like to disregard.

22. The first fact is that whereas it was decided at the original Federation conference to disregard African opinion on the incorrect grounds that it was based on ignorance and would disappear when the benefits of Federation became apparent, we cannot do so now. Further, this opposition which was spontaneous but less well organised by the A.N.C. then, than at present, is being now channelled into powerful African Nationalistic movements. At the time of Federation, violence was never contemplated; now many leaders are convinced that it is desirable because they believe that it would lead to independence outside the Federation in only a fraction of the time that any other course would take. Added to these and other factors there is the example of what has been happening in the rest of Africa since Federation was established. Countries more backward than ours are well on their way to African self-government and the Africans of the Protectorates are well aware of these developments.

23. The state of emergency in Nyasaland with near revolution and the stringent laws passed in Northern Rhodesia in January show that African opposition to Federation requires little more to lead to violence. Developments in Tanganyika and the Congo will also have a marked effect on Nationalist sentiment in both Protectorates.

24. The Central Africa Party believes that the experience of the past six years shows that hostility to Federation cannot now be removed by any minor modifications or by merely adjustment of functions between the Federal and Territorial governments. The entire Federal concept must be examined anew. In this coming conference the basic error of the original one must not be repeated. It is essential that whatever plan the conference adopts must be accepted by any reasonable African leader who attends the conference and at some stage it must also be accepted by the people as a whole. The original conference which drafted the Constitution underrated the opposition and by creating a powerful central government augmented those fears. Had we been content with a demonstrably innocuous Government then, it might have been possible to add to its powers now.

25. If it is acknowledged that the revised constitution must win the support of the majority of our peoples within a reasonable time then the form it will take will be the best and most powerful organisation which can be established by popular agreement. But because of the fears and race tensions which have become so great in recent years it is possible that no agreement of any kind would be reached and it is certain that if agreement *is* reached, it will be to some kind of association between the three territories with only a fraction of its present powers.

26. Certain preliminary matters could do much to help agreement at the conference. African opposition to Federation is based primarily on the belief that it is an organisation to maintain European dominance. If they could be reassured on certain points their attitude to some kind of association between the three territories might be modified. Nyasaland should be given a constitution giving Africans sufficient power for them to safeguard their own interests and a promise of responsibile government by a stated date. A marked constitutional advance in Northern Rhodesia is also needed. Both Protectorates should have the pledge renewed that protectorate status would be retained until the people themselves indicate that they no longer desire it.

27. Even if these alterations are made, agreement will still not be possible unless there are entrenched in the constitution of the Federation and each member State those rights which are recognised as basic human rights, and unless the Federal franchise law is drastically revised. Until there are sufficient African voters in each constituency to swing the result away from candidates who are hostile to them, they cannot accept the franchise system nor the Government elected under that system.

28. This memorandum is concerned with African fears because it is the African population of the protectorates which opposes Federation and which will break it in violence unless the opposition is removed. But it is necessary to bear in mind that races other than African also regard their future here with anxiety. The proposal to entrench basic human rights in the constitution should reassure them also.

29. A few constitutional matters are considered individually below:—

Preamble to the Constitution

Efforts have been made within and outside the Federal Assembly to water down the meaning of the Preamble in two respects

(i) by assuming that the protectorate status of Northern Rhodesia and Nyasaland can be modified by treaty or by some other arrangement between the Federal and United Kingdom Governments without reference to the protected peoples themselves and

(ii) by declaring that the Federal Government would get Dominion Status in 1960 and that the expression "when those inhabitants so desire" did not mean "inhabitants" nor was their approval required.

30. There two examples of expressed intention to proceed with a gross breach of faith have done more to cast suspicion on the motives of the Federal Government and to confirm African fears and rouse their hostility than any other factors. The meaning has been clarified in recent months and this must be established in the revised Constitution beyond any possibility of misunderstanding.

African Affairs Board

31. The original Franchise law provided for two African members to be elected by wholly African organisations in Northern Rhodesia, and two in Nyasaland. Each Territory had one nominated European member to represent African interests. All these members would tend to be non-party. In Southern Rhodesia, the two African and one European were elected by the voters who were, for practical purposes, almost wholly European. The method of their election made it practically certain that they would belong to the political party which polled most votes and thus became the Government. One African and one European from each Territory became members of the African Affairs Board. This meant that under the original provisions it was probable that the two members of the Board from Southern Rhodesia would belong to the Party in power; it was practically certain that the four members from the protectorates would not.

32. When the Franchise law was altered and the membership greatly increased, the number of African seats was doubled but *all the six additional Africans* were elected on the voters roll which was practically all European. This meant that while in the original House four of the six African members were elected by Africans, in the new House only four out of twelve were so elected. As a result the Board now consists of three Africans and one European who are members of the governing party and two nominated Europeans who are not.

33. The African Affairs Board was established at the insistence of the United Kingdom Government. Until it reserved the Constitution Amendment Bill and the Franchise Bill which followed the Board probably served a useful purpose and it was of some value in reassuring the African peoples their interests were being watched.

34. When the two reservations by the Board were disregarded, belief in the Board died and Africans no longer refer to it. Now that it is packed with Government supporters it bears little resemblance to the Board as originally created. It serves no useful purpose and should be abolished. The function which it is intended to perform would be more effectively served by the entrenchment of basic rights in the Constitution.

Federal Franchise

35. The standard of education or income to qualify for franchise can be set to achieve what the Government considers to be the optimum proportion between White and Black on the voters roll. It is reasonable to presume that the present qualifications were set with that object in view, and the result is then a guide as to what the Government considers the ideal proportion to be. If this is not the purpose then any educational or income qualification (other than ability to fill in the application form) is purely arbitrary. When three States on widely differing standards of education and wealth federate then any level of qualification deemed fair in one Territory will be unfair in the other two. The only sensible plan is to permit each Territory to elect its members to the Federal Assembly on the qualifications it requires for election to its own Legislature. It is absurd that a citizen should be a voter in one election and be told he is not fit to vote in the other.

III. *Constitutional Safeguards*

Introduction

36. The most important fact which has emerged from the experience of Federation during the years since its inception is the fact that significant interests and feelings in the country are inadequately reflected in the Parliaments of the Federation and the Territories. The result has been that actions which have tended to undermine rather than increase the confidence of large sections of the people have been taken by Government often in ignorance of what it was doing, and the feelings of those aggrieved have tended to seek expression outside the ordinary political system.

37. The Party is prepared to substantiate this contention by facts and examples when oral evidence is given.

38. In the interests of peaceful progress and good government it is vitally necessary that political participation should be extended widely enough and soon enough. This is the most important single problem to be solved in the course of the 1960 constitutional review.

39. The essence of the problem is the fear of the European minority, which may for this purpose be defined as a fear that, *if political power is extended, things may be made so unpleasant for them that they will want to get out but will find themselves only able to do so stripped of all their possessions.*

40. We believe it is possible to meet this fear by means of constitutional safeguards entrenched in the constitution.

41. If this is done, and government in fact becomes sufficiently representative, necessary reforms will come about by the process of conciliation and agreement which is the essential basis of our Parliamentary system. However, there will be an interim period during which the fears of non-European people, arising from certain of the present and past laws and administrative practices, must also be met. The safeguards in the constitution must be designed to meet these fears as well.

42. The details of the safeguards to be entrenched and the method of entrenchment require, and merit, the fullest possible investigation, by trained persons, in relation to the actual fears which exist and in relation to attempts at entrenchment made in other constitutions. We have not had sufficient opportunity to make a complete study, but we put forward the following proposals to serve as a starting point.

Proposals

43. In the revision of the Constitution of the Federation provision must be made to the following effect:

(1) Subject to the provisions of paragraphs (2) and (4) no law of the Legislature of the Federation or of any of the Territories, and no regulation or enactment of the government of the Federation or of any of the territories or of any local authority, passed after the date of the revised constitution, shall be of any force and effect, and no such law, regulation or enactment passed before the date of the revised constitution continue to be of any force and effect, if and to the extent that such law, regulation or enactment—

(*a*) Imposes or directly or indirectly has the effect of imposing on a person of one racial group any disability which does not apply equally to persons of another racial group or racial groups.

(*b*) Imposes or directly or indirectly has the effect of imposing on any person who abandons his domicile in the Federation or his domicile in any of its constituent territories any disability in regard to *the removal of his property* from the Federation or from such constituent territory as the case may be.

(*c*) Renders any property of any person liable to *expropriation save in return for just compensation.*

(*d*) Renders any person liable to *imprisonment without due trial* or without the right of appeal from a Court of first instance.

(*e*) Increases or directly or indirectly has the effect of increasing the qualifications which *for the time being exist for voters*, for members of the legislature of the Federation or for members of the legislature of any of its constituent territories, or reduces or directly or indirectly has the effect of reducing the effectiveness of the votes of a person for the time being qualified.

(*f*) Abridges the *freedom of speech* or of *the press* or the right of the people peaceably to *associate together, to assemble* and to *petition the Government.*

(*g*) Denies to any person born or naturalized or lawfully resident within the Federation the *right of free movement within the borders of the Federation.*

(2) (*a*) Notwithstanding the provisions under Proposals—sub-paragraph 1, the Commission established in terms of sub-paragraph (*c*) of this paragraph may, on the application of the government of the Federation or of any of the Territories or any citizen of the Federation or any British protected person domiciled within the Federation, made within three months from the date of the revised constitution, rule that any law, regulation or enactment passed before the date of the revised constitution and relating to education or the ownership or occupation of land shall for a period not exceeding five years continue to be of force and effect after a period of two years shall have elapsed from the date of the revised constitution, notwithstanding that such law regulation or enactment would otherwise become null and void in terms of sub-paragraph (1).

(*b*) If the Commission shall make any such ruling then such law regulation or enactment will continue to be valid for the period determined by the Commission, and the Commission shall have power on the application of any government or person referred to in sub-paragraph (*a*) of this paragraph to extend the period of validity of such law, regulation or enactment for a further period, or further periods, not exceeding five years.

(*c*) The Commission shall consist of five persons none of whom shall be citizens of the Federation or domiciled within the Federation, appointed by the Secretaries of State for the Colonies and Commonwealth Relations, and in considering any application made under this paragraph the commission shall primarily take into account the interests of the population of the Federation, or the Territory concerned, as a whole, but shall also pay due attention to the legitimate interests of minority groups.

(3) The right of the people to be secure in their persons, houses, papers, and effects against *unreasonable searches and seizures* shall not be violated and no warranty shall issue except on probable cause supported by oath or affirmation and particularly describing

the place to be searched and the persons or things to be searched.

(4) The provisions of Paragraphs 1 and 2 shall not apply in the Federation or in any of its constituent territories for so long as, but only for so long as, there is in existence a State of National Emergency declared in the Federation or in such territory as the case may be, provided as follows:—

(*a*) No State of National Emergency shall be continued in existence for any period in excess of 30 days without the sanction of a resolution passed by a two-thirds majority vote of the legislature of the Federation or of such territory, as the case may be.

(*b*) It shall not be competent for the Government of the Federation or of any of its constituent territories to pass a law indemnifying itself against any claim or proceedings by a person aggrieved, as a result of any act done by such Government, in the exercise of any emergency powers.

(5) The Federal Supreme Court shall have jurisdiction to hear and decide any matter arising out any contravention or alleged contravention of Paragraphs 1, 2 and 3.

(6) A person shall not be qualified to be appointed as the Chief Justice of the Federation or as a Federal Justice unless—

(*a*) he is or has been a Judge of a Court having unlimited jurisdiction in civil and criminal matters in some part of Her Majesty's Dominions; or

(*b*) He is practising, and has for a period of periods totalling not less than 10 years, practised as an Advocate in a Court or Courts having such jurisdiction and

(*c*) He is one of a panel of candidates recommended by the Chief Justice and existing Justices.

(7) The provisions of Paragraphs 1, 2, 3, 4, 5 and 6 above shall not be rescinded or amended save by an Act of the United Kingdom Parliament passed after resolutions requesting the same have been passed by a two-thirds majority vote of the legislature of the Federation and the legislatures of each of its constituent territories.

Notes on the Foregoing Proposals

Note 1. The safeguards in sub-paragraphs (*b*), (*c*) and (*d*) of paragraph (1) are designed with the special object of meeting the fears of Europeans, and those in sub-paragraphs (*e*), (*f*) and (*g*) particularly with the object of meeting the fears of Africans, though of course each to some extent cuts both ways. Sub-paragraph (*a*) is designed to meet the fears of both groups. As far as Europeans are concerned it will for example protect their rights and interests with regard to the ownership, occupation or use of property, and with regards to their trades, businesses and employment.

The safeguards in paragraph 3 repeat the wording of the fourth amendment ot the American Constitution and are a matter of administration as well as legislation.

Note 2. These limitations on the sovereignty of Parliament have been designed to meet fears which arise specifically from the situation in the Federation, and they do not include certain principles which it has been found necessary to entrench in other constitutions. For example, the so-called "Bill of Rights" comprised by the amendments to the American Constitution cover such principles as freedom of religion; the right in criminal prosecutions to a speedy and public trial, to be informed of the nature and cause of the accusation, to be confronted with witnesses, to be entitled to compulsory process for obtaining witnesses and to Counsel for the accused's defence; the right to "the equal protection of the laws", and other matters. It would be as well to consider the advisability of including such principles.

Note 3. The purpose of paragraph 2 is to enable any existing discriminatory law or enactment to continue if it is desirable that it should do so. The exact method of dealing with this problem would have to be determined by experts in constitutional matters. The paragraph is worded on the assumption that under the revised constitution the control of education will no longer be divided between the Federal and Territorial governments on a racial basis.

Note 4. The method of entrenchment proposed in paragraph 4 assumes that the jurisdiction of the United Kingdom will be maintained, at least so far as these basic safeguards are concerned, until such time as the Government of Northern Rhodesia and the Government of Nyasaland are based on a franchise which is wide enough to give representation to all significant interests amongst the people in each of those territories. When that time comes, and a fully independent constitution for the Federation becomes possible, the stipulation for an Act of the United Kingdom Parliament contained in paragraph 4 will fall away, and the Party thinks it likely that a mere veto in the hands of any one of the territorial governments and of the Federal Government will be found to be an adequate entrenchment of the safeguards, provided the basis of the constitution remains Federal as distinct from unitary in its form.

Constitutional safeguards such as those proposed in this Memorandum, as well as being intrinsically necessary, also represent possible common ground as between the aspirations of Europeans and of Africans, for even those Africans who resent most strongly the existing political position generally recognise the need for development and the fact that development requires the presence of non-Africans living securely in Africa.

IV. *Territorial Representation and Franchise Reforms.*

44. At the time of preparing these notes it is still not clear to the general public whether the Commission will, or will not, have the power to recommend either the break up of the Federation into separate states or some new form of "close association" between the Territories; or whether the Commissioners will construe their terms of reference as allowing them only to make recommendations relating to specific changes in the present constitution.

45. The broad Central Africa Party viewpoint on this central question is presented elsewhere. It may be summarised as a belief that the Federation in its present form cannot continue except by force of arms and then only for a limited period; that any close association of the three territories, to be successful, must be based on the freely expressed wish of each component country to come together in a close union; and that only when each of the three territories enjoys a government which is truly representative of the significant interests of the inhabitants in that territory, will it be possible accurately to determine that it is the "free" wish of each territory to enter a close union with the others.

46. The Central Africa Party further insists that an urgent constitutional reform required in each of the territories is the introduction of a "Bill of Rights" administered by our courts but with a final right of appeal to the Judicial committee of the Privy Council.

47. Against this background we would emphasise that in any close association of the three territories it will be necessary for each territory to have equal numerical representation. For various historical reasons this was not provided for in the present constitution and in retrospect it is clear that the practical domination of the Federal sphere by Southern Rhodesian representatives (both European and African) of the overwhelmingly European electorate in that Colony coupled with the siting of the Federal capital at Salisbury has been an important factor in increasing the fears of Federation felt, before and since its inception, by the majority of the inhabitants of Northern Rhodesia and Nyasaland. On no grounds can it be equitable or acceptable that one of the three territories should have a greater say in the affairs of the others which fall within the sphere of whatever body administers the close union that the others. No one can say with certainty whether in the years ahead Northern or Southern Rhodesia will make the biggest economic contribution; and should conditions of living change it is quite possible that the present population pattern might change. Only equal numerical representation is acceptable.

48. It has become clear (as it was clear to the Bledisloe Commission) that there was deep-rooted and legitimate fear in the northern territories of the sort of Federal Constitution imposed upon them in 1953.

49. This fear must be removed if any successful form of close association is to survive. Hence the necessity for "built in" Constitutional Safeguards with an ultimate appeal to the Privy Council in which the majority of inhabitants of all races will have confidence.

50. Equally important to the success of any close association is the need for it to be entered into by free, independent and representative states. Of the three territories Southern Rhodesia is largely free and independent, but its government cannot be described as representative, whereas Northern Rhodesia and Nyasaland have Governments which are neither free, independent nor representative.

51. The ultimate goal of the Central Africa Party is adult suffrage coupled with an educated electorate. The speed of progress towards this goal will depend upon many external and variable factors such as the amount of money available for education (rate of industrial expansion, etc.). The actual rate of progress is, we believe, far less important than the need for the government at any particular stage of the country's development to reflect the significant interests of the people—and to provide franch which will enable this to be the case. To meet their requirement at the present time we believe that a franchise based on access to the vote of all adults with literacy in English is necessary in each sphere.

52. In Nyasaland, when up to the end of 1938 only 145 Africant had passed Standard VI, the number of non-Europeans who might qualify to enrol on a literacy franchise for adults is estimated as between 5,000 and 7,500 in 1960. A subsequent political annual increase of 5,000 rising to 9,000 by 1970 is likely. Consequently elections held this year on such a franchise in conjunction with

the transferable vote system would be likely to result in multi-racial representation in the Legislative Assembly and probably in the governing party as well but with a slight preponderance of African members. It may well be advisable to follow, in Nyasaland itself, the Tanganyika precedent of insistence on voters voting for candidates of each of the three main racial groups—provided that this arrangement is limited to the first election only and applies only to Nyasaland Territorial elections. As in the transition period in Ghana and Tanganyika ultimate control should remain in the hands of a British Governor for a further 5 year period.

53. Our Northern Rhodesia Division will have given you evidence on the situation in that territory.

54. In Southern Rhodesia the introduction of a literacy franchise for adults would result in an estimated 25,000 Africans as well as several hundred other non-Europeans becoming eligible for the vote in 1960. Thereafter an average of 7,000 additional African voters per annum, it is estimated, would be eligible for enrolment. Taking into account the number of Europeans who have not bothered to obtain a vote together with the apathy factor amongst other races (particularly if the resulting Government were in tune with the people) it is extremely unlikely that racial parity between Europeans and non-Europeans would be achieved in less than 10 years. On the other hand the immediate increase in the proportion of non-Europeans on the roll—coupled with the retention of the transferable vote—is likely to be sufficient to ensure that the majority of elected members would need the votes of all sections of the community to be elected. In other words, the resultant Government would be representative of the significant interests of the people.

55. In what is now known as the Federal sphere we suggest that in addition to parity of territorial representation there should be election based on the territorial roll of each member state and the abolition of special representation. As an immediate step, the Southern Rhodesia Government should relax the regulations for enrolment as a voter and should employ special registering officers to tour rural areas. Furthermore, it should be sufficient to fill in the form in front of a magistrate, Justice of the Peace or Commissioner of Oaths.

56. The Federal Voters Roll is divided into A and B rolls; a list of the main qualifications for these two rolls is set out below. Of the 59 seats in the Federal Assembly, the 44 ordinary seats are elected by the A roll voters only. Of the remaining 15 special seats, 13 are elected by the A and B roll voters and so cannot be said to be solely representing the B roll voters, and the other two are for appointed members. There are, in fact, only 5,571 B roll voters out of a total of 97,022 for both rolls combined. Therefore the influence of the B roll voter is in practice negligible.

57. The reasons for this state of affairs are:

1. The antipathy of Africans to the patent flooding of their own special seats by the A roll voters.
2. The dislike of being second-class voters.
3. The natural degrees of apathy in any community where positive steps to encourage enrolment are not taken by the Government.

58. This is borne out by the fact that only 974 (out of an estimated 25,000) Africans have registered on the B roll in Southern Rhodesia compared with 2,074 (out of a potential 17,000) on the Southern Rhodesia Common roll qualifications. This has happened even though applicants for the Southern Rhodesia roll are automatically put on the Federal B roll unless specifically stated to the contrary. However, the drive by the Northern Rhodesia Government to encourage the enrolment of voters resulted in 4,301 Federal B voters in Northern Rhodesia.

59. The Central Africa Party therefore recommends:—

1. There should be a common voters' roll for federal elections with no special seats.
2. The qualifications for the federal franchise should be those pertaining in the territory in which a voter resides.

Qualifications for enrolment as a voter, at present

Income	or	*Property*	plus	*Education*
		"A" Roll		
£		£		
720		1,500		Nil
480		1,000		Primary, e.g. Standard VI
300		500		4 years secondary, e.g. Form 4.
		"B" Roll		
150		500		Nil
120		Nil		2 years secondary, e.g. Form 2.

V. *The Ministries of Home Affairs and Posts*

General

60. A genuinely non-racial approach has not been, nor is being, applied to most of those functions of Government which have been examined and which affect all sections of our people in the Federation. If we are to stand a real chance of achieving a united nation of all our people under the Crown, these must be so revised that their future administration will not only become genuinely non-racial but will be seen to be genuinely non-racial. This we believe to be the necessary criterion whether, upon revision, these functions are to be administered by the Federal or the relevant Territorial Governments.

Ministry of Home Affairs

61. Our evidence is restricted to those functions of the Federal Ministry of Home Affairs which we consider should be the subject of Constitutional reform.

Registration of Births and Deaths

62. The situation has remained virtually unchanged since before Federation. The only registration of Births and Deaths for which the Federal Ministry now holds itself responsible is that of non-Africans in Southern Rhodesia. It is the expressed intention of the Federal Government, as it has been since the advent of Federation, to ensure complete registration of all Births and Deaths. The fact remains that no practical steps to this end have been taken.

63. The absence of compulsory registration of African births is often cited in Southern Rhodesia as justification for the continuance of those provisions of the pass laws which are humiliating and repugnant to the majority of our people.

64. In considering the practical difficulties of compulsory registration we conclude that Government representatives are sufficiently within reach of the mass of the people for it to be practical. Again, mainly on practical grounds, but with political considerations in mind, it is felt that compulsory registration should revert to being a Territorial responsibility.

65. To prevent undue hardship the period within which all new births must be registered should be one year, whilst the period between the occurrence of death and its notification should not exceed one month.

66. Finally, it is desirable to empower the Territorial Governments to compel those not already registered to become so during the period of adolescence in the interim years until compulsory registration or a complete population census renders such registration unnecessary.

Information

67. The Federal Government Information Services have been used for the preparation and distribution of material used to explain political action taken by the Federal Government. In a revised Constitution the Information Services should be restricted to the production of factual information with explanation confined to technical matters. As an illustration, it would be right and proper for these Services to disseminate information on the Federal franchise covering such items as qualifications, means of registering and method of voting, but quite improper to set down the political reasoning which led the Party in power to adopt that particular form of franchise; for whilst the former is factual in content and technical in explanation the latter must inevitably be political in nature.

68. The Allied subject of Government-operated newspapers has also been considered in view of the relationship between such papers and the Federal Information Services. The conclusion reached is that it is unsound for Governments to publish newspapers which contain political opinion and comment and that they should be prevented from doing so by their respective Constitutions, as private enterprise is now in a position to meet the demand for newspapers at an economic rate in most areas of the Federation. In case events disprove this belief it is suggested that governments be empowered to publish factual news, free from political comment and controversy, for a period not in excess of five years.

Immigration

69. At present certain classes of persons, e.g. South African Natives and Asiatics, are classed as "undesirable immigrants" on grounds of race alone and only in exceptional circumstances is a person so classified permitted into the country as an immigrant. The ability of the Federal Government to make and enforce such a classification is both an affront to human dignity and entirely contrary to the twin concepts of partnership and racial harmony upon which the Federation is supposed to be founded.

70. Under a revised Constitution, no person should be denied immigration opportunity on the grounds of his race alone. The criteria for the acceptance of an immigrant should be his ability to provide capital, skills, knowledge or experience which will contribute to the advancement and well-being of the peoples; and

that disqualification should be limited to those with bad records of health and criminality, those whose presence would deny advancement to our own people and those who are known members of organisations which have been proved willing to adopt criminal or unconstitutional means to achieve ends inimical to our country.

Deportation

71. The Constitution should be amended to prevent either deportation or extradition being effected on the grounds of race alone.

Movement of Persons; issue of Passports and Travel Documents

72. The issue, refusal or withdrawal of a passport is a matter for consideration for the State in relation to each individual case. For that reason the State should be prevented, constitutionally, from being able to issue, refuse to issue, restrict the period of, or withdraw passports on the grounds solely of race or colour.

73. For so long as the issue of passports and travel documents remains the responsibility of the Federal Government, there should be entrenched in the Constitution absolute freedom of movement within its boundaries for all inhabitants of the Federation save those who are the subjects of court orders, criminal proceedings or restriction on medical grounds.

Race Affairs

74. The Office of Race Affairs should be abolished. The circumstances in which this Office was set up coupled with its purely advisory function and lack of either executive or investigating powers, tend to make it an ineffectual body. Furthermore, its very existence tends, psychologically, to reduce the responsibility to foster good race relationships which rests upon each individual. Finally, if the Constitutional reforms suggested by the Central Africa Party are accepted, the need for such an office would automatically fall away.

Ministry of Posts

75. Because this Ministry is concerned with technical rather than political matters there is little that, within the terms of the Commission, will merit its scrutiny. However, the following are three examples of the operations of this Ministry which Constitutional changes might help to improve.

(1) In recent months a young Rhodesian of Asian stock and matriculation standard of education sought to enter the Post Office as a career. Although, at the time, the relevant authorities admitted that there was a severe shortage of recruits of his standard of education, he was refused employment. The reason given was that his presence would be a source of resentment and embarrassment to Europeans alongside whom his qualifications would fit him to work. It seems that an amendment to the Constitution is needed to prevent applicants for posts in the Public Service from being debarred on racial grounds.

(2) Advanced training schools for Post Office employees exist in all three territories and the schools in the Northern territories cater only for Africans, whilst the training in Southern Rhodesia is available to Europeans only at these schools. This situation, unchanged since Federation, seems to make a mockery of the term Partnership.

(3) An example of the apparently pointless discrimination which is preventing unity amongst our people: in the urban areas of Southern Rhodesia an African who goes to collect a registered article is made to produce his Registration Certificate. This document, if lost, involves its owner in much inconvenience before it is replaced. Consequently it is not normally carried by Africans, whereas the Town Pass which carries all necessary Registration Certificate details, is. The Post Office will not hand over a registered article to an African on production of a Town Pass although it will hand over registered articles to non-Africans without any proof of identity whatsoever.

We ask permission for a non-racial delegation to appear before the Commission to give oral evidence in support and amplification of this written evidence.

Salisbury

April 1960

Appendix to Federal Memorandum

Principles and Federal Policy

The Principles

The Principles of the Party are:—

To build a united nation of all our peoples under the Crown.

To eliminate the root causes of economic and political instability, of poverty and personal insecurity; and in so doing to eliminate the conditions in which the seeds of racial unrest can grow.

To remove from each race the fear that any single race might dominate for its own benefit.

To ensure for every inhabitant of the Federation the right and the opportunity to progress economically, politically and socially according to his character, qualifications, training, ability and industry without distinction of race, colour or creed.

To ensure that all the great freedoms which are acknowledged as fundamental human rights are accepted here as the rights of every inhabitant of the Federation.

The Federal Policy

1. *Constitutional Development*

There is an increasing demand by some people that the Federation should be dismembered either by the excising of such portions as are at present wholly African or by a reversion to three separate States. Those who advocate such courses do so not because they consider federation to be an objectionable form of government but because they believe that it increases the danger to their own survival or decreases their prospects of general advancement.

To build a united nation under the Crown we must first remove this danger and abolish these fears. We believe that only by so doing can we establish a Federation which has the support and loyalty of all its peoples. When our object is achieved it will become obvious, even to those who now genuinely fear Federation, that association of all in one large and powerful unit is to the benefit of all. It follows that unless a genuine non-racial policy is accepted without reserve and applied without compromise Federation cannot succeed.

In order that every inhabitant of the Federation may look forward to the future with confidence, the Party intends to entrench in the Constitution of the Federation and of each member State those rights which are recognised as basic human rights. Every man must be free to exercise these rights without interference from the State, provided that he does not infringe the rights of his fellows under the law nor undermine the authority of the State to maintain order and good government and to administer justice impartially.

Among these rights are: equality of all persons before the law; freedom of movement, of assembly and of association; freedom of religion; freedom of speech.

There are certain further rights which are recognised as fundamental to ensure that justice may be done and may manifestly be seen to be done: the Rule of Law, which gives every man threatened with penal sanction the right to be tried by the courts of the land; the right of habeas corpus; the principle that penal sanctions cannot be imposed in respect of acts which were legal when they were done.

The entrenchment of these rights will reassure the unenfranchised that they will be protected against discrimination while they lack political power; those inhabitants in the minority which now governs will also be reassured by the knowledge that their individual rights will not be endangered when political power is more widely shared.

2. *Status of the Federation*

The party will oppose any substantial increase in the constitutional status of the Federation or in the powers of the Federal Government until the desire of the majority of the inhabitants has been manifested. Such approval can only be properly expressed by the inhabitants of a territory after a fully representative government has been established.

The Party will urge the British Government to amend the constitutions of Northern Rhodesia and Nyasaland so as to achieve as soon as possible fully representative governments in those territories.

It is only when such governments have been established in all three territories that the time will be appropriate for the Federal and Territorial governments to make a joint approach to the British Government for the achievement of full independence for the Federation within the Commonwealth.

3. *Franchise*

The Party believes in the principle of government by consent and the maximum extension of the vote on the basis of qualifications of income and education.

The Party will amend the Federal franchise to conform with this principle and favours the adoption of Territorial franchise qualifications for elections in the federal sphere.

Coupled with the extension of the franchise, there must be a constitutional entrenchment of safeguards to prevent the abuse of power for racialistic purposes.

4. *Discriminatory Legislation and Practices*

The Party will examine the whole of the Federal and Territorial legislation and will amend the laws towards the abolition of unfair racial discrimination.

The Party will take positive steps to make discriminatory practices, based on colour alone, illegal in all places and establishments to which the public at large has the right of access, or which hold themselves out to serve the public.

5. *Industry*

To promote the rapid and diversified industrial development essential to the survival of the Federation, the conditions must be created which will attract industry on a large scale. The most important of these conditions are economic costs of production and large assured internal consumer markets.

Both these conditions will be created with the development of an efficient labour force. As efficiency increases, costs of production will be reduced and the purchasing power of the nation increased.

In the same process the climate will have been created which will enable the country to raise the large sums required for public works and services.

The Party will develop an efficient labour force by measures in two main channels:—

(*a*) by removing the industrial colour bar.

(*b*) by providing greatly increased educational facilities, particularly for technical and industrial training.

The Party will encourage industry by all measures open to government, including the fostering of efficiency and expansion by sound fiscal policies, a rational protection of developing industries, and special tax remissions for such projects as the training of workers within industry.

The international goodwill generated by the adoption of the Party's policy will lead to the loan, grant or investment of those large sums which are required for the capital projects the Federation urgently needs and which it is not now receiving. Such projects include housing, hospitals, schools, technical training establishments, transport and power.

This policy will raise the standard and lower the cost of living of the whole community; it will create substantial internal markets and will enable industries for both internal consumption and export to complete successfully with overseas manufacturers.

The Party will maintain close liaison with the territorial governments and will ensure in its Federal economic and fiscal policies that it serves their best interests.

6. *Financial*

The Party's financial policy will aim at attracting capital from outside sources for the essential development of the Federation. To achieve this, income tax will be maintained at the lowest possible level required to provide sufficient funds for the purposes of good and economic government.

The Party will aim at the abolition of super tax and undistributed profits tax, which are deterrents to investors and to enterprise generally.

The Party recognises that the present division of income between the Federal and Territorial Governments requires revision, largely because the methods of raising revenue which are available to the Territorial Governments are unsatisfactory. An amendment to the Constitution will, therefore, be sought in order to make the division of income more rational and to enable the Territorial Governments to impose taxes in a more equitable manner than they can at present.

7. *Education*

The Party accepts the principle that every person should have the right to a free primary and secondary or technical education of the kind for which his talents fit him and the Party undertakes to implement this principle as rapidly as finances permit.

The control of education should not be divided as between the education of Africans and the education of non-Africans. The Party will investigate the possibility of setting up an education commission independent of but financed by the four governments, and comprising representatives of the four government education departments and of those Churches that are working extensively in the educational field.

The Party pledges its support to the continued growth and development of the University College of Rhodesia and Nyasaland as a free and independent institution in accordance with the best traditions of British universities.

8. *Health*

The Party favours the establishment of a Health Corporation in close consultation with the medical profession and other professional bodies directly concerned. This corporation would be independent of government control. It would co-ordinate the activities of the medical aid societies, the Workman's Compensation machinery and other beneficial services; and by thus creating a single comprehensive insurance scheme it would ensure increased benefits for the same contributions.

Every member of the population whose income exceeds a given minimum would contribute a specified amount, but contributors would at their option be able to pay higher contributions and thereby receive higher benefits.

For those of all races whose incomes are less than the given minimum, medical services and hospitalisation will be provided free.

The Party is deeply concerned by the standard of treatment and training in hospitals and will give these problems intensive attention in the light of the findings of the Commission of Inquiry which was established in 1959 in response to the criticism made by the medical profession and other interested bodies.

It believes that private wards, on appropriate payment, should be made available to all.

9. *Agriculture*

The present division in administration as between European and African agriculture will become increasingly illogical as the practice of agriculture by Africans is modernised. The Party recognises that there are a number of obstacles to unification at the present time, and will oppose the placing of African agriculture under the Federal Government without the freely expressed consent of the inhabitants of the territories. Subject to this proviso the Party will strive towards a system of administration under which the three territories, each with its European and its African agriculture, is treated as a unit.

Even while the systems are separate, they are complementary. A most necessary step, for instance, is the co-ordination of marketing and the achievement of a high standard of production from both European and African farmers.

The Party will actively foster progress in these directions, in co-operation with the recognised representative organisations.

The Party recognises the importance of scientific research both for primary production and for secondary industries processing agricultural raw materials.

10. *Transport and Communications*

A first-class system of transport and communications is essential for the development and expansion of the industrial, commercial and agricultural economy of the country.

It is the function of government to provide services which will attract industry and keep the cost of living to a minimum, and one of those services is speedy and efficient transport for raw materials and finished goods at economic rates.

Rail and Road Transport

The uneconomic operation of the Rhodesia Railways, which the Party considers is due to inadequate planning and inefficient and top-heavy administration, is a matter of the deepest concern. The Railways represent an important factor in the cost-of-living index of the country, and the Party's government would maintain a close and detailed control of expenditure and working, costing and administration.

In order to promote maximum efficiency and productivity of the Railways' labour force, the Party will introduce into the legislation governing the Railways the same principles of industrial conciliation on a non-racial basis as those recently adopted in Southern Rhodesia in the latest Industrial Conciliation Act.

The Party recognises the value to the national economy of private transport undertakings and will encourage them as part of an overall aim to provide the country with cheap and efficient services.

The Party considers that road communications with Nyasaland are entirely inadequate, and will give high priority to a main road to that territory.

Water Transport

With the completion of the Kariba Dam, the possibility becomes a real one that the Zambesi can be made navigable. The Party proposes to confer with the government of Portuguese East Africa and fully investigate this possibility.

The Party promises full scale development of Lake Nyasa and the services thereon.

Tele-communications

The Party believes that tele-communications can and should be made self-supporting services. The Federation, as a modern developing state, should be equipped with the most modern systems of radio-communications for telephone and telegraph.

The Party will examine the possibility of transferring the tele-communication services of the Federation to the control of a statutory commission, and so enable them to develop free from the limitations imposed by year-to-year budgeting for development funds.

11. *Defence and Internal Security*

The Party will provide, within the framework of Commonwealth defence requirements, mobile ground forces combined with self-contained air striking units for the defence of the Federation, and to contribute to the needs of Commonwealth and allied countries.

It will also ensure that the training, calibre, numbers and mobility of the armed forces are adequate to deal with any unlawful attempts to disrupt internal peace.

The Party believes that compulsory military training should not be confined to a section of the community, and will consider ways and means of providing trained regular and territorial armed

forces, according to the needs of the country, on a non-racial basis.

12. *Information*

The Party will ensure that accurate information on the Federation is readily available both inside and outside the country and believes that a complete revision of the functions of the Federal information and public relations services is required.

13. *Immigration*

The Party categorically rejects any policy of immigration designed merely to increase the numerical strength of any one race but accepts that the economic expansion of the Federation requires the immigration of those persons who can provide the skills, knowledge or capital which the Federation needs for its own expansion but cannot itself provide.

14. *Tourism*

The Party will promote and maintain a continuous campaign to stimulate tourist traffic to the Federation, and in particular will co-operate with travel organisations and airways corporations to publicise the national tourist attractions.

The Party will do all in its power to encourage residents in the Federation to get to know their own country; for this purpose it will construct more rest camps at places of national interest and make them available to sight-seers and holiday-makers of all races.

Financial encouragement will be given for the establishment of publicity associations to provide local information services for visitors.

The Party will simplify border formalities for visitors and will co-operate with adjoining territories in promoting a tourist "through traffic".

CENTRAL AFRICA PARTY—SOUTHERN RHODESIA TERRITORIAL EVIDENCE

I. *Introduction*

1. That there is need for a drastic revision of the Federal Constitution is very apparent. The causes of the opposition to the present regime are not far to seek and stem largely from a profound dislike and distrust of Southern Rhodesia which has recently been expressed very forcibly by the peoples of the two Northern Territories. This distrust has been brought about first because of the discriminatory laws and regulations which are in force in that country and by the segregation which is practised there. This, added to the fact that the franchise laws of Southern Rhodesia would seem to ensure that the European electorate would have control of the Government for a very long time, and that in the Federal sphere this same control would be maintained, has caused such dissatisfaction to develop that it may cause the break-up of the Federation.

2. The Central Africa Party is of the opinion that some form of association between the three territories is essential for the proper development of Central Africa and firmly believes that if this association is broken up completely and each of the constituent territories becomes independent, Southern Rhodesia would probably find itself in the worst position of the three. It is therefore of the utmost importance that some way out of the present impasse should be found.

3. It is clear that if any agreement is to be reached between the three territories, Southern Rhodesia will have to make considerable changes, and give practical demonstration that her leaders' support for partnership is not merely lip service.

4. The Central Africa Party believes that there are three main obstacles to a better understanding between the races, obstacles which must be removed if we are to bring about co-operation and harmony. The first is the lack of adequate political representation, which means that the African and other coloured races are not able to express their political views and problems except by means of demonstrations or other anti-democratic methods.

5. The second obstacle is the discriminatory practices embodied in our legislation and municipal regulations and bye-laws. While these exist, while the colour bar continues to humiliate the coloured races and causes incidents which heap on them gratuitous insults, the Northern Territories are not going to look favourably upon an association which makes them fear that similar restrictions may be inflicted upon them.

6. The third obstacle is the system of segregation which divides the country on a racial basis. The primary object of this system was a laudable one, in that it endeavoured to provide for the primitive African land on which he could reside and live undisturbed by any European encroachment. When it was first introduced there was nothing to prevent an African from buying land in a European area but his own area was protected. Later, as European farming developed, it was decided to restrict the Africans' entry into the European area and this was embodied in the Land Apportionment Act. With the rapid increase of the African population the inequity of this Act is becoming more and more apparent. Today we have the situation where two and a half million Africans are asked to reside in an equivalent area to 200,000 Europeans, of whom only approximately 8,000 are landowners. This disparity between the two is even more marked when it is realised that the bulk of the land in the African areas is very low in fertility, and much of it is in tsetse-fly country, whereas the European area is mainly in the healthy tableland of the country.

7. It is clear that to bring about such fundamental changes as would be necessary to remove these discriminations from the country great objections would be made by those in control, but the Central Africa Party believes that whether we remain in the Federation or not these disparities will have to go if we are going to be able to live in harmony with one another, and it would be far better to remove them voluntarily than to have their removal forced upon us.

8. At a Congress held on March 12th and 13th, the Party adopted as its policy that simple literacy in English should be the qualification necessary to gain a vote. The repeal of all discriminatory laws and regulations was also accepted as a part of its policy, and, finally, the repeal of the Land Apportionment Act. In regard to the latter the areas of the country known as Native Reserves are provided for in the Constitution and Letters Patent of the Colony and therefore could not be touched. This would enable all those who still lived under a tribal system to be protected but all other areas such as the Native Purchase Areas and the Special Native Areas and the European areas would be available for sale and purchase by anyone who wished to. In order to protect those who occupy or lease land in the native areas from exploitation by unscrupulous persons it is recommended that these occupiers or lessees should be given an option of purchase to acquire such land for a prescribed period to enable them to raise the money to buy it if they want to.

9. The result of these policies being introduced must mean that ultimately there must be an African majority in the Territorial Assembly and in order to allay the fears of any minorities that they may in their turn be discriminated against it will be necessary to entrench in the Constitution a Bill of Rights, and also a clause to protect minority groups. Such protection would be of little account if the Constitution were capable of amendment as a result of political jugglery, as has happened to the Senate in the Union of South Africa. It is therefore of the greatest importance that the constitutional lawyers should give this matter their very close attention.

10. It is obvious that whatever happens the time must come when the African people will have a majority on the voters' roll of Southern Rhodesia and indeed on the Federal roll as well. The question is whether it is better for the European to retain political control until forced to give way or for plans to be made now for the gradual political advancement of the African so that when the time comes and he does have this majority, his experience of political life will have fitted him for the assumption of that control. From figures which have been obtained from official sources it can be proved that even with as low a qualification as literacy in English the number of Africans who could qualify are still materially less than the present number of Europeans on the voters' roll. When it is appreciated that at this moment there are as many as 20,000 or 30,000 Europeans not on the roll but who qualify for registration, it can be seen that there need be no fear of the European control being jeopardised at the moment.

11. In any case it has been proved over and over again that the greatest cause of disturbance or unrest is due to the unenfranchised peoples. As soon as a person has a vote he or she is prepared to fight for his rights in a democratic way, and that is what would take place in Southern Rhodesia.

II. *The Political Disabilities of Africans*

12. The African population of Southern Rhodesia suffer from many disabilities affecting their participation in normal political activities. If these disabilities were removed—and most of them can be—there would be far less of a tendency for moderate African opinion to participate in mass movements such as the African National Congress. As many Africans are highly politically conscious, they would much prefer to play their part in the normal political parties provided that there was some hope of their opinions being listened to, which is not the case at the moment.

13. It is estimated that under the present Southern Rhodesia common voters' roll, there are 17,000 Africans who qualify; of these, only 2,074 have enrolled. The reason for this is usually ascribed by European politicians to apathy. If Africans were apathetic, would the A.N.C. ever have achieved the strength it did or the National Democratic Party the support it is so quickly achieving? The real reasons are to be found in the regulations governing the enrolment of voters.

14. First, rural Africans can only enrol in front of the Native Commissioner or a Police Sergeant, as distance prevents them visiting a Magistrate's Court or the Registration Office in Salisbury. It is often the case that there are long queues at the Native Commissioner's office and lengthy waits are inevitable. Further, the Police and Native Commissioners are associated in people's minds with trouble. As a registering officer has said, guilty consciences stop many potential voters from registering. By this, he

meant association with trouble. This should not be so and is not so with enrolment on the Federal roll which can also be done before a Justice of the Peace or a Commissioner of Oaths. These latter are not controlled by the Government and can be brought to where potential voters wish to register. Neither are they associated in people's minds with the forces of law and order, which, since the emergency of 1959, tend to be associated with thoughts of repressive action. It is therefore considered that the Southern Rhodesia regulations should be brought in line with practice in the Federal sphere.

15. The question of taking registering officers into the rural areas referred to above is a matter the Party has so far failed to solve. Some Native Commissioners periodically tour their districts and are available to applicants. Others do not do so. It is believed that it was the intention of the Act that registering officers themselves should be available to tour when required, but the only application the Party has made, was refused on the grounds of unjustified expense. It is the Party's opinion that this attitude is indefensible and that the regulations should specify the Government's responsibility clearly.

16. There are many other interpretations of the regulations which deter Africans from enrolling—oral evidence will be given on this subject.

17. It is generally recognised by Africans that the Federal B roll is a political swindle (see our Federal evidence) and they are therefore generally not prepared to enrol. However, it is the practice to enrol automatically on the Federal roll those who qualify, when they apply to enrol on the Southern Rhodesia roll. The reverse is not the case. A series of advertisements is being put in the African press encouraging people to enrol, although it is not stated that it is in fact put in by the Federal Government for enrolment on the Federal roll and is very misleading. The confusion engendered by these and other perhaps intentional practices causes people to refrain from enrolling at all, especially when allied to the slogan, "Federation means a happy future for everyone".

18. We have already referred to the fear amongst Africans that the forces of law and order are repressive following the 1959 emergency when people were arrested for offences which were legal at the time they were committed. At nearly all Central Africa Party meetings with Africans, the question is asked: "If we join your Party, will we be arrested?" This very real fear has prevented Africans from participating in normal political activity. Even those who do, are prevented from having meetings by municipal bye-laws or deterred by obstacles put in their way by government servants and regulations. It is quite impossible in any African area to have a political meeting without advance approval—this is not so in European areas.

19. Finally, owing to economic factors, the majority of the real leaders of African opinion are in government service, either as civil servants (which includes messenger grades) or as teachers. All government employees except temporary grades, are debarred completely from any political activity. Teachers are in a somewhat better position as they are allowed to join political parties and attend meetings, but they are not allowed to take office or to ask questions at meetings. It is not our intention to advocate complete political freedom of speech at all times and in all places for civil servants or teachers, but it is felt that by depriving the Africans of nearly all their educated political leaders, active encouragement is being given to less educated, less responsible so-called leaders.

20. It is estimated that there are today 25,000 Africans over 21 years of age, who have passed Standard VI in their education. Of this number, 12,000 are teachers, perhaps 1,500 in Government employment, 2,000 in the B.S.A. Police and an unknown number in the armed forces. So at least 65% of the educated Africans are immediately debarred from taking any part in political leadership. Assuming that literacy in English is essential to all those taking active part in politics, this leaves only 0·36 per cent of all Africans in Southern Rhodesia who can do so.

21. It is therefore considered that temporary amendments should be made to the Public Services Act and to the Unified African Teachers Scheme to allow the lower grades of government employees and all African school teachers to take an active part in politics provided that this is done outside their working hours.

III. *Discriminatory Legislation*

Introductory

22. There are a great many Southern Rhodesian Statutes which contain provisions which discriminate against the non-European, particularly the African, sections of the population (and a few which discriminate against the European section). There are also numerous local authority bye-laws and statutory regulations which are racially discriminatory. Some of these laws were justified at the time when they were passed; very few are fair, or serve any useful purpose, today.

23. It is obviously unjust to impose disabilities on a particular racial group unless there are cogent reasons of public interest for so doing, the onus of establishing which should rest on those alleging such reasons. Accordingly, this memorandum will contain little argument on the undesirability of unfairness of the discriminatory laws which it mentions. Most of them speak for themselves.

24. The examination of the discriminatory laws of Southern Rhodesia is relevant to the Commission's inquiries because:—

(1) One of the objects contained in the preamble of the Constitution of 1953 is "partnership" between the races. Such partnership cannot be achieved as long as people in Southern Rhodesia suffer disabilities because of their race.

(2) Proposals will be made to the Commission that a Bill of Rights should be added to the Federal Constitution, or for some form of entrenchment of fundamental rights. The extent to which people in Southern Rhodesia are deprived of fundamental rights by racially discriminatory legislation is evidence of the need for such constitutional safeguards.

(3) The hostility of the Africans of Nyasaland and Northern Rhodesia to Federation is to some extent the result of their hostility to the racial discrimination practised in Southern Rhodesia. The removal of this discrimination would correspondingly lessen that hostility.

Land

25. Under the Land Apportionment Act, 1941, the Country's land is allocated as follows:—

Africans (population: 2,630,000)	41,878,000 acres
Non-Africans (population: 230,000) ...	47,989,000 acres
Forest land	4,000,000 acres
Game reserves and national parks ...	3,000,000 acres
Undetermined land	57,000 acres

(*Figures are approximate*)

26. The broad effect of the Act is to prohibit any non-African from owning or occupying land in the African areas (with exceptions), and any African from owning or occupying any land in the non-African areas (with exceptions). The result is that approximately half the available land is set aside for the use of approximately 1/12 of the population. Moreover all the towns are in the European areas (where indeed Africans may reside, but with very limited rights of occupation). Much of the African areas has poor soil and low rainfall, and some is in tsetse-fly country. On the other hand most of the European area has more fertile soil.

27. Apart from the fact that land segregation is inconsistent with the concept of partnership, the division of land is clearly unfair on the African section of the population. In the rural areas, the African areas are overcrowded and will become more so as time passes, while much European land is undeveloped. In the urban areas, the Act, supplemented by other legislation, is no longer in keeping with actual conditions. Many thousands of Africans are permanently settled in the towns in the same way as Europeans, but, because of the Act, without any real security of tenure, or any absolute right to remain there. (In this connection the Commission is referred to the Report of the Urban African Affairs Commission, 1958, particularly at Pp. 20 to 46).

28. There is some measure of protection afforded to Africans by the Land Apportionment Act in that the less advanced among them who are not yet integrated into the modern economy, or able to compete on equal terms in that economy, have rural land available to them free of the danger of European encroachment. This kind of protection will remain necessary for some time. Of the 42 million odd acres of African land, some 21 million acres are set aside for exclusive African occupation by the Southern Rhodesian Constitution. African rights in this land could be preserved while for the rest land segregation is abolished.

29. For useful background information on the land question in Southern Rhodesia, the Commission is referred to: "Agricultural Policy in the Federation of Rhodesia and Nyasaland. Report to the Federal Minister of Agriculture by the Federal Standing Committee on Agriculture Production in collaboration with Professor Sir Frank Engledow, C.M.G., F.R.S." G.P. & S. No. 490/1250/13/1/58. C/Fed. 77.

A pamphlet by Mr. Ken Brown entitled "Land in Southern Rhodesia" (The Africa Bureau 1959).

The Report of the Urban African Affairs Commission, 1958 (The Plewman Report).

Appendices I, II and III to this evidence contain information on Land and Land Settlement.

The Central Africa Party does not necessarily agree with all the views and recommendations contained in these reports.

The Pass Laws

30. The various pass laws impose numerous disabilities on the African population, subjecting them to a stringent system of administrative control over their residence and movement. The statutes which form the basis of the pass laws are the following:—

1. Natives (Registration and Identification) Act, 1957.

2. Natives Urban Locations Act (Chapter 84).
3. Natives Registration Act (Chapter 76).
4. Natives (Urban Areas) Accommodation and Registration Act, 1951.

31. The Natives (Registration and Identification) Act is of application in urban and rural areas. It requires every male African to register on reaching the age of 16, and requires him thereafter to be in possession of and carry a certificate of registration. (Provision is made for the exemption of certain Africans from carrying a certificate of registration. Instead the exempted African must carry an identity card. He is also exempted from certain other disabilities imposed on Africans.)

32. The other three Acts apply only to the urban areas. (For their working the Commission is referred to the Report of the Urban African Affairs Commission Pp. 42–46 and 111–113.)

33. Besides making provision for the accommodation of Africans in urban areas these Acts provide for the following passes which must be carried at different times and in different circumstances:—

(*a*) *Pass to seek employment.* Every African entering the urban area to seek work, or whose employment in the area has terminated, must obtain and carry such a pass. In certain circumstances this pass may be refused him by the municipal official concerned (for example, where he previously failed to find work, or where the official on satisfactory evidence believes that the African has no genuine desire to get work), in which case he will be compelled to leave the urban area.

(*b*) *Visiting pass,* to be obtained and carried by any African visiting the area at night other than to seek work. In certain circumstances this pass may be refused him.

(*c*) *Certificate of Service,* which contains particulars of the African's employment in the urban area, and must be carried about with him. It serves as a record of the contract of service, and is to some extent intended as a protection to the African employee.

(*d*) *Certificate of self-employment,* which must be obtained and carried by an African who is self-employed. This is issued by the official concerned in his discretion if he is satisfied that the applicant is a fit and proper person. It is an offence for an African to carry on business on his own account without such a certificate, so that a man's right to choose his own calling may be subject to administrative decision.

34. The Acts make it an offence for an African to be found in the urban area at night without one or other of the above passes, and on conviction he may be expelled from the urban area for a period of up to six months. It is also an offence for an African to be found at night in the urban area without a written permit from his employer or the superintendent of a native urban area. (Under a recent amendment the extent of the curfew hours in each urban area will be determined by the Minister in consultation with the local authority concerned.)

35. The Acts and regulations under it also provide for the compulsory vaccination, medical examination and finger-printing of Africans residing in or visiting the urban areas.

36. These Acts impose a system of control over the African population to which non-Africans are not subject. Their personal freedom is hampered by their continuous duty to carry some pass or another, or if they do not have such a pass, not to be in or move in certain areas at all. Their right to remain in the towns is subject to administrative discretion and control. Such a system is obviously inconsistent with traditional ideas of personal liberty, and while it continues the African people (11/12 of the population) cannot feel themselves full citizens of their own country.

37. Such a system needs the clearest justification. The Commission is referred to the Report of the Urban African Affairs Commission (pp. 42–46 and 111–113), where some of the arguments advanced in favour of the system are examined. As far as the urban areas are concerned (with which only the Commission was concerned), it concluded, both on principle and because of the ineffectiveness of the system in achieving its objects, that the whole system of control should be abolished, except for the compulsory registration of contracts of service, and the certificate of service.

Other Examples of Laws inconsistent with Traditional Notions of Personal Liberty

38. (1) The Native Affairs Act (Chapter 72) provides that no African shall move from one district to another without the consent of the Native Commissioners of both districts.

(2) The Migrant Workers' Act, 1948, prohibits Africans from going to Northern Rhodesia and Nyasaland without the prescribed pass or permit.

(3) Regulations restrict the holding of public meetings in African areas without a permit.

(4) The Native Affairs Act makes it an offence for an African to be guilty of insolent or contemptuous behaviour towards any government official, chief, headman or head of kraal.

(5) The Native Affairs Act provides that all Africans shall promptly obey and comply with any lawful or reasonable order, request or direction of any headman, chief, Native Commissioner or other officer administering native affairs.

(6) The Native Juveniles Employment Act (Chapter 89) empowers a Native Commissioner to order the summary whipping of an African male juvenile who disobeys his orders.

(7) The same Act empowers a Native Commissioner in certain circumstances to contract an African juvenile into service.

(8) The Native Labour Regulations Act (Chapter 86) empowers an Inspector of Native Labourers to impose a summary fine on labourers he finds to be guilty of breaches of discipline.

(9) The Immorality and Indecency Suppression Act (Chapter 36) makes it an offence (for both parties) for an African man to have illicit intercourse with a white woman.

Penal Sanctions Imposed on Africans for what are normally regarded as only Civil Breaches of Contract or Civil Wrongs

39. There are a number of instances where acts performed by Africans are criminally punishable where they are not so punishable if performed by non-Africans. Examples are:—

(1) The Natives (Registration and Identification) Act, 1957, makes it an offence for an African to enter a contract of service while already under contract of employment with another employer. It is also an offence for a person to employ an African in such circumstances.

(2) The Native Labour Regulations Act (Chapter 86) makes it an offence for an African labourer to desert or absent himself from his employment, or to fail to enter on or carry out the terms of his contract, or unlawfully do or omit to do anything which causes or is likely to cause injury to person or property. (The Masters and Servants Act (Chapter 231) contains similar provisions and is applicable to persons of all races. But in practice it is mostly Africans who come within its scope, since it is restricted to persons doing domestic or manual labour, but excluding skilled workmen.)

(These Acts also contain provisions designed to protect African employees as against their employers.)

(3) The Natives (Registration and Identification) Act makes it an offence for any African to trespass on the property of any other person, unless he is in his employment, or has his permission, or unless he is seeking work at a reasonable time, or has other reasonable excuse. (A clause in the Police Offences Act, which applies to all races, only makes it an offence to trespass after the trespasser has been ordered to leave the premises and fails to do so.)

The Police

40. Under the Police Regulations, 1956, non-European policemen occupy an inferior status in the Police Force. A clause in the Regulations states, "All European members shall take preference over non-European members". The conditions of service discriminate against the non-European member in respect of rank and promotion (the highest rank open to a non-European is Station Sergeant), pay and allowances, leave conditions, pensions and in other respects.

Local Government

41. Local authority bye-laws and regulations contain numerous discriminatory provisions.

The effect of the Municipal and other local authorities Acts, and the Acts dealing with Africans in the urban areas, is to exclude Africans from urban local government, or any effective control over their own affairs there.

Miscellaneous Examples of Discriminatory Laws

42. (1) The Liquor Act, 1953, and the Native Beer Act, 1953, discriminate against Africans in respect of the kinds of liquor they may consume, the sources from which they may obtain liquor, and the places where they may drink it.

(2) The Firearms Act, 1956, restricts the possession of firearms and ammunition by non-Europeans, and the Possession of Explosives (Natives and Asiatics) Act restricts their possession of explosives.

(3) The Native Tax Act (Chapter 78) imposes a poll tax on every adult male of £2 per year. It is a criminal offence to fail to pay such tax. (Africans are also subject to the ordinary Federal Income Tax Laws.)

(4) The Children's Protection and Adoption Act, 1949. That part of the Act relating to the care of "protected" infants (those living apart from their parents or guardians) does not apply to

African children. Also no adoption order can be made where either party is an African.

(5) The Entertainments Control and Censorship Regulations make special and different provision for Africans.

(6) The Migrant Workers' Act, 1948 and the Foreign Migratory Labour Act, 1958, contain special provisions relating to non-indigenous Africans.

(7) The Native Labour Supply Commission Act, 1956, sets up a Native Labour Supply Commission whose main object is the recruitment and supply of African labour to employers. The Native Labour Regulations Act, (Chapter 86) provides for the licensing and control of persons engaged in the recruitment of African labour.

(8) Certain archaic discriminatory laws still remain on the Statute Book, for example the Supply of Assagais to Natives Prohibition Act (Chapter 96) and the Settlement of Colonial Natives in Native Kraals Prohibition Act (Chapter 95).

Conclusion

43. The above is not an exhaustive list of the discriminatory laws of Southern Rhodesia. There are other Acts besides those mentioned which contain discriminatory provisions, and besides there are numerous regulations and other subsidiary legislation which are discriminatory. Moreover, because European education and agriculture are Federal functions and African education and agriculture territorial, there is considerably different treatment of the races in these respects.

44. The total effect of these discriminatory laws, especially the Native Affairs Act and the Acts dealing with Africans in the urban areas, is to establish a separate system of government for Africans within the ordinary government of the country, the latter being regarded as mainly concerned with European affairs. The separate system of government to which Africans are subject works largely through the control and discretion of officials of the Native Affairs Department and its sub-departments, and of the local authorities. There is thus a divided system—normal democratic government mainly for Europeans, and executive and administrative control for Africans.

45. The reasons behind these discriminatory laws are various. A few forms of discrimination arise from genuine difficulties in the way of equal treatment (for example the discrimination under the Children's Protection and Adoption Act). Some forms of discrimination create or preserve privilege for the European section of the population (notably the Land Apportionment Act). For the rest an examination of the provisions of the various discriminatory laws seems to reveal a belief that the Africans must be subjected to disabilities and control (and sometimes protection) in the general and particularly the European interest by reason of their alleged primitiveness and ignorance, tendency to violence, inclination to drunkenness, unhygienic habits, idleness and incompetence.

46. Whatever the reasons behind these laws, and it should be remembered that most of them were introduced at a time when the African population was on the whole much less advanced than now, they are clearly inconsistent with the idea of partnership. So long as they remain, the African people will be second-class citizens, and no common patriotism, or genuine racial harmony, will be achieved.

47. It is true that in recent years certain forms of discrimination have been removed or relaxed, for example by the new Industrial Conciliation Act, Apprenticeship Act and Workmen's Compensation Act in the field of labour, minor relaxations in the pass laws, the liquor laws and the Land Apportionment Act, and the removal of discrimination in the sphere of gambling. Legislation for a non-racial civil service has been promised. But the main body of discriminatory laws remain.

48. The only authority which has the power to abolish these discriminatory laws is the Southern Rhodesia Legislative Assembly. The United Kingdom and Federal Parliaments cannot do so. But the Commission is concerned with the achievement of the objects contained in the 1953 Constitution and Preamble, and it is therefore submitted that it is open to the Commission, and would be desirable for the Commission, to point out in its Report:—

1. That the said objects cannot be fully attained while racially discriminatory laws exist in Southern Rhodesia;
2. That it would therefore be undesirable for the Federation to be granted increased status or powers until this discrimination is abolished;
3. That accordingly the Southern Rhodesia Government should repeal its discriminatory laws if it desires that the Federation should gain increased status and powers; and
4. That African hostility to Federation in the two northern territories will not be removed until the discriminatory laws of Southern Rhodesia are abolished.

IV. *Internal Security*

Background and Principles

Good Government necessarily means enforcement of laws which are for the benefit of the majority of the people. The more popular the Government—in its widest sense—the less coercion is required. Conversely, the less sympathy and interest in Government policy by the people, the greater the enforcement necessary. The degree of force required is, therefore, a direct indication of how much faith the people have in their "governors".

The police are the agents of government, specifically charged with law enforcement, and internal security. In turn, they bring wrongdoers to the Courts for the administration of justice. Ordinarily, this process is required to deal with individuals or minorities who transgress the law of the majority, and the degree of force required is sufficient to deal with relatively small numbers.

As soon as the available force becomes inadequate as a result of the numbers to be dealt with, it is a clear indication that the desire of the majority is being ignored. The use of troops or the abandonment of the processes of justice are clearly manifestations that the Government in power is endeavouring to force its will against the wishes of the people.

The only justification for the use of armed forces in aid of the civil power is when:—

(*a*) A concentration of a minority group temporarily exceeds the local police strength.

(*b*) Brutal or violent behaviour endangers the life and property of law-abiding citizens.

(*c*) It is necessary to defend National Facilities and Installations in certain circumstances. This does not include their use in aggressive role as armed "policemen".

(*d*) The masses ignore the process of democracy which provides machinery for the change in laws and/or the persons elected to govern. *This condition is most unlikely when the Government themselves do not ignore the same democratic processes.* Mass insurrection is only resorted to by desperate people who have little to lose and much to gain by such action.

(*e*) National *non-violent* emergency, e.g. earthquake, when the organisation and equipment of the armed forces can be used in a benign capacity.

Apart from circumstances noted above, the armed forces should only be used when civil power has lost control either locally or in toto to the extent that order can only be restored by *killing*.

Police Forces

The Police should not be armed as their role does not require weapons except for self-protection. If they are, they become feared by the public as are the "strong-arm squads" (the mobile units) of the Northern Rhodesia and Nyasaland police.

The Police must be strong enough to enforce the law strictly but fairly, maintaining the confidence of the people at all times.

The present strength of the regular police would appear to be adequate, but police reserves drawn from all races are not sufficient. The present policy of using Europeans only with a smattering of pensioned African policemen denies the law-abiding African the opportunity of fulfilling a civic duty. There are ample Africans who are trustworthy enough to enrol in this reserve force, in fact such confidence in them would make them even more proud to demonstrate their reliability.

Killing to policemen is anathema except in extreme cases of self-defence.

Federal Co-ordination

Territorial Police Forces

With local traditions, native law and customs, and differences in legislation, this is best left under the present system of territorial responsibility. In any case African opinion will never tolerate a Federal force.

The policy of Norther Rhodesia and Nyasaland, based on the policing problems of the earlier part of the century, is open to question.

There is, therefore, a case for a Federal inspectorship and some co-ordination of policy, but this would have to be carefully worked out.

Criminal Investigation

There is much more of a case for some Federal responsibility in criminal investigation. It is recommended that the American system should be explored.

Special Branch

With the undoubted suspicion at present existing between Federal and Territorial Governments, the present system of territorial Special Branches (though Southern Rhodesia has none) with a Federal liaison bureau, is open to question. If, however,

the principle of territorial responsibility for police security is conceded, it is probably best left as it is.

Nevertheless, it is a very difficult problem since it depends so much on mutual trust, and it is of great importance that the Federal Government should be fully and accurately briefed in any matters subversive to authority. Should any Government withhold information it could be very awkward.

Reserves

If the principle that law and order is a police responsibility is conceded, and that it is vital to avoid bloodshed and riot, the question of reserves is of great importance.

The comparatively innocuous incidents in Nyasaland in March, 1959, clearly demonstrated the manpower needs.

It is important that police reserves should embrace all races; only thus can all be given a direct share of responsibility in maintaining law and order.

It is logical, therefore, to conclude that some compulsory training of young men irrespective of race should be on police lines rather than on the present system of purely army training for Europeans, Asiatics, Coloureds and Eurafricans only.

V. *The Southern Rhodesian Emergency*

Introduction

The question of the success of Southern Rhodesian policies has assumed, as a result of Sir Edgar Whitehead's press conference on Friday, 21st January, a Federal as well as a territorial significance. It has long been claimed that the principles of Southern Rhodesian Government which may be briefly defined as "partnership" and "the maintenance of civilised standards" have created a prosperous, just and stable society in the territory, and these claims have recently been endorsed by the Parliamentary Secretary to the Colonial Secretary, Dr. Reginald Bennett, M.P., who described Southern Rhodesians as "very peaceful and contented with no suppressed tensions". It is now claimed that these principles are of wider application, that they provide a "middle way" between African and European nationalism, and that they should be applied to the Federation as a whole. Indeed, Sir Edgar Whitehead has gone so far as to say that Southern Rhodesia could not remain within a Federation which did not recognise the primacy of these principles. The Federal Government must, he has said, remain in "civilised hands" and the principles of "partnership" must be safeguarded by the prevention of governments in the North "operated by African nationalists on a nationalist basis".

It is important, therefore, that the Southern Rhodesian claim should be examined. It may well be thought, of course, that no matter how successful the principles of civilised standards and partnership are in Southern Rhodesia, their application to the Federation as a whole would be inadvisable because of the different conditions in the other territories or because of the evidently justified suspicion in the North that Southern Rhodesia wishes to export her way of life. But fundamentally the Southern Rhodesian claim needs to be examined on its home ground. Have these principles really produced a stable society in Southern Rhodesia? In particular has the principle of partnership really provided enough satisfaction to each race to prevent the growth of African and European nationalism and has attention paid to the maintenance of civilised standards really meant that the basic principles of sound law and good government have been preserved?

Relevance of the Southern Rhodesian Emergency

We believe that a study of the Southern Rhodesian emergency, which was declared in February, 1959, the events which led up to it and the consequences which sprang from it, will provide some of the answers to these questions. It is our contention that the Southern Rhodesian emergency shows:

(*a*) That there is widespread and deepseated discontent among Southern Rhodesian Africans—in other words that partnership has failed.

(*b*) That the Government is unable to preserve the principles of sound law or good government in its efforts to deal with this discontent—in other words, civilised standards are not being maintained.

(*c*) That if the same methods of handling African discontent were to be employed elsewhere in the Federation the result would be disastrous rather than beneficial.

The Case of the Southern Rhodesian Government on the Emergency

The Southern Rhodesian Government makes the following claims about the emergency:—

(*a*) The emergency was necessary to prevent the breakdown of the Southern Rhodesian experiment in partnership and the Southern Rhodesian maintenance of standards;

(*b*) The threat to the experiment did not come, however, from a massive popular discontent but from a small number of "agitators";

(*c*) The emergency was handled in such a way as to demonstrate the efficiency of Southern Rhodesian Government and in such a way as not to impair the principles of sound justice and good government.

(*d*) That as the result of the emergency the conditions for the success of the experiment are more prosperous than they were before.

It will be seen that our view contradicts that of the Southern Rhodesian Government at every point. We do not think that the emergency was necessary although we think that African discontent was much more formidable than the schemings of a few agitators; we do not believe that the handling of the emergency demonstrated efficiency or left untouched law and good government; we believe that the consequences of the emergency have been profound and perhaps disastrous. In the narrative which follows we attempt to explain why we believe this.

Background to the Emergency

(1) *The Formation of Congress*

The Southern Rhodesian emergency was directed at the Southern Rhodesian African National Congress and the men arrested were all men thought to be office-bearers or members of Congress.

The Southern Rhodesian African National Congress was formed on Occupation Day, 1957. Its formation was the result of the amalgamation of two organisations—the Salisbury Youth League and the remnants of the old Congress in Bulawayo. The Congress adopted a statement of principles and a constitution which we append to this memorandum. In line with these documents speeches at the inaugural meeting of Congress laid great stress upon multi-racialism and co-operation. Congress was addressed by African speakers, by an Indian speaker, by a Coloured speaker and by a European speaker. Subsequently some Europeans, attracted by the apparent moderation of Congress, joined its ranks.

(2) *Leadership of Congress*

The President of the new Congress was Joshua Nkomo. Mr. Nkomo was a Bulawayo business man. His personal history is interesting and not irrelevant. He was chosen by Sir Godfrey Huggins, now Lord Malvern, to accompany him to the London talks on Federation as a representative of African opinion. Southern Rhodesian African organisations, who were at this point combining to oppose Federation, objected to Nkomo's presence at the talks on the grounds that he was not representative—particularly prominent among the objectors being Isaac Samuriwo, now Dominion Party M.P. in the Federal House, and Charles Mzingeli, the Trade Union leader. Mr. Nkomo, however, found himself in disagreement with certain aspects of the Federal proposals—particularly the lack of definition of the word "partnership"—and left London. Later he returned to England to put the African viewpoint on the Federation issue. Once Federation was agreed, however, Mr. Nkomo accepted the decision and sought the Federal party nomination for the first Federal election. The nomination went to Mr. Hove instead and Mr. Nkomo fought the election as an Independent Federalist, accepting Federation but opposing certain aspects of Federal Party policy. He was defeated but was kept in the public eye by his selection for various government inquiries and commissions. In other words, up to the time of his election as President of the S.R.A.N.C., Joshua Nkomo had a "moderate" record. He was also an established business man in Bulawayo. He could not have been less of an agitator—nor did he fit the pattern of the Government's allegations against Congress leaders after the emergency when it was said that they were men who could not hold down a job nor make good in any other career and men also with criminal records. Mr. Nkomo continued to take a moderate attitude as leader of Congress. He would not join in condemning the Federal structure and he was ready to have informal talks with the then Prime Minister, Mr. Garfield Todd.

The other significant Congress leadership was provided from Salisbury. Mr. Chikerema was elected Vice-President; Mr. Nyandoro was elected Secretary-General; Mr. Mushonga was elected Treasurer. These men were younger than Mr. Nkomo and with a different political reputation, having made their names through the militant Youth League. Mr. Nyandoro was a qualified book-keeper; Mr. Mushonga a trader in Highfields.

(3) *Nature of Congress*

Congress was not a political party. It did not put up candidates in the one general election in Southern Rhodesia which occurred during its existence. It voted against becoming a party in March, 1958. It was not very interested in persuading Africans to vote. All this did not mean that Congress had decided to work outside the existing political system in order to overthrow it and thereby gain political power. It meant that Congress, for all its political slogans, gave first place to social and economic grievances and sought to present them and to remedy them within the existing system by means of pronouncements, demonstrations, law suits and so on. Congress was in essence a pressure group for certain African interests. This meant that Congress had none of the

central and coherent drive of the Nyasaland Congress which was aiming at a specific political goal: Congress was a loose combination of various groups, each of whom was more interested in its own problems than in the over-all political situation. This meant that the significance of Congress in Southern Rhodesia was that it mirrored basic African grievances rather than nationalist political aspirations. In so far as it was strong, its strength was an indication of the existence of these grievances for the expression of which it provided some outlet.

(4) *Support of Congress*

The novelty of the organisation of Congress lay in its combination of rural and urban support. Previous African political organisations in Southern Rhodesia had been urban-based and closely linked, for instance, with Trade Unionism. The new Congress retained this urban support and this trade union link but added to it widespread support in the Reserves. As far as rural support was concerned, Congress made no secret of the fact that it derived mostly from hostility to the Land Husbandry Act. In those Reserves where the Land Husbandry Act was most resented, Congress was most strong—in Sipolilo, for instance, or Mrewa. (It is no coincidence that so many of the men still restricted or detained come from these rural areas.) The evidence submitted by the Central Africa Party on land problems will indicate clearly the reasons for this hostility to the Land Husbandry Act—which was, of course, really hostility to the Land Apportionment situation as a whole. We will merely say here that Congress was able to exploit this hostility sometimes in ways which taken by themselves and out of the context of the general situation appeared designed to sabotage African rural prosperity. Sometimes, however, Congress was able to expose irregularities and improprieties in the working of the Act and to defeat the government at law. This was the case in Sipolilo when Congress won a case on appeal which not only invalidated most of the implementation of the Act in that area but also throughout the Reserves generally. Congress also issued statements attacking the Land Husbandry Act and calling for the repeal of the Land Apportionment Act in much the same terms as the Central Africa Party is now using.

Congress also found much support in urban areas where many Africans had to face a permanent future now that the Land Husbandry Act had forced them off the land. Urban housing, schooling, wages, the non-recognition of trade unionism, the pass laws, the segregation apparatus—all these were grievances channelled into Congress. Thus Congress enjoyed wide and growing support among the African peasants in the Reserves and among the workers in the town. It also enjoyed the sympathy of "emergent" Africans who resented the colour bar. All these interests were represented but hardly welded into a coherent whole by Congress.

(5) *Congress methods*

Congress methods were pressure methods. We have already seen that they did not attempt to use political methods proper. Nor did they ever attempt to use localised or general strikes or wide passive resistance campaigns—not because they had rejected them but because their organisation was not adequate to conduct them successfully. Congress, therefore, used haphazard pressure methods. It appealed to the local and overseas public by press statements. It organised protest marches and demonstrations. It organised protest meetings. It took the government to law. It encouraged Africans to stand by their "rights"—in some instances Congress leaders were successfully prosecuted for incitement to disobey legitimate orders or to break laws. Also in the earlier stages Congress leaders made informal approaches to the Government.

(6) *The Government and Congress*

A wise government, in our contention, would have recognised Congress as a valuable, even if disturbing, indication of deeply-felt African grievances and attempted as rapidly as it could to remedy those grievances. This was to some extent the attitude of the government of Mr. Todd, or at any rate of Mr. Todd himself. Mr. Todd felt obliged to "warn" Congress because of the pressure upon him from European public opinion, the Opposition and his own colleagues to take firm action. But he was prepared to meet Nkomo—this forming one of the charges against him at the United Federal Party Congress which elected Sir Edgar Whitehead as leader—and he recognised the force of Nkomo's plea to him to make concessions which would allow Nkomo to keep the "young men" in control. Mr. Todd was not in a very good position to make such concessions but he held off prosecutions of Congress and tried to move as rapidly as he could towards remedying some of the basic grievances. There followed Mr. Todd's overthrow and the government of Sir Edgar Whitehead. Immediately there was a change in government policy.

One of the charges against Mr. Todd—which was made by Mr. Quinton, Parliamentary Secretary to the Minister of Native Affairs—at the United Federal Party Congress, was that he aimed to overthrow the Native Affairs Department. Mr. Todd's own overthrow was, therefore, a victory for the N.A.D. and for those who believed that it understood the rural African and was still capable of handling the situation. One of the inevitable effects of Congress' activity in the Reserves was that the authority of the N.A.D. was questioned and the N.A.D. was Congress' bitterest enemy. (It is worth noting that the N.A.D. was upheld with the utmost vigour by the opposition Dominion Party which repeatedly called for the banning of Congress.)

In the view of the N.A.D., Congress was the expression of a few agitators, not of the grievances of the bulk of the African people, and this became the view of the Government. Instead of attempting to remedy the situation revealed by Congress activity, the Government attempted to silence Congress either by bringing cases against them or by restrictions on meetings or by giving new powers to the Native Commissioners. This was merely bottling up discontent.

(7) *The failure of partnership*

The rise of Congress and its wide support showed that partnership had failed to give sufficient satisfaction to the aspirations of the African people in Southern Rhodesia. One of the targets of Congress attack was, in fact, the concept of "partnership" which they described as hypocritical and as illusory. Whatever the justice of these criticisms it seems clear from the narrative above that the concept of "partnership" had not produced in the Southern Rhodesian Government or in the Southern Rhodesian electorate a sense of the need to consult the partner or to pay attention to his interests. At best, even where it was most sincere, partnership had produced gestures of racial goodwill, irrelevant to the real problems which were worsening instead of improving. At worst, "partnership" disguised a complacency which felt that well-intentioned paternalism on the old model and the continuance of old policies would suffice. Clearly they did not and so far from removing the danger of nationalism this sort of partnership increased it.

(8) *The movement of Congress to the left*

As a result of the events described above, Congress itself—or more properly certain Congress leaders—began to adopt new lines. At the beginning, as we have seen, Congress, tried to attract European members, adopted a moderate policy, welcomed overtures of government and so on. The fall of Todd changed this. Though Todd could not be recognised by Congress as a "liberal", his fall was certainly recognised by them as a rejection of liberalism. At a protest meeting in March, 1958, Mr. Nkomo made his most outspoken speech to date when he exclaimed that Europeans were not prepared to accept even the degree of liberalism which Todd represented. Even then, although he realised that Todd's fall made it likely that the "young men" would capture Congress leadership, Nkomo attempted to take a "reasonable" line. He was firm in refusing to attack Federation as such and consequently in refusing to co-operate with the Northern Congresses. At the Accra Conference, his behaviour led to charges of "multi-racialism" from Nkumbula and Banda. And Nkomo's stand was supported by many members and sympathisers of Congress right to the end.

But among the other leaders of Congress there was a different feeling. There was no longer any hope of concessions by the Government. Instead there was a threat of constant prosecution and hampering. They feared that they could not hold their followers unless they could show some achievements. Naturally they began to turn to the powerful and successful Congresses in the North for inspiration and assistance. These Congresses were very different from the S.R.A.N.C. They had an over-riding political aim which bound together in a common purpose all their followers. More important still, they faced Colonial Governments upon whom it was not ridiculous to suppose effective pressure could be put. Although they also faced many difficult problems—which are clearly enunciated in the Devlin Report—they had great efficiency and confidence compared with the S.R.A.N.C. and a very much greater degree of political sophistication. A few Congress leaders in Southern Rhodesia were much influenced by the Northern Congresses, especially after the Accra conference, and especially after Dr. Banda had scored an unprecedented popular success in Salisbury with a dramatic speech made there on his way back to Nyasaland from Accra. Greater co-operation between the Congresses was agreed upon and preparations made for meetings between officials. (See the Devlin and Beadle reports.) Meanwhile, Joshua Nkomo was still out of the country, not having returned from Accra, and his influence was no longer felt. Thus some of the younger leaders of Congress had moved far to the left by the beginning of 1959.

(9) *The situation in Southern Rhodesia before the emergency*

A number of points need to be made to qualify the impression of a rapid and dangerous drift towards violence by Congress. In the first place the number of Congress leaders or members who were actually involved in contacts with the North was very small. Whatever they agreed upon was not published to branch officials; still less was it circulated to ordinary members. There was never anything like the discussion by branches of proposals for action which the Devlin report shows happening in Nyasaland. Nor has there ever been any evidence—certainly there is none in the Beadle report—that instructions were given to a hard core of

Congress. Even if some leaders of the S.R.A.N.C. knew of plans for defiance of the law in Nyasaland and even if they gave guarantees that they would stand by the Nyasa Congress, they had no clear plans or expectations in Southern Rhodesia. Even if it is accepted, the Beadle Report gives no more evidence than that there were confused—almost pathetically confused—discussions and day dreams among certain people about what might be done if only . . . . In fact, any guarantees given to the Nyasas were worthless and the men involved must have known it.

For the great mass of Congress officials and members in Southern Rhodesia were not only ignorant of these negotiations but would neither have approved of them nor have been able to act upon them if they had known what was happening. We have already said that many members of Congress were loyal to Nkomo's moderate line to the very end. Many more, who were perhaps impatient of Nkomo's caution, were in no sense urging violence. We state categorically that the great majority of Congressmen would have rejected any suggestion of violent action had it been made to them. This, we think, is borne out by the release of so many of the original detainees before the Beadle Tribunal began to hear their cases. In fact there was beginning to grow up in the rural areas a good deal of criticism of the Salisbury Congress leadership on the grounds that money was being wasted in their defence against Government charges. The rural supporters were very little concerned about the wider Federal issues. Moreover many of the rural leaders were men of substance, school masters and storekeepers and clergymen, who stood to lose much and gain nothing from any kind of violence. In the towns, also, "moderate" men who sympathised with Congress aims were alienated by the intolerance and extremism with which they were now expressed.

Finally, every member of Congress if he thought about it at all must have known that Congress could not have organised any effective action against the Government on a national scale, whether it was a general strike or a passive resistance campaign or a rising in arms. The difficulties before any of these courses were immense and Congress was nowhere near organised enough to tackle them. Joshua Nkomo had held, indeed, that Congress would need at least three years before it could even begin to organise strikes or boycotts. Even the radicals in Salisbury, though they were happy to talk as if they could organise a general strike for the benefit of the European population, knew perfectly well that they could not do so.

In Janurary, 1959, the situation was something like this. Congress which was essentially a pressure group for genuine grievances had taken on something of the appearance, but little of the reality, of a conspiracy. A few leaders were in touch with Nyasaland and knew what was planned there. They may themselves have had the idea of calling a strike or a demonstration in sympathy; more likely, that they were willing that the idea that they might be able to do so, should do their work for them and in itself have a diversionary effect. It seems supremely unlikely that they were planning violence as such. They are not fools, as the evidence on violence quoted in the Beadle Tribunal report leads one to suppose. They knew perfectly well that they stood to gain nothing from violence. *Nothing was likely to happen that the Southern Rhodesian Government could not control.*

(10) *The Emergency*

There was, then, no need for an emergency in Southern Rhodesia. There had been a profound and serious worsening of the racial situation; the basic problems had not been tackled; the suppressed tensions of Rhodesian society were achieving an alarming intensity. There was every need for anxiety and reappraisal of the success of the policies of the government but there was no need for an emergency. The Government had brought cases against the leaders in the most radical positions and had won them. The police were amply capable of taking care of any trouble there might be and there were the territorials in reserve in the supremely unlikely event of a more serious outbreak. What was needed was a realisation of the real causes of the situation and some concessions to African moderates which would have broken the power of the extremists. Instead, Southern Rhodesia got an emergency and a refusal to admit that anything was wrong.

On February 25th, 1959, an emergency was declared in Southern Rhodesia. Some 500 men and two women were arrested by police and special constables and taken to prison. The S.R.A.N.C. was banned and so also were the Congresses of Nyasaland, Northern Rhodesia and South Africa. Effective censorship of the press was established and special penalties prescribed for the spreading of alarm and despondency. The Southern Rhodesian Reservists had been mobilised prior to the emergency and some of them were standing by in case of need.

(11) *Reasons given for the emergency*

Many reasons were given at the time of the emergency and many have been given since. In judging them we must remember that the Southern Rhodesian emergency was declared before the Nyasaland emergency and that it was important to conceal the plan for dealing with Nyasaland. It had in fact been decided to send Southern Rhodesian troops North to deal with the Nyasa situation but it would not have been possible to explain the emergency by saying that it was intended to break the Nyasaland demonstrations by using Southern Rhodesian troops and that no chances could be taken while they were out of the country. This may well have been the real reason for the emergency and there are a good many indications that it was the real reason. If it was, we may comment in passing that the emergency provided an admirable example of the sacrifice of Southern Rhodesia's real interests to the desire to dominate Federation. Southern Rhodesia need not have sent troops to Nyasaland; in many people's opinion she should not have done so. But the Federal and Southern Rhodesian Governments wished to show that they could handle the situation without calling on British troops and so the reservists were sent North.

However, Sir Edgar Whitehead had no difficulty whatever in persuading the electorate and the opposition that there were sound internal reasons for the emergency. The Opposition had been urging the Government to ban Congress for several months: the electorate were getting increasingly panicky and nervous and there had been a strike scare in Salisbury, in which many Europeans had rushed to buy guns, only a month before the emergency. The Opposition was ready to believe more than the Government could prove or even wished to assert and called for protection for European farmers as though a second Mau Mau was about to break out. The internal case the Government actually did make was finally summarised in the general charge against Congress presented by the Government to the Beadle Tribunal and found by them substantially correct.

The general charge read as follows:

"The following were the principal objects of active Congress members:—

(1) To excite disaffection towards the constitution with the object of altering the constitution by unlawful means.
(2) To excite disobedience and hostility to the laws and lawful authorities of the country.
(3) To excite racial hostility and disseminate subversive propaganda.
(4) To coerce the Government by:
  (*a*) Demonstrations
  (*b*) Processions
  (*c*) Strikes.
(5) To ridicule and undermine the authority of:
  (*a*) Native Commissioners
  (*b*) Land Development Officers
  (*c*) The Chiefs
  (*d*) The Police
  (*e*) African Members of Parliament.
(6) To organise boycotts.
(7) To misinterpret and falsify facts with a view to bringing the Government and Europeans into disrepute.
(8) To intimidate people to join Congress by threats of boycotting business and threats to life.
(9) To give out that Congress was more powerful than the Government.
(10) To co-operate with the Nyasaland African National Congress, the Zambia African National Congress, and the Northern Rhodesian African Congress and to co-ordinate its activities with those other organisations.
(11) To infiltrate into and obtain control of other African organisations."

In addition to these charges, various others have been made in speeches by Ministers and M.P's. It has been said that Congress was acting on a plan laid at Accra and encouraged by Russian influence. It has been said that Congress was alarmed by the progress of "partnership" and sought to sabotage it before it was too late. Throughout all the Government speeches it has been emphasised that the law as it stood was inadequate to deal with the threats presented by Congress. It has also been emphasised that the men arrested represented only a small minority of self-seeking agitators and that once they have been removed nothing remains to hinder the achievement of the partnership ideal.

We do not, of course, accept either the Government's case for the internal necessity of the emergency or their interpretation of the nature and significance of African opposition. We do not wish to say more on this point except to recommend that the Commission asks to see the evidence given before the Beadle Tribunal and in particular the evidence led by the defence team on the general charge which will, we believe, support our contentions.

(12) *The Emergency and "Civilised Standards"*

The Southern Rhodesian Government holds that the emergency was undertaken in defence of "civilised standards" of government and society. By "civilised" government they mean efficient governmant based upon respect for the law; and government which bases its administrative actions upon a respect for the rights and needs

of all. Elsewhere, it is recognised, these goods are achieved through the "democratic" system. But in Southern Rhodesia, it is urged, only limitation of representation and responsibility can safeguard them. It has been argued by opponents of this thesis that in fact the limited nature of representation and responsibility has produced grave distortions of these goods. It seems to us that the executive conduct of the emergency and the legislative results of it go far to justify this critical view and that far from safeguarding, the emergency has endangered the principles of sound justice and good government.

We hold, of course, that it is a most serious offence against both sound justice and good government to declare an emergency unless it is absolutely necessary to do so for an emergency by definition suspends the normal processes of law and government. But in addition to this fundamental charge against the Southern Rhodesian Government there are others which can, and have been made by those who feel that the emergency itself was justified. These charges can be divided into two categories: first, those which arise out of the executive handling of the emergency and of the detainees and restrictees; second, those which arise out of the permanent legislation which was enacted during the emergency.

(13) *The Conduct of the Emergency*

The actual arrest of the 500 detainees on 25th February has been widely praised. The Devlin Report makes favourable reference to it in contrast with the Nyasaland arrests and there has been much satisfaction in the Rhodesian Parliament with the efficiency of the operation as a whole. Nevertheless, there were some serious blemishes. In the first place, the Native Affairs Department and the Police had prepared the list of the men to be arrested. The intention was to round up all Congress office-holders or men supposed to be influential in Congress. In general this was what did happen. But there are two grounds for criticism. One is that far too many people were arrested—that is to say that the police should have known that most of the local Congress officers were in no sense dangerous. Eventually some 400 of them were released before the Beadle Tribunal began its hearings and we may presume that there was found to be no case against them at all, not even the sort of case that could be made to a Tribunal rather than a court of law. This is not merely a question of natural caution on the Government's part: it demonstrates a fundamental misunderstanding of the real situation on the part of those who actually have to administer which is profoundly disturbing.

The second ground for criticism is that among the men arrested were some who were not members of Congress at all. The most outstanding case here was that of Moses Makoni, a cobbler of Mabvuku township and a member of the Central Africa Party. Mr. Makoni was arrested by mistake for someone else but was held in prison for 28 days before the mistake was recognised and he was released. The disturbing part of the business was that Mr. Makoni received no apology for his improper detention and no compensation. Although the matter received some press publicity there was no government statement on the matter and no questions were asked in the Southern Rhodesian House. All this suggested a disregard for individual rights which was hardly compatible with "civilised standards" of government.

But this was of a piece with the treatment of the detainees generally. They were not badly treated as detention goes but they were treated with little regard for their individuality. Their names were not published in the press, for instance, for several weeks. It was not until the 400 had been released and 100 remained for hearings before the Beadle Tribunal that a full list of names was at last released. This made it impossible for any interested persons to discover whether the families of detainees were being adequately cared for or, indeed, whether the men detained were members of Congress or not. Nor was it without significance that Government figures of the number of men detained varied quite considerably from statement to statement.

Meanwhile the Government was setting an example of generalised vilification of these men which was followed by the Press. In his broadcast on 25th February Sir Edgar alleged that they were mostly ne'er-do-wells with criminal records and this was taken up with intemperate language by the press. No proof was ever offered for these allegations made against men who could not defend themselves and who were not to be tried in open court. And although 400 were released and although it has been amply demonstrated that in the great majority of cases the allegations were untrue, no apology has been forthcoming.

All this demonstrated a lack of proper consideration for the elementary rights of the individual. Other aspects of Government policy manifested an equal disregard for the principle of equal treatment. We are thinking here particularly of the offer made to Mr. Clutton Brock that he would be released if he undertook to stay out of the Federation and the actual release of Patrick Matimba on similar conditions. Mr. Matimba was one of the 100 awaiting hearing before the Beadle Tribunal but he was released before the decision of that body, the Government thus making a mockery of the judicial processes it had itself set up.

Again the Government's handling of the welfare of the detainees' families has demonstrated an insufficiently acute sense of the obligations of good government. The principles which should have been followed were these. The most efficient provision should have been made to ensure that the families of men detained were provided with enough money to buy food and necessities and to pay rents. The Government should have taken care to see that the men who were detained—who were not being punished by the Government but merely being detained for the public safety—did not suffer from their detention. Care should have been taken to ensure that insurance policies and hire purchase agreements did not lapse, that the schooling of children was continued, that jobs were returned or found for men released without charges having been laid against them. These principles have not been followed.

In the first place, Government made inadequate provision for the welfare of families. There was no centralised control of the business and its administration was left to individual native commissioners. The result was that the scale of allowances paid varied widely: that some families were not paid allowances for many months: that children were often unable to remain at school and that severe loss was caused to the detainee by the lapse of insurance policies and hire purchase agreements. It was not until 1st January, 1960 that clear instructions were sent out for a consolidated allowance scale and that regularity was at last introduced. (An appendix to this memorandum deals with allowance scales and shows that the new consolidated allowance also has grave defects.) These things are not of minor importance and it is all the more necessary to remark upon them because the government thought that it *was* making adequate provision by leaving things to the Native Commissioner. This was the Government's normal way of doing things and its complete failure must give rise to considerable doubt about the fitness of governmental machinery to cope with modern African administration. We may note two other things: one, that no Native Commissioner has, as far as we know, received any reprimand for failure to pay allowances to families. The other is the general and inevitable conclusion that in African administration the Southern Rhodesian Government will tolerate a degree of inefficiency and a degree of partiality which it would not for a moment tolerate in European administration and which is incompatible with good Government.

Finally, we must notice in this section the inadmissable policies now being followed by the Government with regard to the detainees and restrictees. The Government should regard these men as held for the convenience of the state. It should not regard them as criminals since it has no warrant by trial and conviction to do so. But it does so regard them. The eight detainees at Selukwe were explicitly being "broken": the restrictees at Gokwe and Lupani are being "rehabilitated". (This question is discussed more fully in an appendix.)

(14) *The Emergency Legislation*

While the actual executive conduct of the emergency gives little ground for confidence in the efficiency or regard for the individual of Southern Rhodesian administration the legislation enacted during the emergency shows how "civilised standards" could be undermined in an effort to suppress African opposition. Protests were made against this legislation by those who might reasonably be thought of as guardians of "civilised standards": by the Salisbury Bar Council; by the Churches; by the University Staff. Protest was also made by the Central Africa Party, through its leader, Mr. Garfield Todd, and other prominent members; and by one newspaper, the Bulawayo "Chronicle". It is known that the Minister responsible received numerous letters protesting against the legislation. These protests were dismissed by Government, in some cases with an open contempt for legal arguments which moved the Federation's Chief Justice, Sir Robert Tredgold, to make a public protest.

We wish to make only a few points here in addition to the weighty criticisms appended to this memorandum. Thus we would like to point to the generally un-noticed Amendment to the Land Husbandry Act, which retrospectively declared valid the sort of transactions which the Appeal Court had declared invalid in the Sipolilo case—an example of direct action by Government to make its past actions legal. Similarly, we would like to point to the Unlawful Organisations Act which makes membership of Congress on the day it was banned a criminal offence and thus retrospectively makes the past actions of its members illegal. We would also like to point to the very wide protection given to public servants under these Acts from challenge at law. Finally, we would like to point to the limitations upon African political activity contained in the Acts and in particular to the restrictions placed upon the expression of opposition through passive resistance.

It is our contention that the Southern Rhodesian Assembly has shown itself by this legislation no fit guardian of the "civilised standards" of government. It is clear, indeed, that so long as a minority electorate has reason to fear a challenge from the unrepresented majority these standards will be in grave danger.

(15) *Aftermath of the Emergency*

Sir Edgar Whitehead said frequently in his speeches on the emergency that the Government had been given five years' grace in which to tackle the real grievances of the African people and that by the end of that five years there would be no danger of specifically African protest movements or of African "nationalism". It was anticipated by Government that when Congress was banned many Africans, hitherto intimidated by Congress, would come forward to work through the existing system. It was also anticipated that the implementation of the Land Husbandry Act would go forward smoothly.

It must be said frankly that none of these expectations has been proved true. The Government have not yet managed to tackle the real problems and basic conditions have not improved. Moreover far from Africans working within the system to a greater degree and African opposition slackening, the opposite has occurred. The emergency and the consequent legislation and the Beadle Tribunal Report have all alienated "moderate" African opinion and helped to drive it into a position of much more intransigent opposition to Government. Far from working more through the existing parties, Africans are beginning to resign from them and to withdraw from multi-racial groups. Two new African political parties have been founded which are openly or tacitly supported by "moderates". In the Reserves, opposition to the Land Husbandry Act continues. Southern Rhodesia is a country of "suppressed tensions". Since the emergency the failure of the Southern Rhodesian Government to deal with African aspirations has been more and more marked.

(16) *Conclusion*

From all this we draw the conclusion that the principles of Southern Rhodesian Government, which Sir Edgar Whitehead wishes to extend to the Federation as a whole, have been disastrous in application rather than successful. They have concealed the real problems and thus merely irritated African opinion. They have led the Government to misundertsand and mishandle African opposition. They have not enabled the Government to achieve its particular aim of preserving standards—indeed, as we have seen, they have been responsible for a grave deterioration of standards. If these principles were applied to the Federation as a whole the result would be more disastrous still. The concept of "partnership" would give Nyasaland, for instance, nothing that she wants or that is relevant to her situation. The attempt to hold power in the hands of a minority on the test of "civilisation" would lead to devastating explosions in the territories. The maintenance of the Federal Government in perpetuity in civilised hands would lead to more and more drastic departures from civilised standards of government. Finally, there would be a massive and tragic miscomprehension of the strength of African aspiration and of its quality. The real answer is not to extend the Southern Rhodesian shibboleths but to abandon them.

Appendix A to the Southern Rhodesian Emergency

Allowances

At the beginning of the emergency it was laid down that in urban areas dependents of detainees should be paid an allowance at the rate of 1s. 6d. a day per recognised dependent. After some weeks the more complicated urban practice which continued until December 31st 1959 came into effect. Urban dependents were divided into two categories—those whose husband or father had been earning more than £20 a month and those whose husband or father had been earning less than £20 a month. In the first category each dependent was paid at the rate of 2s. 3d. a day and in the second category each dependent was paid at the rate of 1s. 6d. a day. The Government also decided to pay rents and other charges and to suspend collection of home ownership payments. Later it was decided to pay for school fees and other school charges. Despite the application of the Southern Rhodesian Detainees' Legal Aid and Welfare Fund Committee, who sent a delegation to Mr. Simkins of the Native Affairs Department in July, the Government refused to pay pensions instalments, hire purchase agreements and insurance premiums and as a result many such agreements have lapsed. In the towns, allowance payments were made regularly and school fees were paid.

In the rural areas, however, the situation was very different. There, dependents were from the beginning paid, or supposed to be paid, on an elaborate sliding scale. Full details of this have not been provided by Government but its principle was similar to the sliding scale now in operation for all dependents which is given below. The amounts allowed at each point on the scale, however, were very much lower than on the present scale. Moreover there was a rural means test operating in an opposite direction to the urban one, whereby more prosperous families got *less* money. The rural situation is illuminated by a letter from the Native Commissioner, Enkeldoorn, of Febuary 20th 1960. Writing of the dependents of Mr. Egypt Patsika (R.C. X20193 Charter) who had complained to the S.R.D.L.A.W.F. Committee that their allowances differed widely for different months in 1959, the Native Commissioner explained that this was because for some months they had in the town at Marandellas and for some months in the country in his area. While in the country, this family of six was entitled to "1s. 10d. per diem basic family allowance"—that is 1s. 10d. for all six—as against the 9s. a day which they received in the town. In addition, according to the Native Commissioner, they could have received another 1s. 10d. per diem ration allowance if in his opinion they were "in necessitous circumstances and had no food stocks nor means to acquire food". Mr. Patsika's dependents made no application for this additional allowance since they did not know of its existence and were accordingly not granted it.

It is clear, then, that rural allowances were very low and also that an invidious sort of means test based upon apparent ability to eat was also applied at the Native Commissioner's discretion. But in addition to this, payments of allowances were made very irregularly and sometimes not made at all for several months in rural areas. A large number of detainees released in March and May of 1959 found that their families had been paid no allowance and five men in the Umtali area have still not been paid for the period of their detention. (They are: Messrs. John Zvinoera, Zvidepi Mukozhiwa, Herbert Chikose, Gideon Machari and Garawani Katsidzira. The Secretary of the S.R.D.L.A.W.F. Committee wrote to the Chief Native Commissioner about their cases on 10th February and 5th April 1960 but no reply has been received). In some cases no payments of allowances were made until several months after detention. On 27th July 1959, for instance, the Native Commissioner, Buhera, wrote to the S.R.D.L.A.W.F. Committee about the dependents of Mr. S. M. Ndhlovu (18816 Buhera). "The dependents referred to" he said "have not as yet received maintenance: however arrangements have been made for this to be done". In this case Mr. Ndhlovu's two dependents were eventually paid £34 1s. 6d. which was evidently intended to cover the whole period from February to November 1960. (The Secretary of the S.R.D.L.A.W.F. Committee wrote to the Chief Native Commissioner about this case also on February 10th 1960. No reply has been received). It would be tedious to give further examples of tardy or confused payments, it may suffice to say that the files of the S.R.D.L.A.W.F. Committee are full of such cases and very real evidence of hardship as a result.

In addition to the very low allowance paid, the means test and the irregularity of payment, dependents in the rural areas suffered from the lack of knowledge on the part of Native Commissioners and schools that Government would pay school fees. Hardly anyone in the rural areas had their fees paid, even although the question was brought up by the Detainees' Committee in its interview with Mr. Simkins in July and again at an interview with Mr. Morris and Mr. Quinton on November 11th 1959. In a letter to the Chief Native Commissioner of February 10th 1960, the Secretary provided details of 38 cases where school fees had not been paid by Government, in addition to roughly as many cases submitted separately previously. On 14th March 1960, the Welfare Officer of the Committee wrote to the Chief Native Commissioner to say that "it appears from information received by us . . . that even now not all Native Commissioners are aware that all school fees incurred between 26th February and 31st December 1959 are payable by Government". No answer has been received to these letters.

Throughout 1959 the Committee and various other organisations urged Government to standardise the allowance scales. In July, they were told by Mr. Simkins that the rural means test would be abandoned and that rural Native Commissioners would be circulated with an instruction to pay school fees. Neither instructions appears to have been effective. On January 1st 1960, however, a new consolidated allowance scale came into effect for all dependents whether rural or urban and whether resident in the Gokwe Restriction area or outside it. (Prior to January 1st restrictees and their dependents at Gokwe had been given no cash allowance.) This new scale, which is worked on a sliding principle, is given below:—

Allowance Scale laid down by Southern Rhodesian Government for Payment to Dependents of Detained Persons

Schedule B, January 1960

Size of Family	*Monthly Allowance Payable*		
	£	s.	d.
1	3	5	0
2	6	10	0
3	8	15	0
4	11	0	0
5	12	2	6
6	13	5	0
7	14	7	6
8	15	10	0
9	16	2	6
10	17	15	0
11	18	17	6
12	20	0	0

Rate: 1 & 2	£3	5	0	(2s. 2d. a day)
3 & 4	£2	5	0	(1s. 6d. a day)
5 & on	£1	2	6	(9d. a day)

Maximum: £20 per month per family

It will be observed that a family of six would get £13 5s. a month on this scale, where previously a rural family of six on the "basic family allowance" would have received less than £2 a month. Thus rural families are better off. On the other hand it will also be seen that where dependents were receiving 2s. 3d. a day in the towns they are worse off from the very beginning of the new sliding scale and that where large numbers of dependents were receiving 2s. 3d. a day each, their allowance could be halved on the new scale. Moreover the new allowance is "inclusive"—that is to say it is supposed to provide for schooling, rents, home ownership payments etc. as well as subsistence.

On January 30th 1960 the Secretary of the S.R.D.L.A.W.F. Committee wrote to the Chief Native Commissioner to represent to him the hardship which would fall on urban dependents under the new scheme. "We need not stress" he wrote "the difficulties confronting an urban family of the more prosperous type which finds its allowances suddenly halved, its rents or home ownership payments suddenly demanded and the Government no longer willing to pay for fees or uniforms". The Secretary asked that either the allowance be increased or rents and home ownership payments be waived. This request was refused.

Since the beginning of this year many cases of hardship have arisen as a result of the new allowance scale. These have in some cases been increased by inaccurate demands for payment of rents etc. for the period before December 31st 1959 and in one case a restrictee's total allowance for the month of March 1960 was with-held from him by the Native Commissioner, Lupani, in order to pay home ownership arrears for 1959.

It is the Central Africa Party's contention that the above narrative of allowance provision amply demonstrates not only the refusal of Government to make adequate welfare arrangements for dependents but also the inability of the Native Affairs Department machinery to put into effect the arrangements actually made.

Appendix B to the Southern Rhodesian Emergency
Conditions at Selukwe and Gokwe: Rehabilitation

Selukwe

As soon as the Beadle Tribunal had made its first recommendations in the middle of August 1959, the 43 detainees concerned were removed from Khami prison, Bulawayo. One was released; five were brought to Salisbury to prepare for their move to Gokwe restriction area; 37 were taken to the tiny jail at Selukwe there to await decisions on where they should be kept in continued detention. During the days that all were at Selukwe there must have been great chaos since the jail has since proved hardly large enough for six men. But after some days, the majority of the detainees were moved to Marandellas leaving at Selukwe the following men: George Nyandoro, Robert Chikerema, Paul Mushonga, Daniel Madzimbamuto, Raymond Mhizka, Josias Maluleke, Peter Mtandwa, and Edson Sithole. These men were all prominent Congress or Trade Union leaders. With the exception of Daniel Madzimbamuto, who was moved to Marendellas after some months at Selukwe, they all remained at Selukwe from mid August until Thursday, February 11th 1960. Some of them during that time served sentences in other prisons but while they were officially in detention they were kept at Selukwe.

Selukwe prison has no facilities for exercise and the men detained there are normally not allowed out of the prison yard which is itself very small. Conditions generally are very poor and during 1959 representations were made to Government about them by the Red Cross Representative in Southern Rhodesia, by the representative of the Friend's Service Committee and by the Southern Rhodesian Detainees' Legal Aid and Welfare Fund. As a result of these representations and of protests from the detainees themselves, the Government planned to move the detainees from Selukwe to various other places or alternatively to enlarge the prison areas at Selukwe itself. Although Mr. Julian Greenfield admitted on a visit to Selukwe that conditions there were bad none of these changes were in fact made.

The atmosphere of tension at Selukwe as a result of these conditions and possibly as a result of the belief that the men detained there were "hard core" was evident to all visitors to the prison. This tension broke out in a number of minor incidents leading to prosecution for breach of prison regulations. Robert Chikerema, for instance, has been charged three times and twice been found not guilty. As a result of this situation more representations were made by the Detainees' Committee and Mr. Michael Haddon had an interview with Mr. Cameron, Director of Prisons, early in January 1960. During this interview, Mr. Cameron remarked that the detainees would remain at Selukwe until they showed signs of "co-operation" and that if necessary prison officials would be moved every three months or so to ensure that the atmosphere "did not get on their nerves". In fact a new Superintendent, Mr. Payne, had been appointed in December.

Later in January 1960 a second charge was brought against Mr. Chikerema in association with Mr. Mtandwa. The S.R.D.L.A.W.F. Committee instructed its Secretary to represent to the Government the unwisdom of their policy at Selukwe and he wrote to Mr. Cameron in the following terms:—

> "We appreciate that the detainees are subject to prison discipline in theory and that in practice adequate control must be maintained. However, t' is has allowed for a good deal of proper relaxation at Marandellas, presumably on the assumption that though the detainees are in prison they are not in fact prisoners in the normal sense and that in so far as prison regulations are punitive or exist for administrative convenience they should be relaxed. The same thing is true, of course, for the detainees at Selukwe. . . . We would like to point out, however, that conditions at Selukwe are not favourable to the establishment of discipline and morale. We regret very much that plans for moving the detainees have apparently been abandoned and ask that you reconsider them. We believe that under other circumstances you would not need to enforce prison regulations in so strict a way. As it is at the moment you are inevitably leaving yourself open to the allegation that Selukwe has been deliberately chosen to "break" these men and that the prosecutions are part of the process".

This letter was written on January 30th. No reply had been received by February 11th when serious trouble broke out at Selukwe; one detainee was charged with assaulting the Superintendent; other charges were brought against two others; and police trucks were summoned to remove most of the detainees from the prison. Subsequently cases were brought against three of the detainees. Two were dismissed and the case of assault was not concluded because the magistrate hearing it withdrew before its conclusion. Two of the detainees who were at Selukwe—Mr. Paul Mushonga and Mr. Josias Maluleke—are now in prison at Fort Victoria. Mr. Sithole is now at Marandellas. Messrs. Chikerema, Nyandoro, Mhizka and Mtandwa are now back at Selukwe under another Superintendent. On March 1st 1960, the Secretary of the Detainees' Committee received the following reply from Mr. Cameron:

> "I must apologise for the delay in answering your letter, but I fear that it seemed to get pushed on one side. . . . As you know, steps have been taken to transfer the detainees from Selukwe, and the whole thing is still under consideration and I hope the whole matter will rectify itself as far as it is able."

Gokwe

As we have said above, six detainees were recommended for restriction at Gokwe in mid August 1959. They were followed by large numbers of others until finally the number restricted either at Lupani or at Gokwe totals 60 men with their wives and families.

From the beginning the concept of rehabilitation was applied to Gokwe. In August 1959 Sir Edgar Whitehead announced that he was satisfied that "those who are keen to rehabilitate themselves can make an extremely good living in the place that has been provided". On Wednesday, November 11th, a deputation from the Southern Rhodesian Detainees' Legal Aid and Welfare Committee met the Chief Native Commissioner and the Parliamentary Secretary for Native Affairs to ask permission for its members to visit the Gokwe area, as up until that time no permission had been given for press or welfare officers to enter. During this meeting there was a long discussion on the question of rehabilitation. It was explained that each restrictee was given land to plough and seed to plant. It was expected that he should cultivate this land or else take up one of the "rather restricted" other opportunities of employment in the area and so be able to maintain himself. There was no question of any restrictee being forced to plough but "if a man did not co-operate with his rehabilitation the Government would take a very dim view". It was pointed out by the delegation that there was no warrant at all for the concept of rehabilitation in the emergency legislation.

It may have been because of this criticism that when reporters were at last allowed in to Gokwe on 7th December, the Chief Native Commissioner told them that he did not like the word "rehabilitation". But, as the *Rhodesia Herald* reported "Mr. S. E. Morris, . . . admitted that his department's aim was to try to guide the steps of the restricted on to the road of rehabilitation". Mr. Morris was quoted as saying that it was "the accepted policy of the Government that the persons restricted must first prove that they are willing to play their part in communal life as ordinary, normal citizens before they are returned to everyday life".

In practice the question of rehabilitation came down to the question of ploughing, though it also involved "co-operation" with the Government at all levels. (The Government terminology for the two factions at Gokwe is "Co-operators" and "Non-Co-operators": the restrictees' terminology is "Conservative" and "Labour"). The atmosphere comes out clearly in a letter from the

Native Commissioner at Gokwe to one of the restrictees in December 1959. "When we visited you on the 30th November 1959 I was asked by the Chief Native Commissioner to advise you that the length of your stay at Gokwe depends entirely on yourself, i.e. on your behaviour and the way you settle down here. I would suggest that instead of making frequent requests to be released, you show that you are prepared to do as much as possible to help yourself, e.g. planting your lands. If you feel that you are too sick to do this yourself you can easily arrange to employ a few local people to do it for you. When the time comes for the review of your case it will no doubt be to your advantage if you can show that you have made a determined effort to rehabilitate yourself."

Very much more could be said about conditions at Gokwe. The Central Africa Party wishes only to point out the irregularity of the concept of "rehabilitation". The concept of restriction, as embodied in law, is designed merely to provide a place where men thought dangerous if released can be isolated from their fellows but re-united with their families. There should be no pressure of any kind put upon these men to "co-operate" except in so far as the maintenance of discipline and order is concerned. As it is, very considerable pressure is put upon the "non-co-operators"—i.e. those who will not plough—and use is made of government officials of various kinds, messengers, police, C.I.D. men, to apply this pressure. Life at Gokwe has been made so intolerable for them that they have applied to the S.R.D.L.A.W.F. Committee for an approach to be made to Government for their removal from the area and their restriction elsewhere in a "non-co-operating" unit. All independent observers who have recently visited the Gokwe area have reported that there is much tension there as the result of Government policy.

Southern Rhodesia African National Congress

Statement of Principles, Policy, and Programme

Principles and Policy

The African National Congress of Southern Rhodesia is a people's movement, dedicated to a political programme, economic and educational advancement, social service and personal standards.

Its aim is the National Unity of all inhabitants of the country in true partnership regardless of race, colour and creed. It stands for a completely integrated society, equality of opportunity in every sphere, and the social, economic and political advancement of all. It regards these objectives as the essential foundation of that partnership between people of all races without which there can be no peaceful progress in this country.

Congress affirms complete loyalty to the Crown as the symbol of national unity.

It is not a racial movement. It is equally opposed to tribalism and racialism.

It welcomes as members all of any race who are in sympathy with its aims and are prepared to fulfil the conditions of membership.

It recognises the rights of all who are citizens of the country, whether African, European, Coloured or Asian, to retain permanently the fullest citizenship.

It believes that this country can only advance through non-racial thinking and acting, and that an integrated society provides the only alternative to tribalism and racialism.

Congress believes that individual initiative and free enterprise are necessary to the life of a young country and must be fully encouraged, but that a considerable measure of Government control is necessary in a modern state.

The immediate economic concern of Congress is to raise the standard of living of the under privileged. The peaceful development of the country demands above all things that the gap between the lowest and highest in the social and economic order should be greatly reduced.

Congress believes that in the whole of Southern and Eastern Africa there are three outstanding needs which it is supremely important to meet:—

(*a*) the standard of living of millions of people must be raised in a short space of time through their rapid social, economic and political advancement;

(*b*) this is only possible with the aid of skills, techniques and capital from overseas. These must be attracted to this country not only by the offer of material advantages but also by appeal to the altruism and sense of service prevalent in the world. This is a challenge to the more advanced and privileged people in the world whose help is required in the interests of world peace and the total development of mankind.

(*c*) In view of the inevitable uprising of national feeling among the peoples of Africa and the need to enlist the full co-operation of the mass of the people in this great enterprise, full participation of African people must be provided for in Government, and the legitimate political aspirations of the people be thus fulfilled.

Congress realises that to meet these three needs is a task of gigantic proportions, but believes that nothing short of this can ensure the peaceful development of this country for the benefit of all its inhabitants. Congress is therefore dedicated to the fulfilment of these needs and regards it as a matter of the most urgent necessity.

Political Programme

(1) *Land*

Congress believes that the land belongs to the people. Thus the use of land must be controlled and administered by Government. Government must ensure that the use of land is not limited by undue speculation in land values. Government must promote the fullest freedom for the economic use of land by competent people regardless of race, and must provide for this now largely through the system of freehold land tenure. It is, however, both uneconomic and also socially undesirable that land should be apportioned racially. Congress believes therefore that the Land Apportionment Act must be repealed and the land of this country freed from racial restrictions for economic development in both rural and urban areas. Unjust distribution of land is one of the fundamental causes of social discontent, and Congress regards measures of land reform as of the utmost importance.

(2) *Agriculture*

Congress believes that this country must become self-supporting in all agricultural produce and may well become an exporting country. It recognises the need for large-scale agriculture, but does not believe that this should be confined by law to a particular racial group. A rural economy for the country must be founded primarily on the small farmer. Government must therefore support the peasant farmer strongly with land settlement schemes, research, and the provision of capital so that his farming may develop along modern lines. Agriculture will benefit greatly if racial restrictions are removed and the large and small farmer are permitted to farm side by side to their mutual advantage. Agriculture must become increasingly intensive and undeveloped land in any area must be freed for economic use. Farming must become as attractive an occupation as industry and a proper balance must be maintained between rural and urban development. Government efforts to open up overseas markets, arrange for orderly marketing schemes and regulate and maintain price levels and a price structure in the interests of both the producer and the consumer must be motivated by economic considerations alone. The change-over to modern intensive farming methods requires the utmost encouragement from Government for the benefit of both producer and consumer regardless of race.

(3) *Urban Areas*

Congress believes that urban areas must be freed from racial restrictions and that industry and housing must be planned according to the best modern considerations in the interests of the community as a whole. Every effort must be made to promote the development of industry, but also to decentralise it, and to avoid large agglomerations of population. Government must promote the development of housing estates on an economic, not a racial basis and, whether through ownership or tenancy, security of occupation must be provided for people of all races who elect to live and find employment in urban areas.

(4) *Local Government*

Congress believes that the same pattern of local government must prevail in all areas and for all races, and that separate communal administration must cease. The Ministry of Native Affairs must be abolished and government by "Native Commissioner" and the "Native Affairs Department" must give way in all areas to a system of local government authorities elected on a democratic franchise. Local government services must develop, and the fullest opportunity must be open to all people according to ability and regardless of race in the local government service.

(5) *Social Services*

Congress aims at the rapid development of modern social services, including social insurance, and their application to all people regardless of race. It regards community development and adult education services as of great importance in the task of enabling the adult population to develop rapidly in both urban and rural areas. It believes not only in government initiative in the provision of social services but also in voluntary effort. Voluntary Associations must be encouraged and given the fullest freedom in the religious, cultural and social spheres. The initiation and extension of social services is most necessary for those in the lower income groups, who are predominantly African, and Congress is primarily concerned to promote them there. The cheap labour of the African and Non-European is the major source of the wealth of the country, and it is from that accumulated wealth that provision must be made for full social security for all workers, for unemployment pay, for sickness allowances and for adequate pensions. Until such facilities are available, it is a dangerous step

for any African to leave the Reserve and opt to become an urban worker, for he has thereby forfeited his right to return to and live in the Reserve, and in unemployment, sickness or old age no provision is made for him in the town.

Full social security must be the terms upon which the African worker contributes to the development of the country.

(6) *Education*

Congress wholely supports the principle of free compulsory universal primary education on a non-racial basis. No child must be deprived of educational opportunity from which he or she will benefit. Secondary education must be greatly expanded but with no lowering of standards. New secondary schools must be established on a non-racial basis and must accept pupils on grounds of academic ability alone. In this way the younger generation will be educated for an integrated society. Technical Colleges must be started on the same non-racial basis, offering equal opportunity to all with the ability to make use of it. Education at the University level must be unrestrictedly available to all who attain the required standards and if this involves a quicker growth of the University College than is at present planned, this growth must be facilitated. Opportunities for further education, study and training overseas must be opened up by the generous establishment of state bursaries and scholarships awarded to qualified ability without distinction of race. Government must provide equality of opportunity in education regardless of race and colour and a single educational system taking no account of race must be the objective.

Government should at the same time give the greatest encouragement to private schools maintained by voluntary bodies so that they may make their contribution to education in co-operation with the state.

Congress realises that education is expensive and must be paid for. No state can make light of the difficulty of doing so. But it is the most important single need confronting the country and must have top priority in its claim on revenue and resources. This is not a poor country; it is prospering greatly, and the redistribution of resources required to finance the educational programme will prove the best possible investment for the prosperity of citizens of all races.

(7) *Health*

Congress believes that in order to provide adequate health services throughout the country for the whole population, provision must be made for greatly increased medical staff, for training doctors, nurses and medical orderlies. The selection, training and service conditions of these must be without discrimination as to race if enough competent candidates are to be received into the medical services.

The difficulties of financing increased health services are not to be underestimated, but the increase in production to which this would lead would rapidly offset the cost. Congress believes that a further way to meet this cost is by making all hospitals multi-racial, and the savings effected by ceasing to maintain separate institutions can be used in the provision of the additional services required.

(8) *Industry and Trades Unions*

Congress believes in the necessity of the rapid development of industry, yet under such conditions that rural economy and social life will not be destroyed but improved. In particular, secondary industries must be based on the products of the primary industries of the country. Conditions must be promoted under which the establishment of industry will be encouraged; these conditions include appropriate financial arrangements, provision of efficient transportation, of cheap power, of adequate housing for employees and of an efficient labour force. Capital, skills and techniques must be attracted from overseas, yet it is necessary to make the fullest use of the capital resources and potential of the population of the country. Education and training in crafts and trades must therefore be strenuously promoted by Government through training schemes and through the encouragement of apprenticeship. Opportunities to acquire skills must be open to all people equally regardless of race and according to ability. Trade Unions must be encouraged to participate in these schemes so that they may fulfil the role of maintaining and increasing the efficiency of industry as well as that of improving the working conditions of their members. Congress believes in collective bargaining and in the Trade Unions and Employers' Organisations which make this possible; these must be organised on an industrial and not a racial basis, and must not exist to maintain an artificially high standard of living for one class of persons at the expense of another.

(9) *Cost of Living*

Congress believes that the basic costs of living should be controlled and kept low. A reasonable basic standard of living must be assured for all people, and to this end capital must be applied to the increase of productive effort within the country and not to the import of luxuries from overseas. There must therefore be, in the present stage of development of the country, a strict control of imports. Congress believes in the full development of natural resources, both human and material, within the country so that the basic costs of living may be reduced for all people.

(10) *Taxation*

Congress realises that more widespread social services mean a higher rate of taxation but regards such services as a necessary insurance for the future. It believes in indirect taxation falling most heavily upon luxuries, in the present situation of the country where necessities have yet to be spread widely throughout the population. It is against Poll Tax and Hut Tax and favours direct taxation according to means through income tax, which must begin at a low income level in order to raise income from the majority of citizens of all races.

Taxation must not be levied nor its proceeds spent on a racial basis; both collection and spending of revenue must be administered to meet the needs of the people of the country as a whole.

(11) *Foreign Investment*

This country greatly needs capital investment from overseas. Congress recognises that to obtain this, security must be provided for both public and private investment. Government must therefore establish conditions under which capital may be invested and industry established with sufficient security to encourage investors. Congress believes that solving the racial problem by developing a fully integrated society on non-racial lines will give the greatest encouragement to investment from overseas.

(12) *Immigration*

Congress believes that any policy of immigration aimed at increasing the non-indigenous population of the country for political reasons or for relieving other parts of the world of their surplus population is economically, politically and socially unsound and dangerous to peaceful development. Yet Congress recognises that people with capital, skills and techniques which are not available in this country in sufficient quantity are needed from overseas. Those who have such assets must be encouraged to bring them into this country as and when they are needed provided that these immigrants are people of good character, prepared to enter fully into the life of this country on a basis of equality with the existing population, and to become integrated into a society in which there will be no discrimination as to race or colour. Immigration must therefore be strictly regulated and immigrants be very carefully selected both for their character and their abilities. In this way the country will become populated as fast as it can be developed and the immigrant population will become absorbed gradually and integrated in a stable social order.

(13) *Freedom of Movement*

Congress believes that, while a system of registration of all citizens of all races is necessary there must be freedom of movement for all people on their lawful business throughout the country, without regard to race and without special passes. To make this possible, the Pass Laws must be repealed and ordinary administrative measures used for controlling the population.

Visitors to this country from overseas and from other African territories must be encouraged, and inhabitants from this country must only be refused permission to travel out of it or their movements otherwise controlled on grounds which can be challenged by appeal to the highest judicial authority.

(14) *Police*

Congress believes in the necessity of a police force but considers that the growth of the modern state and the political conditions of the mid-20th century have given the police and security services an influence which too easily becomes a threat to individual freedom. No modern country is free from this danger. Congress therefore believes that an emerging modern democratic government must take the most careful precautions to control the activities of the police and security services and to make them subject in all things to the prompt scrutiny of an independent judiciary.

(15) *Political Representation*

Congress can see no justification for continuing any limitation of the franchise on grounds either of income, educational standard or race. The only form of government now acceptable to the vast majority of peoples in the British Commonwealth is parliamentary democracy, based on universal adult suffrage, since this alone can produce a government responsible to all inhabitants of the country and aware of the needs of all. Further, only by this system can the enthusiasm of the whole people for government enterprise and national development be evoked; and only by this system can we arrive at that fully representative government which, in the eyes of the United Kingdom and the world, is the condition of complete national independence. The real danger to future stability lies in keeping the majority of the people voteless, not in extending the franchise.

Congress believes that the present electoral arrangements are designed to keep political power in the hands of one small racial section of the population, and that the continuation of a racial

alignment of political forces will be disastrous. The vote must be cast for the good of the whole country, not to promote the sectional interests of any one race. Racial politics will be disastrous for all. They can be avoided by universal suffrage *now*.

(16) *Citizenship*

Congress believes that full citizenship must be extended to all those of any race or colour who are lawful and permanent inhabitants of the country, and have demonstrated this through their satisfactory residence and integration in the life of the country over the course of 5 years residence in the country.

(17) *Racial Discrimination*

Congress totally rejects the whole idea and practice of discrimination or segregation according to race or colour. It believes that this country can only develop peacefully as a society in which the different races become increasingly integrated in social, cultural, economic and political life, and in which there is no discrimination according to race, colour, creed or political opinion. Congress believes that such integration is both practicable and urgently necessary. It is in fact not an idealistic dream but the only practical way through existing racial problems. Present discriminations which exist, and which are a grave menace to society, must be strongly discouraged by government and government publicity services, and must be eliminated from all public institutions. All clauses in legislation which are directly discriminatory or are discriminatory in effect, must be repealed, and racial discrimination must be abolished entirely throughout the field of public administration. It must be made illegal by statute for racial discrimination to be practiced in any institution holding a public licence. If such measures are taken, backed by a widespread government propaganda campaign, such racial discrimination as is of significance can be eliminated from society within a short space of time.

(18) *Federation*

Congress believes that the Federation of Central African territories against the will of the vast majority of the inhabitants was both a moral and political error. It recognises the need for consultation and closer association between neighbouring territories, but believes that a Federation can only endure in so far as it is acceptable to the majority of the population and is voluntarily entered into by governments representative of the people of the territories. Such governments can only be elected on a wide franchise through which the will of the people can be expressed. Congress is primarily concerned to promote the establishment of popular representative government in Southern Rhodesia. When this is achieved, questions involving Federation can be faced, and will then be found to take on a quite different aspect.

(19) *Independence within the Commonwealth*

Congress believes that at present any question of granting greater independence to Southern Rhodesia, either directly or through the Federation, is wholely premature. Until racial problems are completely solved and an integrated society is well advanced, the Government of the United Kingdom must be strongly discouraged from relinquishing any further control over the affairs of this country or any of the territories incorporated in the Federation. It should, in fact, be strongly encouraged to exert its influence to the utmost in favour of the creation of a non-racial integrated society with a government responsible to the people, as the first essential step towards the granting of greater independence.

(20) *Defence*

Congress believes that history has shown in modern times that the best form of defence against external aggression is internal strength. The settlement of the racial problem through the provision of equality of opportunity for people of all races in all spheres will produce an integrated society, which is the essential foundation to defence policy. In any form of conscription for necessary National Service for defence, recruitment and conditions of service must be according to ability and without regard to race or colour.

Defence forces must at no time be used either in this country or beyond it to silence the legitimate aspirations of the uprising peoples of Africa or elsewhere.

(21) *Foreign Affairs*

Congress believes that this country should remain within the British Commonwealth of Nations playing such part as is appropriate and practicable in the affairs of the Commonwealth and in the relationships of the United Kingdom Government with foreign powers and the United Nations Organisation.

Social Programme

Congress encourages hard voluntary work for the development of community life. It will attempt to promote the following social organisations and will co-operate in their formation with all other bodies interested and devoted to non-racial principles:—

Community Associations, Neighbourhood Centres and Settlements, to develop improved facilities for education, recreation, housing, health, and social, moral and intellectual advance in co-operation with local authorities and voluntary organisations.

Adult Education facilities including literacy classes, evening classes, courses and discussion groups.

Public Libraries and Reading Rooms to make available good books, periodicals and general information to local communities.

Mens' and Womens' Clubs for educational, social and recreational purposes.

Youth Clubs and Youth Organisations for the provision of healthy leisure occupation for young people.

Childrens' Nursery Schools and Play Centres to aid parents in the upbring of their children and to provide facilities for early education and play for children.

Personal Programme

Congress encourages all members in their daily lives to offer to all people, regardless of race, colour, creed class or political affiliation, a good example in habits of:—

Friendship, Courtesy, Good Manners and Respect in all dealings with individual people.

Honesty in all dealings with other people and in all money transactions.

Hard Work with hand and brain in industry, agriculture and all services of benefit to the community.

Temperance, Economy and Simplicity in personal living.

Avoidance of Violence or provocation to violence in all relations with other people or organised bodies.

Vigorous Effort to promote the social, economic and political welfare of all men and service to the community as a whole.

Congress will take all possible action in the social, economic and political spheres to establish these principles, pursue these policies and carry out these programmes.

It will co-operate with all other bodies pursuing similar aims, in the belief that through co-operation advance will be made *towards that society in which peace, security and progress will be assured for the whole population, regardless of differences of race, colour or tradition.*

CENTRAL AFRICA PARTY

SOUTHERN RHODESIA DIVISION

Appendix I—Land and Land Settlement

Historical Notes

1923—Responsible Government for Southern Rhodesia. Entrenched 21 million acres of Native Reserves (1920 Order in Council enshrined in Constitution, land vested in Board of Trustees). All other land open to all races. "The African could still acquire, own and encumber and dispose of land on the same conditions as a person who is not a native." (Plewman Report, pages 121/2.)

1925—Carter Commission report, resulting in Land Apportionment Act, 1930, and later consolidating Land Apportionment Act, 1941. "Separate" development visualised and land divided into "African" and "European" areas, forestry reserves, and unassigned and undetermined land. Africans' rights of occupation and ownership of non-African areas were removed by this Act. The sections of the Act dealing with racial restriction of rights in land are:—

1. Section 6: "No person other than an indigenous native may *acquire, lease or occupy* land in the Native Area" subject to certain exceptions.
2. Section 26(1): "Subject to the exceptions provided in this Act (*a*) no native shall *acquire, lease or occupy* land in the European area."
3. Section 40(1): "No European other than the Governor or the local authority may *own or occupy* land in a native urban area except with the permission of the Governor granted in terms of sub-section (2) of this section", i.e. educational, religious, administrative, or other purposes for the benefit of the native residing therein.
4. Section 41(1): "From and after the establishment of the native urban area no native may *lease, use or occupy* any land outside such area which falls within the area under the jurisdiction of the local authority, unless such native" and various provisions follow.

Note that in terms of Section 2 land includes any buildings or any other erection on land.

The Act makes no distinction between European and Asian, Euroafrican or Coloureds, but many title deeds contain clauses restricting ownership or occupation to Europeans.

Present Position

July 1959. Native areas total 41,878,000 acres, European areas total 47,989,000 acres, plus 4 million acres Forest Land and 3 million-odd Game Reserves and National Parks. There is no unassigned land left, and only 57,000 acres of undetermined land (at present European-occupied but destined for eventual African occupation).

Population: (30.9.59)	European	215,000
	Asian	5,600
	Coloured	9,600
	Total non-African...	220,000
	African	2,630,000

i.e. approximately one-twelfth of the population has sole rights over more than half the land. All the towns lie in the European areas and most of the communications, roads and railways pass through them. The majority of the Native Area has poor soil, much classified as Class III, while the European area contains nearly all the areas of fertile soil in the country. Much of the Native area has a very low rainfall and some is in tsetse-fly country.

Rural Areas

European: Standard holdings: 750 acres. Average farm very much larger. The Parliamentary Select Committee on Development of unimproved land (23.4.57) states that "out of 30 million acres, 1 million are under crops. It is suggested in evidence that 30% of land in European occupation is arable. This figure is undoubtedly too high but it is clear that the present percentage of total European-held land under crops, that is to say approximately 3–4%, is deplorably low."

The Engledow Report* says "there is much unused land in the European areas". Many farms are undercapitalised and farmers might prefer to sell surplus land and use proceeds for capitalisation of the remainder but average farming land is not easily saleable.

There are at present approximately **9 million acres of "unoccupied" Crown land in European areas, of which approximately ***3 million acres are tsetse infested. In the past, Crown land has been leased under certain conditions (good farming methods to be used, etc.) to farmers under land settlement schemes, and those fulfilling the conditions can purchase at half the open market value of the land. Leases run for twenty-five years at a rental covering the total purchase price at the end of that period, so that no deposit is necessary. These schemes are still operating. Production costs are high. The Engledow report states: "It is impossible to forecast with certainty the long-term future export value of maize, but there is no strong reason for supposing that it will rise above the present range of 20s. to 30s. a bag f.o.r. Salisbury and it could fall below. Present costs of production by European farmers in . . . Southern Rhodesia average around 25s. a bag f.o.r. Salisbury . . . to these costs must be added marketing costs comprising the bag (3s. ½d.), transport from farm to the rail head, which on the sample farms averaged 9d. per bag, and the Grain Marketing handling costs. On the basis of these costs there is evidently little prospect of most farmers producing profitably for overseas export under normal conditions".

African: (a) Reserves—21,000,000 acres.
(*b*) Special Native Areas—12,878,000 acres.

These were held under communal (tribal) tenure until the Land Husbandry Act of 1951. This Act, intensively implemented from 1955, has its object "To provide for the control of the utilisation and allocation of land occupied by Natives and to ensure its efficient use for agricultural purposes", and a basic provision to ensure this is that "no native shall cultivate any land in any prescribed farming land unless he is registered as the holder of a farming right in respect of such land". This provides a form of individual title but not a freehold title to land—the right may not be given or taken as security, it may not be disposed of by will and it expires on the death of the holder. Moreover, in certain prescribed circumstances the right may be cancelled by a Native Commissioner. (Plewman Report, page 27.) Thus it breaks away from the traditional communal tenure, dividing the land into individually-held Standard Holdings, size depending on rainfall, whose "owners" have grazing rights in communal grazing areas. For example, areas with a rainfall of over 24 in. have Standard Holdings comprising 8 acres (6 acres for crops, 2 for grass ley) and grazing rights for 6 head of cattle. (Total, say, 80 acres.) These holdings are proving uneconomic in many areas, barely providing subsistence for a family, and soil erosion is continuing as a result of intensive, undercapitalised farming on poor soils, in spite of the best efforts of Land Development Officers.†

Even so, there is not enough land available in Reserves and Special Areas to provide Standard Holdings for people entitled to them now.

As at July, 1959, 338,000 individuals are entitled to Standard Holdings, and when the Act is fully implemented there will be only 212,000 Standard Holdings available in total in the whole Native Reserve and smaller even than the Standard Holdings. Holdings may be purchased if owners are willing to sell, up to a maximum of three times a Standard Holding, as may grazing rights. The Native Department, represented by Native Commissioners, have absolute jurisdiction and executive powers in the areas. (See Appendix II).

(*c*) Native Purchase Areas: 8,000,000 acres.

Farms ranging from 50 to 300 acres each (average size approximately 200 acres) are being cut up for sale to approved African farmers (i.e. men who have had two years training at an approved school or who hold Master Farmers' Certificates). Freehold title with certain restrictions can be obtained after a probationary period consisting of three years. The areas are Crown land, controlled by the Native Land Board, consisting of the Chief Native Commissioner as Chairman, three members nominated by the Governor and one nominated by the Secretary of State.

To date allocations have been made as follows:

1931–56	4,669	alienated	properties
1957	382	,,	,,
1958	632	,,	,,
Total	5,683	,,	,,

These 5,683 farms total 570,000 morgen, or, when "waste" land is included, approximately 1½ million acres, leaving 6½ million acres still unalienated. The waiting list of approved farmers wishing to purchase farms in these areas was closed at the end of 1955, when 5,174 names were listed. The waiting list had been reduced to 3,707 at the end of 1958, and although no new names are taken onto the list, the policy is to allocate 1/6th of the annual allocations to new applicants, taking the remaining 5/6ths from the waiting list. No accurate figures can be given, but the Chief Land Officer estimates that approximately 25,000 families are "squatting" on unalienated Purchase Area Land, and the African population "squatting" still (after many thousands have been removed) on European Crown Land is given as 25,912.

The price of land in Purchase Areas varies from 10s. to £1 per morgen. The same disabilities regarding type of soil, communications, access to markets, rainfall, etc., apply to many Purchase Areas as to Reserves.‡

The Engledow Report says:—

"We therefore regard it as a first principle that all tracts of good agricultural land lying wholly or partially undeveloped should be developed as rapidly as possible. A second principle would be that, as industry expands, relief from excessive population pressure in country areas should be obtained by encouraging movement from country to town through ensuring that home ownership facilities and satisfactory family living conditions exist in towns for urban dwellers belonging to all income levels. *No obstacle should be allowed to remain which impedes the voluntary and permanent resettlement of families from the overpopulated areas into other agricultural areas or the main industrial and urban centres*". (Page 34.)

"Sociologically the significance of the present distribution of farm size (European) is that the graduation from small through medium to large farms which offers good young recruits a chance to work their way up is lacking and with it the constant infusion that any healthy industry requires . . . Whether it would be practicable and in the general interest for such farms to be provided, by encouraging or ensuring the sale of undeveloped parts of very large farms is a question which long-term policy must be deemed to include. There are many large European-owned farms of which, for various reasons, there are large parts which remain unused but which the owners do not wish to sell. Such unused areas could in many instances provide useful farms for renting by people working their way up in farming. . . . The most numerous farming class in the Federation will be the African family farmer from whose ranks mainly will emerge the larger-scale African farmer. For both sociological and economic reasons allocation resources to the development of the larger African farms as opposed to the ordinary run of small holdings in the Native Area, needs fresh thought." (Page 35.)

"It seems that the principle should be to encourage more European farms by reducing the size of the largest, and to encourage more, larger African farms employing labour . . . Agricultural development may have to be fostered in unpropitious physical conditions simply because an area is already heavily populated. Every such expedient action, however, is incipiently a crisis of the next decade. For the

* *Report to the Federal Minister of Agriculture by the Federal Standing Committee on Agriculture Production in collaboration with Professor Sir Frank Engledow, C.M.G., F.R.S.* 13.1.1958.

** *Actual figures:* 4,553,646 *morgen.*

*** 1,659,665 *morgen.*

† *See Brown: Evidence to Select Committee, March* 1959.

‡ *K. Brown: memorandum, March* 1959.

sake of soil conservation and to allow higher crop yields and greater regard for labour, the population in many African areas should come down steadily for a considerable time to come, with the number of Africans in industry increased accordingly." (Page 29.)

This Committee considers that the chief obstacle which "impedes the voluntary and permanent resettlement of families from overpopulated areas into other agricultural areas or the main industrial and urban centres" is the Land Apportionment Act, and that it is essential, if healthy rural development is to take place, that that Act be repealed.*

Urban Areas

The "Report of the Urban African Affairs Commission, 1958" (the Plewman Report) gives a most excellent and detailed analysis of the position in Urban areas; the following extracts should be "filled out" by reference to the Report itself.

Present legislation provides for five types of urban areas for Africans (residential areas):

1. *Native Townships.* Purely African urban centres, which can be established in Purchase Areas. Native Reserves and Special Native Areas. "Stands or sites within a township may be acquired by Africans on registered freehold title for residential, trading or industrial purposes. Alienation or encumbrance of such land is subject to approval by the Native Land Board. . . . Administration is carried out by the Native Department. . . . Without being critical of what has influenced the establishment of these township areas, it is plain that there is an air of artificiality in their creation. . . . it seems unlikely to us that they will ever become thriving settlements in the foreseeable future . . . Of the five townships listed, only three have been developed to any extent . . . it seems obvious that one important reason why these three were initiated was because of their relative proximity to . . . main centres of European urban settlement (23, 13 and 11 miles from Bulawayo, Salisbury and Umtali respectively)". (Plewman Report, pages 55/56.)
2. (*a*) Native Urban Locations.
   (*b*) Native Urban Areas.
   (*c*) Native Village Settlements.
   (*d*) Railway or Statutory Commission Native Areas.

(*a*) Native Urban Locations ordinance made provision for the establishment of native reserve locations in or near urban areas (1906). The control and management of the area may be vested in the local authority concerned but "no land, building or hut, situated within the limits of such location shall be deemed to be a rateable property for the purposes of any local authority".

(*b*) Native Urban Areas: establishment provided for by Land Apportionment Act, 1941, inside or outside boundaries of a municipal council or T.M.B. for occupation and other reasonable requirements of Africans ordinarily employed within the local authority area and their families. Existing Native Urban Locations under the management and control of local authorities by proclamation are deemed to have been established as Native Urban Areas administered and controlled by Local Authorities or by Government; inhabitants have no voting rights on Local Authorities.

(*c*) Native Village Settlements: Crown land in the vicinity of a town where large numbers of Africans are employed, set aside by the Governor for occupation by Africans and their families. Administered by Government, but may have Native Council with Native Department's approval.

(*d*) Railway or Statutory Native Areas: land within or outside Local Authority area for accommodation of Africans and families in the employ of Railway or Statutory Commission.

The following comments from the Plewman Report are informative:

"It is clear from the summary of legislative policy relating to the rights of tenure of Africans on land set apart in separate areas in or in the vicinity of cities and towns in Southern Rhodesia that a permanently settled community has no real place in such area. The tenure is essentially one to meet the needs of the urban worker as someone distinct from the urban dweller. Employment is a pre-requisite to getting accommodation in all these areas except Native Village Settlements. The Commission concludes that whereas in the climate of the times when the legislation was passed mere occupation of premises may have provided an adequate sense of security to the occupier, the evidence it heard establishes on the contrary that occupation of premises on existing terms quite definitely now gives rise to a sense of insecurity". (Page 126.)

"To make provision for a stable urban population implies having an urban community in which married and single persons, old and young, can seek to establish themselves permanently in homes and in a way best suited to meet their changing requirements as individuals, families and community groups." (Page 128.)

"There is no doubt the African is looking for some measure of security in the new urban society of which he is becoming a part. What is important is that every encouragement should be given to Africans to become fully responsible and settled urban citizens." (Page 130.)

"A healthy urban population is in continual movement, a movement which arises from the fact that the occupational and age structure of the population are always changing, not only for demographic reasons but because as the community becomes wealthier the nature of its work changes . . . If houses are to be built by private enterprise there must be a proper market in house property. Every obstacle to the process of buying and selling restricts the market and the process of matching the demand with the supply of houses." (Page 131.)

"Home ownership provides a great incentive to saving as well as to pride in the maintenance and accumulation of property . . . It follows that the contraction or closure of opportunities for home ownership is a serious denial of opportunity and freedom. . . . The solution (to the problem of urban growth) lies in a determined effort to throw off those shackles which prevent Africans from becoming normal urban dwellers with the same security of property which is afforded to other citizens in urban areas. . . . Once the rights of Africans in urban areas are safeguarded in the same way as the rights of all other urban dwellers, a large part of what appears to be the housing problem will be solved through the normal channels of building activity and finance." (Page 132.)

"One of the basic principles of the Land Apportionment Act is the protection of African interests. It is possible to argue that this general public policy does not always achieve its objective in fact. . . . A protective policy involves restrictions on individual freedom of action and it should always be a matter for scrutiny how far the protection which it seeks to provide is obtained at too great a price." (Page 133.)

"The greater part of the labour which is employed is migratory and that is a system which operates against any substantial improvement in the productive efficiency of the labour employed." (Page 136.)

"We would urge most strongly that the question of the minimum wage should be considered not as a thing in itself nor as a means of bringing about some artificially conceived standard of real income, but as a part of a more general movement to provide the conditions of security which will encourage African labour to settle in industrial areas and at the same time promote the greater economic expansion of the country. . . . The possibility that excessive numbers might be attracted to the urban areas beyond what these areas could employ and accommodate may be a greater danger if it is due to economic deterioration in the non-urban areas, including the native reserves, than if it is due to conditions in the urban areas themselves. . . . An increase in wage rates does not always mean an increase in labour costs. If (such) increase leads to or is accompanied by an improvement in the efficiency of labour, there may be no increase in . . . of the labour employed". (Page 138.)

"There is room for experimentation so that private entrepreneurs might be attracted to the development of African urban areas or to financing such development. Suitable legislative adjustments would have to be made to permit this." (Page 140.)

"*The economic and social insecurity which daily confronts urban Africans, by reason of their inability to have any real rights to land in the towns, must be mitigated if they and all other racial groups are to benefit jointly from the modern economy.* Our conviction . . . is . . . that in *matters of administration the aim of policy should not be towards separation of urban communities on a racial basis* . . . and consider that some realistic approach to the problem must be devised for the future." (Page 146.)

"It was represented to us in evidence that the system of

* *Facts and figures given are supplied by:—*

Mr. Dodds and Mr. Cunliffe, Native Land Husbandry Administrative Officials.

Mr. Reed, Chief Land Officer (Native Affairs).

Native Affairs Information Service.

Mr. Johnson, L.D.O., Chinamhora Reserve (Marandellas).

Land Department and Land Settlement Board Officials (Federal).

registration prescribed in the Native (Registration and Identification) Act 1957 is basically a system of rural registration and that the effect of this is to perpetuate an official outlook that the African has no real home in towns. We think there is substance in the statement . . ." (Page 149.)

The foregoing extracts from the Plewman Report, if carried to their logical conclusion, can only lead to a recommendation, amongst others, to repeal the Land Apportionment Act. We consider that the only reason the Commission did not so recommend was because "it has acted on the assumption that the underlying principle of land apportionment between African and European is to continue as accepted public policy". (Page 133.)

Appendix II—Land and Land Settlement

Notes of Land Husbandry Act Southern Rhodesia

Act passed 1951.

First Guinea Pig Reserve (Chinyika) proclaimed 1953.

Every family of whom a member was cultivating land at the time of the proclamation of the area concerned is entitled to a minimum standard holding.

Holdings vary according to local conditions and rainfall, people in lower rainfall areas being entitled to larger land holdings and greater grazing rights than those in higher rainfall areas.

Act is Implemented as follows:

1. Aerial survey of whole Native Reserve areas (cost 2d. per foot).
2. Proclamation of implementation of Act. (It was found necessary to proclaim all areas at once to prevent exodus of town dwellers back to Reserves to stake claims by cultivating.)
3. Propaganda by Native Commissioners and staffs to persuade local inhabitants that the Act is advantageous to them.
4. Detailed study by experts of conditions in area: rainfall, soil, pasture research, forestry, arable versus grazing land, etc., number of beasts grazing areas can support. Boreholes sunk in dry areas. (3 miles apart.)
5. Assessment Committee appointed, consisting of:
   Provincial Commissioner (Chairman), District Commissioner and Field staff;
   Government agriculturist, land and animal husbandry and pasture research officers, local Native chief;
   If Native Council already exists it may elect a member to the Committee.

This Committee allocates individual holdings and grazing rights, Land Development officers lay out contours and direct farming operations once individual owners have taken possession. Grazing areas are in blocks separated from arable holdings.

The Land Development Officers and other staff are answerable to Native Commissioner. Any individual complaints lodged with the Land Development Officer, who in turn can protest to the Native Commissioner, District Commissioner and eventually Provincial Commissioner, if not settled. The whole scheme is under the Native Department and Minister of Native Affairs.

Minimum Standard Holdings laid down: (per land holder) (Single women, widows, etc., get proportionately less; these are married family allocations):

Rainfall p.a.	*Standard Holding Acres*	*Acreage for Grass Ley*	*No. of cattle allowed in grazing area*
Over 24 in. ...	6	2	6
20 in.–24 in. ...	10	3	10
16 in.–24 in. ...	12	–	15
Under 16 in. ...	15	–	20 (Cattle Economy)

Areas under 16 in. depend mainly on a cattle economy and many are over-grazed. Individuals are now being allowed to keep more than the standard number of head in return for payment of levies, which fees are used for improving the carrying capacity of the area.

In many areas there is not enough land to provide standard holdings or grazing; in Chiota, for example, a family may get only 4 acres of arable (including ley land, which under these circumstances is not put down to grass but intensively cultivated *ad infinitum*) and grazing for 2–4 head of cattle.

Wet Land Holdings: (where surface water is present, as in Chinamhora Reserve): 1 acre wet land = 2 acres dry land.

Acreages Available: Special Native Areas ... 12,878,000
Reserves 21,000,000

Total number of Standard Holdings ultimately available: 212,000.

People entitled to receive Standard Holdings: 338,000.

Unallocated areas: Nil.

Note: Factual information received from: Land Husbandry Operations Room—Mr. Dodds. Land Development Officer, Chinamhora—Mr. Johnson.

Appendix III—Land and Land Settlement

Extracts from Annual Report of Director of Native Administration, Salisbury Municipality, for the year ended 30th June, 1958:

Trading Premises:

Total number of businesses carried on by Africans from premises situated within the Council's area of jurisdiction at 30th June, 1958 = 229.

Trading from Dwelling Houses:

In addition to the above, a further 29 businesses are engaged in by Africans from residential premises. (Page 117.)

Schedule of Independent Businessmen:

Africans permitted to engage in businesses, trades or callings on their own account, and in respect of which certificates were issued during the year ended 30th June, 1958, totalled 512. (Page 121/2.)

(Of these 512, 179 are charwomen, 22 painters, 36 woodvendors, 22 street woodvendors, 10 Omnibus Service operators, 10 launderers, 10 taxicab service, 2 Ministers of religion. It must be presumed that the majority of these people work in the European areas as well as (or instead of?) the Native areas.) (Committee's comment.)

Two doctors of medicine, an advocate, and two free-lance journalists, all of them are possessors of letters of exemption, practice in the City without documents of this kind. (Page 121.)

Extract from Memorandum submitted by Charles Mzingeli (a Harare businessman) to the Select Committee on Resettlement of Natives (1959):

> "Critics of our proposal (to repeal the Land Apportionment Act) ask what would happen to traders in places like Highfield. We think that already the traders there are meeting stiff competition from Europeans who trade under the cover of Africans. African traders have stood remarkably well against this competition, and the same thing applies in Harare Township also."

This memorandum represents opinions of "some leading African members".

Appendix IV—Principles and Southern Rhodesian Territorial Policy

The Principles of the Party are:

To build a united nation of all our peoples under the Crown.

To eliminate the root causes of economic and political instability, of poverty and personal insecurity; and in so doing to eliminate the conditions in which the seeds of racial unrest can grow.

To remove from each race the fear that any single race might dominate for its own benefit.

To ensure for every inhabitant of the Federation the right and the opportunity to progress economically, politically and socially according to his character, qualifications, training, ability and industry without distinction of race, colour or creed.

To ensure that all the great freedoms which are acknowledged as fundamental human rights are accepted here as the rights of every inhabitant of the Federation.

The Southern Rhodesian Territorial Policy

Introduction

In none of the three territories of the Federation is it more important to apply these principles fully than in Southern Rhodesia, where the two main sections of the community have gone farther along separate roads than in the other territories.

To promote the rapid and diversified industrial and agricultural development which Southern Rhodesia needs it is essential to produce both political harmony and stability within the country and a highly productive labour force and large internal markets.

Only a party which will meet this national need on a non-racial and non-sectional basis—which will refuse to allow the national interest to be sacrificed for the benefit of individual groups or sections, whether financial or racial, white or black—can hope to produce these conditions and that measure of confidence overseas which will attract industries and loan capital on the scale the country requires.

The Central Africa Party is such a party, a party of and for all sections of the people. It is a party for Rhodesians in which there is no room for sectional nationalism, white or black.

This is the true meaning and spirit of the preamble to the Federal Constitution: where racial discrimination does not exist and every man is assured of equal rights and equal treatment; and where all sections of the community, instead of working against one another for their individual advantages at the expense of other sections, will work together for the peace and prosperity of the country as a whole.

Constitutional Development

The Party believes that an association of the two Rhodesias and Nyasaland can be of great economic benefit to each. It must be recognised, however, that in the face of the present widespread and often bitter opposition, Federation in its present form will not survive. Nevertheless, the Party believes that it will still be possible to build up a powerful association of the three territories provided each territory has substantial autonomy concerning its domestic affairs. The functions of the Federal government should be confined to

(*a*) those matters which must by their nature be dealt with at Federal level; and

(*b*) the provision of essential liaison between the three territorial governments.

The Party is firmly opposed to the removal of the reserve powers retained by the British Government until the government of Southern Rhodesia is sufficiently representative to ensure that any request for this full autonomy reflects the wish of the majority of the adult population.

The Party will press for a revision of the Constitution and a curtailing of the functions and powers of the Federal government.

Franchise

Parliament today in Southern Rhodesia is dangerously divorced from feelings and interests amongst the people which legitimately seek expression. The Party believes that there can be no stability, either political or economic, until the government is truly representative of all sections of the community.

To this end a substantial extension of the franchise—a real move towards the ultimate democratic ideal of universal suffrage—is urgently necessary. At the same time, in order to meet the fears of the minority now holding political power of the consequences of sharing it, the Party will entrench in the Constitution inviolable safeguards for the protection of individual and minority rights.

The Party opposes any special rolls and special qualifications. It will amend the franchise laws to introduce a common roll with uniform qualifications.

The present income and education qualifications, because they are applied universally to a country in which there still exist widely differing economies and wage structures and educational facilities, result in a completely unrepresentative government. In revising the franchise law the Party will introduce the following qualifications:

1. Citizenship of the Federation
2. Age of twenty-one years
3. Two years residence in the Federation and three months in the constituency
4. Literacy in English.

The failure of any significant number of Africans to register under the existing qualifications has been due largely to the difficulties created by the Electoral Regulations and by the Administration. The Party will amend the regulations and remove these difficulties.

Discriminatory Legislation and Practices

The Party's Federal policy states that positive steps will be taken to render illegal discriminatory practices, based on colour alone. in all places and establishments to which the public at large has the right of access or which hold themselves out to serve the public.

The Party in the territorial field fully supports this policy and will introduce the necessary legislation. In addition the Party will amend the whole body of Southern Rhodesian Statute Law to repeal all provisions which unfairly discriminate against any race.

Some of this discriminatory legislation is referred to in the various sections of this policy. The Party, in dealing with the subject in a separate section, wishes to underline the fact that, while it appreciates that certain isolated discriminatory provisions afford a measure of protection for uneducated and backward people, it regards as wrong and dangerous that such discrimination should be put on the basis of race rather than education or qualifications.

Examples of the many discriminatory laws which the Party will repeal are:

those which restrict free movement of persons;

those which prohibit public meetings without permit;

those which attach penal sanction to certain conduct by African employees which, on the part of Europeans, would be nothing more than civil breaches of contract;

those which restrict the type of liquor which may be consumed by Africans, the persons from whom they may purchase it and the places where they may drink it;

those which appear in regulations framed under the Municipal Act and other Acts dealing with local authorities.

Much of this discrimination infringes personal liberty to an unwarranted degree, and some is directly and quite unnecessarily humiliating.

The Party will abolish the Pass Laws. It believes that the registration of births and deaths should extend to the whole population. Until that stage is reached the Party will require registration at the age of sixteen of all those whose births were not recorded.

African Affairs

The Party regards it as wrong both in principle and in practice that, within the same sphere of life, separate departments should exist to administer the affairs of different sections of the community.

There are seven departments within the existing Department of Native Affairs. These can and should be absorbed into the various European counterparts, as was done with the Department of Native Labour in 1955.

The Party does not overlook that experts on African Affairs and customs will be indispensible in the various government departments; the elimination of the separate departments will, however, serve two important purposes: it will ensure far closer liaison between the various officials than exist at present; and it will reduce administrative costs.

The Party will encourage the setting up of rural councils, whose representatives will have direct access in the ordinary way to the appropriate minister.

Agriculture

The policy in this field is closely linked with that on Land and Land Settlement. The Party appreciates that African agricultural productivity must, for the sake not only of the farmer himself but also of the national economy, be raised very substantially from its present sub-subsistence level; but it appreciates also that little improvement can be effected while the vast majority of African farmers are limited to sub-economic holdings of inferior soil.

The Party regards it as undesirable that European and African agriculture should be under the control of different governments. The Party will press for all agriculture in each territory to be brought under the control of the respective territorial governments.

In the field of African agriculture, to which the territorial government is at present restricted, the Party will:

1. Extend the advisory services, by appointing more Land Development officers and setting up more experimental stations.
2. Abolish the present system of levies on African agricultural produce, and ensure that European and African farmers are treated alike.
3. Encourage the formation of co-operative societies for the bulk purchase of farm requirements, and for the more orderly marketing and more efficient production of foodstuffs.
4. Encourage local markets in all the large towns for the supply of vegetables and foodstuffs for the needs of the urban populations.

Land and Land Settlement

The retention by a small section of the population of the greater portion of the land is more than merely morally indefensible; it has given rise to one of the greatest and most pressing problems facing the country today, the over-population of the rural Native areas.

The Land Apportionment Act is a major obstacle to harmony between the races and to the development of the country's resources.

The main aims of the Party are:

1. *In the Rural Areas*
   (*a*) to relieve the present dangerous pressure on land in the existing Native areas by making available other parts of the country for use by African farmers
   (*b*) to encourage efficient development of farming lands and bring unused lands into use
   (*c*) to increase the size of poor soil sand veld farms to economic holdings and to encourage the maximum use of "better-type-soil" farms to produce intensive development without soil deterioration
   (*d*) to adopt a system of incentives, loans or taxation to ensure that underdeveloped land is made available for full development.
2. *In the Urban Areas*
   (*a*) to provide security of tenure of property for all inhabitants

(*b*) to establish a permanent settled urban community with reasonable standards of living and easy access to places of employment

(*c*) to reduce migrant labour to a minimum and increase the efficiency and productivity of the labour force

(*d*) to relieve the pressure on land in the rural areas.

To these ends the Party will take the following steps:

1. Repeal the Land Apportionment Act.
2. Render illegal racially restrictive clauses in transfer deeds and leases.

The repeal of the Land Apportionment Act will not affect the Native Reserves entrenched as such in the Constitution, but will release twenty million acres of the Special and Special Native Purchase areas from the present restrictions of the Act; when the rural African has advanced to the stage of no longer requiring special protection, an amendment to the Constitution will be sought.

The repeal of the Act will make it possible to apply the principles of soil conservation without the accompanying hardship and resentment now caused by attempting to implement the Land Husbandry Act in conjunction with the Land Apportionment Act.

The repeal of the Act will provide the legal basis for a sound system of tenant farming which could enable farm owners to derive revenue from land they cannot use, and enable persons to farm who would otherwise be unable to do so through lack of capital.

The Party will introduce all necessary safeguards to prevent any possible disruption of the economy of the country. Such safeguards will include the stipulation of minimum costs of houses in particular areas. The Party realises the necessity for a period of five years to protect the present tenants of rural and urban land and to offer to the sub-economic groups of the population every opportunity to continue in their occupancy.

Labour

Another of the greatest and most pressing of the country's problems arises from the disproportionate rewards which different sections of the labour force receive for similar work.

The rates of wages paid to the labour force have been established in the past by reference to the standard of living of the race of the worker performing each job, and not—as they should be—by reference to the relative skills of the jobs themselves. As a result there exist today two economies and two wage structures; the one containing a number of grades of unskilled and semi-skilled work which are paid at a rate above the economic worths of the jobs concerned; and the other containing, almost exclusively, grades of unskilled and semi-skilled work which are paid at rates very seriously below the economic worths—rates which are no longer adequate to meet the rapidly increasing requirements of a people in contact with a more advanced civilisation.

The depressed wage structure of the African labour force is the greatest single obstacle to the industrial and general economic development of the country. It prevents the growth of internal markets, and it prevents the creation of an efficient and productive force.

The main aims of the Party are:

(*a*) to ensure that every worker is able to maintain himself and his dependants at a reasonable standard of living

(*b*) to develop to the full the country's great labour potential

(*c*) to increase the purchasing power of the labour force and widen internal markets

(*d*) to ensure that all jobs are open to all workers, irrespective of race, who are qualified to do them

(*e*) to ensure truly representative collective bargaining within the framework of the Industrial Conciliation machinery.

To these ends the Party will take the following steps:

1. Ensure that there shall be established in every industry and undertaking, within a maximum of ten years, a single wage structure for all workers. The Party believes that the present level of wages of skilled workers is a sound level to which the wages of semi-skilled and unskilled workers should be related.
2. Amend industrial legislation so that every industrial agreement and employment regulation, and every other instrument of wage determination, besides laying down its current scale of wages on present standards, shall be required to set out a new single wage scale to be achieved within a maximum of ten years (subject to fluctuations in the value of money), and to set out also the steps by which the adjustment from the current to the new scale will be made by that date.
3. Amend the Industrial Conciliation Act so that the registration of a Trade Union for more than one industry will be permissible. Industrial Council representatives would continue to be elected by persons employed in the industry concerned.
4. Ensure that there shall be the widest possible facilities for apprenticeship and training within industry.

Social Welfare and Security

Social Welfare

There are several societies and organisations engaged in welfare work, and a great deal of excellent work is done. The Party feels, however, that Welfare services, both professional and voluntary, could achieve even better results if there were greater liaison between the various services, and if the public were aware of the help offered and how to take advantage of it.

In the fields of legal advice and aid there is a serious need. There are no facilities for free legal advice; and the qualifications for free legal aid for the purposes of a High Court action are so stringent that very few people can establish the necessary degree of poverty. In the Magistrate's Court no machinery exists at all for free legal aid.

The result is that many people with perfectly sound claims are unable, for simple financial reasons, to pursue them.

African Welfare is badly neglected. In the past, African tribal customs catered for these needs; a person in distress returned to his home in the reserves, where he was housed and clothed; relatives cared for the orphans and the aged. But the implementation of the Land Husbandry Act and the growth of a permanent urban African population has resulted in the security of tribal life disappearing, and there is urgent need for some other form of welfare to take its place both in the rural and urban areas, but particularly in the latter.

With these main aims in view the Party will take the following steps:

1. Legislate for the establishment of a co-ordinating Council of Social Agencies and for the registration of Welfare societies, which will be represented on the co-ordinating Council.
2. (*a*) Invite the Bar and Side-bar to co-operate in setting up Legal Advice Bureaux.

   (*b*) Review and amend the existing law to provide adequate free legal aid in proper cases.
3. Establish Citizens' Advice Centres, to be administered by local authorities in close liaison with the Council of Welfare Societies, the Social Welfare department of the government, and the Legal Aid Bureaux: these centres will act as "clearing houses" where people in need of help will be told where they can get it.

Social Security

At the present stage of Southern Rhodesia's development it becomes necessary to remove unemployed persons from the sphere of welfare societies and to set up a proper unemployment insurance scheme on a compulsory contributory basis.

There are therefore four aspects of minimum security for which good government must provide:

(*a*) Sickness

(*b*) Injury at work—Workmen's Compensation

(*c*) Unemployment

(*d*) Old Age pensions.

A major feature of the system envisaged will provide for the transfer of benefits on change of employment.

At present (*a*) and (*b*) and (*d*) are provided for inadequately in three separate ways, and (*c*) is not provided for. The Party believes that if all four of these matters were to be included in one composite contributory insurance scheme, far greater benefits could be provided in return for the contributions than are possible under the present machinery.

The Party therefore intends to examine, in conjunction with the Workmen's Compensation Commissioner, the medical profession, employers' and employees' organisations, government departments and other interested bodies, the cost, practical implications and benefits of introducing legislation for compulsory contributory security for the four contingencies set out above.

The Party intends that the scheme be operated through private enterprise, and that it should apply to people of all races.

Local Government

The rapid growth of Salisbury and Bulawayo has given rise to new problems of local government. The City of Salisbury, for instance, has surrounding it peri-urban areas whose population is larger than that of the city itself. These peri-urban areas make use of all the facilities of the main city centre, yet have no responsibility to it; the smaller municipalities on the other hand, without their peri-urban areas round them, are tight units.

It becomes clear that a new unit for administrative purpose

must be introduced to take into account the special problems of the larger urban areas. The pattern will then be:

1. The Country type of Town Management Board.

These will continue their administration under the existing Town Management Board Act.

2. The smaller municipalities.

These will continue their administration under the existing Municipal Act.

3. The areas known as Greater Salisbury and Greater Bulawayo, and any other that should in the future present a comparable situation.

These areas will be administered by "Metropolitan Councils", one of whose duties will be to levy rates for financing all local authorities in the area. Representation on the Metropolitan Council will be non-racial and through ward or township local elections.

Any owner or occupier (and spouse) of any premises which are rated in any manner by the Metropolitan Council (rates, electricity, water or sewage shall be deemed to be a rating) shall be entitled to vote. Also a nominee of any business venture so rated.

Town and Country Planning

The necessity for the proper control and planning of land use in urban and rural areas has long been accepted, particularly in rapidly developing countries.

However, delays caused by cumbersome procedure, unnecessary formalities and shortage of qualified staff have in the past created high land values due to a false scarcity of building sites, which has in turn contributed to the high cost of housing. The Party will remove these administrative difficulties and ensure that such a state of false scarcity does not recur.

The Party will extend the application of the Town and Country Planning Act to African townships in the reserves.

Housing

The main aims of the Party are:

(*a*) to ensure that there will be adequate housing, both in quantity and in quality, for the whole population.

(*b*) to encourage the maximum development of home ownership

(*c*) to ensure that even the lowest paid worker shall live under reasonable conditions.

To these ends the Party will

1. Furnish financial assistance, if private enterprise cannot meet the demand, to enable local authorities to provide houses and flats for renting.
2. Encourage low-cost housing, and co-operate with Building Societies and other finance houses to enable as many people as possible to buy their own homes.
3. Ensure that the planning of housing schemes and the standards of housing design, while naturally varying to meet the needs of different income groups, will be on a common basis regardless of the race of the occupants for whom they are intended.

Education

The Party believes that every person, whatever his level of academic ability, his race or his means, should have the right as a citizen to a free primary and secondary education of the kind for which is talents fit him, and the Party will aim at compulsory primary education for all children. This is fundamental to the raising of the standard of living, and to the development of a widely based democracy. To achieve these objects the industrial, commercial and agricultural skills of the African population in particular must be increased as rapidly as possible.

In the Federation there are many diverse groups of all colours who have little feeling of common nationhood and patriotism. The forging of a nation can be achieved in part through an education system which acknowledges common ideals and standards for all people. The present separation of education in all the three territories of the Federation into European, Coloured and Asian education on the one hand, and African education on the other, means that an opportunity for the creation of common bonds is lost.

The Party believes that the education of all the people in each territory should be in the hands of Education Boards in those territories, whose activities would be correlated by a liaison committee drawn from the three boards.

One of the most pressing problems facing the government in the field of education is the wide-spread incidence of illiteracy in the indigenous population. The Party intends to institute a massive drive to end illiteracy, and to this end the Party will study, and adopt where suitable, those measures which have proved successful in the newly independent countries of Africa and Asia.

Finance and Taxation

The Party and its Federal policy has proposed an amendment to the Constitution to enable a more rational division of income between the Federal and Territorial Governments to be made.

On the assumption that such an amendment will be introduced, the Party in the territorial sphere will be able to impose more equitable taxes than at present.

The Party will repeal the discriminatory poll tax at present levied on Africans. It will introduce a graduated tax applicable to all races.

The Party will abolish death duties, which produce little in the way of revenue and deter the introduction of private capital into the country.

Administration of Justice and Police

Administration of Justice

The Party will restore the Rule of Law and the status of the Courts of Justice. It will not permit detention without trial and allied repressive acts

The Party will repeal the Preventive Detention Act of 1959, and will review the security legislation and the administration of the Department of Justice to ensure that violence and intimidation of any threat to internal security will be dealt with speedily and effectively by the ordinary process of law.

Police

The Party will establish municipal traffic police forces in the larger centres, and so release members of the B.S.A.P. for their more important function, the prevention and detection of serious crime.

The Party will ensure both in the regular and reserve police forces that conditions of pay and service and opportunities for promotion to all ranks, including commissioned rank, will be the same for all their respective members.

Mining

To encourage and increase the efficiency of the exploitation of the country's mineral resources the Party will establish:

1. A drill core library, as in the U.S.A. Much invaluable information is lost to the country for the lack of any system of recording drill cores.

   The results of water boring will be included.
2. A Mining Court system to be attended by the miner, farmer, a Government Mining Engineer and Conservation official under a Natural Resources Board Chairman. This will ensure that miner and landowner meet to discuss development plans which they need not do at present.

The Party will investigate the establishment of Mining co-operatives on the lines of those now operating in Tanganyika.

Roads and Road Transport

The Party will co-operate with the Federal Government and other Territorial Governments to secure the proper co-ordination of all forms of transport in the public interest.

Irrigation

The Party recognises that the provision of large scale irrigation schemes presents tremendous problems of a highly technical nature. and that research is proceeding in an effort to solve these problems. The Party will continue to encourage this research and the development of water supplies; and will establish a Water Research Board.

Propaganda and Information

The Party believes that ignorance, prejudice and widely held misconceptions aggravate the friction between the main racial groups in the country. The territorial Information and Public Relations Organisation will make available to each section of the community through all available modern methods of communication, factual information on the achievements, customs and outlooks of other racial groups.

Particularly in the rural areas, the Party will ensure the widest possible dissemination of accurate information concerning day to day affairs, new Acts of Parliament and other matters of importance.

The Party will make the greatest possible use of mobile cinema units in order to provide educational material, relating for instance to agriculture, in the rural areas.

The Party re-affirms its belief in a free Press.

Oral Evidence

CENTRAL AFRICA PARTY

Federal Representatives:

R. S. Garfield Todd
M. A. Pedder } also represented Southern Rhodesia
A. Jaffey }

Southern Rhodesia Representatives:

R. D. Palmer
L. Baron
T. Ranger
P. P. Travers

CHAIRMAN: We are very grateful to you for coming to help us. I think a great number of my colleagues would like to ask you some questions. Is there anything you would like to add before we ask questions?

A. (MR. GARFIELD TODD): I have one matter in introduction and that is we regret, as a Party, that at the last Congress there were more non-European delegates than European and that we have with us this morning no actual African members, but the men who should have been with us committed themselves at the time the Monckton Commission was announced and have not been prepared to come. We have tried as a Party to support the findings of evidence and the presenting of evidence to the Commission. However, we cannot do anything more about it than that. We do recognise at this particularly important time that in so far as your report at the end manages to give some unanimity for important points then what we have regretted perhaps as a weakness in the structure of the Commission would in fact turn out to be a very great strength and we hope it may go that way.

Q. I think we all understand the reason for not having African members here.

I would like to ask one broad question before we begin. In the opening paragraph of your Southern Rhodesia part of the book you point to the importance of a close association being maintained between the three Territories which make up the Federation. May we just assume for the purposes of this question that everyone is agreed that the economic development of the Federation requires that there should be some close association on the economic front. The great problems arise as to the political front, but it has been represented to us by a number of witnesses that in their view, to use the language they use, if Nyasaland was firmly governed they think that the Federation, either in its present state or with some modification, would come to be accepted there; that what is wanted is a firm lead backed by force and I would like to hear what you say about that?

A. You say in Nyasaland a firm Government backed by force?

Q. If necessary.

A. You have not suggested the character of the Government.

Q. No. What has been said to us is this: Here is the Federation. It could go ahead, you need it on the economic front and it should have some political content in the Federal centre, and some of us have pointed out the difficulties of persuading the African majority in Nyasaland to accept the Federation in its present form or even greatly modified. They say all that is wanted is firm government.

A. I think in all the Territories for the Central Africa Party we would completely agree that force is not the answer, that our biggest problem today, and the real tragedy of the situation, is that the Government is not representative of the people. For so long they have had the acquiescence of the people, but now I am afraid it has not even the acquiescence of the people, and this, of course, is the central problem, so force is out.

Q. When do you reckon that they began to lose the confidence of the people?

A. I think you would have to take the Territories one by one.

Q. I mean Nyasaland?

A. I think probably at the time of Federation the Government had to a large extent the confidence of the people, but I think that the problems in Nyasaland were not so much the problems of the state of government, it was the problem of a Federal policy, and the Governor of Nyasaland and his men have had to face up to the problems which were not really of their own making, that as the call for Dominion status became quite clear, the African reacted very violently. From my own personal experience of the position in Nyasaland, by September, 1958, it was quite clear to me, in speaking to members of Congress and leaders of Congress that they had no longer any faith in the British Government as a protector of their interests against the whites in the Federation. At that time it was quite clear to me that having lost faith in the British Government, and being quite convinced that the Federal Government would be given anything they asked by the British Government, the people of Nyasaland, or at least the political leaders, had decided that they would have to take fairly strong measures and I was sure that in 1959, though I didn't expect it would be quite so early, that there would be definite trouble in Nyasaland as an attempt to bring the British Government to an understanding of the fact that the African people were not prepared to allow the Federal Government to get what was called Dominion status.

Q. Thank you. I do not know how it would be convenient to take this memorandum. I think the first passage to which I wanted to draw attention is in the Federal Evidence 4. "Territorial Representation and Franchise Reforms", para. 45, there is the sentence "the broad Central Africa Party viewpoint on this central question is presented elsewhere". Everyone, I am sure, has studied that, and you go on: "The Central Africa Party further insists that an urgent constitutional reform required in each of the territories is the introduction of a 'Bill of Rights', administered by our courts but with a final right of appeal to the Judicial Committee of the Privy Council". You know what is said sometimes about direction from 6,000 miles away. Do you think that politically it would be acceptable?

A. I would like to refer that question to Mr. Jaffey.

(MR. JAFFEY): It is our opinion that it would be essential to have a final right of appeal to the Privy Council, not because there are any grounds for a fear that our courts would not interpret matters fairly, but there might be a fear that that would be the case. Certainly if you try to administer the Bill of Rights which will largely affect the interests of Africans, the Africans will feel more confidence in the system if final appeal lay in the hands of the Privy Council which is quite impartial and has no axe to grind in the matter.

Q. You think by and large it would not be open to the very greatest political objection here?

A. We have appeal to the Privy Council even now, and as far as I know that has never been made an issue.

Q. I had some experience and similar suggestions made at the time of the Indian and Pakistan Independence, and they both regarded it as unacceptable to have appeals which both Prime Ministers would personally have been glad to see, because it looked as though it were a clog on their independence. I wondered if there would be objection on that score?

(MR. PEDDER): I think there obviously would be objection from a number of people here, particularly like the white nationalist element, if one can so describe them here, but we feel it is more important that this safeguard should be included than left out.

(MR. BARON): The suggestion is, it might be possible to consider instead of appeal to the Privy Council sited in London something on the lines of Lord Justice Denning's recent proposals, a more or less Circuit Court or something on those lines. The extent of litigation in this country is tremendous, and to consider from a practical point of view taking appeals to a constitutional Council is one aspect, but if a Privy Council were in this country from time to time it would be of tremendous assistance.

Q. Just going ahead from there, to paragraph 54, when you come to Territorial representation and franchise reform, "In Southern Rhodesia the introduction of a literacy franchise for adults would result in an estimated 25,000 Africans as well as several hundred other non-Europeans becoming eligible for the vote in 1960." Where does that come from?

A. (MR. PEDDER): It is and can only be an estimate. In arriving at these figures I went to Government sources on this to find out numbers, but on the basis of a literacy franchise which would be roughly equivalent to primary education in English language, the number of those people who could be estimated to have passed that standard, one just had to apply various other factors, age factor, etc., and we arrived at what can only be a guess. In recent times Salisbury Municipality has done a sample test of the African population here and the figure that they reached was very near this one, in that they reached a figure of 20,000 people in the major urban areas, Salisbury, Bulawayo and Gwelo, leaving 5,000 for the rest of the country. We might be wrong by a thousand or two.

Q. And in the same way I suppose 7,000 a year likely to be added was arrived at?

A. Yes.

Q. An informed guess, but it checks up?

A. Yes.

Q. That leads up to this. It is extremely unlikely that racial parity between Europeans and non-Europeans would be achieved in less than ten years—a similar estimate?

A. That is correct, Sir.

Q. I think we might want that as a footnote in our minds.

A. (MR. TODD): That is not significant for good government, but significant only to people who are not prepared to face the situation.

Q. I just want to draw attention to paragraph 59, where you will see in (2)—Recommendations on Franchise—there should be a common voters' roll for Federal elections with no special seats; the qualifications for the Federal franchise should be those pertaining in the Territory in which a voter resides. Of course one fully understands the earlier part why you have point (1). Would you like to develop point (2) a little, the qualifications should be those pertaining in the territory?

A. We would have liked to have seen abolition of Federal franchise as such and just maintenance of three Territorial laws and the three Territorial rolls. To put it one way, the embarrassment of finding that the local Government has decided that 10,000 or 100,000 people should have the vote and publicise the names of those it agrees should have a vote, and then finally the Federal Government says No, 80% of these only can have a vote on the Federal B roll and so on. I think that is quite an impossible situation for any self-respecting Territorial Government to find itself in.

Q. In paragraph 47, you say in the third line: "It will be necessary for each territory to have equal numerical representation." I

imagine that might be rather a prickly one. What you are saying, I suppose, is in each of the territories there is approximately similar population, it is very difficult to justify thirty for the two Northern Territories as against twenty-nine for Southern Rhodesia in those circumstances?

A. Yes, and if the Federal sphere had fewer responsibilities, the few responsibilities of Government left in the Federal sphere, the easier to get agreement on a fair and more equal representation in the Federal House, but the more important thing is the Federal Government is in the life of the people and the more powers it has in general the more difficult it is to get the Territories to agree to anything like equality of representation.

Q. They say, I suppose, you have power over a person, and if that is going to happen, we want a bigger share?

A. I think it is economic power to a large extent of the Federal Government, and if the big proportion of the Southern Rhodesia Government held a big proportion of the economic interests in the Federation, in some ways you can see a justification along certain lines for the attitude they take. The line is general. "These are our holdings, we are the ones who have so much to lose, therefore we should have a larger say in the Constitution".

Q. The argument that has been put on the other side is that it is not merely a question of counting heads to see what the proportion should be in the Federal Assembly, but the wealth produced or the economic strength.

A. Of course, we are concerned particularly to see a viable solution. We do not think Nyasaland is likely to co-operate unless they see a much greater determination to have a reasonable equality of representation.

(DR. RANGER): That applies also to the question of the Territorial franchise as being used for the Federal franchise. It occurred to us that if Nyasaland advances to responsible government at Territorial level, the Nyasaland Government would find it intolerable to have a much more restrictive voters roll to elect Nyasaland representatives to the Federal House. The main thing is that it should be at least as wide as the Territorial roll. This is one easy way of ensuring that.

Q. In paragraph 70, talking about immigration opportunity, you suggest that those whose presence "would deny advancement to our own people" should be disqualified. Would you enlarge on that?

A. (MR. GARFIELD TODD). We have had a good example of that in the way in which some very uneducated and low-class Italians have been brought in to become firemen on railway engines. Obviously our own people could have done the job just as well.

Q. Africans are being denied employment of this kind, and the Italians, while being no better, are being employed?

A. That is in fact what happened.

(MR. PEDDER): This applies not only to Africans but to Coloured people too, who are also being denied opportunities to work, and start factories and businesses, and so on.

Q. Dealing now with the Southern Rhodesia Territorial evidence, in the second paragraph you say that if the association were broken up, probably Southern Rhodesia would be the greatest loser. Would you enlarge on that?

A. (MR. PALMER): If Southern Rhodesia were to secede from the Federation or if the Federation was to break up, the immediate result would be a very severe recession in the economy of this country. As a result of that there would be a large amount of unemployment. Obviously there would be very difficult conditions with regard to African employment. Therefore the difficulty before the country would become continuously greater, until we could re-establish ourselves on our own economy. At the moment we benefit considerably from revenue from the Copperbelt. We should lose that, and any break-up of the Federation would mean that the national debt of Southern Rhodesia would have to be allocated to the governments; and that would be a millstone round our necks.

Q. Nyasaland, of course, would stand to lose a bit, apart from its revenue deficit being annually supported.

A. It would, but as a Crown colony and under British protection it stands a much better chance of being helped out than Southern Rhodesia.

(MR. GARFIELD TODD): But surely they all stand to lose. There is no doubt that strength still lies with union. On the long-term view, each territory would lose.

Q. If the Federation were broken up, do you think the Nyasas who come down here now, or go further south, to work would find it more difficult to get work here?

A. I do not think so, because not so long ago we had 600,000 African workers in daily employment, of whom we could only find about 300,000 under our conditions at that time. We simply could not get enough labour so we brought in Portuguese and people from Tanganyika. Recently, of course, we have had this quite considerable depression, and for the first time for many years we have a surplus of labour. If the Federation is to go ahead at all, we are obviously going to need the labour from Nyasaland, and it is obvious that Nyasaland is going to have spare labour for many years to come.

Q. Somewhere in the memorandum you have referred to the importance of there being freedom of movement. Is there any reason why, if Federation ceased, and freedom of movement were stopped, the Nyasas might find themselves in difficulty?

A. We would be only too glad to have their help if we needed it, but if Southern Rhodesia went into a period of economic depression because of what happened, obviously the first people to go home would be the Tanganyikas and the Portuguese, followed by the Nyasas. One has to recognise that many employers here have had Nyasaland labourers and clerks for many years, and it is not a case of whether he is a Nyasa, but he is a man in his own right, and is a very good servant of the firm: naturally they want their own men.

(MR. PALMER): A large number of Nyasas are prepared to work on farms, whereas the local Africans are not keen on this work. If there was a shortage of labour the farmers in this country would insist that the government of this country should not deprive them of this labour.

Q. There is a real need, not only for labour, but for their labour?

A. Yes, and as regards the prospects of Southern Rhodesia if Federation broke up, industrial expansion and so on, the country cannot exist without it, and industrial expansion cannot take place unless you have a market. That market lies in Northern Rhodesia and Nyasaland as much as in Southern Rhodesia itself; so that to cut them off from us would be quite disastrous.

Q. Whatever may be the economic weakness of Nyasaland at the moment, when you come to borrow, as you have borrowed, any large sums, you would want to try and have the security of the larger and not the smaller unit?

A. (MR. GARFIELD TODD): It would be difficult if we started to come down from Federation to single states.

(MR. BARON): One of the ways in which Southern Rhodesia will suffer if the Federation broke up would be that she was intending to pursue a policy of continued white supremacy, shall I say. If the Federation disintegrated, that would mean the Northern Territories would be moving towards responsible government in their own spheres and the sort of government which could borrow and be able to lend money as re-invested capital from overseas, but the very fact that Southern Rhodesia were to secede would mean than in Southern Rhodesia the trend would be the opposite. We would be moving in the direction of South Africa. That would make the ability to borrow money for necessary expansion and industrial development more and more difficult. So, independently of any other consideration, we would begin in an economic recession, from which it is difficult to see a recovery. Until the economy of Southern Rhodesia is based on the whole population and not merely on the white population, the recession is going to continue and grow worse.

Q. In paragraph 8, referring to the Land Apportionment Act, you talk about a repeal. Is it desirable to repeal it *in toto*?

A. (DR. RANGER): It is the Territorial policy of the C.A.P. to repeal the Land Apportionment Act, but to take certain steps to ensure that there shall be no dislocation. I have here a report of the sub-committee which made the recommendations upon which our policy is based. As far as the rural areas are concerned, it is suggested that present occupiers and people entitled to holdings in the special native areas and purchase areas—the reserves, as you will appreciate, are not affected by the repeal of the Act—should have first option to purchase economic-sized farms in these areas for, say, five years at the current purchase price of ten shillings to one pound per morgen; and thereafter free sale of economic units would be permitted. In other words, for five years there is no possibility of an invasion from outside into those areas.

Secondly, the establishment of a Land Development Trust should be made to provide funds which would enable the purchase by the Trust of economic-sized holdings for resale or rental to approved farmers; for loans for farming development to approved farmers; initial financing of co-operative farming and market projects; and also the establishment of trust-owned co-operative farms designed to be self-supporting training schools and research stations. By advancing loans to approved farmers, qualified farmers who have not the capital to invest or to buy land, this would overcome the difficulty. We have also discussed in the party the possibility of imposing a tax on unused land that is privately owned. But I think it would be wiser to omit mention of that at present.

The government should have the right to declare that badly farmed land can be put out of cultivation for specified periods, in order to conserve and improve soil conditions. Land settlement and agriculture should be brought under Territorial Government control, under one department; and land agricultural officials will be responsible to that department. Those are some of the various ideas which the sub-committee thought would have to be intro-

duced. That is just in brief. There is a set of similar things for the urban areas. It is suggested that present leaseholders in native village settlements will be given first option to purchase land in those areas for a period of five years at a reasonable price (say £10 per acre). Proceeds from the sale of such Crown land would be invested in the Land Development Trust, and after five years resale would be unrestricted. That would affect Highfields, for instance.

Local authorities would be declared responsible for establishing and financing sub-economic housing for members of all races, and present urban locations and native urban areas would be classified as sub-economic schemes. That would mean that the City Council would be responsible for the housing in those areas, and there could be no question of sale to speculative builders, and so on.

All persons paying rates, including water and electricity, in local authority areas would have the right to vote for local authority representatives. Areas outside the present local authority jurisdiction as, for example, native village settlements, would be administered by T.M.B's responsible to the Local Government and Housing Department—not to the Native Department.

Trading licences would be allocated by local authorities, and refusals to grant licences on grounds of race alone will not be permitted. Aggrieved applicants will have the right of appeal to the courts. There are other things also mentioned, such as the repeal of all pass laws, and some kind of attempt to make restrictive clauses in private leases impossible.

(MR. TODD): As with any party, there are differences of opinion; and in our party there are too. I would like to put one other point. In connection with the sub-economic housing schemes, a number of us feel that if the economics are right and wages are right there is no need for sub-economic housing in general, but it is so difficult to get things clearly in one's thoughts. One thinks against the present background. If we had a new background we should not need this provision.

(DR. RANGER): In the immediate future we want to repeal the Act —that is against the present background—it would be necessary to take these measures.

CHAIRMAN: On the constructive side, one has got in mind presumably the constitution and the requirement of trying to get the inhabitants you describe there as soon as may be into a position where they have responsible government. That is part of your policy. Are there changes of a fundamental nature in the division of functions between the Territories and the Federal centre which you suggest be made?

A. It is suggested there should be a re-distribution immediately from the Federal Government to the Territorial Governments of those areas which are politically sensitive. I have already mentioned agriculture. Another obvious one is education. Those are the two most important. In addition, the party suggests there should be various non-governmental corporations. Education, for example, is going to be controlled not by the Territorial Government but by an educational foundation or commission, and the same is true of health; but the control of these two would be removed from the Federal sphere.

Q. It would not then remain on the Territories without the creation of some commission—they would go Territorial anyway?

A. (MR. TODD): In paragraph 16 of the Federal evidence, at the beginning of our memorandum on constitutional issues, there is a general statement on the line we would take. We feel we have to find out what is acceptable to the people. This memorandum puts it strongly, and would go so far as to say—in paragraph 24—"The original conference which drafted the constitution underrated the opposition and by creating a powerful central government augmented those fears. Had we been content with a demonstrably innocuous government then, it might have been possible to add to its powers now".

Here, I may say in relation to this that the African members of the party have co-operated fully in preparing the evidence. The committees have been non-racial and representative of all races. I think that if there had been the power generally in the central government and if the central government had done the right thing and produced the conditions that we would have liked there would have been no difficulty in winning over the confidence of the African people. But we had a strong central government which became very unpopular, and things were made very difficult. Faced with this experience, we are, almost by force of circumstances, swinging to the other extreme and saying we must get down to the maximum which can be agreed as to satisfactory representation for the three territories.

It appears to me that if things reach the point when the Central Government no longer has any power at all, you may wreck the whole thing because it is quite innocuous; so I agree with the statement as it is put there. Whilst we feel that agriculture, education, health and so on might be taken from the Federal Government and either put to commissions or Territories, the important thing is to gain the confidence of the people. It is because of what has happened that we are now swinging away from the old line; this is to make it politically acceptable to a large extent. I think we would all say, in our party, that in principle the Central Government is too strong. There are some of us who would go even further than we would like, because we feel the position is now prejudiced, and we have to go even further than is perhaps desirable in order to get the confidence of the people. At that point, provided you do not sacrifice all your powers, you can then build up again, with the agreement of the people after they have had experience along certain lines.

Q. If, between 1953 and now, the Federal Government had established the confidence of the people you could have gone forward at once? You may find that if you do more than you think desirable you will be able to build up afterwards, when confidence is re-won?

A. Yes. I feel myself we should not go beyond a certain point where it is not viable. Then there would be sound arguments for not going forward with this sort of Federation, because it cannot deliver the goods.

Q. Have you any considerations in detail, apart from agriculture, and health and education, as to a transfer of functions?

A. (MR. PALMER): No, we have not gone into detail, but, of course, agriculture was Territorial in the old days, we imagine it would be merely a transfer of those functions back to the Territories. With regard to marketing, we appreciate it is quite essential that it should remain Federal, because it is obviously essential to co-ordinate all the products of the territory. As far as the productive side of agriculture is concerned, it means it should go back to the Territories and a non-racial system could be introduced, which cannot very well be done if agriculture remains Federal.

(DR. RANGER): The same is true of education. There is a barrier at the moment in the division between European and African education.

(MR. PEDDER): The difficulty is the question of timing. The longer the present deterioration is allowed to continue the more powers will have to be left. Our difficulty is to say exactly what power should be transferred at any one time, as against the background of what is going to come out of these recommendations. What may be valid for this month or this year may no longer be valid next month or next year.

Q. Have you considered to what irreducible minimum it should be broken down to?

A. (MR. TODD): Yes, we have a difference of opinion on the taxation side. If one is to reduce the size and affairs of the Federal Government then the finances of the Territories will be stronger. They will have more responsibilities; but whether they will collect the taxes and hand on their necessary quota to the Federal Government, or whether the Federal Government should continue to collect taxes, we are not sure. One cannot just visualise the set-up that will evolve. External affairs, defence, post and telegraphs, communications—those are so obviously Federal subjects that one could not take them away on any political argument. In general, we believe as a party that it would be reasonably determined by experts, as to which things cannot be efficiently looked after by the Territorial Governments.

Q. I suppose mainly economic things would be in the Federal sphere?

A. We are worried about that. This worries the Nyasaland people, with reason. They feel that an independent development corporation, set up by the Federal Government, is automatically manned by people largely from Southern Rhodesia, and while one must take into account the full economic facts, and one does not want to set up industries in Nyasaland just for the sake of doing that on a sub-economic basis, on the other hand it is very difficult if Nyasaland does not have a bigger say in things. For example, there was the possibility of setting up a cotton spinning mill, and there was a pretty strong claim for it to be set up in Southern Rhodesia. So many of us would have been concerned with the decision that it could well have come here; but there would have been strong arguments with us to how it would be set up in Nyasaland.

Q. What about the seat of government? Do you think it is possible to conceive moving the Federal capital from Salisbury?

A. There are many arguments in favour of that and if, for example, you were cutting down the responsibilities of the Federal government considerably, it could be done much more easily. If you were considering the removal of its present accommodation and civil service, and so on, it would be very difficult. We have to recognise that very deep prejudices have now been established, and we have to go a long way, even going as far as spending what may seem to be unnecessary money and going to perhaps unnecessary trouble in the eyes of some people. I think the removal of the capital should be considered.

(MR. BARON): The physical moving of the Federal capital at this stage would not have a tremendous effect. I do not know enough about feelings in Northern Rhodesia and Nyasaland, but I believe the objection to the Federal Government is not that it is in Salisbury

and decisions are taken so far away from Nyasaland and Northern Rhodesia, but that the Federal Government, simply because of its proximity to the Southern Rhodesian Territorial Government, is regarded merely as an extension of it. That is just an impression one has, but I do not think that physically moving it would be important if, in fact, its functions were administratively limited so that the various territories had substantial autonomy in their domestic affairs.

Q. If you were making considerable changes in Federal power, I wonder whether it might not be psychologically good, removing suspicion of the domination of the south?

A. (MR. TODD): I think that six million people would say yes.

(MR. PEDDER): This comes under the heading of justice being seen to be done, I think.

SIR DONALD MACGILLIVRAY: Referring to paragraph 36 and the following paragraphs with regard to constitutional safeguards, you have proposed that legislation, both existing and intended, of certain natures should be outlawed by provisions in the constitution. You suggested there should be a commission of five persons, none of whom were citizens of the Federation or domiciled here, to be appointed by the Secretary of State. Is that commission to deal solely with applications for extension in time of discriminatory legislation?

A. (MR. TODD): You have probably heard of Mr. Hardwick Holderness. I was hoping he would be here this morning to give you his personal evidence, but nevertheless the Commission may be able to see him in London because he is going to be there. If it is possible for you to hear him, I would recommend that he be called for oral evidence.

(MR. JAFFEY): The object of the memorandum is to outlaw all future discriminatory legislation, and also to automatically invalidate the existing discriminatory legislation. Perhaps some of the existing legislation is advantageous to the country as a whole, and the idea is therefore that we should have some outside body, unconnected with the Federation, to decide whether it is, in fact, advantageous. The sort of thing we have in mind is the land laws. You cannot, without any qualification, abolish the Southern Rhodesia Land Apportionment Act; and it applies even more so in the Northern Territories. Difficulties might also arise about education.

Q. The Commission would not itself decide what is or what is not discriminatory?

A. That is a question of definition. It is not difficult to solve. Any legislation which makes reference to one section of the population as against another would come in the category.

Q. Certain legislation has to be discriminatory, and will always have to be so, because of different communities. The essential thing is to decide whether it is unfairly discriminatory and operates to the disadvantage of one community; it would be up to the commission to decide whether legislation was, in fact, operating unfairly or fairly.

A. Yes.

Q. You propose there should be no expropriation, save with just compensation. Who is to assess what is just compensation?

A. This applies to future legislation, over which this commission would not have any jurisdiction at all. This would be decided by a court of law of the Federation, and eventually by the Privy Council.

Q. In sub-paragraph (5) of paragraph 43 (Proposals), you say that the Federal Supreme Court would have jurisdiction to hear and decide any matter arising out of any contravention or alleged contravention of sub-paragraphs (1), (2) and (3). I take it that it would be the Federal Supreme Court which would decide whether legislation was or was not of a discriminatory nature and therefore should be barred, or not; and also that the Federal Supreme Court would decide whether there had been any contravention.

A. Quite, without appeal from the Federal Supreme Court to the Privy Council. That is in the next memorandum.

(MR. BARON): The intention was to suggest that the Federal Supreme Court should have jurisdiction in the first instance over matters of this kind, but it was not intended that the Privy Council should not have a right of appeal. My own view is that it is not going to be practicable for the Federal Supreme Court in the first place to have jurisdiction over all matters. I can visualise certain disputes, particularly on the criminal side, which would normally go first of all to the magistrate's court, where a defence might be raised on a constitutional issue. I think the machinery is going to be somewhat cumbersome. I do not think it is fully enough stated, but it is really a matter of mechanics only.

(MR. JAFFEY): This commission will have no jurisdiction over future legislation. That will be a matter for the courts.

PROFESSOR CREIGHTON: On the same point, connected with this Bill of Rights you have attempted to prevent discriminatory or prejudicial or confiscatory legislation, and your method of doing this is by a Bill of Rights with certain limitations on the sovereignty of Parliament entrenched in the Constitution; and these are to be enforced by the courts. You have abandoned all attempt to prevent such legislation—that is correct, is it not? You permit your Parliament unlimited rights, and then the individual or the afflicted person will seek redress against this, basing his appeal on the Bill of Rights. The courts, in due course, will declare it valid or invalid, according to the Bill of Rights: but you make no attempt to stop this legislation at the beginning by a special Federal institution—or a Territorial institution—which might hamper, delay or stop this legislation altogether.

A. (MR. TODD): We have experience of the African Affairs Board, if that was the sort of body you were thinking of.

Q. There might be other bodies.

A. If they were of the same nature, they would be just as unacceptable.

Q. But they might be different. Have you considered the possibility of a Senate or Upper Chamber?

A. We have considered it, but we have not found a great deal in its favour, under present circumstances anyway. For example, the Southern Rhodesian Prime Minister's idea at the moment of substitution of a Senate for the restrictions in the constitution, I think, would be quite unacceptable for the people, because they want to control the legislature—two or three Africans or two or three Asians in a body which can only delay, we do not really think is good enough.

Q. This is just a suggestion. Suppose you had a Constitutional Council or Council of State which would have to deal with some of these matters, and discriminatory legislation in particular; and suppose you put that to the authority of your Territorial Governors, do you not think this might be the more effective method of preventing the kind of legislation you have in mind?

A. If the Territorial Governors today set up any body of that kind, it would be quite unacceptable, because, for example, the Governor of Southern Rhodesia takes his instructions—not recommendations—from his Cabinet.

Q. You think that, in fact, the politics of the constituent territories of the Federation would prevent that being a really non-partisan body?

A. Yes, automatically.

Q. This would not be true of the two Northern Territories at present.

A. I am not so sure of that. Perhaps in Nyasaland it would be more acceptable. In Northern Rhodesia I do not quite know what power the government or the executive has over the Governor, or whether it has any power whatever. So you would want to be quite sure that the Governor's recommendation, as far as personnel was concerned, would be acceptable to the African people.

Q. You think the provision in the Statute ought to be at the personal discretion of the Governor and not, in fact, binding?

A. It would be no use in Southern Rhodesia, from my experience of Governors here.

(MR. JAFFEY): We think that to entrench rights in the constitution, and to leave it to the courts, is by far the best way because the Constitution will say "You cannot to something or other", and if Parliament tries to do it it is prohibited from doing it because the courts will prevent it.

Q. This is a relatively new kind of development in the Parliamentary system?

A. It is traditional in America, is it not?

Q. But not in the parliamentary system. You are relying on something, and this is putting a burden upon your Courts which they have not so far been called upon to bear.

A. It is quite a common situation with regard to the division of powers in the Federal sphere.

Q. Yes, indeed, but not in this other sphere. I wonder whether you would not strengthen your case by trying to devise some kind of body which would prevent or delay the kind of legislation which you have in mind.

A. (MR. TODD): I think there is something to that. If the governments were representative of the people, the suggestion for example that Commissioners and so on should be set up by the Secretary of State or whoever it might be, is by no means ideal. We look forward to the establishment of governments that will really represent the people at this point. If the governments represent the people, then their nominees to a Council of State would be acceptable to the people in general. The courts still are, I am glad to say, and so we turn to the one body which still stands in high estimation of the people.

(DR. RANGER): Such a body as is suggested would in itself be something of an innovation in the modern parliamentary system.

MR. JUSTICE BEADLE: Is not one of the weaknesses in your statement the possibility that an illegal law might remain in force for

years and years before it was challenged. As an example, there was a bye-law in Bulawayo that Africans could not walk on the pavements, which was quite illegal. That was in force for nearly 30 years before someone took it before the courts, and then it was ruled that it was illegal and was set aside. Are you not afraid of that happening in your system.

A. (MR. JAFFEY): Yes, we are. But as far as your point is concerned, if there are in the constitution specific clauses which say that such and such a law is illegal, a law could not go on being a law of the land, because people did not realise it was illegal, I appreciate that it happened in the past, but it was a case of bye-laws *ultra vires* and not obvious to the public—not obviously illegal; whereas if it was in the constitution the idea of going to the courts would come very readily to the persons concerned.

SIR LIONEL HEALD: Is it not most undesirable that the courts should be involved in politics?

A. Most undesirable.

Q. Do you think the judges might be extremely unwilling to undertake this kind of task?

A. We hope it would not be a political task. If you define your prohibitory legislation in the constitution sufficiently closely, the court's duty would be simply to see whether a piece of the constitution is illegal or not. They would not have to go into whether it was desirable or not or fair or not: it would simply be their task to go into seeing whether it is valid. I agree it is not an easy thing, but one would try to make it as unpolitical as possible, and at least the judges would not have any political affiliations.

Q. But you do agree it must be guarded against. On a political point, I would like to know the real view of your party as to the practicability of maintaining Federation, and the form in which it should be maintained. In your printed document entitled "Principles and Federal Policy"—is that the present "Bible" in which one may find your party's principles? In other words, if someone wanted to join your party, would they look there to see what the intentions were?

A. (MR. TODD): Yes.

Q. There is no suggestion there that you are contemplating any substantial change, far from any break-up, in the set-up of the Federation. For instance, Section 2 says "The party will oppose any substantial increase in the constitutional status of the Federation . . ." There is no suggestion of any decrease. Therefore, if I was interested to join your party I would assume from this, on the face of it, you are not concerned with any substantial changes in the set-up.

A. (MR. TODD): In the first place I would ask you to take the four policies and to take them together. There are two of them in this particular folder. I think it would also be right to read the whole policy through and get the general distillate. For instance, the whole of those three paragraphs under (2) show we are really going right ahead on the present Federal set-up, but we also recognise that while we faced the situation as it actually stood, we realise that if the British Government is going to go ahead and consult with responsible governments in the Federation there are going to be wide changes. We have not endeavoured to foresee what they will be. In actual fact the evidence before your Commission is much more recent thinking of what may happen to the Federation as such; but it is true to say we would like to see the economic unit kept right, and in the same way to get the political situation to the point when people will feel it is their Federation—and it will in effect be their Federation.

Q. Although you have told us you are in favour of the transfer of these very important functions of agriculture, education and health, there is nothing about that in the pamphlet.

A. (DR. RANGER): If you look at the Territorial party booklet at the end of the evidence, which was adopted much more recently than the Federal policy, you will see under the heading "Constitutional Development" a similar statement to the one made this morning—"The party believes that an association of the two Rhodesias and Nyasaland can be of great economic benefit to each."

Q. I was referring to the Federal, of course. Looking at your present Federal memorandum, paragraph 19, you make a strong statement there: ". . . the implacable hostility of the African population to this Federation is all too apparent in the two protectorates. So great is this hostility and fear that the very word 'Federation' has acquired a potent emotional content and any scheme with this label would be rejected by Africans without further examination." That is a very difficult picture, is it not?

A. (MR. TODD): It is, but you must realise we have had an emergency and many other things happening in the last year, and this is an up-todate statement in the light of recent happenings. What is actually meant by *this* Federation, I would like to make clear. One is more concerned there with the political situation than with the powers of the Federal Government on economic lines, and so on. *This* Federation, to the people of Nyasaland—and I have been speaking to some of them—is a Federation in which they have no adequate representation. When one says the peoples of Nyasaland, one is speaking of almost all the people there. They feel this Federation is not their Federation, but if it were they might want many of the same powers to be held by the central Government. Psychologically, no doubt you would have to change the word to "Association" or "Commonwealth". But in speaking to many African people in all three Territories about Federation one finds the objection is not the Federation—they are quite prepared to have it between Nyasaland and Northern Rhodesia or between Nyasaland and Tanganyika—but they do not want a Federation, which they feel is one governed by a white government. the seat of which is in Salisbury; so it really comes down the colour bar and white domination. That is what we mean by *this* Federation.

Q. In paragraph 24 there is an even stronger statement: ". . . hostility to Federation cannot now be removed by any minor modifications or by merely adjustment of functions between the Federal and Territorial Governments. The entire Federal concept must be examined anew". That is rather a general statement.

A. I would myself take that out. I know what is meant by it, but not as actually put there. The entire Federal concept, of course, would mean the whole idea of a union of any kind between the three Territories. What is meant there is that the situation at the moment is so unacceptable to African people that you have to look at it from the point of view of who is going to vote, who is going to be at the constitutional conference, what rights there are going to be in the constitution, and so on—all of which could actually be fixed up without changing the Federal functions.

Q. In paragraph 45, you say that the broad Central Africa Party viewpoint may be summarised as a belief that the Federation in its present form cannot continue except by force of arms, and then only for a limited period.

A. Yes, that is our view. We think that under the present situation the Federation is held together at the moment by force of arms, and we were very much criticised a year ago when we were asked the direct question by a Nyasaland detainee here in Salisbury as to whether the Central Africa Party would be determined to maintain Federation somehow or other. This African elicited the answer that if it came to the point that if the only way to maintain Federation was by force of arms then it was quite impracticable and one would have to dissolve the Federation, because you could not foresee holding a Federation together year by year by force of arms.

Q. Assume therefore you are going to have some form of Federation, perhaps a looser form, everyone agrees that if we are going to maintain anything of that kind there must be economic co-operation: otherwise this whole thing will be disastrous. To what extent is it practicable to have an effective economic co-ordination without central political power?

A. There must be that. It is a case of defining how wide that power has to be, but taking a body such as the East Africa High Commission, for instance, it would not be satisfactory in Central Africa, in my opinion.

Q. Going back to paragraph 19 and the "implacable hostility", is not the real difficulty there? Could it not be said it is impossible to remove that merely by altering the label?

A. I quite agree. The last thing to be done, after you have made all the right changes, just as you hand the document over is to change the label. It is not the first or the important thing at all, psychological importance.

Q. But you have that in mind?

A. All the fears and prejudices, and so on, that have become associated with the word Federation would largely remain if the name remained.

Q. In such a concept of a Federation which was essentially economic, with some political control, you would regard a Federal Assembly as an essential part of it?

A. If you were going to have political power centralised, I would say there must be some Federal Assembly. There must be a coming together on the political field of the representatives of the three territories. The idea of the Central Africa Council we have had experience of, and it would not be at all useful from the point of view of launching the Kariba scheme, for example.

Q. Why did it not work?

A. I was not a member of the Central Africa Council, but the general feeling was that the representatives of three territories came together with all sorts of good ideas, but they had to go back and put those ideas to their parliaments. There was not enough cohesion among the people of the three Territories. There was the Colonial Office in the north and the Southern Rhodesian Government in the south: so they found it very difficult to get their plans implemented.

MR. ELLMAN-BROWN: I would like to go back to paragraph 2 of the Southern Rhodesia section which has already been touched on by the Chairman. It deals with the opinion in the party which is to form some sort of association. I would like to analyse that down a

little. Mr. Todd has said he does not think for one moment the East African scheme of things is anything we should have here in building up an economic State.

A. If my understanding of it is right.

Q. Yes, I agree with that. You have two very important statements of this association, (1) that there should be equal representation of the three territories, and (2) that the franchise laws should be governed by the territories themselves. From a practical point of view, I think you will agree, that will be difficult for Southern Rhodesia to agree to under the present situation?

A. For the present Government of Southern Rhodesia.

Q. Would you agree that the economic strength of the Federation is fundamentally Southern Rhodesia and Northern Rhodesia?

A. At the present moment, as far as one can see for the future.

Q. Would you agree we should try to build on that economic strength and try to build on that politically as well?

A. I do not quite know what you mean by building politically.

Q. The point at issue is that there is difficulty in getting equal representation at the present time, there will be naturally opposition to it. The economic strength of the country is fundamentally Southern Rhodesia and Northern Rhodesia?

A. Yes.

Q. Would a strong economic union with political equality coming in for those two, with a possible looser federation of those other territories that form part of the Federation and might form part of the Federation in the future, be a possible solution to bring together the strong economic side and at the same time political cohesion?

A. I think economically you may be right in what you say, but I think politically that would be so unacceptable to Nyasaland that from the point of view of a stable government for the future and harmony would not get it across, but I see your point and I think there is strength in it, but I do not think it would be acceptable in Nyasaland.

Q. Provided that Nyasaland is financially supported by a subvention?

A. I would like to know first of all whether you visualize a very wide franchise in Northern Rhodesia which would actually almost immediately mean a majority of African voters?

Q. Political development of Northern Rhodesia must develop as time goes on?

A. No, I think as time goes on . . .

Q. Must develop as the country develops. I am just asking whether you just say an association here; you do not attempt to say what that association is. You admit that the East African Association is no good, you admit that the Central African Council is no good, but you say that economics must be kept together on the same political tie?

A. I think you have to come down to what would be agreed not by the present Governments nor by the 1960 Conference constituted as at present envisaged, but what is going to be acceptable to three lots of people, and there could be compromise on that. It might be that under certain circumstances, with all sorts of powers given to the Nyasaland Government and so on, and money guaranteed, that they might be prepared to accept for a minimum space of time a smaller representation in the Federal House. That I think would have to be by agreement, and I do not think that it would prejudice the future development of the Federation if they would not agree because if there was strong agreement between Northern Rhodesia and Southern Rhodesia they will have plenty of power to put forward their proposals.

MR. ELLMAN-BROWN: Thank you.

MR. MENZIES: I am still very confused about what the real proposal is on the constitutional side. It is in paragraph 24 of the Federal Memorandum, it is full of apparent contradictions from my point of view and some of them have been referred to by Sir Lionel Heald, but it speaks of an entire federal concept—"the entire federal concept must be examined now". That is the conception. We are speaking of the organic structure of the Federation, I take it there, because you have just said that no mere adjustment of functions will be sufficient. Then later on in the page, in the second last paragraph, "some kind of association between the three territories with only a fraction of its present powers". Surely you have either an organic entity, a unity called Federation, or whatever name it may be called, or you have a fresh start with a number of units which may themselves of their own free will agree to come together in some economic consortium. There surely is no middle course. Do you accept the federal system, a federal constitution with attenuated powers, a Government that will become in your own terms an innocuous Government, because that is what you postulate here, you indicate it might have been adopted at the beginning, an innocuous Government—that is one with very few powers? What is really the objective of the Party with regard to this structure of Government?

A. First of all, Sir, the objective of the Party is to get a new consultation between the peoples who ought to be representing the three Territories. We feel that under ordinary circumstances if three Territories had decided to come together as in 1952 or 1953 we decided they should, that the people who represented those Territories would have been able to have spoken for the inhabitants in general of the country, and we feel, because that did not happen for perhaps very good reasons—I am not arguing about whether or not the reasons are valid or not—but because it did not happen, because it was perhaps a conglomeration not an agreed federation that resulted, that we have to get right down to the beginnings again, if that is possible, and get agreement and build up. The Party feels that it should be a Federation, but you would not be able to call it that because of the psychological problem. We believe that some sort of federal system could still under certain circumstances be made acceptable to the bulk of the people of the Federation. We still believe that, but I may say we do not think that could be done just by bare political decisions. We think it could probably be put across with an economic plan to go with it. In other words, it would not just be a political matter but with the assistance of the British Government there could come a completely new deal in Central Africa. On the one side I may say education is of enormous importance as a rallying point, as a lever to get things accepted. On the other side, economic progress is of enormous importance, particularly to the European people of Southern Rhodesia. I think that in any new plan it might be possible to make it viable if it were wide enough to include economic considerations as well as political considerations or if the two balanced, came out in some way alongside each other. I do not think that even if we had some economic progress over the next few years and things were right here that we could actually generate enough wealth to provide educational facilities widely enough which we ought to have, and I think if the British people were concerned with the success of this Federation or similar Federation and feel that the establishment of a non-racial State in Central Africa is of real importance to the Commonwealth and to this country, and might be prepared to make up what is necessary to make sure that we could see that all the children of the territory are afforded a sound education over the next few years—you may think this is off the point, but I think it is tremendously on the point in that it could be a very strong lever towards getting reasonable proposals accepted and would overcome prejudice and unwillingness on the part particularly of African people. On the other side we have the Industrial Development Corporation with £1 million as capital. If it were known that we would be able to get something in the order of £5 or £10 million on loan per annum for the next few years, so that the people who are particularly concerned with economic development, and who hold political control of the Federation, were able to foresee real development within the Federation, I think also they might together with the guarantees in the Constitution of things such as that, they might be prepared to accept terms which on the face of it they would not accept at the present moment. So I think we go right back as far as the Party is concerned to a reconsideration and the expectation, knowing what we do about federal things and the necessity to keep the economic unity, the expectation of building up something which would have powers within the centre but with the handing back of as many powers as possible to the States. I think the picture is quite clear in our minds although perhaps not in the words we have here; there are different facets in different papers and it has not been brought forward as clearly as it might on one particular page.

Q. With all respect, that does not meet my particular difficulty that at some point of time you have to get away from your present structure if you are going to create something new, a new kind of association, and that is emphasised very clearly on page 22 of the memorandum, where it says: "Federation in its present form cannot continue except by force of arms, and then only for a limited period; that any close association of the three Territories, to be successful, must be based on the freely expressed wish of each component country to come together in a close union; and that only when each of the three Territories enjoys a Government which is truly representative of the significant interests of the inhabitants in that Territory, will it be possible accurately to determine that it is the 'free' wish of each Territory".

A. That is the point, is it not?

Q. That surely postulates a fresh start?

A. Yes.

Q. I think that is what you have been indicating, but to get a fresh start you have to get rid of what you have got. At what point of time do you get rid of your present federal institution with its legislative, executive and judicial functions?

A. No, Sir, I do not agree that we have to get rid of what we have got, to get a fresh start. I think that while we are making up our minds in consultation on what we want, the present situation must continue, in general it must continue. Therefore what we are wanting now really is to get your report or suggestions, possible suggestions, for the British Government on the economic side as to what it might be, a properly constituted conference, and it will

not be the 1960 one, a properly constituted conference or convocation where the people can really state what they want, and it appears to some of us that what the 1960 Conference ought to do is find a way of extending the franchise within the Federation and then after the people are on the roll and they have had an election and they have brought back the Governments that the people want, that then we should discuss what the future of the Federation will be. There are many of us who feel that no 1960 Conference, even if it brings out some jolly good ideas, is going to meet the situation because it will be composed of the wrong people, and the prejudices are so great against those representatives of Government that any good suggestions are going to be cast aside unfortunately because of the unsatisfactory structure of the Conference or what seems to us is going to be an unsatisfactory structure of the Conference.

A. (DR. RANGER): It seems to me that the antithesis is the unreal conference. I agree it sounds logical but our emphasis is on the fact that no kind of association, whether you call it federation or otherwise, can really hope to succeed unless it has the overall assent of the people. We also say we do not feel this can be expressed satisfactorily until there are three responsible Governments. In the interim our suggestion is some kind of association should continue and certain necessary steps should be taken to make it more likely that when responsible Governments emerge the people will wish to continue in association. It is impossible for this Commission or anybody else to say that association shall continue and when these people get responsible Governments they shall not secede; it is virtually impossible. If you believe that this kind of association is necessary, what you have to do at this point is to say the intervening period between now and the emergence of responsible Governments we must take such steps as will reassure people by redistribution of functions, change of Southern Rhodesian way of life, building in a Bill of Rights and so on. Even this probably may not do it, and if this does not do it, nothing will. That seems to me to be the logical point of view.

Q. But you speak of some kind of association still which is something you are not prepared to accept at present, a federal structure with emasculated powers, with transfer of powers with improved franchise. You have some objections still to that?

A. Do we?

(MR. TODD): No, we have no objections to that in theory. But we say that just doing it tomorrow is not going to win the confidence of the people. We think we have to have the confidence of the people and then we would hope that the sort of thing you suggest would be what is decided upon.

(DR. RANGER): This quotation on page 9 says that hostility to Federation cannot be removed merely by adjustment of functions and that we believe hostility to Federation can only be removed by the whole apparatus seeming to show a different spirit, that is why we have suggested that Southern Rhodesia is relevant in an essential sort of way to what happens. We could make the adjustments of which we have been talking and still not remove the hostility unless there were general signs that the whole idea of the whole Federation was sincerely meant or more widely based. What it says in paragraph 24 of the Federal Memorandun is that: "Hostility to Federation cannot now be removed by any minor modifications or by merely adjustment of functions". There must be something else. We suggest a number of things in this paper, a Bill of Rights, repeal of discriminatory legislation and so forth, and if all that were done and meanwhile the territories were advancing to responsible Government, there is a chance that the association could survive.

(MR. BARON): My feeling about this exact nature of the structure is that it is not of fundamental importance in this interim period to which Dr. Ranger and others have referred. The problem, as I see it, in the Federation at the moment is that the attitude of Southern Rhodesia is the key to it. If the present attitudes of the peoples of the various territories continue, it does not seem that there can be any future for the Federation because where in the North you have the African people fearing domination by Southern Rhodesia, and here in Southern Rhodesia you have the electorate fearing the influence of Governments with African majorities, so long as that continues there is no meeting point; they cannot come together. I do not think there is any disagreement in general that in the long term the Africans in all the territories will be in the majority on the voters' roll. It is not a question of whether in Southern Rhodesia there will ultimately be a Government elected by an electorate, the majority of which is African. It is only a question of when and how that is going to take place. The policy of the Central Africa Party is designed to ensure that the transitional period is a smooth one, that we do not have upheavals such as are feared in the Congo and are said to be occurring in Ghana. I do not know how accurately one can take what one reads in the newspapers, but the impression that is given is that the Government of Ghana tends to excesses at the moment and that sort of thing. That is likely to happen in any country where you get a sudden handing over of powers. If the handing over of power, which I believe most people recognize as inevitable both in Southern Rhodesia as well as in the Northern Territories, were a smooth one, and it can be, that is clearly the ideal. The most important single factor in achieving that end is to write into the Constitution a franchise in Southern Rhodesia which will ensure that at some measurable point in the future—and it must not be too long from the point of view of African pressures—the Africans will be in the majority on the voters' roll in Southern Rhodesia. If that is not done now, then in just a few years the pressures are going to be so great that something more drastic still will have then to be done. If we had started five to seven years ago in doing what ought to have been done in this country then we would not be faced today with having to do today a little more than is strictly desirable, and the longer we delay the greater will be the extent we have to go beyond what is strictly desirable in order to achieve that smooth transitional period, and I believe very strongly indeed that the fundamental thing is to satisfy the African people in the three territories that ultimately they will be in the majority on the voters' roll. I believe not only will that probably be the only way of keeping Nyasaland within the Federation but it will also be the only way of preventing the conditions in Southern Rhodesia deteriorating very seriously within the next few years.

CHAIRMAN: Thank you very much.

MR. CHIRWA: I just wanted to find out from the Central Africa Party this: suppose the conference was held this year and there was no agreement among the delegations that might go from the three Territories, what was going to be the answer to that?

A. (MR. TODD): Who will be at the conference? Are you visualizing a conference of government representatives or the 1960 Conference as we visualize it.

Q. I presume that from the speech made by Mr. Macleod, I think it indicated that the conference would be representative not only of Members of Parliament and Leslislative Councils but also of organizations which are not represented in those Legislatures.

A. I think my answer to that will be simply that at the conference which would be held in 1960 one could not break up or should not break up the Federation, that that conference would hardly have the authority which should be necessary to take any major step because it would still have behind it in its home countries Governments that were not elected by the people. In other words, we visualize the only sort of conference that would have real authority as being a conference being drawn from the three Territories after they have got a wide franchise and are able to express themselves through their own Governments.

Q. That may be so, that may be an ideal way of thinking, but in practical politics and in the general interests of the country in the matter of economic stability and development which is required would it not mean, according to your plan, if these people do disagree they would go back to the Territories and tell the people they stand by secession? You come back with the idea that the proposals of the British Government are unacceptable to us, therefore we stand by secession, but they say we must carry on for a period of three to five years and the Nyasaland people come back and say the same, Northern Rhodesia does the same, is it not possible then that you will be frightening the investors in these Territories during that period, you will be starving the countries of the very economic development you want to come forward?

(MR. PEDDER): It seems to me one cannot have a blanket answer to that. It would depend so much on what the disagreement were based upon, how far apart they were, what the attitudes were, but in general one would go through the period as we are going through now, it would be an extension of it and exacerbation of it. But the future will and must depend on the causes of that disagreement.

(MR. TODD): We have taken a fairly general line in our Party that the first step must be to get the Nyasaland Government and the Northern Rhodesia Government adequately represented, and we have felt on that point that after you get your three Governments, that these people should have at least three years' experience of self-government to get an idea of the feel of self-government and its responsibility before any conference was called. It would be given the powers and decide whether the Federation was really going to break up or not, and after all you are expected to do things in a practical way, but if you are going to break up Federation, which I hope will not happen, it will take a number of years to put that into effect. It could not be done by deciding one day and the next day the whole thing broken up; it will take some years to break it up.

Q. My next question is on the question of the appointment of the Supreme Court, appointment of Judges; that appears under *Proposals*, paragraph 43, sub-paragraph 6(*c*). The suggestion made there would appear to me to be a departure from existing practice in Southern Rhodesia. I think you are suggesting that these people who will be appointed should have the recommendation of existing Justices. I suppose these would be represented to the Minister in charge of Law and Justice and he will appoint them from the panel; is that what you had in mind?

A. Yes.

Q. Is that not a departure from the present practice whereby the Minister in Southern Rhodesia can just appoint, you are suggesting a departure from the present position whereby Southern Rhodesia says that appointments are dependent on the political influence?

A. It is a Federal matter.

(MR. JAFFEY): We recommended a departure, the purpose is to make quite sure there can be no posibility of political appointment to the Bench whose functions will be to safeguard basic rights.

Q. That is a criticism of the present?

A. No, not criticism of anything that has happened, but it is a safeguard which we feel is necessary considering what has happened in other countries and what could possibly happen, although there is no evidence that it has ever happened.

MR. MENZIES: On that very point, what happens on the death of a Chief Justice under that proposal?

A. (MR. PEDDER): Other Justices are there.

Q. But the appointment is to be made by the Chief Justice?

A. No, it is one of a panel of candidates recommended by the Chief Justice and existing Justices.

Q. A panel of who—outside people?

A. No.

(MR. JAFFEY): The idea is that the Judges will nominate a group of candidates, one amongst whom the person responsible will appoint the Judge.

Q. Recommended by the Chief Justice, a panel of candidates, and you have no Chief Justice?

SIR LIONEL HEALD: A panel of candidates.

A. (MR. TODD): An existing panel that will always be there.

Q. A permanent panel?

A. Yes.

(MR. BARON): It is possible also in that context to interpret "and" as "and/or".

Q. I thought the panel of candidates would only appoint when you had particular vacancies.

MR. CHIRWA: My next question is under Section V of the Territorial Memorandum, sub-paragraph (11) referring to the Beadle Commission. You say: "We do not wish to say more on this point except to recommend that the Commission asks to see the evidence given before the Beadle Tribunal and in particular the evidence led by the defence team on the general charge which will, we believe, support our contentions".

A. (DR. RANGER): I was responsible for the writing of this section, the Southern Rhodesian emergency. It is difficult to justify having written about it at such length since Southern Rhodesian internal concerns cannot directly be the business of this Commission, but as Mr. Baron has already said, the Central Africa Party feels strongly that the structure of society and attitudes of individuals in Southern Rhodesia have been the greatest single obstacle to the federal unity. It was on that basis and also as an open attack upon Sir Edgar Whitehead that this evidence was submitted. It may well be that the Commission does not feel it necessary to investigate this background. The suggestion here was intended to suggest how it could be investigated if they so wished.

Q. A suggestion with which you do not agree?

A. That suggestion is entirely agreed. I do not think that the Beadle Tribunal Report was adequate or correct or justified on the grounds of the evidence in so far as I know it presented to it, but I do not wish to say anything more than that.

Q. You are drawing our attention to this, which is important, and I thought we should perhaps get some more points.

CHAIRMAN: I hope that some members of the Commission will feel we have plenty on our plate without having a re-examination of that.

MR. CHIRWA: You refer to the 1960 Conference representation in the delegations, but I do not think you put forward suggestions as to how those delegations should be composed?

A. (MR. TODD): No, we have not put forward definite suggestions on that. It is going to be very difficult, I quite admit, to get a satisfactory delegation. We would think that acting in the best interests of the Federation the 1960 Conference should really concern itself with one thing, and that is the fact that the Governments do not adequately represent the people and how to get that fixed up, because that is the starting point of the new future for the Federation. We believe that if they were prepared to do that they could very easily take over to London or have here people representing all political Parties. By all political Parties I mean, of course, the ones that are not represented in the House but which are obviously getting a following amongst the people, to determine what would be reasonable and acceptable franchise conditions acceptable to the majority of the people. I know that practically there are such difficulties in seeing this being done and we wonder whether it can be done, but we recognize that unless something like this happens not very much else is going to be successful anyway, and we would like to see that Conference find ways in which people would be able to elect Government which would represent them and then, and only then, should there be a constitutional review conference.

(MR. PALMER): We think it singularly unfortunate that the conference is to be held before the amended Constitution for Nyasaland is implemented. It does seem to militate against the successful outcome of this conference if you think that the representatives from Nyasaland will be more or less Colonial Office delegates and you have not got a proper constitution and representative government which can gives its own views to this conference. It would seem to me that it would be far better if the conference had been postponed for the ten years of the Review instead of seven. Then I think it would have given an opportunity for the Northern Territories to get themselves on a better basis regarding representation so that they could have given more adequate views at this conference.

SIR DONALD MACGILLIVRAY: You have said the 1960 Conference should concern itself entirely with the question as to how the three territories should have adequately representative Governments, and you also said that those adequately representative Governments, if they came into being, should have at least three years of responsible Government before they could be asked to express their views on the final form. Can it be inferred from that, then, that Federation should remain in its present form until the final conference is held at least three years or more, it would be, after the 1960 Conference?

A. (MR. TODD): It would not remain in its present form if we are going to get Governments which adequately represent the people. That immediately to the African people would mean a change in the form of Federation as they think of it, because they think of Federation as a Federation which is governed by the European people of Central Africa. If that change was made, it would be perhaps in some ways the most significant change that could be made, so no longer would it be a Federation in its present form.

Q. The constitutional form of Federal Government would remain for three or four years as it is without any change?

A. Yes, that would have to be.

Q. Because the constitutional Conference of 1960 would deal only with the Territorial Governments' Constitution.

A. If it is accepted that Territorial Governments be allowed to have their own franchises, but, of course, if it was decided that they are still to have a Federal franchise and that was used to bring enough people on to the Federal rolls, if that was the decision it would be another matter. But at the present moment we are going to a conference when Nyasaland has no adequate Constitution, the people will not feel that they are represented satisfactorily from Nyasaland; the Northern Rhodesia Constitution is not acceptable, to the bulk of the African people in Northern Rhodesia, and when it is suggested that changes be made, the reason for not making changes is that changes were made only a year ago. It does not matter if they were made only last month. If they are not satisfactory they ought to be looked at again, in our estimation, and in Southern Rhodesia, whatever people may have tried to do to widen the franchise has been unsuccessful to a large degree, and that has been very deliberately done by Government policy so that the people are blocked from sending representatives that they would like to have at the 1960 Conference.

Q. I appreciate that, but if the 1960 Conference dealt only with the form of Territorial Governments, then your Federal form of government must remain for three years or the African Affairs Board would remain as it is for three or four years more.

A. Yes.

(MR. PEDDER): That would be an unfortunate outcome of this.

(MR. TODD): I do not know, there is again a difference of opinion. If they were able to change the franchise so that within a year we went to an election with an adequate number of people of the country on the voters' roll, that would be a pretty big bite to take in the first twelve months, and I think it would be a very satisfactory situation from the point of view of the general feeling in the Federation amongst the majority of the people.

MR. MOLSON: May I follow up Sir Donald MacGillivray's question by another one. If I understand Mr. Garfield Todd's answer correctly, it is that he is proposing that as a result of the forthcoming review, the Federal Constitution should for the time being remain virtually as it is at the present time and that the two Northern Territories should obtain more or less democratic Legislatures?

A. Yes, and Southern Rhodesia, too.

Q. In view of the rising pressure of African agitation against Federation during the last seven years, would not the first action of those two democratic Northern Legislatures be to vote themselves straight out of the Federation?

A. I do not suggest that they should be given complete self-government and I am not a constitutional lawyer. I do not know how they could vote themselves out of the Federation if they were given self-government within the Federal set-up at the moment. That would be the degree of self-government they would be given.

Q. It might not be constitutionally possible, but it would be an extremely explosive state of affairs where you left the Federation as it is at the present time, where it has been the chief object of attack from African politicians for the last seven years, and without making any change in the Federal Constitution you gave them the power to express very strong views, at any rate in the two Legislatures. I should have thought that was almost a constitutional device for creating a new kind of atomic bomb.

A. I have not made myself clear, apparently. I visualize the conference meeting, and I do not know how this would give such pressures brought to bear on the Government here that it would immediately open the rolls to a wide number of people, and that elections should be held within twelve months and that immediately after that the conference be held—in other words, that the real conference be delayed.

Q. I heard you say that they should have three years of working under the old system?

A. Yes, but I think I can make that clear. There is no confusion in my own mind; there is in my speech apparently. It is this, that this conference is being called to adjust the Constitution and so on, to make adjustments and recommendations and so on. At least, not to make adjustments but to make recommendations I suppose. I suggest that this conference be delayed a year or two, as Mr. Palmer suggested, and that in the meantime the people be given the opportunity of electing their representative Governments. Then they go to that particular conference, but I made it quite clear, I thought earlier, that that conference was called for a specific purpose, and that it would not be able to exceed the purposes for which it was called, and that the conference on whether Federation should be maintained at all or whether it should be broken up should not be allowed to take place until three years after the people had their own Governments within the territories.

Q. Politically and economically, Central Africa is going to be left in a state of doubt for quite a long time under this proposal?

A. Yes, I know that.

(MR. PALMER): On the other hand, if the conference proves abortive in 1961, the political and economic situation in the Federation is going to be infinitely worse. At the present time you have complete opposition to Federation in the Northern Territories and Southern Rhodesian leaders of the Government have expressed certain terms in which they are going into the conference from which they will not depart. That means to say the conference is going to start off in a most incredible atmosphere of hostility. You have one side completely opposed to Federation at all, and the other side saying they will only continue Federation under certain conditions, which means more or less the *status quo*. If you are starting a conference on those lines, it is doomed to failure, and I cannot see anything successful coming out of it. Therefore it is far better to postpone the conference for three years to give Africans in the North better representation and to give them the changes, that they are really responsible for their own Government, then you will find that the atmosphere at this conference will be vastly different and you may get something out of it which is going to be of benefit to everybody. But if we go into the conference of 1961 in the atmosphere in which it has been mooted today, then I fear that the thing is doomed to failure.

MR. CHIRWA: Taking into account the views expressed by Sir Edgar Whitehead, the conditions under which we would remain in the Federation, are you going to be prepared to accept the waiting period, knowing that what you are actually doing by giving the people a greater share of representation is exactly what he does not want himself?

A. (MR. TODD): If those terms were the final word of the electorate of Southern Rhodesia, then, of course, there is not any hope for continuing Federation, but we can only hope that they were spoken for some particular purpose and not really to express the deep beliefs of the electorate. I do not know why they were spoken. But since then, of course, the South African situation has so deteriorated that I am more hopeful that many of the people who would have looked for some sort of agreement, if not union with the Union of South Africa, will not feel that it is now worth while looking there for the strength they might have got, and I think the situation has changed to that extent. I do not, for example, foresee the Union of South Africa being prepared to accept us into a union with themselves. Nor do I foresee that the world, thinking as it does, would allow us to have a referendum of 50,000 whites and 2,000 Africans in Southern Rhodesia and just decide that we were going to take 2¼ million people, most of whom are African, who would be most unwilling to go into the Union of South Africa. I should have foreseen—and it was very apparent in recent months—that the Union Government wanted a white-dominated Government, this body would have been very glad to give the economic assistance we needed, and so we could continue in Southern Rhodesia as a viable State with a white-dominated State.

(DR. RANGER): I cannot really believe the Party occupies the contradictory position we now seem to be in. We have said in our evidence we want a Bill of Rights, different federal franchise and so forth, and as I understand it we want those things in the interim period as soon as possible in order that the Governments of the North may choose the new continued association. It seems it is impossible to restrict any kind of improvement to the territory concerned. The changes our Party suggested at federal level must be introduced. I am sure this is not a real disagreement with my leader.

(MR. TODD): It is just a case of which is the interim period. As far as I am concerned I would hate that this particular pattern, which I do not think can be successful, could have been postponed until, say, for a year until we got the right representatives at that conference. On that point they would make the changes we all want to see changed. At a further point ahead, after self-government has been afforded them, they could then make final decisions.

(MR. JAFFEY): We would like this conference to be postponed but it probably will take place next year. In that case we want, as Mr. Todd has said, a very important aspect of it to be the discussion of representation. But also we would like the changes that we have recommended in the interim period before final conference which because of the change could be a more harmonious and agreed solution rather than would be more likely if the Bill of Rights were left in and other changes we mentioned were made.

CHAIRMAN: I think we understand the points of view that have been put to us from different quarters.

MR. MOLSON: It was about these constitutional safeguards that I did want Mr. Jaffey to clear my mind. In paragraph 43 it is said that there should be a Bill of Rights. I gather that normally that is to be interpreted by the courts, and any Act which in fact infringes those would be declared *ultra vires* by the courts, and the Commission which is to be appointed by the two Secretaries of State is to deal only, as I understand it, with the temporary survival of existing legislation which in fact does violate those principles?

A. Yes.

Q. As Sir Donald MacGillivray pointed out, discrimination as such is not necessarily a bad thing. It is only unfair discrimination which is a bad thing.

A. Yes.

Q. As I think Sir Lionel Heald pointed out, the courts are not well adapted and are certainly most reluctant to give decisions on anything that does involve a matter of opinion of what is fair and unfair. They prefer to keep to something which is a justifiable dispute. Do you not think it would be wiser to give the whole of this question of unfair discrimination to a non-judiciary body to decide rather than to the courts? Do you not think there is a danger of involving the courts in political controversy and have you given thought to the Council of State in the Kenya Constitution which is empowered to deal with these matters and does not consist of Judges, and certainly does not refer to the courts?

A. I would like to answer it this way. The reason why we suggested the Commission should consider existing legislature and not Judges is the question of the fairness and unfairness which arises, but we cannot really imagine any future racial discrimination that could be fair.

Q. This does not only deal with the racial thing. It might be a matter of taxation. It is extremely difficult to know whether a measure of taxation is in fact discriminatory or not.

A. The proposal under paragraph 43, sub-paragraph 1(*a*) deals with discrimination. Any enactment which imposes on a person of one racial group any disability which does not apply equally to persons of another racial group, that is racial discrimination. The other paragraphs are what are commonly regarded as being fundamental rights.

Q. You are not then covering a case where they might be very unfair discrimination which would be based on taxation?

A. Without regard to race?

Q. It might have that effect. It is extremely easy, I am sure the Central Africa Party will agree, to see that the criterion of income, for example, laid down in the franchise, although purporting to be a financial qualification, does operate in a racial manner?

A. (MR. TODD): The present situation of two wage scales, that is quite true.

(MR. BARON): The point really is this. The Commision is designed to interpret, or should we say to give its opinion, on the fairness or otherwise of existing legislation. The future legislation is put before the courts rather than before the Commission because it is for the legislature to say what the provisions of any particular piece of legislation should be, and it is not then for the Justices of the Courts to say whether it is fair or otherwise. That is a matter for the draughtsmen. Once the draughtsman has set down what the

particular Act in question is to provide, then it is for the Court to say whether there has been an infringement of that Act, and it is for the Court to say whether that contravenes the Constitution as a matter of law without passing any opinion whether that is fair or unfair. That is the distinction between the functions of the Commission and of the judiciary subsequently. So it will not have the effect of asking the Courts to offer an opinion as to what is fair or unfair. It is only a question of the Court interpreting what the Legislature has said.

Q. In that case you have no fear that at some time in the future it might be desirable to pass discriminatory legislation and that it really would be to everybody's advantage to do so, and under this, as I understand, it would be impossible for the Legislature to do so?

A. (MR. JAFFEY): These rules of the Constitution could be amended, we have a very restricted means of amendment, it will have to be approved by two-thirds of the Legislature of each of the territories and also would have to be approved by the United Kingdom Government. If any discrimination was obviously to everybody's advantage, it would take place. The fact is that the Constitution would have to be drawn by experienced constitutional experts to try and cover every possible aspect. This is our picture of the sort of thing which has to be done. There may still be omission in it. I think it gives the picture of what we try to do and evils we are trying to avoid.

(MR. BARON): Taking the point it might be desirable in the future to pass legislation which is in fact discriminatory, we recognize for a certain period it may be necessary to discriminate for the benefit of certain sections of the community. Our aim is to arrive at a community where no discrimination of any kind can have any justification, so these measures to deal with discrimination are only interim measures.

MR. JUSTICE BEADLE: What about provision in the Income Tax Act where wives of a polygamous marriage, according to Native custom, should be entitled to the same rate as a wife married by Christian custom? That would be a discriminatory measure strongly in favour of the African. Would you say that would be undesirable?

A. (MR. JAFFEY): I cannot answer that question. I just repeat that we do not regard this as a final document, and people more competent than us have to consider all these points. We would say it is a practical possibility to have something like this in the Constitution.

(MR. TODD): Maybe doing away with discrimination to the point that Europeans could be included in those that had polygamous marriages!

MR. TAYLOR: In paragraph 6 of the Southern Rhodesian section of this memorandum, towards the bottom:—

> "Today we have the situation where two and a half million Africans are asked to reside in an equivalent area to 200,000 Europeans, of whom only approximately 8,000 are landowners".

Does that not ignore the fact that a large number of Africans reside in the European areas in employment in industries; something upward of about one million Africans, I suppose, reside outside the reserves or the land which has been apportioned to them? Does not that give a slant to what is in point of fact happening?

A. (MR. PALMER): From the point of view of the Land Apportionment Act, the African is only allowed in the European areas for the benefit of the European, and the European is only allowed in the African area for the benefit of the African. The whole question of land ownership is one which a large proportion of the Africans obviously are living in a very limited area, but even if there are Africans in the European areas, which I very much doubt, they are people who are not permanent residents. They are almost constantly going back to their own homes and residing there.

(MR. TODD): Three hundred thousand are aliens, of course.

Q. You have got to the point where it looks like standing room only in Native areas, but a large number of them reside outside and even though they move around and do not stay permanently at any one point, nevertheless at any one time there are those numbers residing outside the Native areas.

A. (DR. RANGER): That is completely so, and this is perhaps loosely worded. You could make this point *vis-a-vis* the Europeans as well. When our Right Wing politicians talk about giving Europeans certain rights, it is very few Europeans who actually hold land in the rural areas. The other Europeans may well be having to pay more for their food, as compared with others. Africans who reside in the European area have at the moment no permanent rights there. Land Apportionment provides an area in which they have permanent rights, which is only the area covered by the Land Apportionment Act, and this Act makes it more difficult for the Africans Mr. Taylor mentions to reside in towns. There is not the degree of overcrowding in rural areas which this would suggest on the face of it, but Mr. Taylor would no doubt agree that there is a great deal of overcrowding: the Land Husbandry units are not in themselves economic, and also a large proportion of them are occupied by squatters from tribal areas and cannot be allocated to Native farmers. That is really a problem.

MR. ELLMAN-BROWN: Have you studied the position in Northern Rhodesia and Nyasaland on that very point?

A. No.

MR. TAYLOR: Going back to the Bill of Rights, in paragraph 43, paragraph (*b*), of the Federal evidence, which provides that no laws shall place any disability in the way of a man wishing to remove his property from the Federation if he no longer wishes to live in it—how is "property" defined there? Does it include money, for example?

A. (MR. JAFFEY): I should imagine it would include money.

Q. And would you concede the neceesity for seeking a guarantee from some other power to make sure that the money was freely transferable across the exchanges, because the situation which might require the people to leave the territory and take their property with them might well be the result of such mismanagement of public affairs that the foreign exchanges of the country they wished to leave were bare, and although in point of fact they had a suitcase full of Rhodesian pound notes, they could not be transferred or exchanged into any other currency.

A. (MR. TODD): The law cannot entirely cover an economic situation; it can only go so far as to say that the money is there and that it is able to be transferred; but so far as the country is concerned, they will not attempt to stop it being transferred.

Q. And as you cannot take land with you, or a house, but only money's worth, would you agree that in such a position a Bill of Rights would be worthless?

A. (MR. JAFFEY): We naturally hope and believe this situation will not arise, but if there is a possibility of it doing so, we would try to put in the Constitution what can be done legally to prevent it. The purpose of this Bill of Rights is to give, say, the European population confidence in the future, so that it would prevent such a situation arising.

(MR. PEDDER): Surely no Government, good or bad, can provide for mismanagement in its affairs. It is a situation you could not cover by constitutional means within one country.

Q. They thought that was what the Bill of Rights would secure because the justification for it appears to be that the European minority—things could be made so unpleasant for them that they would want to get out.

A. (MR. TODD): The law can only go a certain distance, but we would want to see it going as far as it can in order to ensure fairness.

Q. In only wanted to make the point that the value of these Bill of Rights concepts in any circumstances have very limited application.

A. On the economic side, you have chosen the point that is very important, and I think you are right: but from the point of view of freedom of speech and movement, it is difficult.

(MR. PEDDER): Even so, the economic instance given is a very extreme one.

Q. You may have a circumstance in which, for example, there is an exchange control regulation in force for perfectly normal and reasonable reasons. We have all been through an era when exchange control regulations have been in force, and we might be again. For instance, emigrants wishing to leave the United Kingdom after the war and go to Canada could not take their whole possessions with them. They were allowed to take £5,000 with them, and thereafter receive remittances up to a total of £5,000. That law was imposed for quite valid reasons, but it would be a disability in the case of anyone leaving the Federation and wishing to take his possessions with him.

A. (MR. BARON): The circumstances put forward do not suggest that the property would have to remain in the country permanently. It would be a question of the possessions remaining temporarily while the exchange control regulations existed. There could be no justification for this as a permanent measure: that is what we are saying.

MR. GONDWE: In paragraph 67 of the Federal memorandum under heading B. Information. You say you would like to see dissemination of factual information without any political reasoning being given or being attached to the information given to the public. Do you not think such dissemination may be not quite satisfactory as far as the public is concerned, and that something on which these facts are based ought to be gone into so that people have a fuller knowledge of what these facts are based on?

A. (MR. PEDDER): Quite clearly that is so, but also clearly that is the function of the political Party. The political justification for a measure is surely the responsibility of the political Parties, and not a Government responsibility. We had in mind various so-called fact papers which were produced. A current advertisement, for instance, in the African Press urges people to join the voters' roll and finishes up with what is nothing more than a political slogan

about Federation. We think that Government funds should not be spent on promoting what is after all a political concept.

Q. Going to paragraph 70, you say at the top there that the Constitution should be amended to prevent either deportation or extradition being effected on the grounds of race alone. Is that the case at present?

A. In some cases.

Q. I would have thought it was not based on race alone. We have experienced cases where, say, Europeans have been deported from this Territory or from the Federation, as well as Africans.

A. But we say that deportations should not be possible on grounds of race alone. We do not say that has not happened. Mr. Travers can give us a case in point, of the gentleman from South Africa who wished to start a factory. He was not allowed to because he was in the class of undesirable or prohibited immigrants.

(MR. TRAVERS): I am conversant with the case. This gentleman applied for a resident's permit in Southern Rhodesia, and he brought with him capital of £5,000. He wanted to stay here and build a shoe factory. He was refused a resident's permit because he was a Coloured person. As such, according to the Constitution of this country, all non-Europeans outside this country are undesirables. Therefore this gentleman could not start his factory and went back to South Africa. I believe that if he had been a European this would not have happened.

Q. I quite agree with you, but do you not think this should come under immigration and not deportation?

A. (MR. PEDDER): Quite possibly, yes.

Q. Then in paragraph 74, under Race Affairs—to what extent is this Office of Race Affairs failing to meet the need of the Federation?

A. I should say in every respect. It is a body which has no power but is purely advisory. One of the chief contentions is that it tends to remove the burden upon each one of us for the improvement of race affairs to that body. We tend to say, "Yes, we have an Office of Race Affairs: this body can look after that", whereas in fact it has no teeth. So we shrug off our responsibilities in that respect, and the body itself has no power.

Q. The body should have power, because it is a Government body.

A. But the body itself is specifically deprived of power, intentionally.

MR. CHIRWA: Would it be a fair comment to say that can be verified by the fact that the Under-Secretary is in an African township. He is the man in charge of it, but he cannot find his way to build a house.

A. The speed at which individual Ministers' houses are built are merely symptomatic of the general political plan in the country.

MR. GONDWE: On education, Dr. Ranger suggested that it should not be based on racial grounds and that it should neither be Federal nor Territorial but that a certain statutory body or commission should be set up. Is that correct?

A. (DR. RANGER): Yes, but I would rather not attempt to explain it because I am in no sense an expert on the educational policy of the Party. It merely occurred to me while I was talking about the transfer of education that in fact we were not suggesting it should be transferred to the Territories just like that, but our policy contains a suggestion that there should be an educational commission. I cannot tell you how that commission would work.

Q. But you are aware that this would be well nigh impossible? I think Africans would not accept that education should be placed under a commission. The difficulty would be that this commission would have to come under one Government. Every function such as education must be either federal or territorial in the final resort.

A. We see this as a combined thing and not entirely under one or the other; and we see it on the financial aspect having access probably to the federal sphere—almost certainly to the federal sphere—and not necessarily administratively responsible to the Territorial Government.

Q. My point is that the commission must have funds at its disposal to run this service, and the funds must be supplied to it by a Government.

A. (MR. TODD): Not exclusively by a Government. We were hoping that in the formatory stages of our Governments here a commission of that kind should be able to raise funds from foundations. Central African Airways, in another context, is an example of that sort of thing. It does not only raise its money from one source.

MR. ELLMAN-BROWN: Which Government would debate the expenditure in the House?

A. We had in mind it would be the Federal Government.

MR. ROBINSON: Under V. Southern Rhodesian Emergency, Sub-section (11) of your Territorial document, you talk about the emergency providing an example of the sacrifice of Southern Rhodesia's real interests. You say that Southern Rhodesia need not have sent troops to Nyasaland. I suppose that is a typographical error: it was really the Federal Government which sent troops to Nyasaland, and in fact is not the position that Federal troops were sent there at the request of the Nyasaland Government?

A. From Southern Rhodesia, but they are not Southern Rhodesian troops. That is correct.

Q. Mr. Todd has explained to us that the policy of his Party in broad outline is based on the doctrine of consent, and he has really set up these proposals which seek to bring a large number of people into that field. But according to the franchise proposal as made here, one would imagine that in Southern Rhodesia for at least ten to fifteen years there is a likelihood of a continuing majority of Europeans in the Legislature, if you take literacy to mean something like Standard VI; and that possibly for some time to come in Northern Rhodesia you might well have a majority of European members in this responsible Government that you talk of. What would be your Party's view if, in that event, nationalist leaders rejected the pace of your proposals and demanded that there should be immediately nationalist-dominated Governments; and let us assume that you were asking for, but it was not rejected out of hand in Nyasaland, and possibly in Northern Rhodesia, by Right Wing nationalist movements, and in Southern Rhodesia by a group of Africans who said they were not prepared to wait? So you would have a new situation arising in which these proposals were intolerable. Would your Party then acquiesce to the demands of the new nationalist proposals forthwith, or seek to enforce by some means the new arrangements which you have proposed and which have been accepted by the Government?

A. Mr. Robinson has put forward a certain picture of a definitely stated situation. We believe that if the franchise was reasonably extended at the present moment—and that means fairly quickly, because the African attitude particularly is deteriorating on this—that the people returned to the House would be acceptable in general to the bulk of the population, even though—taking Southern Rhodesia—there was nothing like a universal franchise. Therefore you could not say that all the adults, or even a majority of adults, in Southern Rhodesia have had a say. I think it is true that in 1954, 1955 and perhaps 1956, even with the limited franchise which is nothing like enough, the Government had the consent of the people. However, you missed out one point—there would be a strong white nationalist concern and antagonism as well as a strong black nationalist concern and anatagonism; and the Government, provided it has a fairly wide support from the people, must maintain law and order and it must not give in to either extreme but continue as rapidly as possible to achieve the circumstances in which eventually there will be a universal franchise.

Q. So you would say this as far as you would go in implementing the doctrine of consent for the foreseeable future, that if all the things outlined under charges against Congress Members (V. Southern Rhodesian Emergency, Sub-section (11)), shall I say, arrived in two or three years from now, after the acceptance of your broad outline of proposals, then do you feel you would be obliged to protect the majority of the community against this?

A. Yes, we would; but we would give our assurances that where we imprisoned people we would have them brought to trial in public. Where justice is seen to be done and the Government has the backing of the people in general, then the situation is acceptable.

Q. I would like Mr. Todd to comment on whether he still holds the view that the ultimate aim is the unitary State. Some years ago he expressed an opinion on those lines, saying he felt it was his duty to try and work the Southern Rhodesia Government out of office and out of its functions. I understand the reason why he has changed his views: the circumstances have changed. But let us assume you have now got your state of affairs here as you envisage it, with African majorities in the three Territories. Would you then work towards the creation of a unitary State?

A. I hold that a unitary State would have been simple and efficient and economical, but I had to change my mind completely under the present circumstances. I am not sure that I can foresee now the desirability of changing back again from the Federal set-up. On the other hand, if we should ever move towards the unitary State, it will be in the day when the people are fully represented in their Governments, and if such a movement came along it would be with the consent of the majority of people; so it would be safe at that time. I was, of course, a very strong supporter of one Government, but I have changed and I just cannot see it at the moment. I do not see it is viable to be a unitary State, but I still say it would be more simple, more efficient and more economical.

MR. CRAWLEY: To go back to your franchise proposal for Southern Rhodesia—literacy. We have had some evidence that a high proportion of this population is under thirty and it is that proportion which would mainly qualify for your literacy qualifications. Would not your proposal mean that a very large number of people, particularly Africans, who have a stake in the country but who are not literate and yet hold responsible jobs, would be left out of it?

A. Mr. Pedder: Quite clearly, yes, but we are more concerned at this stage that the Government should be representative of the people as a whole. We believe that by bringing these people onto the franchise now the effect would be that the majority of Members of Parliament would need the support of members of all the racial groups to be elected. We believe that is very much in line with a multi-racial or non-racial society, and whilst the percentage is anywhere from 30% to 70% racial, that must obtain. At the same time we argue that to lower the franchise below literacy is dangerous and inadvisable, because there are not means to disseminate adequately a knowledge of affairs of Government in languages other than English—there are not the facilities for people who were not literate in English to generally appreciate the problems and needs of Government. There is an attendant risk that such people could be the prey of irresponsible agitators, without a wide spread of factual information.

(Mr. Todd): You have put your finger on the weakness. There are many sound Africans who will not be able to vote, but there will be weak points all the way through until you get a universal franchise—and even then there will be a weak point.

(Dr. Ranger): In the past when efforts have been made to get responsible older people on, and a property or monetary qualification has been given as an alternative, nevertheless literacy in English has been a basic qualification. Our franchise is in no sense more restrictive than others which have been adopted. The only way of dealing with it would be literacy in English or a land qualification.

Q. In paragraph 70 of the Federal document, in your immigration policy you say that disqualification should apply to those "whose presence would deny advancement to our own people". Is not that opening the door for discrimination as widely as possible? It is surely the prerogative of any country enjoying a representative Government to safeguard the interests of its own citizens in the first instance. There is no doubt that in the past, as Mr. Todd pointed out earlier, certain measures on immigration, and deportation of the people who live here has in fact been carried out and people have been allowed to come in, when with a little care and trouble local people could have been found to do the jobs the immigrants were doing. That was the purpose of this.

(Mr. Todd): If racialism is abolished within the country, then this has a different meaning.

Q. Could you not look at the methods adopted by other members of the Commonwealth in this regard?

A. Yes, we could do that.

Q. Supposing the members of the Commission approved your proposal and they were introduced into the Constitution, if we took this document and it was taken as a basis also by the British Government and the constitutional conference as a basis, is it not a practical fact that it would result in the immediate break-up of Federation?

A. No, I think if our document were taken as a basis, there are not only certain political things to be changed but I would hope it would be possible for the British Government to look at our financial situation as well. After all, we cannot go forward economically without a tremendous lot of assistance from outside. I should think that the British Government, realising how important it is that this situation should be met successfully here, might be prepared to look at the wider aspect, including the economic. I believe that if those went forward, our proposals are the only satisfactory ones for the future.

Q. There is not a chance that Southern Rhodesia would accept such a proposal.

A. This is the point; that the suggestion by some that Southern Rhodesia might secede from the Federation shows that they do not know of the changes that have come in the minds of the people in these last two or three years. The situation here will never be the same again and if anybody thinks we shall have Southern Rhodesia dominated by whites, dominated by South Africa, it would be intolerable to three and a half million of us. Then the situation would not be viable anyway. It is not only us putting forward ideas; there is nothing more impracticable than the idea that Southern Rhodesia is going to be able to break away from the Federation and maintain a white supremacist Government.

Q. Have you considered the structure of the European Common Market and in particular the pilot scheme of the iron and steel market in Europe?

A. I am afraid I do not know anything about that.

Q. The High Authority of the Steel community had delegated to it certain sovereign powers. It took decisions without waiting for the member governments, and its decisions were subject to ratification by the member Governments. In fact, though decisions were taken which were awkward for many of the members, no decisions were revoked. Is this not another form of structure which might be worth consideration?

A. We, as a Party, would be delighted to consider this as a proposal, and later put our views to the Commission if you would wish it.

(Mr. Palmer): Most people are agreed that whether Federation continues or breaks up, the fact remains that the African is ultimately going to be in the majority on the electoral rolls of the territories, and it does not matter whether Sir Edgar Whitehead secedes from the Federation or not. As long as we have a voting system, which I cannot see is likely to be changed, whereby the African is given the vote, he must ultimately be in the majority in these territories. Under our policy we visualise that ultimately the African has control of the Governments. Therefore you must direct your policy to that goal, so that when the goal is reached there is harmony and co-operation between all the races. It is a waste of time to sit and wait for a boiler to blow up: surely it is far better to direct the steam to the engine of State, to make it work properly. We feel that providing there is proper enfranchisement for the non-enfranchised peoples today, we are going to achieve that object.

Mr. Katilungu: In paragraph 37 of the Federal document, in the first paragraph, you say "The Party is prepared to substantiate this contention by facts and examples when oral evidence is given". That is on constitutional safeguards.

A. (Mr. Todd): I think we have covered it in the Southern Rhodesia emergency paper. What is in there is more or less the general line.

Q. In paragraph 9 you deal with the question of the European minority having the intention of domination over the African population in Central Africa. It has been suggested time and again by certain people in evidence that the fear expressed by Africans in the two Northern Territories was about domination being the intention of the present federal concept, and the franchise scheme was based on this. Do you think Africans have not justified the facts—has there not been ample demonstration of this?

A. Yes, I think there is no doubt that we, as white people, at the time of Federation believed we would continue to dominate for a good many years. In fact the Minister of Law at that time said we could go forward into Federation, confident that the British Government would not interfere in our affairs. He also said that in the unlikely event of interference by the Secretary of State, we would be strong enough to overcome him. That has been the general line, I think. Until the emergency in Nyasaland, it was generally held that the Federal Government would gets its way, and I believe it was generally believed also in the United Kingdom by members of the British Government, on the basis of all the success stories which had been turned out from the Federation for six years, that Federation was going well; race relations were improving; partnership was the real policy. On that basis I believe that the Federal Government, if it had not been for the riots and troubles in Nyasaland and throughout the Federation, would have stood a good chance of getting most of what it asked for at the 1960 Review: in fact, there would not have been this Commission of Inquiry. The people in Britain realised during the emergency, when the reports from here were not satisfactory, that it was essential to find the facts. There is no doubt that the European people believed that we would, as in the past, and for very good reasons, be able to get our way. We had not realised the situation had changed so radically; many still have not realised it. Sir Edgar Whitehead said quite recently that white supremacy is dead, but there are still many white people who do not believe that in the Federation. I do not know what he is going to do to impress upon them what he now obviously believes, that the days of white supremacy are over.

Q. Supposing the strong opposition and the considerable fears in the two Northern Territories that you have referred to continued, regardless of the suggestions you have made that the Territories should be given responsible Governments, in which probably the result would be an African majority in the two Legislatures—if this strong opposition continued against the Federation, would you wish to maintain the Federation by force?

A. No, it cannot be maintained by force; and what is more, there is no opportunity of maintaining it by force if the electorate is widened sufficiently, because then the people will have their way, and if they (unfortunately, in my estimation) want to break up the Federation, they would so do. I think myself that would be sad. There is not much difference between Africans and Europeans: there are a few unimportant differences like colour of skin, but in general there are no differences between us. My experience of Africans is that they are just as responsible as white people. When Kariba was to be built, I happened to be Minister of Labour, and the African Congress said they would stop labour coming down. Well, of course, there were Africans working at Kariba and they went home with more money in their pockets than they had ever had before, and within a month or two the Nyasaland labourers knew there was far more money at Kariba than anywhere else, and Congress was sensible: it stopped saying it was going to stop everything at Kariba. It could face the facts. Therefore, if the true facts were known about Federation, we would get co-operation from Africans.

Q. It has been said that if Nyasaland broke away from the Federation she would land herself in disaster. Do you think the same would apply in regard to Northern Rhodesia?

A. There is no doubt that from many points of view it will be best for us to stay together, because we would all, over a long period of time, benefit. But as long as copper keeps up, Northern Rhodesia is fairly well off; but when copper went down a year ago, Southern Rhodesia put her shoulder to the wheel and helped considerably. It is difficult to get figures, but I am not sure that copper will always be at its present high rate; and therefore, from the point of view of a satisfactory economic situation, if the politics were right, we should stay together.

MR. CHIRWA: With regard to Nyasaland, you want immediate African majority. What is the policy about Northern Rhodesia?

A. You have had the evidence of our Northern Rhodesia people, and I think we should leave it at that.

(MR. PEDDER): It is not that we want an immediate African majority as such in Nyasaland; we want a representative Government.

(MR. TODD): Which means the same thing.

Memorandum

SALISBURY CONSTITUENCY COUNCIL OF THE UNITED FEDERAL PARTY—C. W. Meredith, Chairman.

This Memorandum is submitted by the Salisbury Constituency Council, which is formed under the United Federal Party Constitution, and consists of two representatives of each of the following Branches:

Arcadia, Braeside, Gardens, Harare, Manica Road West, Salisbury Central, Salisbury City.

Of these Branches three are completely representative of distinct racial groups, namely Arcadia (Euro-African/Coloured), Harare (African), Manica Road West (Asian).

It is probable that the Salisbury Federal Constituency is the most representative in Southern Rhodesia of all races, and in consequence the Constituency Council provides an excellent example of multi-racial co-operation.

Four Branches presented Memoranda which were considered in detail at a recent Constituency Council meeting.

It was decided that these Memoranda (attached as appendices A, B, C, D) should be forwarded in their original form, but with a covering Memorandum setting out the views of the Constituency Council in the commentary which follows.

Braeside Memorandum

Generally speaking the Constituency Council supports the recommendations as set out at the end of the Memorandum.

Recommendation 1

Is already being implemented and furthered by the Southern Rhodesia Government.

Recommendation 2

Is supported in the sense suggested in the recent Jack Report (Pages 43–45).

Recommendation 3

An African middle class is already rapidly emerging consequent on steady improvement in economic conditions generally, and a desire to see African advancement. Any attempt to establish a middle class of any racial group, other than by natural evolution consequent on economic development is not practicable and is doomed to failure.

Recommendation 4

As the African Affairs Board has not proved successful owing to the distrust of it by the Africans, and the fact that it is inherently discriminatory against other racial groups, it should be abolished and provision made for an elected Upper House.

Recommendation 5

This is a reference to some remaining discriminatory measures in the Southern Rhodesia field which are legacies of the past and which are rapidly being removed.

Harare Branch Memorandum

The Constituency Council agrees that suspicions as described by Harare Branch do exist, but the United Federal Party is doing all in its power to remove the causes thereof, and within the Party these suspicions do not exist as the Party is genuine in its desire for partnership.

As regards the broadening of the franchise the Constituency Council feels that this will automatically follow rising economic and educational standards, and the removal of discrimination, all of which is now occurring.

Manica Road West Memorandum

While appreciating the desire of Manica Road West Branch to entrench minorities in the Constitution the Constituency Council feels that this could result in serious complications, and therefore, prefers to aim at the removal of all reference to races in the Constitution with the object of referring only to Citizens of the Federation.

All inhabitants of the Federation at present owe willing allegiance to Her Majesty and it is essential in our view that all inhabitants should share a common citizenship. The present distinction between citizens and protected persons is merely a legal fiction which causes unnecessary confusion. Not only does it cause confusion but it did, before Federation, prevent the British Government from extending a franchise to the people of the Northern Territories, and now has a similar impeding effect.

With regard to amendments to the Constitution as discussed by Manica Road West Branch the Constituency Council is of the opinion that any amendment to the Constitution should be within the legislative competance of the Federation only.

On the matter of the appointment of the Governor-General as set out by Manica Road West the Constituency Council is of the opinion that the restrictions in the present Constitution should be removed.

Referring to paragraph 6, while Manica Road West's proposal is in accordance with what we have said about the removal of racial concepts from the Constitution, the Constituency Council feel that the Upper House presents a special problem, and thought will have to be given to the oppression which might arise if agitators amongst the majority race managed to fill it with members of their own race.

The Constituency Council does support the removal of the British Government's power of veto.

Salisbury City Branch Memorandum

The Constituency Council considers that the first 13 paragraphs of this Memorandum are very sound and supports them, but, in relation to the paragraphs numbered 14 to 17 it considers that an Upper House will be adequate. It is doubtful whether the writing into the Constitution of basic human rights will attain the result intended. Rather must every effort be made to ensure that the public opinion behind all legislation favours fairness, justice, and all the other concepts without which no constitution can succeed.

The following persons will be prepared to present oral evidence in support of memoranda should the Commission so desire:

Salisbury Constituency Council

Mr. L. M. N. Hodson, C.M.G., O.B.E., Q.C., Advocates Chambers, Harvest House, Salisbury.
Sir Charles Meredith, P.O. Box 57, Salsibury.

Harare Branch

Mr. Charles Mzingeli, 25 Harare Community Centre, Harare, Salsibury.
Mr. Amson Nyzika, 6 New Bazaars, Harare, Salisbury.

Salisbury City Branch

Mr. M. M. Boaler, P.O. Box 3883, Salisbury.
Mr. A. A. Peck, c/o Brown, Hoffman and Diamondis, 2nd Floor, Pockets Building, 30 Stanley Avenue, Salisbury.

Manica Road West Branch

Mr. M. Essof, P.O. Box 569, Salisbury.

The Braeside Branch feel that their views are sufficiently set forth in their memorandum as presented.

Salisbury

30th January 1960

Appendix A

Memorandum—Submitted by the Braeside Branch

Introduction

In considering the evidence to be submitted to the Commission the Braeside Branch of the United Federal Party has felt that its evidence should be more of a political nature than a documentary and statistical one. The Branch was guided in arriving at this decision by the belief that it would have been impossible to gather material in the time available and that other people, better qualified, would submit evidence making use of documents and statistics. A further, and more important, consideration was the fact that this Branch belongs to a Constituency which in itself forms a "Federation in Miniature", as within its boundaries it contains Branches consisting of all races found within the borders of the Federation. Therefore, it was felt that more importance should be given to the human aspect, together with its political, social, and in some cases, legal implications.

Analysis

One of the chief criticisms levelled against the Federal Government and the Federation as a whole has been on racial grounds.

The insertion in the Federal Constitution of extensive safeguards for African interests would, indeed, have led one to suppose that such criticisms were to be anticipated. Such "safeguards" included, amongst others, the African Affairs Board, despite the fact that the Constitution expressedly excluded African Affairs from the sphere of Federal responsibilities. In arriving at an intellectual, as opposed to a purely emotional, assessment of the Federation, legislation involving racial issues passed by the Territorial Governments cannot be disreguarded. The Southern Rhodesian Industrial Conciliation Act is one such piece of legislation. Amendments to the Land Apportionment Act, usually passed in the teeth of bitter opposition, are other indications of how racial issues are tackled by the Southern Rhodesian Government. In this connection it would probably *not* be out of place to remind the Commission that the actions of the Southern Rhodesian Government and the Federal Government are inter-related by virtue of the two Governments having been formed by the same political party.

Strong objections have been voiced, both within and without the borders of the Federation, to the moderate "middle of the road" policy of the U.F.P. The right wing Dominion Party objecting to the, in their opinion, too rapid an advancement of the Africans and the left wing Central Africa Party to the "too little and too late" fragments of the same issue. In the welter of conflicting ideas, the most important aspect, however, is usually overlooked and this is, in terms of practical politics, the alternative to the moderate policy of the U.F.P. In these terms there is no doubt that the only alternative Government to one formed by the United Federal Party would be one formed by the Dominion Party. What then would be the likeliest result of a right wing. almost exclusively European, party taking the reins of Government. The most obvious move would be to entrench white Government to such a degree that non-white participation would either be non-existent or at best restricted to Coloureds and Asians and even this kept at an absolute minimum. In practice this would almost inevitably result in the Coloured and Asian communities looking to the African Nationalist movement for fulfilment of their political aspirations, as, indeed, the Northern Rhodesian Euro-Africans are already on the way to doing. Whether these aspirations would, in fact, be tolerated by a victorious black Nationalist Government is doubtful. The most serious result, however, would be the growth of a white Nationalism constantly fed by African opposition. Under these conditions, and in spite of the numerical strength of the Africans a successful revolt against such rule would not be possible, as a study of Communist tactics and practices would confirm. The fond hope of some C.A.P. politicians that an initial victory by the D.P. would, ultimately, result in a swing to a far more liberal outlook than hitherto would also be proved fallacious.

There is, of course, a possibility that black nationalism may carry the day in Nyasaland and in Northern Rhodesia. (It would not be too wild a surmise to say that one would follow the other.) In this case a different set of circumstances would prevail. Again the most obvious reaction of the European electorate would be a swing to white nationalism in Southern Rhodesia, with an even stronger feeling regarding the desirability of a closer union with South Africa. The consequences of such a step are too well known to warrant a closer examination. What would, however, be of more interest is to examine the probable tactics the African Nationalist Movement would employ to bring about an African State and its subsequent behaviour pattern towards its racial minorities and, indeed, towards its own fellow Africans.

The first requirement would be to have a national leader who can excite the imagination of the masses, as Messiah—or more properly —a black Hitler. This man exists for Nyasaland in the person of Dr. Banda. At this stage it should be illuminating to quote from Ward Price's book "I Knew These Dictators". By changing the plural to the singular we have a pretty accurate description of Dr. Banda:—

> "They are leaders who rose to supreme authority by embodying the national desire to escape from a condition of inferiority. Their functions are defined by the titles of Fuhrer and Duce that they bear. Both of them have the support and approval of a much greater proportion of their fellow-countrymen than has ever voted for the Government of any democratic state."

The second requirement is to organise a sufficient number of thugs to put into operation a campaign of intimidation to kill any possible opposition on the part of moderate men. These tactics are by no means new. They have been employed by most national revolutionary movements in the past and in Africa less than a year ago.

Even if Dr. Banda should not wish to be an *ipso facto* dictator, circumstances would very soon force this role upon him.

The position of the non-black minorities would then, inevitably, become intolerable. Their rights would, at best, become privileges to be withdrawn at the whim of the party leaders. The mass of Africans, would, however, have no say in the running of the country. Western democracy would die a swift death.

To moderate men of whatever colour, the existence of "Storm Troopers", be they white or black, can only be distasteful, if not actively injurious to their person.

Recommendations

This Branch requests that in order to foster better race relations the following recommendations be considered:

1. That African home ownership and security of tenure be made available to a greater number.
2. That individual African farm ownership be encouraged and extended on the pattern of the Southern Rhodesian Native Purchase Areas.
3. That the extension of an African middle class be promoted.
4. That the African Affairs Board be abolished and a more efficient body be created—possibly a Senate.
5. That the Coloured, Euro-African and Asian communities be given immediate emancipation.

29th January 1960

Appendix B

Memorandum—Submitted by the Harare Branch

This Branch is prepared to contribute in evidence to be submitted to the Monckton Commission by the Party.

1. Since the coming of the Federation of Rhodesia and Nyasaland much effort has, and is being made to bring about the practice of partnership between the races in the Federation. We are well aware of the opposition by our northern fellow-men and we believe that, that opposition is born out of a fear, whether it is justified that is a point for them to make out.

In our submission the Federal system of government is one of which the three territories cannot afford to do without. The territories are complementary to one another, this has been the case long before the Federation was planned. Southern Rhodesia with its advancing industry has supported both Northern Rhodesia and Nyasaland, financially and economically and this is still the case today.

2. Obviously when a slogan of *Partnership* was launched both people who opposed and supported the Federation anticipated a full co-operation of all the races to bring about the partnership into practice. Record has it, that efforts were made even through the Federal Parliament but these efforts did not produce the complete desired result. We recognise the fact that this failure is due to a fear complex by the majority of Europeans, particularly in Southern Rhodesia, and we believe that this fear complex is without a foundation and to the minds of the African people is a desire of the white people to maintain the principle of white supremacy at the expense of the Africans. It is upon this point that the African finds himself labouring under a very strong suspicion as to whether the white man is genuine in his doctrine of partnership. There you have two opposed views between Europeans and Africans.

The first opposition is created by the Europeans whose supposed fear of being swamped if practical partnership was brought about, goes a long way to provoke suspicion on the African side. They feel, rightly, that the whiteman is not sincere with his partership proposition. Under circumstances this branch is compleled to draw the conclusion that it is a sincere desire of all responsible citizens of the Federation to maintain the system of federal government in Central Africa, and to work for a genuine partnership, but again we point out that this will only come about in the long run when persons on the both sides of the colour line have sorted out the present fear complex. And to end this we suggest as a first step:

(*a*) the broadening of Franchise.
(*b*) raising of the standard of living of all the citizens of the Federation.
(*c*) adoption of compulsory education of all children irrespective of colour, creed, religion or sex.
(*d*) immediate repeal of all discriminatory laws in the Federation, e g. Pass laws, Land Apportionment Act, and Urban areas act, etc.

To end we say again "*Love among the citizens of the Federation of the Rhodesias and Nyasaland irrespective of colour is the strong root of success to the Federation, and hatred among the citizens of the Federation of Rhodesia and Nyasaland is the poison to the root of success to the Federation of Rhodesia and Nyasaland*".

29th January, 1960

Appendix C

Memorandum—By The Manica Road West Branch

1. This Branch of the United Federal Party is by far the largest and most influential body of organised political opinion among Rhodesians of Asian origin in Salisbury.

2. This Branch is in support of an advanced status for the Federation and has very definite views as to provisions in the future Constitution which should accompany an advance in status.

3. In the first place the amended Constitution must cut across all Territorial Constitutions in such a way as to entrench the rights

of all minority groups so that existing Territorial laws which differentiate against such groups, and existing Governmental practices, whether in the Federal or Territorial or local Government fields, which have such a differential effect are immediately abolished and the re-introduction of the same or similar laws and practices is for all time made impossible. In this connection we would point out the Europeans will, on the basis of existing franchise arrangements, be a minority group among the voters within the foreseeable future. But that time has not yet arrived, and we consider it imperative that, at the present juncture, when such differential laws and practices operate against the minority groups of the present date, such groups should be mentioned by name in the Constitution, so that no doubts whatever are left. What happens now is that, under the Federal Constitution, there is express mention of Africans. All others are, in theory, put together into another category. In practice, however, the present minority groups are subjected to many disabilities. These arise chiefly under Territorial laws, but have their consequences in the Federal sphere, because inter-racial co-operation in that sphere is gravely affected when liquor laws, laws relating to places of entertainment, etc., etc., differ for different groups. The names we wish to have mentioned are Federal Citizens who are of Asian origin, or are coloured persons or Euro-Africans or Euro-Asians or Afro-Asians. We definitely fear the possible progress of legislations and practices such as those of the Union of South Africa, with its Group Areas Act, etc., etc. We think it will be wise and farsighted to mention Citizens of European origin also in this general protection of minority groups. They are, even now, a minority group in numbers, though not in political power.

4. We have witnessed, in the Union of South Africa, what can happen to entrenched clauses in the Constitution for a Dominion, and because of that, recommend that control over changes in the Constitution be vested in some body quite above currents of opinion which may develop along racial lines, such as a powerful and reliable Upper House, or the British Government itself, as at present. According to the latest edition of the Encyclopaedia Britannica, Vol. 4, page 712, the fundamental law of the Canadian Constitution could not, until 1949, be changed except by enactment of the British Parliament, and in 1949, the Canadian Parliament was given power to amend the Constitution in matters lying solely within the Federal jurisdiction. Apparently the provincial constitutions are still subject to British Control. There does not seem, therefore, to be any need to rush this particular aspect of the Federation's improved status. It is understood that the Canadians themselves were reluctant to give up the advantage of having an outside impartial body to control changes in their Constitution.

5. The Branch is also opposed, and believes that most other Branches, including predominantly European Branches, will be opposed to alteration to the present system whereby the Governor-General is appointed by the Queen, with due attention to any recommendation by the Federal Government. According to authority previously quoted, this is still the position in Canada. There is a positive reason for retaining the present practice. Anyone here of sufficient standing to be a Governor-General is likely to have earned fame in the political field. Further, the British aristocracy and the British public schools and the oldest British Universities can provide persons who are particularly well-trained in matters of ceremonial, which we consider to be important.

6. The main direction in which the Federation can advance is by the removal of the British Governments power of veto over legislation which does not affect the Constitution. This control should be ablished. As an accompaniment to this, we ask the Commission to advise an Upper Chamber which will be strong enough and talented enough to provide a real safeguard against hasty and illconceived legislation. We recommend most strongly that no more racial representation be provided, but that provisions for the Upper House or Chamber should be framed that real worth, in whatever race it may be found, is employed.

29th January 1960

Appendix D

A Memorandum presenting a Review of certain existing conditions in the Federation of Rhodesia and Nyasaland and submitting Recommendations thereon

Prepared by the Salisbury City Branch of the United Federal Party

Introduction

1. The appointment of the Commission is wholeheartedly welcomed as clear indication on the part of the British Government of its intention to submit the foundations of the welfare of the Federation to emperical study rather than to legislate for the Country in the light of abstract principles which, however admirable they may appear to be in the abstract, do not always bring desirable consequences when uncritically followed in particular political situations.

2. Overseas opinion, being often not cognizant with local conditions, is sometimes uninformed concerning such matters as the unconditional desirability of a universal franchise, or the "unwillingness" of portions of the populace to accede to particular constitutional measures, and a critical evaluation by the Commission of such questions as—the desirability of a universal franchise in the Federation under present conditions, and the weight that should be accorded to the opinions of certain sections of the community; in short, of popular overseas presuppositions—will be of enormous value in clearing the air and in creating a sane and reasoned public opinion, both here and overseas, in preparation for the constitutional talks.

3. More particularly, the Commission will have the advantage of being able to present to the British public and to world opinion conclusions based upon the best informed and best balanced opinion available. In this it will be in a far better position than the British public itself, which unfortunately, quite unwittingly, is often led by press reports to have regard only to numbers of opinion rather than to quality of opinion; and also not realising that sometimes, the masses in Africa, notwithstanding the vociferousness of self-appointed "leaders", may in fact have no opinion at all of their own on many issues. The sensible and reasoned opinion of the statesman tends to be drowned by the clamour of the mob; and, in this connection, the inhabitant of the British Isles has not the inestimable advantage afforded to the Commission of being able to consider the possible ulterior motives of witnesses, and to take into consideration the utterances and conduct of witnesses on other occasions elsewhere—considerations which may well cause the Commission to regard the opinions of certain witnesses as of little worth; and the Commission will be in the fortunate position of being able to cause these considerations to become generally known.

No abuse of Political Power by European

4. The question of the constitutional advancement of individual Territories is not a matter of primary concern to the Commission, and perhaps it would be just as well were the Commission not to pay the question too close attention, since, otherwise, the Territories might find themselves to some extent limited as a result to the rate of advancement of the Federation as a whole. Nevertheless, considerable evidence of the goodwill of the European may be gleaned by a consideration of conditions within particular Territories and within Southern Rhodesia in particular.

5. A cautionary note which might be sounded in this connection is that any hardships that may today be suffered by the urban African in the larger centres of Southern Rhodesia are due to the march of events rather than to any European ill-will. The Native Reserves were adequate when originally established, and they have only become overcrowded and hence inadequate as a direct result of the enormous increase in the African population, which is in turn itself due to better health brought by European medical facilities, and to the cessation of internecine warfare—also due to European influence. Until quite recently the urban African had his roots—his kraal, his wives and family, his fields and his livestock—in the Reserves. He was a relatively temporary sojourner in the town, and he so regarded himself and was to be regarded by the European. It is a misfortune that the once temporary sojourn has now become relatively permanent, and that amenities adequate for the temporary town-dweller may be inadequate for the permanent town-dweller. Similarly, a governmental "two-pyramid" policy was followed in this country, whereby the European could rise to supremacy in his own sphere, and the African in his. It was laid down, with great fairness, that each could only venture into the sphere of the other for the benefit of that other. It was not foreseen that the vast increase in the African population and the magnetic effect of European-introduced industry and commerce should lure the African into the European areas in large numbers.

6. However, many of the sociological and economic difficulties experienced by the African, should prove to be self-righting. African poverty, for instance, is due to the poverty of the country as a whole; and the rising national levels of productivity—to which the Kariba hydroelectric installations will contribute—will tend to eliminate this automatically with the passage of time. Equally, the African provides the mass market in the Federation and any social disadvantages he may have to endure at present will inevitably be eliminated by the necessity for the European entrepreneur—in all fields—to adapt his enterprises to the requirements of that mass market or otherwise suffer economic submergence. There is therefore less need for legislation to remedy such economic and social hardships that he may suffer than may perhaps be imagined.

7. Certainly the dominance of the European in Southern Rhodesia has in no way hindered the progress of the African. Such progress has been great, and has been occasioned by no external coersion whatever. Figures indicating the enormous advances of the African in many spheres are readily available; and statistics reveal, for example, that African incomes have increased in a greater proportion than those of the European.

8. The extent of African education may be specifically mentioned, since education is not only important in itself but is widely recognised as a good yardstick of the general advance of a people; and the extent of African education in Southern Rhodesia is also a striking example of the bona fides of the European since, by choosing to educate the African, he is enabling him to qualify for

the common voters roll and is so hastening the day when the European voter will be outnumbered by the African voter. Although the extent of African education is small, it is nevertheless a fact that it is larger than in the two Territories under the control of the Colonial Office; and larger, indeed, than in any other country in Africa. For the year 1958/59 12½% of the entire Southern Rhodesia budget was spent on African education, and this expenditure would have undoubtedly been greater had more funds been available. It may be remarked in this connection that it is most desirable that the Federal Government should continue to be responsible for European education and the Territorial Government for African education.

9. To sum up this section; it is indeed noteworthy that, in the one Territory politically dominated by European citizens, African progress has been greater in many respects than in the other two Territories, if not in fact greater than in any other country in Africa.

The Distribution of the Franchise

10. It is quite clear, historically, that true democracy rests upon national character—the character of the individual wielding the vote. In Britain, for example, the voter holds certain beliefs almost unconsciously; and it does not occur to him to act otherwise than in accordance with those beliefs. Such beliefs are reverence for one's fellow man, derived largely from the Christian tradition, an unconscious allegiance to the rule of law, a sense of tradition and of responsibility, and a sense of fair play.

11. Experience has repeatedly shown that where such qualities are lacking in the national character, democracy can be at best but intermittently successful. Disregarding Africa itself, numerous examples in Europe and South America spring to mind where democracy had readily given place to dictatorship. Hence, when the question of the franchise is considered, the qualities of those sought to be entrusted with the vote should be examined critically indeed.

12. The Commission will no doubt note that the qualities listed are almost completely alien to the mentality and outlook of large numbers in the Federation. It should be seriously considered whether a customary mental habit of unquestioning allegiance to the unfettered despotism of tribal chiefs, sometimes exercised in an arbitrary and cruel manner, might not, if those with such a habit of mind were accorded the franchise, inevitably lead to dictatorship rather than to democracy. Equally, a mentality still embued with notions of witchcraft and gross superstition—such phenomena as ritual murder are still not unknown, completely illiterate and uneducated, and with little but the dimmest apprehension of western institutions, of science and of industry and commerce, can hardly be one to be entrusted with the destiny of a thriving and progressive westernised economy. Such mentality can have but little idea of the worth of various constitutional relationships and of the dangers of entrusting unqualified power to cliques and groups of people. It may be remarked in passing that, even in Britain, a universal franchise was only a relatively late development; and that even highly intelligent and educated British women only obtained the franchise after 1918. Britain may be further contrasted with the Federation in that the literacy rate is very high indeed in Britain and very low in the Federation.

13. Freedom is like the air we breathe; not noticed until lost; and the individual in a western society often becomes so accustomed to it that he sometimes fails to realise how easily it can be lost and he thus tends to overlook the need for its jealous safeguarding. It would be indeed a disaster were such freedom to be lost by the ill-considered entrusting of the franchise to those unfitted to exercise it.

The Constitutional Safeguarding of Basic Human Rights

14. It is quite clear that some form of safeguard is required for certain fundamental human rights otherwise there is a very real danger that those rights may be taken away by those wielding political power. (It is now unknown, for example, for an existing vote to be taken away from certain sections of a community). Such provisions are not only desirable in themselves, but they are needed to allay fears on the part of various groups in the Federation of unscrupulous political domination by other groups with consequent penalising of individuals.

15. It is not felt that sufficient safeguard can be achieved through the provision of an Upper House, since such a Chamber can normally only delay the passage of legislation, and experience shows that such a Chamber can be "packed".

16. Neither is it felt that continued positive control by the British Government is desirable, since the British electorate is in general ignorant of local conditions, it is apt to approach local problems with preconceived notions which, however valid they may be when applied to conditions prevalent in the United Kingdom, are certainly not sound within the context of the Central African environment; and, further, such a position would expose the Federation to becoming the victim of political manoeuvres that could be rightly stigmatised as little more than electioneering "stunts".

17. The correct solution to this problem would, it is submitted, be the writing into the Constitution of certain basic human rights, these particular clauses to be subject to amendment only with the consent of all of the five governments that will be signatories to the Constitution. The British Government would thus be left in a position to *protect* these basic individual rights, but not to *impose* measures upon the Federation that reasonable local opinion might rightly regard as undesirable. It is the nature of these provisions that will no doubt be the most anxious problem confronting the Commission.

29th January 1960

Oral Evidence

SALISBURY CONSTITUENCY COUNCIL OF THE UNITED FEDERAL PARTY. Represented by: L. M. N. Hodson and Mr. Rose.

CHAIRMAN: Would you like to enlarge on any of the documents you have submitted to us?

A. (MR. HODSON): I am afraid we have no authority to speak for the other branches outside. They used us as a pillar-box to send in their memoranda.

Q. We have had the main body of evidence from the United Federal Party here and from the main centres we have visited. Taking the City of Salisbury Constituency Council, which recommendations belong to them?

A. We presented ours as a commentary on the four branch ones, and we noticed some differences among the four memoranda: as we could not wear five hats, we decided simply to put this memorandum forward as a commentary on the other memoranda. I do not think there is anything in particular that I or Mr. Rose would like to add. We are of the opinion that the branches should properly have been called to speak before you.

Q. If they want to come separately, they had better apply. In the meantime, have you something you would like to add?

A. No, Sir; I personally have nothing to add to what the Constituency Council document says.

MR. ROBINSON: Were you invited to come here today, or did you volunteer to give oral evidence?

A. We were invited.

Q. There has probably been some misunderstanding as to your role in this matter.

A. I have a feeling there has been. It is difficult for us, because we are in fact purely a post-box; and there has been some misunderstanding somewhere along the line in regard to the submission of this and the asking of us to come here.

MR GONDWE: I would have thought that these branches here are part and parcel of your organisation, and you are the central body, are you not?

A. The position is briefly that though, under the United Federal Party constitution, there is provision made for constitutional councils, very few exist. In the case of Salisbury there happens to be one, and the branches sent their memoranda through us to be sent on to the Party office, and from there to the Monckton Commission.

Q. But one would have thought your coming here was to represent all these branches, which are affiliated to the centre. One would have thought you could have answered questions on any one of these memoranda that have been submitted through you.

A. No, you see they are different and have different points of view; and we have no authority to speak on their point of view to the Commission.

CHAIRMAN: At the end of the memorandum, on the third page, you say that the following persons would be prepared to give oral evidence in support of their memoranda, should the Commission so desire—obviously you have been written to, but the others have not necessarily been contacted.

MR. ROBINSON: Have you any desire to take the matter further?

A. Not really.

CHAIRMAN: It is difficult for us to ask and for you to offer anything of this sort of memorandum. I am sorry you have been troubled to come. You can assume we have very carefully listened to and examined the witnesses on behalf of the United Federal Party here, and indeed at all the places we have been to. We have all that collected and we will look at this again: but if there is something here which you think is at variance with the main body to which our attention should be drawn, perhaps you would do so.

A. No, there is nothing in the Salisbury Constituency Council: I think you will find slight variations in the branch memoranda.

MR. CRAWLEY: Have the branches seen your recommendations or comments?

A. No, the branches have not seen them.

Memorandum

RHODESIA NATIONAL FARMERS' UNION

1. The Rhodesia National Farmers' Union wishes to draw the attention of the Commission to the chaotic state of affairs which exists in the organisation of agriculture in the Federation of Rhodesia and Nyasaland.

2. The Rhodesia National Farmers' Union is itself only directly concerned with the interests of European farmers and landowners in Northern and Southern Rhodesia, but European agriculture cannot, at the policy level, be discussed in isolation from African farming, and it will therefore be necessary to refer to the latter in this memorandum.

3. Agriculture in the Federation, as in most other countries, is subject to considerable state intervention and control: on the one hand, the Government supports and controls prices and marketing arrangements for many farm products, and on the other hand the farmer has certain obligations concerning land conservation and good farming practices, and accepts price limitation in exchange for price and market guarantees. In addition, there is Government intervention on land utilisation and international trade in agriculture products, though in many instances the farmer's obligations are now to the territorial Governments, whilst the Federal Government provides the price supports. The Rhodesia National Farmers' Union has always supported a reasonable degree of Government intervention in agriculture, but is becoming seriously concerned about the effectiveness of this intervention, owing to the dispersion of authority in relation to agriculture between the four Governments in the Federation.

4. To the farmer, the land on which he grows his crops, the crops and animal products he produces, and the marketing of his production, are indivisible. Also, to develop and administer a coherent agricultural policy, the land, its production, and the sale of that produce, must be considered as an entity. With the present dispersion of authority, this is not possible. It is indeed surprising, and to the credit of the civil services concerned, that some semblance of an agricultural policy and its implementation has, in fact, been maintained, but insurmountable difficulties exist both in the fields of long term overall planning and in dealing with urgent short term problems. In this latter field, in particular, agriculture is extremely vulnerable to climatic and seasonal factors, neither of which will wait whilst four Governments sort out there respective views and spheres of responsibility.

5. The dispersal of authority on agricultural matters between the four Governments is, to a major extent, inherent in the Constitution, with certain powers specifically reserved for the Federal and territorial Governments. Some agricultural matters are on the concurrent list, and although legally they could, subject in some instances—e.g. Item 10—to the concurrence of the territorial Governments concerned, come entirely under the Federal Government, the present position is one of complete confusion, with powers held by the Federal Government in one territory, and by the territorial Governments in the other. Even where the Federal Government holds the powers to legislate, it can be impossible to use them owing to Section 42(2) of the Constitution, unless the Federal Government can provide the staff to enforce them. Since law enforcement is a territorial responsibility, and much of agricultural administration is also territorial, the effectiveness of Federal legislation can be entirely dependent on the willingness of the territorial Governments to enforce it, which co-operation can be refused under Section 41(2).

6. In this section, the Rhodesia National Farmers' Union endeavours to set out the distribution of powers concerning agriculture between the Federal and territorial Governments. The analysis may not be complete, and it may not be entirely accurate, since it is based only on the Rhodesia National Farmers' Union's own experience since Federation. However, this very qualification is, in itself, an indication of the doubt and confusion which exist in present agricultural legislation.

(a) Land. The main responsibility lies with the three territorial Governments who, to a degree, operate through agencies such as the Natural Resources Board and Land Settlement Board in Southern Rhodesia, and similar institutions in Northern Rhodesia. The conservation of non-African land is, however, the responsibility of the Federal Government in Southern Rhodesia and in Northern Rhodesia, through the Conservation and Extension Department of the Ministry of Agriculture, though it theoretically administers a policy laid down by territorial Governments. Conservation in African areas is a territorial responsibility, but on Crown land, which may eventually have European settlement, the Federal Government may have to meet the cost.

Land settlement schemes are a field in which there is much confusion over Government powers. African settlement is a territorial matter, but European settlement is a responsibility divided among the territorial Departments of Land and the Federal Ministries of Agriculture and Immigration.

(b) Water. The Meteorological Service are Federal, Irrigation is a territorial matter—including Irrigation Research—but the effect of applying irrigation water to crops is a Federal research subject in Southern Rhodesia, and Water Conservation and Irrigation Advisory work are Federal matters in Southern Rhodesia and Northern Rhodesia, except that Water Conservation subsidies are territorial in Northern Rhodesia. Agricultural water rights are, however, a territorial responsibility, though large scale irrigation schemes might be Federal.

(c) Crop Production. This is a Federal responsibility for non-African agriculture in Northern and Southern Rhodesia but not in Nyasaland. However, in Northern Rhodesia the Federal responsibility is not complete, since research and specialist services—but not advisory services—remain a territorial function. African crop production is territorial throughout the Federation, except for research and specialist services, which are Federal in Southern Rhodesia.

(d) Livestock Production. This is a Federal responsibility for non-African agriculture in Southern Rhodesia. In Northern Rhodesia the responsibility is jointly held by the Federal and territorial Governments, with the territorial Government retaining powers over veterinary services, animal health, research and specialist services. In Nyasaland it is a wholly territorial responsibility. African livestock production is a territorial responsibility except in Southern Rhodesia, where responsibility is shared with the Federal Government who control veterinary services, research and specialist services.

(e) Tsetse Control is Federal in Southern Rhodesia, but game control, with which it is closely associated, is territorial. In Northern Rhodesia it is entirely territorial, and presumably so in Nyasaland.

(f) Red Locust Control. This is Federal throughout because it comes under an international agency and external affairs are Federal.

(g) Flue Cured Tobacco Production is Federal in Southern and Northern Rhodesia, where production is confined to Europeans. It is territorial in Nyasaland.

(h) Turkish Tobacco Production. All four Governments are concerned, but their relative spheres of responsibility are vague.

(i) General Production Policy. For non-African agriculture in Northern and Southern Rhodesia, this is theoretically a Federal responsibility, but the territorial Governments control the production policy on leasehold Crown land farms, and run independent policies for African agriculture in the three territories and for non-African agriculture in Nyasaland.

(j) Agricultural Price and Marketing Policy. The present Constitutional position concerning marketing policy is probably the main single factor responsible for the unsatisfactory state of affairs in the agricultural industry. It is governed by Item 10 of the Federal legislative list. Theoretically it is a Federal responsibility, but the double proviso concerning laws relating to animals and poultry and the subordination of the whole section to Part III of the schedule, results in the territorial—the junior—Governments having an effective veto on many price and market policies, without them having any responsibilities for these policies. The present position may be summarised by saying that whilst the Federal Government attempts to take responsibility for marketing and price support policy in Northern Rhodesia and Southern Rhodesia, it has not to any material extent intervened in Nyasaland.

(k) Agricultural Co-ops. Closely linked to general marketing policy is the responsibility for co-operative legislation. African Co-ops. are reserved for the territorial Governments, others are on the concurrent list and are Federal in Southern Rhodesia, but not in the other two territories.

(l) Land Banks. These are also closely tied to agricultural economic policy, but are on the concurrent list, and only in Southern Rhodesia have they become a Federal responsibility.

7. The above is an attempted summary of the present apportionment of powers between the Federal and territorial Governments on matters *directly* affecting agriculture. It may be incomplete, and in some instances there seems to be doubt concerning the responsible Government.

8. As an example of the confusion which can arise as a result of the distribution of powers outlined in Section 6 above, the Rhodesia National Farmers' Union would draw the attention of the Commission to the position which has arisen as a result of the construction of the Kariba dam. Leaving aside its prime purpose

of the provision of power—itself a divided responsibility—there remains the general development of the area, which should flow from the building of the dam. Much of this development should be connected with agriculture and lands, and the following problems all need examination: (a) irrigation potential; (b) Land settlement; (c) agricultural production suitable for the area; (d) tsetse control; (e) game reserves; (f) freshwater fishing; (g) tourist potential. Bearing in mind that the area concerned is both in Southern and Northern Rhodesia and that the problems involve both African and European interests, it is hardly surprising that so far no serious attention has been paid to the project, in view of the complete chaos which exists in relation to Governmental powers for the development of the area. With the distribution of powers set out in Section 6 above, it would appear virtually impossible for any Kariba Development Authority to function properly, or indeed for any co-ordinated approach to be made to the development of the area. This example has been chosen, not because it is of immediate concern to the Rhodesia National Farmers' Union, but because of its possible potential importance to the Federation and its intimate connection with agriculture, lands, game and fisheries. As an exercise, the creation of a Kariba Development Authority, its membership, powers and the ultimate authorities for reference in the event of disagreement, is strongly recommended as an object lesson in the problems inherent in the present Federal Constitution.

9. It is the opinion of the Rhodesia National Farmers' Union that a comprehensive and progressive agricultural policy is not possible whilst the present chaotic apportionment of legislative and administrative powers continue. It is further the opinion of the Rhodesia National Farmers' Union that to retain the present position in the hope that powers on the concurrent legislative list will gradually accrue to the Federal Government cannot result in an acceptable or effective solution, since the potentially Federal powers contained in the concurrent list are themselves totally inadequate.

10. The Rhodesia National Farmers' Union therefore requests that a thorough review be made by the Commission of the Constitutional position as it affects agriculture, with the aim of so altering the spheres of responsibility of the various Governments as to enable a comprehensive agricultural policy for the Federation as a whole to be developed.

11. The Rhodesia National Farmers' Union has itself examined the problems of developing agricultural policy in a Federal state. The present position has been outlined above; a summary of our examination is set out in Sections 12 and 13 below, and our recommendations are made in Section 14.

12. It appears that the apportionment of powers in the Federation of Rhodesia and Nyasaland is very different from that adopted in other countries with a Federal Constitution, both within and without the Commonwealth.

In Canada it appears that under the British North America Act, the powers of the Provinces to legislate are effectively limited to matters which cannot affect other Provinces or the country as a whole. Thus, all the broader policy making powers are effectively held by the Federal Government. Similarly, in Australia the Federal Government, through its Ministry of Primary Industry, effectively controls the broad aspects of agricultural policy. In both countries it appears that all powers concerning price supports, marketing, exports and production development are effectively and exclusively held by the Federal Government. The Provincial and State Governments appear to be responsible to a certain extent for agricultural research and extension work, but in both countries this work is partly financed by the Federal Government and in Australia the State policies are co-ordinated through the Federally controlled C.S.I.R. In both countries responsibility for Crown land alienation is held by the State or Provincial Governments. A roughly similar apportionment of powers exists in the U.S.A.

13. The alternatives open in this country are either to concentrate as much power as possible in relation to agriculture in the hands of the Federal Government or to let agriculture revert *in toto* to the territorial Governments. The Rhodesia National Farmers' Union is utterly opposed to a reversion of agriculture to the territorial Governments for the following reasons:

(*a*) In the context of free trade within the Federation, which is essential for any State, it would be impossible for the territorial Governments, acting in isolation, to operate any policy of price support or marketing organisation.

(*b*) There would be a tendency for each territory to aim at territorial self-sufficiency, instead of making the best use of the resources of the Federation as a whole.

(*c*) The problems of developing export markets for agriculture would be greatly increased if in the hands of three separate Governments. Already one of our main disadvantages on the world market is the small scale of our agricultural export trade, and this would be greatly aggravated.

(*d*) The problems of moving surpluses and meeting shortages within the three territories would be increased.

(*e*) The expense of running three separate organisations would be excessive.

(*f*) The present stage of development of the country is such that it is difficult to find sufficient civil service administrative and executive talent to carry out Government policies. For all practical purposes there is as yet only the European population of less than 300,000 to draw upon, as the African in his present stage of emergence has not as yet shown any pronounced administrative ability. From this very small population, approximately that of Nottingham, has to be found four Governments and ten major Municipal Councils, as well as the qualified staff to administer them. It is essential, therefore, that the administrative procedure of Government be simplified as far as possible and the complicated problems of co-ordination resulting from a reversion of agriculture to territorial control should at all costs be avoided. A similar comment could be made concerning the present division of responsibilities.

(*g*) In general terms, the reversion of agriculture to the territorial Governments would be a negation of Federation.

14. The Rhodesia National Farmers' Union strongly recommends that all powers relating to agriculture be concentrated in the hands of the Federal Government. It is appreciated that this recommendation goes beyond the position which exists in the Federal states referred to above, but it is considered that the territories in the Federation of Rhodesia and Nyasaland are at present to undeveloped each to be able to carry out its own complete research programme, whilst the Federal state should be able to do so. If it is accepted that at present research could be more effectively operated on a Federal basis, then it follows that the conservation, advisory and specialist services which, particularly in a small country, are very closely associated with agricultural research, should also be Federal.

This leaves only the problem of land. It is accepted that, particularly in the Protectorate areas, it may be necessary for the territorial Governments to retain the basic control on Crown land. It is considered, however, that once that land has been assigned, the responsibility for its alienation, conservation, occupation and development could perfectly well pass to the Federal Government, who alone have the necessary administrative machine to ensure its proper use and development. By adopting this procedure African land rights could be fully protected, whilst at the same time permitting proper development and use of all land in the Federation.

15. In conclusion, the Rhodesia National Farmers' Union would draw attention to the importance of the problem posed in this memorandum. Agriculture has an estimated value of production of £130,000,000 per annum (three year average, 1956/57/58), over one third of the total net production of the Federation. In addition, directly or indirectly, a very major proportion of the Federation's commerce and industry is dependent upon agriculture. Also, agriculture accounts for some £38,000,000 per annum (three year average, 1956/57/58) of the Federation's exports, or about 25% of the total, and this percentage has steadily risen over the last three years. Finally, and most important of all, is the problem of the general low standard of nutrition in the Federation, a problem which can only be solved by a concerted policy for agricultural development.

Salisbury

21st January, 1960

Oral Evidence

RHODESIA NATIONAL FARMERS' UNION—Representatives: E. B. Evans, President; P. Boenders, Secretary.

CHAIRMAN: I gather from your paper that your primary interest is the European farmers and landowners in Northern and Southern Rhodesia?

A. (MR EVANS): That is correct. The Rhodesia National Farmers' Union represents the European farmers of both Northern and Southern Rhodesia, but not Nyasaland.

Q. When you come to your recommendations in paragraph 11 onwards, am I right in assuming that these changes are meant to be changes applying throughout the Federation?

A. That is correct, Sir, yes.

Q. It is more difficult, is it not, to contemplate in relation to Nyasaland?

A. That is correct. It would be more difficult. If I could just make a point; originally the European farmers, certainly when we saw Federation coming up and having already had some experience of one Territory being played off against another in marketing and in various other directions, we decided to get together on the grounds that staying together would be a good thing, the two Unions were joined before Federation to anticipate what was

coming. The four Governments cannot fight the peculiarities that can happen on commodities between the four Governments. I endeavoured at that early stage to get the European farmers in Nyasaland to join the Rhodesia National Farmers' Union and unfortunately at that stage they were against it. I may be wrong, but the situation is a little different there. There are not as many and, of course, there are a large number of estates and companies as against the ordinary straight farmer which you find, certainly over 5,000 of them, in Southern Rhodesia and over 1,000, I think, in Northern Rhodesia. I have the feeling today perhaps they would rather have come in, that is as things are now.

Q. But there are fewer of them.

A. Much fewer.

Q. Of course, the effect of these recommendations would be to put the whole subject of agriculture in the Federal field?

A. That is so, Sir.

Q. And that would be in relation to Nyasaland a biggish change?

A. A very large change indeed.

Q. You are not anticipating that African opinion in Nyasaland and Northern Rhodesia would want it?

A. I must assume that obviously in Nyasaland they would be opposed to it, and in Northern Rhodesia; only one Territory of the three has an organized African union which is in Southern Rhodesia and we have a very strong liaison with them, and in fact we have helped them considerably. In my discussion with Unions, it would appear that they themselves would favour this.

Q. What you say is from the point of view of efficiency and the growth of the idea of partnership if the thing is to be run really efficiently this is the way to do it; that is your case?

A. That is the main case plus the point that I have been President of the Union for four years and the more I look at it, it is obvious that the present set-up, of course, cannot be maintained. Even in our preamble on the situation there is some doubt on all sides on what really belongs to whom. It seems to be an answer against its return to the various Territories within the Federation, much as we would prefer it, quite frankly, as our own elected Government, the Federal Government, and under a system by which we have already started the ball rolling. It has been the policy of my Union over the last four years to gradually get to our system of marketing, certainly as far as the European is concerned, bring it together under the one Union, under one system of marketing, under one Government. On the whole it has worked reasonably satisfactorily and we would view with a little alarm the prospect of going right back to where we started, right back within the three Territories. Whatever new scheme would be mooted, there is extreme difficulty in handling produce and handling it throughout three Governments. The prices concerned, the whole question of research, export, it is extremely difficult,—almost impossible—having had a little experience of it.

Q. Of course, you do see the political difficulty?

A. I see it very well indeed. As you have said, there is the political difficulty from the point of view of the Africans in Northern Rhodesia and particularly Nyasaland, I would think, under the circumstances.

Q. I think I will ask Lord Crathorne if he would like to ask some questions.

LORD CRATHORNE: On the question of facts, as far as your Union is concerned, what sort of total is your membership?

A. At the present moment in Southern and Northern Rhodesia it is about 6,400.

Q. Can you divide them up?

A. Yes, about 1,000 in the North and 5,400 in Southern Rhodesia.

Q. As you told the Chairman, Nyasaland is at present out?

A. Yes.

Q. Could we come to your memorandum. In the first paragraph you refer to the chaotic state of affairs which exist in the organisation of agriculture, and that is because of not knowing quite where the thing is? In the fourth paragraph you come down to say: "It is indeed surprising, and to the credit of the Civil Services concerned, that some semblance of an agricultural policy and its implementation has, in fact, been maintained." In ways they are contradictory. What I want to ask you is that we have now been around for three months and would it surprise you to know how amazingly few complaints we have had, although many of your members with whom we have had meetings admit that logically the position as it is now is untenable but in fact it is working?

A. That is reasonably correct. It is working, but if we are going to look ahead the whole situation of agriculture is changing. We are moving very fast. We are in surplus. We have been asked, and have done so, to feed a vast Federation; and there is not the slightest doubt about it, to a large number looking at it, the fact that they get their grants and see their Extension Officers may make it look that the situation is working all right. But if you happen to be at the top of the table where you are endeavouring to get prices and get rid of surpluses, the personalities that crop up between one set of services and another set of services, general disagreements that can take place, while it may seem to the layman to be working well, perhaps I take it rather as a compliment, to those at the top it does not work always so well.

Q. Paragraph 13, is it in fact as easy as that? You say really the question is whether everything goes back *in toto* to the Territorial Governments or whether it goes Federal. Have you turned your mind if for, say, political reasons—I do not say it will happen—but say in the event of that day-to-day working on the farms' production side seemed to be put down to the Territories themselves, on the other hand keeping the marketing Federal, would that be a feasible proposition?

A. Of course, we have envisaged this one. My own idea of it is that it could work, but in the long run it would be an interim method, it would be another of these changes and changes that go on. Once again, I have had quite a little bit of experience of this, not altogether different, still under agriculture, if everything has to work it is like the Army; you have one man at the head, Corps Commanders and Company Commanders who make it work smoothly. I still believe from what I have seen already of differences of opinion in the Federal Government just from the Union in the Territorial Governments, many of the people are from England, all with different views and still within agriculture. You would still have this division, and I am convinced that even if we did work it for a few years once again, with respect, there would be another Commission or some other Commission seeing how we could change the thing or improve it. In my opinion and in that of my colleagues we say why not put it down now and put it under one, and if it is under one Government, there is only one Government, the Federal Government.

Q. If you did put everything under the Federal Government, do you think it would work if you did it overnight, if you did not have the goodwill of individual farmers of all the different Territories who said they are not going to operate that? Would it work under those circumstances?

A. You have mentioned all the farmers in the Territories. I must make it clear whatever individual evidence you may have received that this particular document carries the full support of the R.N.F.U. in every Branch of Northern Rhodesia and Southern Rhodesia. When you say every farmer, there must be the African view from the farmer's side, which I accept. Already in two areas there would be opposition. There is the odd man amongst our own ranks at this stage who is on his own bat. The Northern Rhodesia Government is taking a strong line in view of finances. Northern farmers are hard up and they are beginning to think they will get more from the North than they would from the Federal Government. In Southern Rhodesia, again, you will find the odd man who will give evidence because he is worried to the extent it is political. In Southern Rhodesia certainly the Colonial Office is not exactly popular and the way some of them view the future with the politics of the Federal Government, and as a final point their own Territorial Government, is the last ditch stand. You may get the odd man who may want to take it back to the Territorial Government. On the overall basis I feel this document must be accepted as having the general support of European farmers and I would believe possibly the support of the organised African farmers in the Southern Territory.

Q. May I go on to the African farmer. In paragraph 2 you really suggest there that you cannot go on forever discussing agriculture in Nyasaland away from Europeans, away from Africans?

A. That is totally correct.

Q. How are you getting on with them? At the moment they have an organisation of their own?

A. Correct.

Q. How close is the liaison, first of all to Federal and then Territorial, and what are your plans and your feelings on that?

A. The position is simple. This paragraph says we realise other people are in the game as well. We do not see a lot of Africans who are in African areas like reserves, they come very much under the Territorial Government, who are very jealous of them. We have attempted to make liaison with the one official Union in Northern Rhodesia but we point out to them that the R.N.F.U. has nothing to do with politics; agriculture is not political. We do not get to the stage of trade unions like miners and railway men, and once anybody becomes a politician he is removed to more exalted spheres. That clamped down a little bit on the African gentlemen in the North who envisaged something like a body which would move politically and we saw no more of them. In Southern Rhodesia our Union has done much to bring forward the African Farmers' Union in Southern Rhodesia and in fact it is almost historical information that the whole of their future and their constitution was drawn up in the Board-room of the R.N.F.U. and we did very much to help them draw it up. We have a permanent Committee that liaises directly with the Committee of the African Farmers' Union.

Q. Which is Southern Rhodesian?

A. Yes. We do not like politics and it became fairly apparent that the gentlemen in the North were looking for a further political body amongst numerous other bodies, we did not go very much further with it. But we would give them all support to form a Union.

Q. Take it to the other extreme—if you got everything you want in your memorandum, all agriculture was Federal, would it be your object then to get very close relationships?

A. Most certainly. It is the policy of my Union which is entirely in favour of full liaison with the African Farmers' Union or Asiatic Farmers' Union or Coloured Farmers' Union. We believe in organised agriculture we have to work together to get the best results for everybody.

Q. What sort of calibre are the Africans who are your opposite numbers?

A. They are what we call largely in the African Purchase Areas in Southern Rhodesia where they are landowners and potential landowners. I have not found among them any of real calibre to carry a presidency with all the peculiar things it entails in being a President of the Rhodesia National Farmers' Union. The men who are actually running their Union at the present moment are of very useful and good standard. When we finalized that constitution there were about eighteen of the gentlemen with us and I found there in the standard of debates and their determination to learn was first class. As a matter of fact, if they had been an association of the R.N.F.U. I would have thought their standard of debate was very much better than some of my own associates. I think they still quite naturally are faced with their biggest difficulty which will be to find a number of men to organise them on the ground that they are for the benefit of agriculture on an overall basis and not to go gallivanting off on a soap-box with little hope of moving into politics, because once that happens then there would be no further co-operation.

Q. Paragraph 8, what is your conception of the Kariba development authority? You put it clearly in your memorandum. Is it really something like the Tennessee Valley Authority, an independent statutory body?

A. This is something we are not putting forward as any views of what should be done with the Kariba scheme. We have merely introduced it as an example if such a thing would develop, the extraordinary chaotic conditions which would ensue. If you look at this particular scheme, it will be one of the biggest problems you have ever seen in your life. Any scheme like that, in my opinion, will have to be run by the Federal Government.

Q. There would be a Kariba development authority which would be a statutory body independent in its day to day working but under the overall guidance of the Federal Government?

A. We produced this merely as an example if it took place; we are not making any recommendations. We merely used this as an example to you as this Territory develops something like this obviously would take place, an extraordinary muddle could occur if it were done.

SIR DONALD MACGILLIVRAY: Could I ask something further on this matter of the African and European Unions. If Agriculture were to be under a single administration in Southern Rhodesia, whether it was Federal or Territorial, would you think it would be desirable, and if desirable do you think that it would come about that the Unions should merge, both European and African Unions, into a single Union?

A. This is a place where we have got to say what we think. You gentlemen have been round the Federation and obviously it does not take me very long to tell you the general feelings that possibly are envisaged. My own personal opinion is simply this: it has taken me four years to develop this Union into a reasonably strong, and, if I may say so, powerful Union. We have to be powerful because we are few, there are only 6,000 of us in the country, and the Federal vote comes from the town and industry; the farmer is in the minority. If I were to say that at this stage to merge the two together, I would merely have a Union of so many Europeans and so many Africans and a vast wedge of the Europeans would go out, and I think the vast wedge of the Africans would not join, and all the power I have for the benefit of Europeans or even of the Africans would be lost, and I have no sign in any way from the African Unions that they would wish to join the European farmers. It is definitely at this stage and I think at least for the interim period we are probably right to do so.

Q. You see separate Unions for some time?

A. Yes.

Q. If that were so, when it came to price negotiations with Government or making representations to Government, would you say that the Unions would come together before going to Government to speak with one voice?

A. I think it is very wrong under a system like this where the African would be working under a similar system to ours, he has also a Licensing Act, on the ground of whether we would foregather, I am certain there would be discussions as to the actual policy and what we wanted.

Q. If there was to be split up, that Agriculture should be administered by Territorial Government, not by the Federal Government, would you say that a single European Union for Northern Rhodesia and Southern Rhodesia would continue or would there have to be a split in the Union?

A. Of course we would try to keep it together on the ground, again, that unity is strength, but inevitably where you get a young country, with the ideas of partnership and the large areas, I should see developing in that Union the North and South becoming a Mason Dixon line and at this stage there is the key of the North and South. In Southern Rhodesia there are Bulawayo and Salisbury, which are two bull-terriers I have to handle, but there is no North and South. But inevitably, if it went back to the Territories, however much we stood as one Union, I can see the Northern delegates of Congress on one side, and the Southern men on the other and that division would come. That is one of the reasons why I should prefer it with the Federal Government.

MR. CHIRWA: What facilities can the Africans use of the Land Bank?

A. Yes, there is a Land Bank in Northern Rhodesia and Southern Rhodesia. (MR. BOENDERS): I think the position in Southern Rhodesia at any rate is that the African Purchase Area farmers do have full access to the Land Bank in the Southern territory. I am not certain of the position in the North, but I do not think as yet the Land Bank makes loans to the African Farmers' Union in Northern Rhodesia. (MR EVANS): I would say, of course, that where the African has reached the stage, as he has in the African Purchase Areas, he is faced with the same trouble we have, cost of production and labour, we would be entirely giving him the same facilities, and he must have them. I think the time has come when he gets officially the same price, but various percentages are deducted from the various commodities, I think he has to get the same price, grade for grade, and he must learn to handle it himself and pay for it himself instead of being overruled from the other side.

Q. I do not know whether the question of title deeds for Africans has come before you?

A. No.

Q. Whether you have heard anything about it, I do not know?

A. No. I would again make the point that that is the sort of thing that would go before the African Farmers' Union, and if they were at all worried about it, they will have every right to come on to us, we will use legal men, and economists, to help them. We have already done so on a specific point.

Q. The third question is political, contained in the memorandum at paragraph 13 (*f*):—

> "For all practical purposes there is as yet only the European population of less than 300,000 to draw upon, as the African in his present stage of emergence has not as yet shown any pronounced administrative ability."

The question I wanted to raise was what opportunities are given to Africans in this country to acquire this administrative ability because a person can only acquire ability if he is practising it?

A. That is a political one. I might also say, what have been my opportunities for acquiring administrative ability? I have learnt as I went along. I am quite certain the Africans will learn as they develop their administrative ability, there will be openings for them. The R.N.F.U. is not in a position to offer or suggest political responsibility for anybody.

MR. ROBINSON. You made a statement a little earlier about the difficulties prior to Federation that agriculture faced, and you did make a comment that amongst those difficulties there were the difficulties or clash of personalities as between Territorial Governments. I am not interested in the clash of personalities except in so far as they affect the overall efficiency and working of any system. My question does not seek to ask you to disclose what personalities are engaged in differences or anything of that nature, but what I would like you to enlarge slightly upon is what practical difficulties did you have prior to Federation in terms of efficient marketing of your product and the conduct of agriculture as between the Governments?

A. The Cattle Marketing Board in Northern Rhodesia and the whole question of cattle. The Cattle Marketing Board was a Territorial Board—I had the privilege of sitting on it for a while. This was before federation with Southern Rhodesia. There was the question of cattle coming from Bechuanaland to Northern Rhodesia and a lot of us felt that as Southern Rhodesia was one of us, even if there was no federation, more attention should be paid there. The whole question of allocation of stock was discussed and on the veterinary side and individual sides of Goverment there were clashes of individuals, and one of the reasons why we never got together was in my case as a farmer in Northern Rhodesia with the Territorial Government there was somebody in senior command

telling me what to do and what not to do instead of having an organisation of my own to formulate my own policy, and we were not getting anywhere because there were personalities on two sides of the line running into each other.

Q. In the maize industry?

A. Again we came up against a similar thing. Northern Rhodesia had a good year and a surplus, Southern Rhodesia had a bad year and a shortage, and *vis-a-vis*, there is no main contact of the two sides of Government to manoeuvre it. You had one typical example composed of the Secretariat in the North which was the biggest one and was mostly drawn from Home, many of them may not have had a true agricultural view. On the Southern side there were many senior people drawn from the Union, and again on a question like that time and time again there was quite definitely a clash between the two sides and often in many cases we could not get anywhere. To me it is still a reason apart from even a political one why the Federal Government should have control where I believe something along the line I made earlier, you must have somebody sitting on top of it. It was there and I can only say it was.

MR. HADLOW: I think you will agree Nyasaland is right outside your consideration?

A. I am afraid it is.

Q. Except in the case of a certain kind of cotton which comes for spinning, and groundnuts?

A. Yes.

Q. Cold Storage, of course, has started up there and is doing very well. I think it is the best thing that ever happened to Nyasaland, but apart from that there is no co-operation.

A. We have the Nyasaland Farmers' Union, of course, which is a very small body indeed, it might have fifty members, and, of course, all sorts of other Associations, Tea Associations, etc.

Q. But there is no co-operation between you and those Associations?

A. At the present moment there is liaison. From time to time in our paper we print something that the other papers will not print. We print it for them because they are in the farming economy the same as ourselves. We give them every backing that we can. I regret I am not able to bring them into the block.

Q. The Nyasaland Government decided about six months ago not to pursue the question of federalising the European agriculture because there was the African position today.

A. The only point, when I suggested that they came in, because if they did not, exactly what has happened would happen.

MR. WOODROW CROSS: May I ask Mr. Evans to enlarge upon the Maize Marketing and Dairy Board as it affects the Federal set-up and the Territorial Governments?

A. As you know, the key from the producer's point of view is price and how he markets his produce, and it has been a policy of the R.N.F U to try and develop an orderly marketing scheme, the same for both Territories. What we call orderly marketing does mean a guaranteed price over a number of years, and, what is most important, a guaranteed buyer. The long-term prices are first class but it is no good until you see the cheque in your pocket, and only one person can do that, and that is the residual buyer, and we have endeavoured to produce a standard system of marketing in the Territories which strengthens our hand. At a certain period we were alarmed in the North, particularly as far as beef was concerned, and I was negotiating for the future of the farmers' prices. The North could never have a guaranteed price because there was no guaranteed buyer such as the statutory bodies down here, so the obvious thing we had to do was to give the North what Southern Rhodesia had, and we moved the Cold Storage into Northern Rhodesia. It was the only body which could guarantee any price. The Grain Marketing Board went in much earlier and I would submit if there had been two Grain Marketing Boards we would have been in considerable trouble. It is still R.N.F.U. policy to bring the Grain Marketing Board in control in Northern Rhodesia. The original system was all right while it was working on the question of whole milk, but now they have moved into surplus milk, and the surplus milk is getting less in Southern Rhodesia. We believe the simplest way is to get one standard system for the two States set up. From the R.N.F.U. point of view it gives us a further hand on these statutory bodies. From our members we are allowed to nominate onto them. Sometimes you are working with a Board which you have not so direct a say. We do have a fairly liberal scheme where we agree to prices and policy and we have a statutory board controlled by that Government which implements that policy on which we have some say, and we have tried to develop that. Cattle has put Northern Rhodesia on the map as a beef country and I am convinced that the Grain Marketing Board is going to facilitate the extraordinary rise in surplus milk which is going to produce far more for Northern Rhodesia than for Southern Rhodesia.

MR. GONDWE: In the second part of paragraph 14, you say:—

"It is considered, however, that once the land has been assigned, the responsibility for its alienation, conservation, occupation and development could perfectly well pass to the Federal Government, who alone have the necessary administrative machine to ensure its proper use and development. By adopting this procedure, African land rights could be fully protected, whilst at the same time permitting proper development and use of all land in the Federation."

Could you amplify that last bit?

A. It is simply this: in a country like this where you have conservation, one thing is to have correct government for growing your crops; the second thing we believe under one general system for the Federation under one body it could be better done than by individual Governments and individual people having all sorts of different ideas and having a crack at it.

Q. How is the African land to be protected?

A. By protection do you mean from the conservation point of view?

Q. No, from being taken away, land rights.

A. (MR. BOENDERS): It is not suggested here that the assigning of land should pass into the hands of the Federal Government, that would remain a Territorial responsibility, but once that land has been assigned into areas, assuming the existing basis, the actual problems of settlement and development of that land can well become a Federal subject without in any way interfering with the African land rights because the assignment would remain entirely in the hands of the Territorial Government.

Q. Who is going to assign the land?

A. The Territorial Government. (MR. EVANS): Once that land is assigned, from that stage onwards the development of it on the right lines, the co-ordination of it lies with the Federal Government.

MR. HADLOW: It is not understood in Nyasaland at all.

MR. GONDWE: Not at all?

A. The whole assignment of land is something into which we will never push our nose nor would we suggest the Federal Government should do something about it. All we are interested in, once that land has been assigned, whoever makes the demarcation is not our job, nor should we suggest that the Federal Government should do it. But the method of that conservation we feel is better done with one Government than having one Government in Northern Rhodesia, one Territory for the African, one for the European, another in Southern Rhodesia; it leads to gross expenditure, actually paying four Governments to do the job of one. That was the point. There is no suggestion from our side in any way that assignment of land or handing over of land should be handed to the Federal Government at all. All we want to see, whatever demarcation is made which is done on a Territorial basis, whoever the farmers are, whether they are European or African, the best systems are developed for the development of their crops, use of that land and conservation of it.

MR. CRAWLEY: Are these problems of research in the Territories particularly similar or do they differ?

A. Particularly they are similar. There are still variations on an original theme here and there. On the whole basically they are similar. One thing we didn't expect which does not naturally work in Africa, and as you remember the R.N.F.U. handed the remains of its income tax rebate over to a research council to enable scientific research to be done in the Federation instead of importing ideas from outside which do not necessarily apply fundamentally. Maize production is very much the same in Northern Rhodesia, Southern Rhodesia and Nyasaland; there might be variations in Nyasaland but there are areas there in the higher altitudes which might be a little more in common with our friends in Kenya, but on the overall basis it is generally applicable.

Q. If your suggestion to place all agriculture under the Federal Government did result in greater increased opposition to Federation as a whole in the North, then would you revert to your alternative suggestion and prefer to see it all under the Territorial Government?

A. I do not think I have made an alternative suggestion, except to say either they must revert or go under one. I can visualise what sort of trouble would result in Northern Rhodesia if it were done. My own opinion is I do not think it would be so much trouble. I think as long as it is clear that there is the demarcation of land, it is merely there for the benefit of agricultural production, I personally do not see there would be any trouble. It is pretty obvious a scheme like this would create serious trouble. It is very difficult for me to say quite what I would do about about it.

MR. HADLOW: That has already happened in Nyasaland as a fact, and that is why the Government have put it off.

A. Quite. That takes me rather on to the political one where you have disturbances in the country. I have my own ideas on that; but no doubt you have had plenty of evidence and I think I would be wasting my time if I attempted to give them.

LORD CRATHORNE: Are you satisfied with the fertiliser position? There seems to be a big build up here. Is it too much of a monopoly?

A. There is no argument about it. We have what I would call two cartels in this country and one, of course, is petrol and the other is fertiliser. One has to be fair. We cannot break through, naturally our job would be to break it, and if we could play one off against the other they are sensible enough to know as long as they close their ranks they are safe. They give a service, and we had quite a debate on this the other day because of the action they took in this particular case of moving the fertiliser depots and not unnaturally the debate mentioned the extraordinary power which these people have here. The first thing we would like you to appreciate is the shocking price they charge us. The comparison began on our economic side. It does seem that their charges of fertilisers are fair and comparable compared with the Union of South Africa and with the Old Country as well. They certainly do an excellent job, they give us all the fertiliser we want. If you are not satisfied with the prices, you can go and find somebody else; that is where they have you. There is nobody else to buy from anyway. The fertiliser comes in, they have it neatly tied up. The only place you can go is Japan, and Japan is a shocking country to deal with on your own. They are a powerful group. Even with that power within reason they do give us two points outright within their services, and within reason their prices are reasonable.

SIR LIONEL HEALD: Have you read the Monoply Commission Report on fertilisers in the United Kingdom?

A. I regret I have not.

Q. You might find it interesting.

CHAIRMAN: Thank you very much.

Memorandum

CAPRICORN AFRICA SOCIETY (Central Africa Branch)

This memorandum is presented as an expression of the convictions of the Central Africa members of the Capricorn Africa Society.

We believe that the future of the Federation of Central Africa with its many potential advantages, can only be ensured if bold and even drastic changes are effected in the immediate future.

1. Self-Government in the Northern Territories

Before the Federal Constitution can be finally settled and Dominion Status achieved, it is essential that both Northern Rhodesia and Nyasaland shall each have achieved a form of responsible government in which it is possible for all significant interests to be represented, and which enjoys the support and recognition of all its people. Until such governments are fully functioning, there should be no attempt to determine the final form of the Federal Constitution.

We, therefore, suggest that a date be agreed upon for the further review of the constitution and that the 1960 review be concerned mainly with determining those changes both in Territorial and Federal legislation whose achievements during the intervening years will give reasonable grounds for hope that all three territories will at that date freely endorse their determination to continue in federal unity. It is obvious that these will be concerned chiefly with the establishment of such safeguards as will serve to promote confidence both in the majority and the minority groups. There must be solid grounds for hope, both that the European minority will not seek to entrench its present monopoly of political power, and that when an African majority on the Voter's Roll is achieved, there will be adequate constitutional safeguards for the rights of the individual.

2. Some Immediate Changes in the Federal Constitution

(*a*) We recommend that each territory shall be accorded the right to determine the form of franchise under which it shall elect its own representatives to the Federal Parliament. There is precedent for this procedure, both in the U.S.A. and in Nigeria.

(*b*) We regard it as essential that there shall be incorporated within the constitution a Bill of Rights. For the reasons indicated above it is important that at least the outline of such a bill shall be drawn up now and its general acceptance indicated by all parties. However we recognise that its immediate implementation may not be possible (e.g. in the removal of entrenched land rights). We, therefore, recommend that the incorporation of the Bill of Rights within the Constitution shall be made a necessary precondition before the granting of Dominion Status.

In Appendix A, there is set out a draft of our proposals for a Bill of Rights, based upon the Capricorn Contract. We would draw attention specially to the Preamble. A Bill of Rights can only become a bulwark of civil liberties if, in addition to being a binding legal document it also succeeeds in becoming a population affirmation of faith—a sort of civil creed, known and respected by all the people. This was achieved by some of the great charters of liberty in former days. For example, the Preamble to the Constitution of the U.S.A. is learned by heart and repeated regularly in every school and has played no small part in keeping alive the tradition of civil liberty. We need such a creed to guide the future growth of this young Commonwealth and a most appropriate place for it is in the Preamble to the Bill of Rights.

3. Safe-Guarding of Fundamental Human Rights

The Federal Supreme Court should be charged in the first instance with the task of interpreting the Constitution and upholding its provisions dealing with fundamental human rights. Every citizen who conceives his fundamental rights to be infringed or threatened by the act of any Government or Local Authority should be guaranteed access to the Court with the right of further appeal, if need be, to the Judicial Committee of the Privy Council.

4. Changes needed in Southern Rhodesia before the next Review

We fully recognise that the future of the Federation depends in large measure upon the extent to which immediate changes are effected in Southern Rhodesia. These must take place, not only in the amendment of discriminatory and outdated laws, but also in outdated barriers to social intercourse. Unless there can be some quite massive demonstration of the fact that within the next few years this territory is determined so to amend its discriminatory legislation as to ensure all its peoples an equal status as citizens, there can be no hope, either of maintaining present goodwill or of reclaiming the goodwill of those who at present desire the dissolution of the Federation.

In Appendix B there is set out a list of discriminatory Acts at present upon the statute book.

(*a*) Franchise. Even without an acceleration of the present rate of education, it is obvious that before many years there can be a majority of African voters in Southern Rhodesia. The African people, fear however, and with a measure of justification that, rather than allow such a transition, the European Government of Southern Rhodesia would further amend the franchise qualifications in order to ensure a continued majority of white voters. We regard it as being absolutely essential that the most solemn assurances—with safeguards—shall be given that the course of African advancement shall be allowed to proceed unimpeded and at the most rapid speed, compatible with the economic and human resources available, towards the natural and inevitable goal of an African majority in the Southern Rhodesia Electorate.

We would stress the fact that the dilemma of Southern Rhodesia, when it considers the universal franchise is not that the African is less ready for the vote in this territory than in other parts of this Continent. On the contrary we are proud of the fact that in many respects there is in Southern Rhodesia a higher level of literacy and general development than elsewhere in Africa. Our dilemma is that the rapid approach towards an African majority is liable to plunge the country's politics into a bitter struggle between parties, based upon the rival claims of race, with the consequent danger that the extremist who makes his appeal to the fundamental racial fears and emotions of his electorate is the most likely to win at the poll. It will be the task of the Commission to consider whether any scheme of phased development of the franchise can be devised which will make possible within a reasonably short time a transition towards universal franchise that avoids this danger of extremism. We have been impressed with some of the proposals already placed before the Constitution Commission by the Kenya Party to meet the needs of that country.

(*b*) Land reform in Southern Rhodesia. The general effect of the Land Apportionment Act, 1941, is to limit for the exclusive use of the European population of Southern Rhodesia, which constitutes about one-twelfth of the total population, approximately one-half of the total land available. Moreover, all the towns are in the European areas where Africans may reside but with very limited rights of occupation. Much of the African Area has poor soil and low rainfall and some is infested with Tsetse Fly. On the other hand most of the European area has more fertile soil. All this has given rise to an actue problem of over-population and consequent pressure upon the soil in the native rural areas, which is one of the main obstacles to racial harmony and the planned development of the country's natural resources. As immediate steps towards the solution of this problem we would advocate:

(i) The repeal or substantial amendment of the Land Apportionment Act, and

(ii) The rendering illegal of any statutory enactment, regulation or Bye-Law or any condition in a title deed or contract of sale or lease which restricts the ownership, acquisition use or occupation of land by any citizen on the grounds of race or colour.

In conclusion, we would commend to all members of the Commission—and especially to our own representatives—an examina- of the princples of the Capricorn Contract, as providing the only firm foundation upon which a society of many diverse races can hope to build in unity in Central Africa.

Salisbury

28th January 1960

Appendix A

Draft Bill of Rights

Preamble: As citizens of the Federation of Central Africa we are resolved to work for the establishment of a society free from racial discrimination and upheld by a system of law and Government based upon the principles of Christian democracy. We acknowledge our common human destiny under the providence of God and our common allegiance to the Crown. We hold that:

1. All men despite their varying talents and their diversities of race and colour are born equal in dignity before God and have a common duty towards Him and towards one another;
2. The stability of a community depends upon the recognition and fulfilment by each individual of his responsibilities towards his fellow men;
3. It is the obligation of the State to ensure the conditions under which every individual shall have equal opportunity of developing his natural gifts to their fullest extent and to make his maximum contribution to the common weal.

We accept as a principal condition of full self-government the adoption by the nation of a written Constitution drawn up in the spirit of the Preamble and incorporating the following Articles:

Article I: Subject to the exigencies of legislation necessary for the preservation of law and order, no enactment of the Federal Legislature or any subordinate authority shall be valid if it infringes the rights set out in this Bill.

Article II: All citizens are guaranteed equal standing before the law and are entitled, subject to the law, to freedom of religion and expression and freedom of movement, association and peaceable assembly.

Article III: No law of the Federal Legislature or of any subordinate authority shall be of any force or effect if:

(*a*) It imposes or directly or indirectly has the effect of imposing on a person of any one race any disability which does not apply equally to persons of other races in respect of:

(i) the acquisition, ownership, occupation or use of property;

(ii) undertaking or engaging in any profession, occupation, trade, business or employment;

(iii) access to public institutions and services provided by the state;

(iv) the qualifications for enrolment on the voters' roll for any parliamentary or local authority elections.

(*b*) It renders any person liable to deprivation of life or property without trial under due process of law;

(*c*) It renders the property of any person liable to expropriation without just compensation;

(*d*) It exposes any person to arrest or search without warrant issued upon reasonable and just cause and under proper judicial authority;

(*e*) It renders a person liable to prosecution and conviction for an act or omission which was not an offence at the time of its perpetration;

(*f*) It permits the detention in custody of any person for a longer period than twenty-four hours without his being brought before a magistrate and furnished with the grounds for his detention.

Article IV: All citizens shall have access to the legal machinery provided by the State for the protection and enforcement of these rights.

Appendix B

Discriminatory Legislation in Southern Rhodesia

1. Introductory

There are a large number of Acts on the Statute Book as well as Statutory regulations and Local Authority Bye-laws which discriminate against non-Europeans (mainly Africans) and which will have to be repealed or subsequently amended before it can be fairly said that partnerhsip is being implemented in Southern Rhodesia in the spirit of the preamble to the Federal Constitution. In this Appendix it is proposed to list only a few of the more important discriminatory Acts and Regulations and to add a short explanatory note about each.

2. Land

The Land Apportionment Act, 1941. This is dealt with in the body of the Memorandum itself (see page 4 paragraph (*b*)).

3. Laws restricting Movement and Personal Freedom

(*a*) The Pass Laws.

These Laws which subject Africans to a strict system of administration control over their movement and residence, not applicable to Europeans, are to be found in the following Acts:

(i) Natives (Registration and Identification) Act, 1957. This obliges all male Africans, except a limited few who are granted special exemption, to register upon reaching the age of sixteen years and thereafter to carry with them Certificates of Registration.

(ii) Natives Urban Locations Act (Chapter 84).

(iii) Natives Registration Act (Chapter 76).

(iv) Natives (Urban Areas) Accommodation and Registration Act, 1951.
For the practical effect of these three Acts which apply only in the urban areas the Commission is referred to the Report of the Urban African Affairs Comission, pages 42–46 and 111–113.

(*b*) The Native Affairs Act (Chapter 72) provides that no African shall move from one District to another without the consent of the Native Commissioners of both Districts.

(*c*) The Migrant Workers Act, 1948, prohibits Africans from going to Northern Rhodesia and Nyasaland without the prescribed pass or permit.

(*d*) There are extensive Regulations published under the Land Apportionment Act or in Municipal Bye-laws restricting the holding of public meetings in African areas without a permit.

(*e*) The Native Affairs Act makes it an offence for an African to be guilty of insolence or contemptuous behaviour towards any Government official, Chief, Headman or Head of Kraal.

(*f*) The Native Affairs Act provides that all Africans shall promptly obey or comply with any lawful or reasonable order, request or direction of any Headman, Chief, Native Commissioner or other officer administering Native Affairs.

(*g*) The Native Juveniles Employment Act (Chapter 89) empowers a Native Commissioner to order the summary whipping of African male juveniles who disobey his orders, and empowers the Native Commissioner, in certain circumstances, to contract an African juvenile into service.

(*h*) The Immorality and Indecency Suppression Act (Chapter 36) makes it an offence (for both parties) for an African man to have illicit intercourse with a white woman.

4. Clauses imposing Penal Sanctions on Africans for what are normally regarded as only Civil Wrongs

There are a number of examples where acts performed by Africans are criminally punishable where they are not so punishable if performed by non-Africans, for example:

(*a*) The Natives (Registration and Identification) Act, 1957 makes it an offence to enter into a contract of service while already under a contract of employment with another employer.

(*b*) The Native Labour Regulations Act (Chapter 86) makes it an offence for an African labourer to desert or absent himself from employment or to fail to enter on or carry out the terms of his contract, or unlawfully do or omit to do anything which causes or is likely to cause injury to persons or property.

(*c*) The Masters and Servants Act (Chapter 231) contains similar provisions which apply to persons of all races but in practice it is mostly Africans who come within its scope since its operation is restricted to persons performing domestic or manual labour and it does not extend to skilled workmen.

(*d*) The Natives (Registration and Identification) Act makes it an offence for any African to trespass on the property of any other person unless he is in his employment or has his permission, or unless he is seeking work at a reasonable time, or has any other reasonable excuse.

5. The Police

Under the Police Regulations, 1956, non-Europeans occupy an inferior status in the Police Force. The conditions of service discriminate against the non-Europeans in respect of rank and promotion, pay and allowances, leave conditions, pensions and in other respects.

6. Local Government

There are numerous discriminatory provisions to be found in Local Authority Bye-laws and Regulations while the general effect of the Municipal Acts and other Acts dealing with Africans in the urban areas is to exclude Africans from urban local government, or by any effective control over their own affairs there.

7. Miscellaneous Examples of Discriminatory Laws

(*a*) The Liquor Act, 1953, and the Native Beer Act, 1953, discriminate against Africans in respect of the kinds of liquor they may consume, the source from which they may obtain liquor and the places where they may drink it.

(*b*) The Firearms Act, 1956, restricts the possession of firearms and ammunition by non-Europeans and the Possession of Explosives (Natives and Asiatics) Act contains similar restrictions in respect of explosives.

(*c*) The Native Tax Act (Chapter 78) imposes a poll tax on every adult male of £2 a year. It is a criminal offence to fail to pay such tax. Africans are also subject to the ordinary Federal Income Tax Laws.

8. Conclusion

As already stated above, this List is not exhaustive and there are other Acts, as well as a host of Statutory Regulations and Local Authority Bye-laws which contain discriminatory provisions. The general effect of these discriminatory laws, especially the Native Affairs Act and the Acts dealing with Africans in urban areas, is to establish a separate system of government for Africans within the framework of the ordinary Government of the country, the latter being regarded as mainly concerned with European affairs. There is thus a divided system—normal democratic Government for Europeans and executive and administrative control for Africans. It should be noted that these discriminatory laws, regulations and Bye-laws have been passed despite the provisions of Section 28 of the Constitution, Letters Patent, under which any laws whereby natives may be subjected or made liable to any conditions, disabilities or restrictions to which persons of European descent are not also subjected or made liable, are reserved for Her Majesty's pleasure. This indicates the need expressed in the body of the Memorandum for additional safe-guards in the form of entrenchment clauses in the Constitution limiting the legislative sovereignty of Parliament.

Oral Evidence

CAPRICORN AFRICA SOCIETY—Representatives: Rev. F. B. Rea, Mr. C. D. J. Lewis and Mr. Leopold Takawira)

The REV. F. B. REA: The only introduction we would wish to make would be a brief reference to what the Capricorn Africa Society is. Some may have heard of it, others may have not. It is a society that had its inception in this country about ten or eleven years ago, largely through the meeting together of Mr. David Stirling and Mr. T. J. Hlazo, and at that time as they considered the way in which things were shaping in Africa, with a certain amount of prophetic foresight they saw a constitutional phase was about to emerge not only in Southern Rhodesia but in all the territories in the Capricorn region. As you all know that is what has happened, and the constitution making has been very much in the air. The Capricorn Africa Society came into existence, and when it came to see its goal more clearly it realised that the most valuable contribution it could make would be an attempt to prepare people in their thinking for the constitutional changes that were likely to take place, and their hope was that there might be established a sort of blue-print for constitutions generally, laying down basic principles with their specific relationship to Africa. Land and education and certain other matters require a special emphasis and a special place in any constitution and inter-racial aspects are of great importance. The Society set out to try and draw up a contract which would be acceptable to peoples generally and then set about the task of trying to soften up the thinking of the peoples in preparation for the day when these matters would have to be the focal point in political action. That, of course, brings the Society very close to being a political Party, but at the same time we have always rigidly maintained that we are not a Party in the strict political sense of the word. We are attempting to develop what you might call education for citizenship amongst the peoples as a whole, not through any Party medium and not through any Party political action. We hoped that we might give birth to Parties, and I think that has taken place to a certain extent, but broadly our aim was to keep to the main first principles of political change.

We would like you to have that in mind as you ask us questions today because it is quite likely, almost inevitable, that some questions will arise to which speaking personally we might be very happy to give answers, but speaking as a society which embraces all Parties of this country we would feel were outside our province.

CHAIRMAN: This memorandum you have put in says early on that you think the future of the Federation can only be assured if bold and even drastic changes are effected in the immediate future. Then a little later you talk of a date that ought to be agreed upon for a further review of the Constitution. You regard the review that will be taking place at the end of this year or the beginning of next as a preliminary review?

A. Yes, the drastic changes we felt were on the Territorial level, because we have said that before any permanent change was made at the federal level, it would be essential in our view that both Northern Rhodesia and Nyasaland had their own constitutions and were functioning under a form of self-government.

Q. I asked the question because fundamentally what we have got to do is to review that Federal Constitution, and I wanted to be sure that you thought we had to look at the Territorial Constitution first, and at a later date one could then look at the Federal Constitution. I just want to follow that. If you look at the second paragraph under heading 1, you have said in the first paragraph, "Until such Governments are functioning"—those are the Territorial ones—"there should be no attempt to determine the final form of the Constitution. We therefore suggest that a date be agreed upon for the further review of the Constitution, and that the 1960 Review would be concerned mainly with determining those changes both in Territorial and Federal legislation whose achievement during the intervening years will give reasonable grounds for hope that all three Territories will at that date freely endorse their determination to continue in federal unity."

A. The operative word there is "final form". Our opinion was that it was within the scope of this Commission not to indicate what type of Constitution would be made out Territorially for either Northern Rhodesia or Nyasaland, but at any rate to say that it was not expedient and wise that there should be any attempt to crystallise the final form of the Constitution until a greater measure of self-government had made it possible for those territories to have a more active and more representative voice in the final shaping. That was our main point.

Q. What I want to know is this: are you suggesting that we should make recommendations in the interim period for changes in the Federal Constitution?

A. Certain changes we have indicated, yes.

Q. What is the most important one?

A. Our thought was that in the main this Commission should make recommendations as to phases of transition. I think that would be the thing we would emphasise most, and we felt rather strongly that one of the first transitions would be the delineation of a Bill of Rights and the indication of how that Bill of Rights might be safeguarded. One has to be realistic enough to realise that if a Bill of Rights were incorporated in the Constitution in 1960, anything that could be introduced in the year 1960 might be very much less than what we want it to be; but anything that could be firmly and solemnly agreed upon in 1960 would have to include complete equality with regard to access to land. Now, as we said in our memorandum, we did not feel that that change could immediately be implemented in 1960 but that the Commission could recommend a Bill of Rights which would indicate how steps might be taken towards the attainment of that end. We recognise the incorporation of a Bill of Rights within the Constitution and its implementation should be the necessary pre-condition of granting Dominion status. It is in that sense we feel the Commission could do its most valued work by indicating the steps towards final completion of the Constitution.

Q. Apart from the Bill of Rights, you say a good deal about changes, first of all giving us a list of discriminatory Acts in the second Appendix, and then turning to the franchise. Is there anything you would like to add about the franchise?

A. We have two things about the franchise. One concerns the three Territories. We have suggested that each Territory should have its own rights to determine the mode by which it elects its representatives and not simply that it should be within the power of the Federal Government to determine how voting shall take place in all three Territories. That is one thing that we emphasise. Then we gave indications as to what is the particular dilemma with regard to franchise in Southern Rhodesia. We felt that that was one of the major questions with which we were concerned in speaking from this part of the Capricorn Society.

Q. In paragraph 4, near the end of sub-paragraph (*a*) Franchise; you say about Southern Rhodesia, "It will be the task of the Commission to consider whether any scheme of phased development of the franchise can be devised which will make possible within a reasonably short time a transition towards universal franchise that avoids this danger of extremism". Have you any more precise ideas of the times or the steps?

A. I do not think we stated anything, Mr. Chairman, because time and one's estimates of time change from month to month at the present period. That is one of our dilemmas. We would not like to set dates.

(MR. TAKAWIRA): As members of the Capricorn Society we do believe in the qualitative franchise, and of course the task will be while retaining qualitative franchise at the same time to widen it sufficiently to ensure that Governments are sufficiently responsible to all sections of the population, so that significant interests are not left out.

Q. Have you any more precise idea of what ought to be done?

A. (REV. REA): There is the Kenya model and the setting aside of multiple constituencies, where you can elect one representative of each of the three major racial groups—that might be an intermediate stage. This would be combined with open constituencies by which either one of the three races would elect a representative, depending upon the preponderance within a particular constituency. That would be with a view to gradually expanding the representation on a wider basis.

Q. I think I follow that. Then in your Appendix B, you deal with legislation in Southern Rhodesia. Of the various points which you have mentioned, apart from the Land Apportionment Act, the pass laws are the most important, are they, or is there anything of equal importance?

A. I would say pass laws are the most important as being the greatest irritant.

Q. Do you think it would be enough to have one pass for a man to carry; is that what you suggest?

A. Yes, insofar as it was necessary for administration or reasons of obtaining employment and so on.

(MR. TAKAWIRA): We feel that the African section is being burdened by these passes, that while we agree that all citizens in a country should have one form of identification or another for the good of the country, there should be one system of pass which would embrace all peoples and not one system for Indians and another for the Africans and a third for Europeans. We feel it is possible for us all to have one type of identification throughout the country. If these two or three systems were applicable to all races, this racial strife which we are experiencing would not exist. The fact that one section carries more than one identification and another does not, does cause irritation.

Q. You recognise the desirability of there being a pass, do you?

A. Yes, we do.

Q. That is essential?

A. Yes.

Q. You think one would do?

A. For all the citizens of the country.

Q. Is there any administrative necessity for the Europeans to have passes?

A. We think so.

Q. I see the argument that in order not to discriminate it is better for everybody to carry a pass; you recognise that if it is necessary for the African, is it equally necessary for the European?

A. I do not quite know what is operating amongst the Europeans, but we have been told that even Europeans in this country have a sort of pass, and all the working citizens should have this one type of identification.

Q. Can you tell me if the draft Bill of Rights comes from any one source? Was it a document which has been prepared by the Society or is it taken from other models?

A. (MR. LEWIS): I was asked to draft this and also at the same time one for the Central Africa Party. I think you will find a lot of similarity.

Q. I notice that.

A. (REV. REA): When we were working on this we, of course, paid a lot of attention first of all to the Capricorn Charter, then to the considerable amount of work that was done in Kenya. But we thought that that one was a bit long and wordy so we endeavoured to modify it. We also had a lot of help from an American constitutional lawyer who was with us at the time. Both the American and the Indian Bills of Rights were before us as we thought about the problem.

Q. Is there any marked point of difference between the Central Africa Party proposals and this?

A. (MR. LEWIS): I have not seen the Central Africa Party one; I worked on an earlier draft, I have not seen it since then.

MR. MCCLELAND: Could you tell us what support the Capricorn Society has in the Federation? Does it represent the views of a considerable portion of the population?

A. (REV. REA): No. The scope of and the influence of the Society has varied a great deal from time to time, partly depending upon the availability of staff to promote the movement. At the present time we would say it does not represent to any degree the Nyasaland peoples; and only to a very small degree indeed the people of Northern Rhodesia, though there were one or two who consulted with us and who gave their own personal approval to what we have produced. In Southern Rhodesia it represents, I suppose, a membership of about 2,000. It functions as a movement that has its nucleus of active people and its larger fringe of well-wishers.

CHAIRMAN: Has it gone up and down? I gather from you that it has? Has it been much higher than that in membership in earlier years?

A. I am afraid I could not answer that question, I am not sure.

(MR. TAKAWIRA): It is not really that it had gone up and down in membership, but, for instance, round about 1956 enthusiasm was very high indeed among Europeans and Africans, particularly in Southern Rhodesia, but as Mr. Rea has pointed out the number of staff dwindled to about two people. Then the enthusiasm of the members also has gone down, not that they have resigned from the Society, they are still on our books, but they are not as enthusiastic as they used to be.

MR. GONDWE: In Appendix B, you say the Native Affairs Act makes it an offence for an African to be guilty of insolence or contemptuous behaviour towards any Government official, Chief, Headman or Head of Kraal. You have surely discussed this with Government officials—people responsible for the drafting or the implementation of this law. Why is it that such legislation came to be passed?

A. (MR. LEWIS): We have merely noted that this provision does exist in the Act, and we regard it as discriminatory. We have not taken any action in relation to it.

(REV. REA): I think purely accidentally I could answer the question as seen through the eyes of, I think, the Chief Native Commissioner at the time when this Act was a Bill. I asked him personally about why it was being brought in. It happened to coincide with other forms of emergency legislation. The Bill itself had been drafted only eighteen months or so before and it arose out of the difficulties that Chiefs and Headmen were experiencing at that time, when there was the beginning of the upsurge and unrest which eventually led to the emergency. He claimed that this particular Act was partly at the request of the Chiefs, that was what he said. I do not know to what extent that represents the whole position. I am simply quoting.

Q. I think you are not really the right people to whom to address these questions; I think they should be put to those in authority, the Government officials. It is very difficult to understand why such laws should have been passed at all.

SIR VICTOR ROBINSON: I think this was in the High Commissioner's Proclamation of 1910, and it was merely carried over into the Native Affairs Act of 1927.

A. This has nothing to do with the Act of 1959?

MR. GONDWE: This law could be applied indiscriminately. A person possibly answering an official in a way which the official may think was contemptuous would be punished for it.

A. (MR. TAKAWIRA): In fact I am a bit surprised to hear that this has nothing to do with the 1959 Act because when this was still a Bill we petitioned the Prime Minister in the presence of the Chief Native Commissioner, and they definitely said they were bringing this Bill in because the Chiefs were worrying them. They were complaining that the chaps were giving them a hard time and such abuse should be reduced. It is quite true that the law could be used indiscriminately, because for a long time Native Commissioners had a free hand in the reserves and no native ever questioned them at all. Anything they wanted was carried out. With the coming of the emergent African, the young type of African with education, they began querying some of the actions the Native Commissioners were taking, and to the Native Commissioner this was insolence. They had not been used to such a thing. With the coming of the young generation, who thought anyone could make a mistake, the Native Commissioners took it as insolence, and they wanted it to be framed into law so that those insolent youngsters could be chided.

MR. CHIRWA: May I know from the members of the Capricorn Society whether they seriously think that if the London Conference of 1960 to review the Constitution did not decide on a permanent solution, there could be development in these Territories during the interim period?

A. (REV. REA): Yes, during the subsequent period.

Q. The interim period, because you are suggesting that that will not have had the progress?

A. In other words, if it is not finalised in 1960, is there any hope that there would be a later date when the Federation could be finalised? Is that the question?

Q. No, that is not my question. Let me put it this way. It is felt that there is no development taking place in Nyasaland and obviously in Southern Rhodesia there is a great deal of unemployment according to reports from the Administrators of African Affairs in these towns. In Nyasaland we know there is hardly any employment Therefore these countries are in a very difficult position. What you are suggesting here is that there should be a London Conference held but that one must not take a final decision, one must take an interim decision. What I am trying to find out is, whether your suggestion would not result in lengthening the period of uncertainty and therefore the period of unemployment among the peoples in these territories?

A. We recognise that danger. The basis on which we drew up our memorandum was the continuance of Federation. I think that our feeling was that we should stick to it; but our point was without

prejudice to the question, should the Federation survive or should it not. We have stated the view that if it is to survive then it is our conviction that finalising in 1960 is really impossible. We recognise that if it were finalised in the sense of saying this is Federation and this is its Constitution, and that was determined in 1960, at any rate things would be definite, but probably there would be even more trouble and more unemployment than by taking the risk of postponing the final decision.

MR. GONDWE: In other words, you are not in favour of the Federation being broken down, you would like it to continue, and you can see no hope of it continuing if the final decision were to be taken at the 1960 talks?

A. I think that sums up our position.

MR. CHIRWA: You are suggesting in paragraph 1 that there should be self-government for the Northern Territories, Northern Rhodesia and Nyasaland. No doubt you must have read or have heard that Sir Edgar Whitehead has stated clearly that if that took place Southern Rhodesia would not be a member of the Federation. How do you reconcile this with the statement you make?

A. I do not think that Sir Edgar Whitehead consulted us when he made that statement.

(MR. TAKAWIRA): To add to what Mr. Rea has said in regard to the first question of Mr. Chirwa, I would say that there is a minority group in the Capricorn Africa Society which feels that the work of the Capricorn Africa Society is to prepare the means whereby all races here would be happy, whether there is Federation or no Federation, that whether Nyasaland secedes or not that will happen, and therefore that the concept of the Capricorn Africa Society will be as important after Federation as it is now. Therefore some of this minority group feels that in order to bring about this spirit of good understanding and harmony it is no use trying to build up this Federation because it will never work. Why not let it go by and let people in peace? We realise that, if Nyasaland or Northern Rhodesia were to be given self-government and if their territorial franchise was to be applicable, Southern Rhodesia would be faced with a very difficult problem to solve. For instance, in the Federal Assembly today Southern Rhodesia is represented by more people than Nyasaland or Northern Rhodesia put together, which is because Southern Rhodesia claims it has more voters on the voters' roll than Nyasaland or Northern Rhodesia. Supposing the franchise of Northern Rhodesia was extended and more people came in, then Northern Rhodesia would say that they also should be represented by a number that is equal to Southern Rhodesia, and I could not see Southern Rhodesia agreeing to that. Whichever way you look at it, it seems that Federation cannot stand. This is a minority feeling in the Capricorn Africa Society.

MR. CRAWLEY: This question of the different franchise in the different Territories—do you think that an African in Southern Rhodesia would be satisfied with an Assembly in which their African friends in Northern Rhodesia and Nyasaland were fully represented and in which no Africans from Southern Rhodesia were represented at all?

A. No.

Q. Is not that the effect of the proposal you are making?

A. No, it is not that. That is only one side of the question, because the agitation for the breaking down of the Federation is more from the North than from here. If the maintenance of the Federation is likely to upset and interfere with our race relations, it will do so more in the North than here. But coming down to Southern Rhodesia, people will not be contented if the franchise is left where it is. Although it is open to all people in theory it has not been possible for the Africans in practice to come on the voters' roll. As you see, since 1923 when self-rule was given, there is not even a single African in the House of Assembly.

Q. It has been suggested that Africans down here are more interested in economic development than political development?

A. In fact that is the greatest insult the African is suffering from today. If there is anything which is going to make a nationalist movement grow more quickly it is statements of that kind.

SIR CHARLES ARDEN-CLARKE: I am not clear on the effect of these two reviews which have been suggested. As far as I can see you suggest that there are two main conclusions which should be reached in the 1960 Review. The first is that the two Northern Territories should achieve their own Constitutions, giving them responsible Government in the shortest possible time. The second is that there should be agreement in principle on a draft Bill of Rights which will in due course be incorporated. Meanwhile the Federation is to continue. I think it would be reasonable to assume that that period during which the Northern Territories are getting their responsible Government would not be less than four to five years. It is suggested that during the course of those four to five years Federation should continue in its present form with the Federal Assembly and the present Federal functions or what? I would like to hear more about that.

A. (REV. REA): That is a very good question and our memorandum, as you will observe, has not gone into detail on that point. I think it would be fair to say that we feel that probably control would have to be loosened up, possibly the handing back of certain powers; how much, I do not think we are prepared to say. There may have to be a handing back of more powers to the two Northern Territories, and some form of self-government, but under a different franchise to that which exists here in Southern Rhodesia; in other words, a transition from direct Colonial rule to a real government by the franchise in those two Northern Territories. We would be inclined to believe that probably even the existing position and existing powers held by the Federal Government would not be entirely acceptable to the two Northern Territories, and there would have to be some give and take on that point. But the thing we would emphasise is when this memorandum was drawn up, the question of Dominion status in 1960 was much more in the air than it is now, and what we emphasise is that we could see no possibility of even thinking about that, that to have Britain as a referee within the Review is essential for a longer period of transition than would be envisaged by European people in Southern Rhodesia.

Q. You refer to a loosening of the Federation. Having regard to the very strong opposition in the two Northern Territories of the majority of the African population to Federation in any form, that loosening might have to be very considerable, might it not?

A. That is a question we hoped you would be able to guide us about.

MR. TAYLOR: Going back to the pass laws for a moment, has Mr. Takawira any idea about the desirability or otherwise of the registration of births and marriages and deaths among the African population?

A. (MR. TAKAWIRA): There is not much demand for those two things. The bulk of the African people are not saying that those things should be enforced amongst the Africans as they are with the Europeans. But one can say that if they were introduced the Africans would not mind at all. You will notice some of the things that are being done are pin-pricks just because they are directed towards one section of the community while the other section is free from carrying those out. If the registration of births and deaths was applicable to all races, I do not think the African would mind at all.

MR. KATILUNGU: In fact, does that not operate in the Municipal areas where you have clinics and so on? We saw Mpilo Hospital for instance where there is a big delivery section.

A. If one's wife gives birth in that type of place, then the Government takes all the steps and the child is registered, but that registration is not an official one. There is no law about it.

MR. CRAWLEY: Does your Society support any particular political party? Your documents are rather close to the Central Africa Party. Does that mean you are morally behind them?

A. (REV. REA): The answer would be that I suppose a very high percentage of our members were favourable to the Central Africa Party at the last elections. The Society itself is in no wise identified. To take a simple example, I am the Chairman and I met Mr. Todd once in the last three years. That was by accident; we just happened to be in the same place. We have no contact as a Society, and there are a number of members of the United Federal Party who are in our movement. We are not really identified with any party.

Q. Do you include members of the former Congress?

A. I think we have some. We certainly have members very close to us of the National Democratic Party.

MR. CHIRWA: Do not answer this question if you do not want to, but to what extent would the National Democratic Party accept your suggestions, especially in view of the fact that Mr. Takawira is Chairman of the Party? I am referring to these proposals put forward on the franchise.

A. (MR. TAKAWIRA): In many cases, especially on the franchise, they would not agree. The N.D.P. stands for one man one vote—as simple as that—whereas the Capricorn Society suggests a qualitative vote, and the Society has not gone into the question of how qualitative this vote should be. If, by a qualitative vote, one means that at least before a man becomes a voter he should have attained the age of eighteen or twenty, it is a qualification of some sort, and if you want a qualitative vote of that kind, then the N.D.P. would agree. But if it means that you must be able to earn £9, or even £5, a month before you can become a voter, the N.D.P. does not agree because one does not become a human being the day one starts getting £6 a month.

SIR CHARLES ARDEN-CLARKE: I understood Mr. Rea to say the Society hoped it would give birth to political parties. Has any political party been born legitimately?

A. The Constitutional Party, when it came to birth, took the Capricorn as a basis. It was, however, short-lived, and transition took place into the Central Africa Party. In Kenya a party was similarly formed.

SIR VICTOR ROBINSON: You mentioned the Native Tax Act as being discriminatory in that it provides for criminal prosecution for non-payment of tax. Are you suggesting that should be altered, and, if so, how will you ever collect any money from any African for his tax?

A. (MR. LEWIS): I must say I have not noticed it as being a condition applicable to native tax on its own. Whether or not, administratively, it would be possible to abolish it is another question. I do not say that all these laws should be automatically abolished.

(REV. REA): This is a tabulation of Acts which happen to be discriminatory.

CHAIRMAN: You make no implication that they would, in all cases, necessarily have to be changed?

A. (MR. LEWIS): They would have to be considered very carefully in all their implications.

MR. KATILUNGU: Regarding the Land Apportionment Act, which is regarded as discriminatory, we are led to understand that the native has thereby been protected against economic competition with Europeans, because if Europeans were allowed to compete with the African he would automatically be doomed. How far is that true, Mr. Takawira?

A. (MR. TAKAWIRA): I suppose that the members of this Commission know that there are two or three types of land in this country: we have the Reserves, the Native Purchase Areas and the European areas. When we talk of the Land Apportionment Act we are not talking of the Reserves; they are not affected by the Act. So if anything was altered in the Land Apportionment Act, that alteration would have no bearing whatsoever on land in the Reserves, as many Europeans think. As to the Native Purchase Areas and the European land, if that distinction were indiscriminately removed, it is true that many Africans would be bought out and would not be able to buy land later on. But in such circumstances a protection of some sort (and how it should be done I do not know, because it is a most difficult problem we have created in this country) will have to be introduced so that Africans will not be easily bought out by Europeans who are financiers.

Q. Would that not still be regarded as some form of discrimination?

A. There are two types of discrimination, one which is made to protect the unfortunate or less fortunate people (that kind of discrimination is moral and acceptable because it is there to protect those who cannot protect themselves) but there is another type of discrimination which does not protect; for instance, no African is allowed to have a business in the centre of Salisbury or in Bulawayo. When the legislators brought that in, they were not actually thinking that by allowing an African to come to the centre of the town he would be a danger to the business of the white man, because even if he was allowed, not many Africans could have a business in the centre because they have not the money. So one has to think of the two kinds of discrimination, the protective and the purely discriminatory.

MR. TAYLOR: What type of discrimination would you consider this to be—the African not being allowed in the centre of the city?

A. It is not beneficial to the African because most of the Africans who come from the Reserves and come to town to shop have no time to come here and do their shopping.

Q. Do you think it is good or bad?

A. It is bad.

MR. KATILUNGU: On political participation by Africans in the administration of the country, we understand that there are a great number of Africans qualified to register on the voters' roll but do not come forward. Could Mr. Takawire give us the reasons why? Are there any material difficulties, or physical difficulties, to stop them?

A. In the first place I am not in complete agreement with the statistics given. Actually, how many people could have qualified if they chose to? Their number is unknown and nobody can say for certain. In Southern Rhodesia here, in order to register as a voter you must appear before a Native Commissioner or an officer of the Police Force. The nature of our reserves makes this very difficult for Africans. They have to travel a long distance to get to a Native Commissioner or a Police office. The relationship in the country between these two Government groups and the Africans generally is not a healthy one. When Africans get there they are told to stay outside, and then they may be there from two to four hours before being allowed to see the officers. With all these troubles and the humiliation one goes through, they are absolutely discouraged from going there. I remember the Central Africa Party employed a person to try and bring African would-be voters to the officers concerned, and this man came out with a report that on many occasions he had to say some very unpleasant words to the officers, because the people he had taken there to register were made to wait for a very long time. On some occasions he saw Native Commissioners doing absolutely nothing but reading newspapers, just to keep people outside waiting, when they were not busy.

Q. In other words, the Government has deliberately created that situation so as to discourage Africans?

A. I am afraid we feel so.

MR. CHIRWA: Can you make any suggestions for improvement?

A. If it is the duty of every citizen to practice civil obligations, and if it is a good thing that all people in the country should vote, then the Native Commissioners and whoever is responsible should take an active interest in bringing people to become voters.

MR. MOLSON: Is it the case that there are less formalities for an African to become enrolled on the Federal roll than on the Southern Rhodesian roll? I think it is different for the Federal roll—an African can register before a Justice of the Peace or a Commissioner of Oaths.

A. I was not aware of this, I am sorry.

MR. MOLSON: I believe there is a difference in the formalities, and I will seek to find out whether there is any reason for this different procedure, or whether it is that the additional difficulties are made under the regulations of the Southern Rhodesia Government, which do not apply under the regulations of the Federal Government.

MR. ROBINSON: It has been suggested to us that if there was a relaxation of these discriminatory colour bar practices, and if there was a lowering of the franchise such as has been discussed this afternoon, the right sort of climate might be created within the Federation to make the whole thing work. Mr. Takawira, would you think this would be sufficient to create the right sort of climate? You have told us one of the principal Parties of which you are a member has an adult franchise as its objective. Supposing other things were corrected, such as relaxation of the colour bar, lowering of the franchise (but still keeping it qualitative) what do you think the climate would be? Do you think the demands would go on undiminished for one man one vote?

A. It could be taken as an interim measure, which would definitely ease the tension until such a time came. If the franchise were lowered, there would definitely be more Africans than Europeans on the voters' roll.

Q. Supposing it was lowered to something like Standard VI—I do not know what the result would be, but assume that is a starting point, that you had primary education.

A. I do not want to speak there for my political party, but I think myself the tension would be eased. It would not, however, be acceptable as the final thing.

MR. CRAWLEY: Would you co-operate in working such a constitution?

A. (REV. REA): I do not know that is quite a question that we could answer, as Capricorn.

MR. ROBINSON: Would you, as a Society, urge Africans to co-operate?

A. As a Society, the answer would certainly be yes, because of course if you made the level as you have indicated it there now, and if one took it as accepted that the present rate of growth of African education to Standard VI level would continue unchecked, my guess is that within a decade there would be an African majority of voters.

Q. Let us assume your guess is right, do you think that would satisfy, by and large, the aspirations of the nationalist movements within the Federation as an interim measure?

A. (MR. TAKAWIRA): Not the period given; that would be far too long.

CHAIRMAN: You mean it would have to be less than a decade?

A. There would be steps, and one could start by saying that from now for such-and-such a period we will try this method, and from then we will try something else; and provided this agreement was arrived at at a round table conference, if the African nationalists were consulted and if, out of the arguments, they arrived at that, then one would say yes. However, if it was just announced without Africans being consulted, they would not be satisfied.

(REV. REA): The African would want safeguards.

MR. KATILUNGU: Would you say that in Southern Rhodesia Africans had no adequate representation in 1952 when initial discussions took place on the Federal Constitution? I understand you had African representatives in London at that time who in fact participated. Would you call that not being consulted?

A. (MR. TAKAWIRA): They were Africans of the European choice. The same argument is being used that Africans cannot legitimately say they are not being represented in the Federal Assembly, because there are Africans there; but they are not Africans of African choice, and they do exactly what Europeans want. That is not what their people want.

Q. As a result of that you are trying to arrange for racial representation?

A. No, speaking not as an individual but as a member of Capricorn, we are not advocating racial representation but a system which would make it possible, on a common voters' roll, for let us say a predominantly African section to vote for a candidate who was an Indian, if he was of the best quality, or for a European. That is what we want.

SALISBURY

3RD MAY, 1960

Memorandum

CITY COUNCIL OF SALISBURY

The City Council of Salisbury is concerned lest representations should be made to the Commission that the seat of the Federal Government should be moved from Salisbury to some other Centre in the Federation.

This Council wishes to represent the inadvisability of such a step. The Council recalls in 1954 the Report of a Select Committee of the Federal Assembly recommended that the site of the Federal Capital should be in Salisbury after the fullest investigation.

The Council suggests that it is not for the City of Salisbury to adduce evidence in support of its claim to remain the Federal or Territorial Capital but rather that the advocates of any claim to the contrary should be called upon to produce unquestionable proof that the advantages which would accrue to the Federation as a whole, and not one City, Town or Territory, outweigh the disruption which would inevitably result from such a move.

In the first instance, the cost of such a move would be prohibitive even if the resources of the Federation were not fully committed for the development of the Federation and the betterment of the African population in particular.

Secondly, the consequence of any move of the Federal or Territorial Capital from Salisbury would have dire economic effects on the City and Country where development of Municipal activities has been geared to the City's position as the Capital and, as a result such activities have been unequalled elsewhere in the Federation. Development in the Salisbury area has been accelerated due to the siting of the Federal Capital. This has made the area attractive as a business and commercial centre and business concerns have established their headquarters in the Area at very great cost on the strength of the earlier decision of the Federal Government that the Capital should be sited there.

If the Capital City were now transferred elsewhere a very considerable number of business premises, offices, shops and homes including flats would become vacant due to the depopulation which would inevitably take place. This development would have a most serious repercussion not only upon Salisbury itself but upon the whole country. It would be cautious to assume also that any such change at this stage would influence most adversely the country's credit potential overseas. A change now could, besides being economically disastrous, constitute a serious breach of faith on the part of public authority with those many business concerns who were encouraged by Government decision to accept Salisbury as Capital.

In this connection, it is considered that much of the opposition which is expressed to Salisbury being the Capital City, is not well-founded. It is considered also that many who have voiced objections are not sufficiently appreciative of the economic and administrative aspects of this matter. Some have probably never visited Salisbury.

The City of Salisbury has, by virtue of being Capital, undertaken the development of services and facilities which, although unremunerative, are essential in a modern Capital City.

In this connection the attention of the Commission is drawn to Appendix I which is summarised the position which the City Council has assumed in respect of its capital commitments and its servicing and loan charges. Also set out are the figures of income and expenditure and rateable value. That appendix is designed to indicate the transformation which has taken place during the years 1954/1959.

The City of Salisbury is well served with rail and road communications with all other parts of the Federation, and has a large modern Airport capable of accommodating all modern high powered aircraft. It has an equable climate, and an abundant water supply.

In 1954 the estimated population of Greater Salisbury for all races was 180,000. The estimated population in 1959 had risen to 277,000.

Indicative of the progress of the City are the statistics covering the sales of electricity and water by the Authority between the years 1954 and 1959 which are set out in Appendix II to this memorandum. From these figures it will be noted that in the period under review, sales of electricity have increased by 116% and sales of water by 138%.

In 1953/4 the rateable value per head of population was £312 and in 1959 this had increased to £618 per head.

During the period under review, the confidence shown in the future of the City of Salisbury can be judged from the value of building plans passed by the Local Authority amounting to some £42,000,000—a figure unequalled even by any other Territory in the Federation.

Salisbury

3rd May 1960

Appendix I

City of Salisbury

	1954	1959
Capital Loan Commitments	£15,073,978	£26,831,143
Rateable Value	£33,598,348	£93,382,080
		now £112,000,000
Annual Income	£2,712,941	£6,599,393
Annual Expenditure	£2,693,697	£6,554,696

Appendix II

City of Salisbury

Annual Sales of Electricity

Year	Sales £
1953/54	1,192,313
1954/55	1,250,477
1955/56	1,423,919
1956/57	1,741,081
1957/58	2,259,000
1958/59	2,577,707

Annual Sales of Water

Year	Sales £
1953/54	309,014
1954/55	388,690
1955/56	467,288
1956/57	565,761
1957/58	682,489
1958/59	735,971

Oral Evidence

CITY COUNCIL OF SALISBURY. Representatives: Councillor Posselt (Mayor), Alderman C. Olley, Mr. Neale (Town Clerk), Mr. Stewart (Asst. City Treasurer)

The Delegation said that they wished to present the case for the City of Salisbury in relation to the question of the site of the Federal Government. They wished to advise against the removal of it from Salisbury. The Mayor then read out a memorandum, with financial appendices, which is reproduced above. The Mayor concluded by saying that they felt that any move which might be suggested would be undesirable because of its economic repercussions, since there would be greater adverse economic effects than there could be political advantage. It was very necessary to think of cost, particularly as they had seen changes in the last twelve months as a result of the impending Constitutional Review. Unemployment was already considerable both among Europeans and Africans. A move of the Federal capital would result in increased unemployment, particularly affecting the lower income groups.

Ald. Olley said that he wished to support what the Mayor had said. He had originally disagreed with having both the capitals in Salisbury. But two enquiries had been held and had decided that the Federal capital should stay in Salisbury. It would be ruinous to shift the capital now. Three to four thousand civil servants would have to be moved together with those connected with them. In fact such a move would

adversely affect the whole of Southern Rhodesia. Consideration also had to be given to the large Salisbury water scheme for which £2½ million had been expended on pumping apparatus, pipes and so on. There was also the new electric generating plant costing £4 million. All this should not be given up just to satisfy the jealousies of others of "Bambazonkie". People now had confidence in Salisbury. After Federation had been brought in there had been a quiet period, followed by an upsurge of activity, taking the form of multi-storey buildings and other development. Firms had invested in this development largely because they knew that Salisbury was to be the capital. Salisbury had therefore been growing steadily. There had been a slight drop because of Mr. Macintyre's famous credit squeeze. But in the view of the City Council this progress would continue and land values would go up. There was also the question of psychology. Salisbury was now regarded as the right place to go to. He went to conferences every year in South Africa and made contacts, and always took the opportunity of boosting Southern Rhodesia and in particular Salisbury. It would be ridiculous to place the capital in some out of the way place in the bundu, such as Lusaka, Ndola, or Kitwe. Que Que, and even Marandellas, a little place, had laid claim. It would have been all right if the capital had been placed at one of those places in the early days, but it would not do to change now.

Mr. Olley referred to the original idea of placing the capital at the Warren Hills Farm, which the City Council had given to the Federal Government. But since the upheaval over the craze for Dominion status, there had been a lack of enthusiasm about the Warren Hills scheme. Because of the foreign consuls and others who would have to live in the capital, it would not be 100 per cent white. The City Council had transferred 750 acres to the Government, and they wanted them back if the Government was not going to build. They were suspicious now that Sir Roy Welensky might want to build elsewhere. He would conclude by saying, "Do not shift the capital".

The following further points were made:—

(1) In reply to a question whether the City Council would agree to give up all racial discrimination as the condition of the capital remaining in Salisbury, Mr. Olley replied "No". Mr. Posselt said that there was a difference of opinion on this matter. The outlook had changed, particularly in the last 18 months. He felt that the Federal capital should be in Salisbury and be one community. Many pin-pricks should be removed, but they could not be removed over-night. Progress had been made. Ald. Olley and his older friends were holding on to the old ideas, and he respected them for it; but the majority of the Councillors were now inclined to be more progressive.

(2) In reply to a question how discrimination in the capital could be squared with the idea of partnership, Mr. Olley said that partnership was a myth. Mr. Posselt said that since the end of the last war the minds of many people had changed. Federation had brought things closer together. Old feelings and ideas were deeply engrained, but he felt that his children had a better outlook than he had and that he in turn had a better outlook than his father, who was a pioneer.

(3) The City Council could help this process by making an endeavour to improve African conditions of living, employment and the elimination of the various pass laws. This idea had been introduced entirely by the two City Councils of Salisbury and Bulawayo. There was not much time in hand. But large numbers of African labourers were concerned more about their wages than about passes.

(4) The feeling about Southern Rhodesia in the Northern Protectorates was regrettable. Africans from there who came down to work in Southern Rhodesia could see the conditions for themselves.

(5) It was put to the witnesses that if the doors of discrimination had in any case to be opened within 20 years, they might as well be opened now: would the City Council agree or not. Ald. Olley said that it would not and Councillor Posselt that it would, although by a narrow majority. He thought that the African people themselves must play a more definite and a more willing part.

(6) Ald. Olley said that anything they did in Southern Rhodesia in the way of discrimination they also did in Northern Rhodesia: he knew Northern Rhodesia and had a business there. They did not have any trouble with Africans in Southern Rhodesia, and had had none since 1896. That was until the Nyasaland revolution last year. Northern Rhodesia, on the other hand was always in turmoil and so was Nyasaland. Even today 25 per cent of the people in Great Britain were not civilised after 33 generations. Yet they expected the black proletariat to become civilised in two generations. This idea only leads to turmoil in Central Africa. Any changes of the sort proposed would require referendum to the people, by which he meant the rate-payers of Salisbury, the Europeans. With a few exceptions the natives did not understand anything about democratic government. Civilisation was not merely a matter of scholarship. Jesus Christ had never heard of examinations. It was a question of refinement of mind and body.

(7) Even for the sake of keeping the Federation together, he would not agree to the removal of the social colour bar immediately.

(8) Councillor Posselt made the point that businesses tended to follow the government wherever it went. There was the example of the Wankie Colliery. The removal of the capital would not merely mean the removal of Ministries and a few civil servants. Business people would tend to follow the government even if it went to Fort Jameson.

(9) If it was essential to move the capital it ought to be done gradually.

(10) In reply to a question whether it would not help the City of Salisbury if racial discrimination were made illegal by a single clause in the Constitution, Mr. Olley suggested that this would start a revolution. Against this, Mr. Stewart said that when this was done in relation to the Post Offices, almost immediately Europeans and Africans were mingling together without any difficulties.

Memorandum II*

B. G. PAVER

A PAPER ON THE ECONOMIC SIGNIFICANCE OF THE PROPOSED CONSTITUTION FOR NYASALAND SUBMITTED TO THE SECRETARY OF STATE FOR THE COLONIES

(At the suggestion of Mr. Macleod, this Mamorandum was submitted to Members of the Advisory Commission on the review of the Federation of Rhodesia and Nyasaland).

In dealing with a territory devoid of any significant manufacturing or mining potential, the living conditions of its agrarian population are to a great extent dependent upon the knowledge and efficiency of its multi-racial Executive and Legislative Councils and its administration.

In common with other under-developed territories in Africa, Nyasaland will, during this decade, continue to attract the attention of world opinion. The significance of the years 1960–1970 therefore lies in the fact that these years will provide irrefutable proof as to whether the constitution now under consideration was deliberately designed to ameliorate the living conditions of the population or whether this constitution merely provided an expedient dictated by political factions and personalities.

The facts which determine this unequivocal approach to Nyasaland's constitutional problems are and will continue to remain as follows:—

1. The Food and Agricultural Organisation in the course of its 1950 World Census of Agriculture divided Nyasaland's 36,000 square miles as follows:

1,000	square miles suitable for tree crops
2,000	square miles of permanent pasture
10,000	square miles suitable for arable cultivation
5,000	square miles of marginal agricultural land
18,000	square miles of non agricultural land
36,000	square miles total land area

2. The statistical density of a total population of 2,800,000 in 1960 to a total land area of 36,000 square miles is 77·6 persons per square mile.

The true density of this agrarian population in relation to 10,000 square miles of agricultural land plus an 80% potential from 5,000 square miles of marginal agricultural land, and a 50% potential from 2,000 square miles of pasture land, i.e. a total of 15,000 square miles, is a density of 186·6 persons per square mile of agricultural land. This is a density approaching that of semi-industrial countries practising advanced and partially mechanised agricultural methods.

3. The *de facto* population of 2,780,000 Africans, as at 31st December, 1959, has, at the estimated annual increase rate of 2·2 per cent per annum, been rounded off to a conservative 2,800,000 quoted in paragraph 2 above. The African population of Nyasaland has nearly doubled itself during the past 25 years. The immediate significance of the 2·2 per cent per annum increase is, however, the fact that the productivity of each square mile of arable land must be increased by 30% during the years 1960–1970. This is due to the fact that during this decade, density in relation to the food productive area will rise from 186·6 to 235 persons per square mile.

4. A 30% increase in productivity would merely maintain the

**Memorandum I is reproduced under the evidence of this witness at Salisbury on 21st April, 1960 (p. 167).*

status quo of a basically subsistence economy. It makes no allowance for improved living conditions. Yet an increase of even 5% in the present productivity of every acre of arable land can only be achieved with the aid of the essential motive of personal gain, reinforced by individual land rights and individual responsibility for the enrichment of the soil of individual holdings.

5. A strongly entrenched social system, practised by more than 75% of the total population is, however, an almost insuperable barrier to individual land rights on anything approaching a territorial scale. Although African trust land, which comprises 87% of the total land area is vested in the Secretary of State for the Colonies, and is administered and controlled by the Governor, "for the use or common benefit, direct or indirect, of Africans", the right of Africans to cultivate separate holdings on African trust land (except when the land is the subject of a lease) is determined by the "mwini dziko".

The land allocations of the "mwini dziko" who is usually the hereditary village headman, are determined by matrilineal inheritance. More than half the population practice uxorilocal marriage in which the husband goes to live with his wife at her village. It follows therefore, that the man's security of tenure of his holding is normally dependent upon the continuance of his marriage.

Uxorilocal marriage is not a particularly stable institution, and the fact that economic conditions cause nearly 25% of the adult male population to become migrant labourers, contributes to the instability of marriage ties. These factors all add to lack of continuity of land tenure which, in other parts of the world, is the very foundation of agrarian community life.

6. In Nyasaland's largely matrilineal society, the part played by women is clearly of fundamental importance. In African education, however, there is clearly no indication that this fact has been appreciated or related to the inevitably disastrous consequences of a combination of factors enumerated in paragraphs 1 to 5. In 1948, the enrolment in Junior Primary schools was 56,413 boys and 27,650 girls, a ratio of 1 girl 2 boys. Ten years later, there was no change in this ratio, since 1957 enrolment figure was 69,498 boys and 38,416 girls. In the Senior Primary Schools, the 1948 figures were 2,207 boys and 190 girls, and the 1957 figures, 13,211 boys and 2,711 girls. The figures for full secondary schools indicate that the education of females is little more than a token gesture with an enrolment of 329 males and 24 females at all African Government and Government-assisted schools in 1957.

In the above half-dozen paragraphs on the lack of agricultural land, the pressure of population, the inevitable need for increased productivity and the accompanying absence of incentive, the dead hand of an archaic social system and the total failure of three decades of African education to carry females to full Secondary education, I have done no more than delineate the economic problem of Nyasaland.

Quite apart from the customs and suspicions of the African, or the violent reactions of the religiose, the question of birth control is no more than a debating point. Furthermore, any grandiose scheme of re-settlement in the open spaces of adjacent Northern Rhodesia, on a scale commensurate with the magnitude of the problem, would present administrative difficulties of even greater magnitude than the problem they attempt to solve.

Nor can substantially increased industrialisation provide Nyasaland with anything more than a palliative. Assuming that a massive drive to attract manufacturing industry resulted in affording employment to an additional 60,000 Africans, this figure, if we exclude those at present employed in processing tea and tobacco, would represent a 1500% increase in the 1957/58 employment figures for manufacturing; yet these employees would only equal one year's increase in the population, and because of the age factor of these imaginary industrial workers they, together with their dependents, would account for little more than 3 years' natural increase.

Nyasaland is an agrarian territory, and there is only one answer to its problems. In this fact there is entrenched the basic economic significance, as distinct from the purely political problems, of the present review of the constitution. In an inter-related complex of factors peculiar to Nyasaland, both the Government and the people of this territory face one of the gravest situations any administration in Africa has been called upon to resolve.

The present review of the constitution affords the opportunity of securing the concerted efforts of Government and people to undertake the vital task of far-reaching agrarian reforms. If this opportunity is neglected, then in the present decade, the unchecked cumulative effects of the country's inherent disabilities can only result in lower and yet lower levels of a disastrous subsistence economy.

The agrarian reforms which the situation demands can only be achieved with the full co-operation of African leaders. It is, therefore, essential that Africans should, as fully as possible, participate in the conduct of the territory's future. It is, however, of the utmost importance that all those now engaged in negotiating a new constitution should be made fully aware of the enormity of the country's basic problems. There can be no deferment of these aspects. Special attention must be given to the task of ensuring that there is full realisation of the heavy burdens and responsibilities which Africans will be called upon to bear. This need is underlined by the fact that during the recent disturbances, the Government's agricultural effort on behalf of the African people was demonstrably the special target for attack by the officials of the Nyasaland African National Congress.

If there is a positive appreciation of Nyasaland's economic hazards, and the opportunity for launching agrarian reforms is fully integrated into the present review of the constitution, then this common target should provide a multi-racial rallying point of fundamental importance.

With this in mind, and conscious as I am of the African's profound faith in the availability of outside financial aid as an easy solution to all problems, it is nevertheless obvious that although there has been an encouraging rise in Current Expenditure on Agriculture from £285,000 in 1954/55 to an estimated £440,000 for 1959/60, and a Capital Expenditure rise from £27,000 to £430,000 over the same period, these figures bear little relation to positive agrarian reform.

To have any lasting effect an expenditure at least equal to that now being incurred in the implementation of Southern Rhodesia's Native Land Husbandry Act would appear to be essential. In Southern Rhodesia the amount involved is £12,681,000 over a seven-year period, and while the acreage in Nyasaland would be considerably less, the costs would be far higher.

This is largely due to the fact that during the past six years, Southern Rhodesia's total expenditure on African agriculture on her population of 2,800,000 totals £14,225,000 as compared with Nyasaland's total Current and Capital Expenditure of £3,374,000 for the same period, and for a population of almost identical size. As an approximation, a planned expenditure of £14,000,000 spread over a seven-year period would therefore appear to be a minimal target.

This is no easy solution to the problem of Nyasaland's future. It demands insistence on an even higher standard of administration than has been possible in the past. It requires a gradual change in the structure of African society, a great degree of control over individuals and an increasing standard of individual responsibility and effort. There is no escape from these realities. The new constitution should not merely facilitate measures to preserve the future well-being of the entire population. It must demonstrate to this continent in particular that this is its overriding purpose.

Note

1. It is worth noting that in order to increase the productive capacity of a single copper mine by 50% the Rhodesian Selection Trust propose to bring their Mufilira West development project into operation by 1962 at a capital cost of £14,000,000. This brings into perspective the suggestion that during 1961/67 a sum of £14,000,000 should be devoted to African agriculture in Nyasaland.

2. It should also be noted that in reporting to the United Nations Economic and Social Council, the President of the International Bank of Reconstruction and Development stated that "a particularly interesting" aspect of the new loans in Africa concerned two projects for the development of Agriculture—one in Southern Rhodesia, and one in the Congo—and predicted that other "grass roots" loans would follow, designed to further the transition of African farming.

3. In common with trends in other countries, Nyasaland Africans will react to increased agricultural activity by a substantial drift to such urban areas as are available to them. They will also react to higher education by demanding avenues of employment other than those provided by agriculture. As the populations of neighbouring territories increase, employment of Nyasaland Africans will tend to diminish. It will therefore be prudent to accept as an integral part of agrarian reform the need to foster industrial and commercial employment in the Blantyre/Limbe area.

Memorandum III*

B. G. PAVER

A Survey of African Primary Education according to Sex and Age Groups

This Memorandum presents the first comprehensive stock-taking of African educational attainment since the commencement of educational endeavour on behalf of the indigenous peoples of Central Africa. It does so in terms of all Africans throughout the Federation of Rhodesia and Nyasaland who have passed Standard 6, and who have therefore successfully completed the eight-year Primary School Course.

**For Memordandum (I) by B. G. Paver, on Constitutional evolution see under evidence at Salisbury on 21st April,* 1960 (*p.* 167).

To complete and present this survey, the Central African Statistical Office was asked to enlist the co-operation of the African Education Departments of the Governments of Southern Rhodesia, Northern Rhodesia and Nyasaland, and to obtain records of every African who had passed Standard 6 since the inception of these Departments.

Armed with this information, the Statistical Office was then requested to relate the total number of Standard 6 passes in each year to the correct sex and age groups of the total population of each territory. Allowance was made for mortality rates and population increases, and in this manner the total number of Africans who have hitherto passed Standard 6 was, by sexes, accorded to each age group of each territorial population as at June, 1960.

On the same basis, but taking into account the availability of teachers and financial resources, the 1960 data was projected by 5 and 10 years in order to determine estimates of the Standard 6 educational level for each age group in each territory for the years 1965 and 1970.

In the absence of any recent census of the African population, the resulting statistical tables are naturally rough estimates. The present total of Standard 6 passes is, however, a recorded figure the results of past decades and present educational resources are both known factors and the statistical tables therefore constitute a co-ordination of the most authoritative sources of information available today.

Choice of a Standard 6 pass as the essential yardstick of this stock-taking of African educational attainment is due to the following reasons. In the first place, the Southern Rhodesia Standard 6 is recognised in both Northern Rhodesia and Nyasaland, and Southern Rhodesia in turn gives full recognition to the Standard 6 examination given by both the Northern territories. In the second place, this examination, if passed, gives entrance to any post-primary course. For example, in Southern Rhodesia a pupil may enter the Primary Teacher's Lower Course, a Building, Carpentry or Agricultural Course at the post-primary industrial schools, or proceed to full Secondary Course.

The third reason is the fact that in the absence of compulsory African education which would carry with it compulsion to remain at school for a fixed number of years, a Standard 6 pass signifies the completion of eight years of schooling. Under existing circumstances, a Standard 6 pass therefore represents the stage in African educational attainment at which the pupil is no longer merely a unit in a subsistence economy, enjoying a transitory educational benefit. Having passed Standard 6, the African pupil can, and frequently does, become in his or her own right, a contributor to the general advancement of the community and the territory in which he or she resides.

For these reasons, this survey of Standard 6 passes in terms of sexes, age groups and territorial populations is of fundamental significance to any economic, sociological or constitutional review of the Federation of Rhodesia and Nyasaland.

In reading this survey of African Primary Education, it will be noted that the information compiled by the Statistical Office presents each territorial survey in 5-year age groups with separate columns for the sexes and for percentages. These tables are of such importance that easy reference is essential. For this reason, each territorial survey is accompanied by a simplified presentation. This simplification is accomplished by the omission of the percentage columns and by a smaller number of readily distinguishable age groups in which the totals for the years between 20 and 29 have been taken together and those for the years 30 to 39 have also been grouped together.

The significance of this re-grouping has been emphasised in the following manner. Statistical presentation of population data normally commences with the youngest age group at the top of each column. In the simplified version, our immediate concern is to secure a concise presentation of the overall results of decades of educational effort and, in particular, the extent to which the older age groups have shared in full Primary education.

For this reason the age group 0–14 years, which has been labelled Infancy and Childhood, appears at the bottom of the simplified presentation. This group is followed by the 15–19 Adolescent age group who, wherever authority is inept, act to the detriment of their own advancement as uncontrolled adolescents always do.

At this stage in reading this survey, it must be noted that the combined Infancy and Adolescent age groups number 4,419,000 out of a total population of 7,810,000. They therefore represent 56·5% of the total African population of the Federation of Rhodesia and Nyasaland. This inordinate preponderance of juveniles is a charge on African society which, even at a basic subsistence level, African society is quite unable to sustain without substantial assistance from European society.

The next stage in this upward sequence of age groups comprises those between the ages of 20 and 29 years. To describe this group as the age of Immaturity is no reflection of the African. Even in far more advanced and privileged societies, to 20 to 29 age group provides the floating wage earners, the unstable element in agriculture, commerce and industry, and adherents to any form of emotionalism, the pyjama parties, and all kindred post-adolescent activities. It is therefore unfortunate that this age group numbering 1,351,000 represents 17·3% of the total population since this leaves only 26·2% in the Over-30 age groups of African society.

The next age group is that of persons between the ages of 30 and 39. In all societies, this is the Transitional period between Immaturity and Maturity, and this Transitional group is 10·1% of the total African population.

The final age group of 40 and Over is, for all humanity, the age group which supplies to society as a whole that measure of Maturity permitted by the circumstances in which each race finds itself. In African society this age group represents 16·1% of the total African population of the Federation of Rhodesia and Nyasaland. If allowance is made for those of extreme age and infirmity, then the effective Maturity age group is less than 15% of the total population.

Against this fundamental background of population age groups, the pattern of educational attainment is clearly discernible. In both the territorial and in the overall Federal presentation, it is possible to trace the gradual infusion of Primary education as it moves up from age group to age group across the intervening years to 1965 and 1970. It must always be remembered, however, that this is a survey of *Primary* education. A similar survey of Secondary education would be infinitely less encouraging.

Each Member of the Commission will draw his or her own conclusions from the information presented in this survey. Nevertheless, the survey itself would be incomplete without some reference to the following four basic deductions.

The first of these deductions is the tremendous strain imposed upon the economic viability of each separate territory and upon the Federation as a whole by the age group composition of the African population plus the inadequacy of educational attainment.

The second basic deduction is the fact that this survey of Primary education puts the apparent tardiness in the implementation of African political advancement as a partnership of African preparedness and European goodwill in true perspective.

The third deduction concerns the educational qualification for the franchise. In the Immature 20–29 age group alone, over two hundred thousand Africans should have completed their Primary School Course by passing Standard 6 by 1970.

The fourth and most significant deduction to be drawn from this survey concerns the educational attainment of African women. For 1960, there is a total of 51,900 adult Africans who have passed Standard 6. Of this total, only 10,800, that is 20·8%, are females. By 1970, the total of adults who will have passed Standard 6 should be 243,300 of whom approximately 28% will be females.

These figures, however, require further analysis. Of the 10,800 adult females with a Standard 6 pass in 1960, 8,800 were educated in Southern Rhodesia, 1,500 in Northern Rhodesia and approximately 500 in Nyasaland. For the year 1970, the approximate figures will be: Nyasaland 6,500 adult females with a Standard 6 pass, Northern Rhodesia—9,000 adult females, and Southern Rhodesia 54,100 adult females with this educational qualification.

It is not necessary to attempt to calculate that in Southern Rhodesia the general educational effort on behalf of the African is some ten years in advance of that now being made in the two Northern territories. Nor is it necessary to estimate that in the education of African women Southern Rhodesia is some 20 years in advance of Nyasaland.

What is important is the fact that, under twentieth century conditions, this ill-balance in the education of the sexes will, unless it is checked, lead to a seriously malformed African socity. This is not merely a sociological problem. It has the very deepest economic significance.

It is a well established fact that in any country with a healthy economy, between 60% and 70% of the internal market for consumer goods is due to woman's desire to improve general living conditions of her home.

In the Federation, the elementary needs of over a million mud-floor homes, presided over by apathetic and uneducated women, offer no such inducement to industry. This estimate of a million mud-floor homes is based on the fact that some six million African people (with an average of six persons per home) are still very closely allied to the conditions of a primitive subsistence economy.

Yet 56·5% of African society is today in the under-20 age group. These 4,419,000 Africans will soon be seeking the fields of employment which only a broadly based and soundly administered economy can give them.

As has already been stated, this survey contains elements which cannot be ignored in any sociological, economic or constitutional review of the Federation of Rhodesia and Nyasaland.

Index to Statistical Tables

1. Simplified Presentation of Primary Education related to Age Groups of the Total African Population of the *Federation of Rhodesia and Nyasaland.*

(Prepared from the amalgamation of territorial statistics compiled by the Central African Statistical Office.)

2. Simplified Presentation of Primary Education related to Age Groups of the Total African Population of *Southern Rhodesia.*

(Prepared from the attached Southern Rhodesia statistics.)

2(*a*). Statistics compiled by the Central African Statistical Office from information supplied by the African Education Department of *Southern Rhodesia.*

3. Simplified Presentation of Primary Education related to Age Groups of the Total African Population of *Northern Rhodesia.*

(Prepared from the attached Northern Rhodesia statistics.)

3(*a*). Statistics compiled by the Central African Statistical Office from information supplied by the African Education Department of *Northern Rhodesia.*

4. Simplified Presentation of Primary Education related to Age Groups of the Total African Population of *Nyasaland.*

(Prepared from the attached Nyasaland statistics.)

4(*a*). Statistics compiled by the Central African Statistical Office from information supplied by the African Education Department of *Nyasaland.*

5. Population Age Pyramids of Southern Rhodesia Africans representative of the Population Age Structure of all three territories compared with European Age Pyramids for the Federation, reproduced by David Yates, Esq. from a pyramid compiled by Dr. C. A. L. Myburgh of the Central African Statistical Office.*

**These pyramids have not been reproduced.*

Simplified Presentation of Primary Education related to Age Groups of the Total African Population of the Federation of Rhodesia and Nyasaland

	June, 1960			*June*, 1965			*June*, 1970		
Age Group	*Total Population*	*Total of Persons With Std. 6*	*Std. 6 According to Sexes*	*Total Population*	*Total of Persons With Std. 6*	*Std. 6 According to Sexes*	*Total Population*	*Total of Persons With Std. 6*	*Std. 6 According to Sexes*
40 and Over ... *Maturity*	1,247,000	2,500	2,200 M 300 F	1,416,000	4,700	3,800 M 900 F	1,603,000	8,500	6,800 M 1,700 F
30–39 ... ... *Transitional*	794,000	11,800	9,100 M 2,700 F	904,000	19,200	15,100 M 4,100 F	1,024,000	29,500	23,200 M 6,300 F
20–29 ... ... *Immaturity*	1,351,000	37,600	29,800 M 7,800 F	1,532,000	86,200	65,000 M 21,200 F	1,735,000	205,300	144,700 M 60,600 F
15–19 ... ... *Adolescence*	889,000	33,500	26,000 M 7,500 F	1,008,000	85,500	60,000 M 25,500 F	1,141,000	152,400	102,500 M 49,900 F
0–14 ... ... *Infancy and Childhood*	3,530,000	—	—	4,010,000	—	—	4,537,000	—	—
Total	7,810,000			8,870,000			10,040,000		

Simplified Presentation of Primary Education related to Age Groups of the Total African Population of Southern Rhodesia

	June, 1960			*June*, 1965			*June*, 1970		
Age Group	*Total Population*	*Total of Persons With Std. 6*	*Std. 6 According to Sexes*	*Total Population*	*Total of Persons With Std. 6*	*Std. 6 According to Sexes*	*Total Population*	*Total of Persons With Std. 6*	*Std. 6 According to Sexes*
40 and Over ... *Maturity*	388,000	1,400	1,200 M 200 F	452,000	3,000	2,300 M 700 F	522,000	5,700	4,300 M 1,400 F
30–39 ... ... *Transitional*	248,000	8,200	5,800 M 2,400 F	292,000	13,200	9,700 M 3,500 F	336,000	18,700	13,600 M 5,100 F
20–29 ... ... *Immaturity*	421,000	23,200	17,000 M 6,200 F	488,000	53,600	36,400 M 17,200 F	564,000	131,100	83,500 M 47,600 F
15–19 ... ... *Adolescence*	277,000	17,700	12,000 M 5,700 F	320,000	49,900	32,000 M 17,900 F	372,000	84,200	49,700 M 34,500 F
0–14 ... ... *Infancy and Childhood*	1,106,000	—	—	1,288,000	—	—	1,486,000	—	—
Total	2,440,000			2,840,000			3,280,000		

Rough Estimates of the Proportion of the Indigenous African Population of Southern Rhodesia which has passed Standard Six by Age Groups

Note: (1) Migrants from neighbouring territories, who number about 400,000 in 1960, are omitted.

(2) It is assumed that there will be no change in the age distribution of the population between 1960 and 1970. A change in the age distribution would not affect the proportions in individual age groups but would affect the overall proportions for all age groups slightly.

A. JUNE, 1960

Age Group	*Males*			*Females*			*Total Males and Females*		
	Total Population	*Persons With Std. 6*	*Proportion with Std. 6*	*Total Population*	*Persons with Std. 6*	*Proportion with Std. 6*	*Total Population*	*Persons with Std. 6*	*Proportion with Std. 6*
	000's	000's	%	000's	000's	%	000's	000's	%
0–14	533	—	—	553	—	—	1,106	—	—
15–19	140	12·0	8·6	137	5·7	4·2	277	17·7	6·4
20–24	120	10·0	8·3	113	3·8	3·4	233	13·8	5·9
25–29	95	7·0	7·4	93	2·4	2·6	188	9·4	5·0
30–34	74	4·0	5·4	72	1·5	2·1	146	5·5	3·8
35–39	52	1·8	3·5	50	0·9	1·8	102	2·7	2·6
40–44	30	0·8	2·7	27	0·1	0·4	57	0·9	1·6
45 and Over ...	156	0·4	0·3	175	0·1	0·1	331	0·5	0·2
Total	1,220	36·0	3·0*	1,220	14·5	1·2*	2,440	50·5	2·1*

**For all persons aged 15 and over the proportions are 5·4% for males, 2·2% for females and 3·8% for the two sexes taken together.*

B. JUNE, 1965

Age Group	*Males*			*Females*			*Total Males and Females*		
	Total Population	*Persons with Std. 6*	*Proportion with Std. 6*	*Total Population*	*Persons with Std. 6*	*Proportion with Std. 6*	*Total Population*	*Persons with Std. 6*	*Proportion with Std. 6*
	000's	000's	%	000's	000's	%	000's	000's	%
0–14	644	—	—	644	—	—	1,288	—	—
15–19	162	32·0	19·7	158	17·9	11·3	320	49·9	16·6
20–24	138	27·3	19·8	132	13·5	10·2	270	40·8	15·1
25–29	110	9·1	8·3	108	3·7	3·4	218	12·8	5·9
30–34	87	6·4	7·4	84	2·2	2·6	171	8 6	5·0
35–39	61	3·3	5·4	60	1·3	2·1	121	4·6	3·8
40–44	36	1·3	3·5	35	0·6	1·8	71	1·9	2·6
45 and Over ...	182	1·0	0·5	199	0·1	0·1	381	1·1	0·3
Total ...	1,420	80·4	5·7*	1,420	39·3	2·8*	2,840	119·7	4·2*

**For all persons aged 15 and over the proportions are 10·3% for males, 4·9% for females and 7·7% for the two sexes taken together.*

C. JUNE, 1970

Age Group	*Males*			*Females*			*Total Males and Females*		
	Total Population	*Persons With Std. 6*	*Proportion with Std. 6*	*Total Population*	*Persons with Std. 6*	*Proportion with Std. 6*	*Total Population*	*Persons with Std. 6*	*Proportion with Std. 6*
	000's	000's	%	000's	000's	%	000's	000's	%
0–14	743	—	—	743	—	—	1,486	—	—
15–19	188	49·7	26·4	184	34·5	18·7	372	84·2	22·6
20–24	159	58·2	36·5	153	34·9	22·8	312	93·1	29·8
25–29	128	25·3	19·8	124	12·7	10·2	252	38·0	15·1
30–34	100	8·3	8·3	97	3·3	3·4	197	11·6	5·9
35–39	71	5·3	7·4	68	1·8	2·6	139	7·1	5·1
40–44	41	2·2	5·4	40	0·8	2·1	81	3·0	3·7
45 and Over ...	210	2·1	1·0	231	0·6	0·3	441	2·7	0·6
Total	1,640	151·1	9·2*	1,640	88·6	5·4*	3,280	239·7	7·3*

**For all persons aged 15 and over the proportions are 16·8% for males, 9·9% for females and 13·3% for the two sexes taken together.*

Simplified Presentation of Primary Education related to Age Groups of the Total African Population of Northern Rhodesia

Age Group	June, 1960			June, 1965			June, 1970		
	Total Population	*Total of Persons With Std. 6*	*Std. 6 According to Sexes*	*Total Population*	*Total of Persons With Std. 6*	*Std. 6 According to Sexes*	*Total Population*	*Total of Persons With Std. 6*	*Std. 6 According to Sexes*
40 and Over ... *Maturity*	376,000	900	800 M 100 F	426,000	1,500	1,300 M 200 F	482,000	2,300	2,000 M 300 F
30–39 ... ... *Transitional*	239,000	2,800	2,500 M 300 F	269,000	4,300	3,800 M 500 F	306,000	7,500	6,700 M 800 F
20–29 ... ... *Immaturity*	407,000	10,000	8,900 M 1,100 F	461,000	19,000	16,800 M 2,200 F	521,000	40,700	33,800 M 6,900 F
15–19 ... ... *Adolescence*	268,000	9,000	8,000 M 1,000 F	303,000	17,400	13,400 M 4,000 F	343,000	38,900	30,200 M 8,700 F
0–14 ... ... *Infancy and Childhood*	1,061,000	—	—	1,201,000	—	—	1,358,000	—	—
Total	2,350,000			2,660,000			3,010,000		

Rough Estimates of the Proportion of the Indigenous African Population of Northern Rhodesia which has passed Standard Six by Age Groups

Note: (1) Migrants from neighbouring territories are omitted, but Northern Rhodesia Africans in neighbouring territories are included.

(2) It is assumed that the Northern Rhodesia Africans have the same age distribution as the Southern Rhodesia Africans and that there will be no change in this distribution between 1960 and 1970.

A. June, 1960

Age Group	Males			Females			Total Males and Females		
	Total Population	*Persons With Std. 6*	*Proportion with Std. 6*	*Total Population*	*Persons with Std. 6*	*Proportion with Std. 6*	*Total Population*	*Persons with Std. 6*	*Proportion with Std. 6*
	000's	000's	%	000's	000's	%	000's	000's	%
0–14	521	—	—	540	—	—	1,061	—	—
15–19	132	8·0	6·1	136	1·0	0·7	268	9·0	3·4
20–24	113	5·9	5·2	112	0·7	0·6	225	6·6	2·9
25–29	90	3·0	3·3	92	0·4	0·4	182	3·4	2·1
30–34	70	1·5	2·1	71	0·2	0·3	141	1·7	1·2
35–39	49	1·0	2·0	49	0·1	0·2	98	1·1	1·1
40–44	28	0·5	1·8	28 }	0·1	(a)	56 }	0·9	0·2
45 and Over ...	147	0·3	0·2	173 }			320 }		
Total	1,150	20·2	1·8	1,200	2·5	0·2	2,350	22·7	1·0

(a) Less than 0·05

B. June, 1965

Age Group	Males			Females			Total Males and Females		
	Total Population	*Persons with Std. 6*	*Proportion with Std. 6*	*Total Population*	*Persons with Std. 6*	*Proportion with Std. 6*	*Total Population*	*Persons with Std. 6*	*Proportion with Std. 6*
	000's	000's	%	000's	000's	%	000's	000's	%
0–14	589	—	—	612	—	—	1,201	—	—
15–19	149	13·4	9·0	154	4·0	2·6	303	17·4	5·7
20–24	128	11·5	9·0	127	1·6	1·3	255	13·1	5·1
25–29	102	5·3	5·2	104	0·6	0·6	206	5·9	2·7
30–34	79	2·6	3·3	80	0·3	0·4	159	2·9	1·8
35–39	55	1·2	2·1	55	0·2	0·3	110	1·4	1·3
40–44	32	0·6	2·0	32	0·1	0·2	64	0·7	1·1
45 and Over ...	166	0·7	0·4	196	0·1	(a)	362	0·8	0·2
Total	1,300	35·3	2·7	1,360	6·9	0·5	2,660	42·2	1·6

(a) Less than 0·05.

Rough Estimates of the Proportion of the Indigenous African Population of Northern Rhodesia which has passed Standard Six by Age Groups—(continued)

C. JUNE, 1970

Age Group	Males			Females			Total Males and Females		
	Total Population	Persons with Std. 6	Proportion with Std. 6	Total Population	Persons with Std. 6	Proportion with Std. 6	Total Population	Persons with Std. 6	Proportion with Std. 6
	000's	000's	%	000's	000's	%	000's	000's	%
0–14	666	—	—	692	—	—	1,358	—	—
15–19	169	30·2	17·9	174	8·7	5·0	343	38·9	11·4
20–24	144	23·5	16·3	144	5·4	3·8	288	28·9	10·0
25–29	115	10·3	9·0	118	1·5	1·3	233	11·8	5·1
30–34	89	4·6	5·2	91	0·5	0·6	180	5·1	2·9
35–39	63	2·1	3·3	63	0·3	0·4	126	2·4	1·9
40–44	36	0·8	2·1	36	0·1	0·3	72	0·9	1·2
45 and Over ...	188	1·2	0·6	222	0·2	0·1	410	1·4	0·3
Total	1,470	72·7	4·9	1,540	16·7	1·1	3,010	89·4	3·0

Simplified Presentation of Primary Education Related to Age Groups of the Total African Population of Nyasaland

Age Group	*June*, 1960			*June*, 1965			*June*, 1970		
	Total Population	Total of Persons With Std. 6	Std. 6 According to Sexes	Total Population	Total of Persons With Std. 6	Std. 6 According to Sexes	Total Population	Total of Persons With Std. 6	Std. 6 According to Sexes
40 and Over ... *Maturity*	483,000	200	200 M	538,000	200	200 M	599,000	500	500 M
30–39 ... ... *Transitional*	307,000	800	800 M	343,000	1,700	1,600 M 100 F	383,000	3,300	2,900 M 400 F
20–29 ... ... *Immaturity*	523,000	4,400	3,900 M 500 F	583,000	13,600	11,800 M 1,800 F	650,000	33,500	27,400 M 6,100 F
15–29 ... ... *Adolescence*	344,000	6,800	6,000 M 800 F	385,000	18,200	14,600 M 3,600 F	426,000	29,300	22,600 M 6,700 F
0–14 ... ... *Infancy and Childhood*	1,363,000	—	—	1,521,000	—	—	1,693,000	—	—
Total	3,020,000			3,370,000			3,750,000		

Rough Estimates of the Proportion of the Indigenous African Population of Nyasaland which has passed Standard Six by Age Groups

Note: (1) Nyasaland Africans in neighbouring territories who number about 240,000 in 1960, are included.

(2) It is assumed that the Nyasaland Africans have the same age distribution as the Southern Rhodesia Africans and that this distribution will not change before 1970.

A. JUNE, 1960

Age Group	Males			Females			Total Males and Females		
	Total Population	Persons With Std. 6	Proportion with Std. 6	Total Population	Persons with Std. 6	Proportion with Std. 6	Total Population	Persons with Std. 6	Proportion with Std. 6
	000's	000's	%	000's	000's	—	000's	000's	%
0–14	675	—	—	688	—	—	1,363	—	—
15–19	171	6·0	3·5	173	0·8	0·5	344	6·8	2·0
20–24	146	2·6	1·8	143	0·4	0·3	289	3·0	1·0
25–29	117	1·3	1·1	117	0·1	0·1	234	1·4	0·6
30–34	91	0·6	0·7	91	(a)	(a)	182	0·6	0·3
35–39	63	0·2	0·3	62	(a)	(a)	125	0·2	0·2
40–44	36	0·1	(a)	36	(a)	(a)	72	0·2	(a)
45 and Over ...	191			220	(a)	(a)	411		
Total	1,490	10·8	0·7	1,530	1·4	0·1	3,020	12·2	0·4

(a) Less than 0·05

Rough Estimates of the Proportion of the Indigenous African Population of Nyasaland which has passed Standard Six by Age Groups—(continued)

B. JUNE, 1965

Age Group	Males			Females			Total Males and Females		
	Total Population	*Persons with Std. 6*	*Proportion with Std. 6*	*Total Population*	*Persons with Std. 6*	*Proportion with Std. 6*	*Total Population*	*Persons with Std. 6*	*Proportion with Std. 6*
	000's	000's	%	000's	000's	%	000's	000's	%
0–14	752	—	—	769	—	—	1,521	—	—
15–19	191	14·6	7·6	194	3·6	1·9	385	18·2	4·7
20–24	163	9·5	5·8	159	1·4	0·9	322	10·9	3·4
25–29	130	2·3	1·8	131	0·4	0·3	261	2·7	1·0
30–34	101	1·1	1·1	101	0·1	0·1	202	1·2	0·6
35–39	71	0·5	0·7	70	(a)	(a)	141	0·5	0·3
40–44	40	0·1	0·3	40	(a)	(a)	80	0·1	0·1
45 and Over ...	212	0·1	(a)	246	(a)	(a)	458	0·1	(a)
Total	1,660	28·2	1·7	1,710	5·6	0·3	3,370	33·8	1·0

(a) Less than 0·05

C. JUNE, 1970

Age Group	Males			Females			Total Males and Females		
	Total Population	*Persons With Std. 6*	*Proportion with Std. 6*	*Total Population*	*Persons with Std. 6*	*Proportion with Std. 6*	*Total Population*	*Persons with Std. 6*	*Proportion with Std. 6*
	000's	000's	%	000's	000's	%	000's	000's	%
0–14	838	—	—	855	—	—	1,693	—	—
15–19	212	22·6	10·7	214	6·7	3·1	426	29·3	6·9
20–24	182	19·0	10·4	177	4·8	2·7	359	23·8	6·6
25–29	145	8·4	5·8	146	1·3	0·9	291	9·7	3·3
30–34	113	2·0	1·8	112	0·3	0·3	225	2·3	1·0
35–39	79	0·9	1·1	78	0·1	0·1	157	1·0	0·6
40–44	45	0·3	0·7	44	(a)	(a)	89	0·3	0·3
45 and Over ...	236	0·2	0·1	274	(a)	(a)	510	0·2	(a)
Total ...	1,850	53·4	2·9	1,900	13·2	0·7	3,750	66·6	1·8

(a) Less than 0·05

Summary of Memoranda. Nos. I, II and III.

B. G. PAVER

Circumstances conspired to necessitate the submission of three separate though interlocking memoranda. A summary and co-ordination of the evidence contained in these documents therefore appears to be desirable.

The Introduction to Memorandum I traces the present opposition to Southern Rhodesia and the Federation to the factors of its original source.

Evidence that this analysis of the origin of the opposition to Federation on the part of Africans in the Northern territories is factually correct is provided by the Bledisloe Report of March, 1939.

Voters' Qualification and the Rate of Constitutional Evolution (Part I) states that there is no valid reason for lowering the present franchise qualifications since neither educational nor financial qualifications are too high to permit of a steady and substantial increase in the number of African voters.

Evidence to support this is contained in the Survey of African Primary Education (Memorandum No. III) which demonstrates the fact that by June 1970 a total of 243,000 African adults will have passed Standard 6. This will allow a large number of Africans to meet the Special Voters Roll Qualifications and, with the accompanying financial qualifications, Standard 6 is also the educational qualification for two of the seven alternatives for the General Voters Roll Qualifications.

Evidence that the financial qualification is not an unduly high barrier is contained in the June 1959 Monthly Digest of Statistics quoted in Memorandum No. I. This table which gives wages, Self-Employment and Rural Subsistence, was presented in this form in order to draw attention to the existence side by side of cash and subsistence economy. If the income from Wages and Self-Employment of Africans is combined and compared with the figures for the income of Europeans over the same period, then it is clear that African Income (excluding Rural Subsistence) in 1959 was approaching the figure achieved by Europeans in 1954, and that the income of Africans is rising at a greater rate than that of Europeans.

Approximate National Income

Figures in Millions

	1954	1955	1956	1957	1958	1959
European ...	112·3	127·4	135·5	157·8	158·7	164·0
African ...	64·6	72·6	85·4	96·1	97·5	110·0

In support of the statement that no lowering of the Federal franchise qualification is desirable, I state that more than 30,000 Africans who possessed the necessary qualifications failed to register because of apathy and intimidation.

Evidence that this statement is substantially correct is furnished by comparing the present number of adult African males who have passed Standard 6 with the actual registration of voters on the General and Special Rolls.

Territory	*African Males with Std. 6 pass*	*Federal Electoral Roll as at 3.8.59*	*Not Registered as Voters*
S. Rhodesia ...	24,000	General Roll 1,211 Special Roll 949	21,840
N. Rhodesia ...	12,200	General Roll 639 Special Roll 4,301	7,260
Nyasaland ...	4,900	General Roll 9 Special Roll 23	4,868
Total	41,100	7,132	33,968

After making an allowance of 3,396, i.e. 10%, for voters unable to register for reasons such as ill-health, isolation, etc. there remains a total of 30,000 males who, if the vote is as much sought after as we are given to believe it is, would have overcome all obstacles to register as voters. That they failed to do so can only be due to apathy in Southern Rhodesia and intimidation in Northern Rhodesia and Nyasaland.

In Part I it was also categorically stated that at the root of the constitutional problem lay the fact that 75% of the population is composed entirely of African peasants living on the basis of a subsistence economy which is supported by the efforts of 25% of

the population who are contributing to the maintenance and development of a money economy, which is the true foundation of the country's future.

I am aware that in the confidential *Survey of Developments since* 1953 on page 300 the distribution of the African population between the Subsistence and Money Economy works out at 63·5% attributed to the Subsistence Economy. Nevertheless, in terms of positive contribution to the Money Economy, I am satisfied that the assessment given in Memorandum No. I, Part I, is correct.

Evidence of this is supplied in the Rural Subsistence figures quoted in Memorandum No. I.

Evidence is also supplied by Memorandum No. II on Nyasaland's agrarian problem which with a population density of 186·6 persons to the square mile of productive land clearly demonstrates the fact that constitutional changes which do not materially strengthen the administration can only result in an ill-balanced diet becoming a starvation diet.

Evidence is also supplied by Memorandum No. III in which the tables on Primary Education and Age Distribution demonstrate a general unpreparedness which, if not aided with honesty, firmness and patience will prove disastrous to the financial structure upon which the future well-being of the entire population of the Federation must depend.

Constitutional Evolution and a Council of State (Part 2) emphasised the overriding need of constitutional evolution as opposed to attempts to appease emotionalism due to ignorance and immaturity. In support of this approach, your attention was drawn to the tremendous consequences which have stemmed from the arrest of infantile mortality and the African's inordinately low life-expectation. It was stated that because of the tax imposed upon each able-bodied African male by an unprecedented percentage of juveniles, African society would, owing to incautious constitutional reform, collapse more rapidly, more completely and more disastrously than any impact which undue haste could have on non-African society.

Evidence as to the correctness of these facts is supplied in the simplified tables contained in Memorandum No. III, in which the percentages of the basic age groups are clearly set out. The full significance of this evidence is revealed by comparing the 1960 African Age Group percentages with those of the populations of England and Wales for the year 1955.

Population Age Group	*African Population Percentages*	*England and Wales Population Percentages*
40 and Over ...	16·1	44
30–39	10·1	14·2
20–29	17·3	13·1
Under 20... ...	56·5	28·7

If this comparison is carried to its logical conclusion, it will be noted that in African society 73·8% of the total population is under the age of 30 as compared with 41·8% for England and Wales. Furthermore, in the Transitional and Maturity Age Groups of 30 and Over, England and Wales has 58·2% of the population as compared with 26·2% for the African population.

In the African Transitional and Maturity Age Groups there are approximately one million males, but due to age and infirmity, the toll of endemic tropical diseases and the diet factor, the effective total in these age groups is probably not more than 750,000, which is less than 10% of the total population of whom 56·5% are under 20 years of age. Added to this, there are the disabilities of tribalism, as yet inadequate educational attainment and the agrarian problem of subsistence economy practised by the overwhelming majority of the population.

Understandably, ignorance has been allowed to abet emotionalism. With the facts before you, you will, however, be aware that without a great measure of imposed self-discipline and outside aid, no human society suffering from the basic structural weaknesses of African society could sustain itself without imposing untold hardship on the vast majority of its members.

A Federal Council of State (Part 3) stated that in view of the complexity of the problems facing the peoples of the Federation of Rhodesia and Nyasaland there exists today an urgent need to set up permanent machinery to allay fears. These fears of discrimination in land rights and political rights are so closely associated with the continual constitutional adjustments inherent in a Federation such as this that they cannot be satisfied by a pious resolution to enshrine in the Constitution a declaration of Human Rights. To do so without providing an unassailably impartial Court of Appeal would be as honest and effective as issuing a cheque without first ensuring that there were funds to meet it.

For this reason, it was stated that to bring about constitutional evolution which ensured the continuance of impartial protection to both the majority and minority interests as a new ratio of voters emerged, there should be a Council of State divorced from the electorate, yet carrying the authority of all five Governments now directly and indirectly associated with the fulfilment of the Federation of Rhodesia and Nyasaland.

Oral Evidence

B. G. PAVER*

CHAIRMAN: We have had the other memoranda which you sent in. I would like to express our gratitude for this analysis you have produced and into which you must have put a great deal of work; the compilation of figures will be very valuable to us, particularly those in connection with African education. The sources of information have been government sources, official sources?

A. Yes, they are authoritative.

Q. We can take all these figures as official figures?

A. Yes.

MR. JUSTICE BEADLE: Your figures are taken for the Federation as a whole and not a particular Territory?

A. Yes.

Q. When you talk about 30,000 Africans who could be on the voters' roll but have not been on the voters' roll, does that relate to the whole Federation?

A. Yes. On the Federal voters' roll, not to be confused with the territorial ones.

Q. The Federal voters' roll but for the whole Federation?

A. Yes, and the date at which the numbers were given is given at the top of the column and that is authoritative.

Q. What is your source of information for these figures?

A. That is from the Survey.

Q. How do you get the figure of 30,000 Africans who could have registered and did not?

A. That is taken from the number of Africans who had passed Standard VI who would have been able to qualify on one or other of the rolls.

Q. Including income qualification people too? How do you relate the age to the income? I am asking you about this figure because I tried to get it from the Statistical Department and they told me they could not give it to me.

A. That is based on my own rather intimate knowledge of the whole thing.

Q. That is why the Statistical Department were very chary about giving it to me; they said they could estimate how many people had passed Standard VI and how many earned so much but they could not marry the two.

A. That is correct. The Minister of Law gave the figure of 70,000 at one stage but I think my figure is right.

Q. You have attempted to marry the income qualification to the educational qualification?

A. Yes. It is through our experience and contact with the Press that you find that at the educational level the monetary side marries more or less automatically.

Q. I follow.

A. I would like to emphasise, if I may, what I have tried to do is to put whatever information I could at the disposal of the Commission on four points which I feel really need a lot of consideration. The first is the actual origin of the opposition to Federation. I do not know whether anyone wants to ask for any elaboration on that aspect; I could have made it much lengthier. There were historical aspects in the early days which emphasised this misunderstanding on the administrative aspect in Southern Rhodesia. For instance in the Umvukwes area the mica mines packed up in 1924 and quite a number of Africans from Nyasaland were not paid; there simply was not the money and the whole thing collapsed. There are aspects which I wished to emphasise and I wanted to be sure I had really put the historical origin as faithfully and objectively as possible.

The other aspects are the tremendous significance of the age structure which I think is the one which needs the greatest consideration. The next aspect is the educational attainment level, and the fourth aspect is this rather blurred economic aspect of subsistence and money economy.

The sum total of all this really means that I have felt it was absolutely essential that the Federation should continue but I feel that its continuance might possibly be served by this idea of a Council of State which I have not elaborated because once I start producing memoranda I cannot stop and I purposely have avoided getting involved in constitutional issues. I have tried to simplify the fears relating to political and land rights; those are the two basic fears and a Council of State with each of the five govern-

**See also evidence of B. G. Paver at Salisbury on the 21st April,* 1960 (p. 171).

ments participating would, in my mind, be the medium through which a final solution in allaying those fears could be found.

MR. ROBINSON: In that connection you do say that this Council of State requires the authority of all five governments behind it in order that a Bill of Rights is firmly entrenched and presumably this impartial court of appeal would remain as such. How do you envisage this authority being effectively brought into being and kept in being?

A. It would have the authority at present entrenched in the Colonial Office; it would not simply be a handing over. I cannot see that with our economic situation, the realities of this subsistence-cum-money economy, that the Federation could go it alone either in the economic or the political field. If the interests of the Africans in the Northern Territories are to be safeguarded it presupposes some form of continuance of United Kingdom participation in this part of the world. By the same token if anything was going to come of the economic difficulties with which, for instance, Nyasaland has been faced that also presupposes a continuance and I must confess that very deliberately I have not tried to work out the whole of any pre-conceived plan because one gets bogged down in details and I have only gone into a lot of detail in fields with which I am familiar.

Q. These are really generalisations?

A. The sum total is the conclusion that you have a situation in which quite obviously the economics will take all the goodwill and all the co-operation in the world to meet, that is particularly on the Nyasaland side. The constitutional evolution could not possibly be settled in one bite at the cherry; it will have to evolve and I personally feel that the conclusion one comes to from that is simply a continuance of as much co-operation as the Federation can possibly secure, that a Council of State would remove one big difficulty and that is remote control and it would be more closely associated with the evolution of the problems as they develop.

CHAIRMAN: I would like, if I may, to go back to a point I think I raised before and that concerned the reasons for the failure on the part of many Africans who are qualified, to register. In the summary you have said that you attribute it to apathy in Southern Rhodesia and to intimidation in the two Northern Territories?

A. Yes.

Q. I will not perhaps question that a large part is due to intimidation in the Northern Territories but there are a lot of people who have come to us and have given evidence that it is not just a matter of apathy in Southern Rhodesia, or if it is apathy it is due to a complete failure to take any steps to rouse people to any degree of political consciousness or duty to register, that it has not been explained and, moreover, quite apart from that, no effort has been made to get the people to register, to go out and explain to people why they should register. You might say it should be left to political parties to start for the first time. Other people may regard it as the duty of government to go out and explain to people.

A. I think I can answer that very quickly because, as you know, I am Chairman of an African newspaper. We are rather intimately concerned in trying to inculcate a political consciousness. It was done in two ways. One, quite definitely through the ordinary editorial columns in which our African editors, with the interests of their own people at heart, really went out of their way to try and emphasise it. From the point of view of the Federal Government they not only produced some tens of thousands of pamphlets—unfortunately I am not in a position to say how many—but I do know that we, with a circulation of round about ½ million copies per month, ran a campaign for three months on the importance of voting so that through our hands about 1½ million messages were distributed, and very widely.

MR. JUSTICE BEADLE: To encourage people to vote?

A. Yes. There was an absolute sustained campaign and it was paid for by the Government, in other words they took steps but they expected us to co-operate editorially, as one would.

Q. How many messages went out?

A. One and a half million through our hands. That was Federal-wide. I could supply factually what was beamed at Southern Rhodesia, in other words, the messages which were published in our publications which were devoted almost entirely to Southern Rhodesia and that is why I can say with a great deal of authority that unlike the Northern Territories where it really took a lot of courage to go against certain political views, that in Southern Rhodesia the basic reason was that a great many of the potential voters have reached an economic stage in which, quite frankly, their own personal bread and butter occupation, where they are running buses and where they are in employment in industry, put them in the same category as the average European in a City Council Election where, as we all know, it is not any reflection on the individual, the people are occupied with their own activities and just a small group of people with a civic consciousness have really got to do all the work.

Q. Less than 30 per cent. of the people who are qualified to vote, vote?

A. I am not sure but I do know that this is no dis-service. I have for thirty years given my life to African advancement. I know that we did all we possibly could and that the response was extremely poor. I must be absolutely fair. When you come to compare the effort which was made in Northern Rhodesia to get voters on their voters' roll there was far more, shall we say, administrative activity. The local District Commissioner pretty well put the pen in the man's hand and said "Now you fill this in". I would be quite wrong in giving the impression that in Southern Rhodesia that was so. It was really left very much to the individual, but the actual effort made by the Federal Government was a very, very sincere one and I am speaking really on behalf of my own African editors too. They felt very strongly about it and they simply implored people, but if a man is improving and he is moving into a new niche then quite frankly it is a very human characteristic and it is not correct to say that there were other factors. I am quite certain that I could prove that, should the Commission want the copies of the papers and things which will be available, it was overwhelming.

Q. Would your African editors agree with you in saying that the failure to register was largely due to apathy, would they support that?

A. They would naturally say it was more due to intimidation because there was a certain amount of intimidation throughout.

CHAIRMAN: In the South?

A. Yes. When I say intimidation it was that some of the political parties were saying "Don't vote". It was not intimidation, but in other words the African National Congress, to be specific, was not unalive to the democratic significance of the individual voter and that did to a large extent detract from the effort that was being made to get Africans on the voters' roll. In other words I should say there was resistance rather than intimidation, but in Southern Rhodesia that really is the pattern.

Q. Would you agree perhaps the greatest influence in this matter would be that of the African political parties?

A. No, I would not say that. I have been trying to give you a bird's eye view of what in my honest opinion are the contributory factors and in bringing that one I have merely brought in a supplementary, but not the major one.

Q. If the African political parties took the reverse attitude and went all out to get the qualified Africans to register do you think they would have any greater success than that of a publicity campaign by African newspapers?

A. Perhaps I am over-simplyfying it but if they were to attempt it and the Federal Government, for instance, and African newspapers and other bodies were stopping it, the result would be the same. But were the African political parties to attempt it they would not meet with resistance, they would meet with co-operation so obviously the answer would be an improvement. I think that sums it up.

Q. You still think they would have great difficulty in overcoming the apathy?

A. Yes, they would still meet that apathy.

Q. They might say if we can get all the Africans to vote we shall get the seats and therefore we will go all out?

A. They will meet with less apathy because an African political party acting in that field would be comparable to the efforts made by the district administration of Northern Rhodesia.

Q. Would be comparable?

A. Yes, because it would be more personal.

Q. Might they be more comparable in that they would be prepared to use methods of intimidation? If they use methods of intimidation to prevent them voting they might also use methods of intimidation to make them vote?

A. Yes.

MR. JUSTICE BEADLE: I spoke to an African in the industrial field who was well qualified to vote and I asked him if he was a voter. He said that he was not a voter. He knew all about it. I asked him why he was not a voter. He said, "I have not registered because the various political parties will never stop worrying me to vote for them and I want to be left alone by political parties." How general is that attitude?

A. Quite a number feel that but that is a variation of apathy, in a sense.

Q. It is the very negative of apathy. He is not apathetic. He does not want to be on the voters' roll. Is that at all general, do you think? Do you know whether there are many who feel it is a nuisance to be on the roll, they only get bothered?

A. There are quite a number. There are quite a number in Nyasaland too who feel that. After all said and done, if you have some sort of business and you are not partisan, your customers

are not restricted to one particular clique and it does make a difference. It is the same factor in almost anything. It is so strong a factor in European make-up that it is the background to so much of what happened in Nazi Germany, for instance. The policy of drift, when it is the individual drift, is an understandable one, it is a very human one.

CHAIRMAN: We have also been told that there was another factor in this, that many Africans were deterred from voting by the difficulties of voting. We were told that because they are required to register in the presence of the Native Commissioner or Police Officer, Sergeant, they had either to travel great distances to find a Native Commissioner or wait until he came out to the reserve or special native land unit and that when they have got there they have had to wait for long hours and queue and it has been made generally very difficult, onerous and unpleasant to register so they said, no, they would not. Is there any truth in that?

A. In my summary I put that down to about 10 per cent. Intimidation and isolation which is a brief way of saying that.

Q. There is something in that, some percentage?

A. There is some substance, yes, but that is not a factor which is readily resolved. I should imagine it is implicit in almost anything.

Q. Presumably it could be made easier if one had travelling registering officers?

A. It could be made easier but I do not know that it would be more effective.

Q. At least it would remove the excuse for not registering.

A. It is an excuse more than anything.

MR. ROBINSON: I would like to raise a completely different matter. As you are with us perhaps you can assist the Commission on what I think is an important question. You mentioned a Bill of Rights. Would you include in your Bill of Rights any provision which would make it an offence to indulge in race slander in any way or race libel? You are the editor of a newspaper and why I ask you this question is that it is my experience that very often newspapers indulge in or print matter which can definitely be said to inflame racial feelings.

MR. JUSTICE BEADLE: It is an offence now to do anything that stirs up racial hostility, but how often an offence is prosecuted one does not know.

A. It is extremely difficult. I do not think you can do any more than is implicit now. It is very difficult to pin point that and I think it would be almost impossible to bring a conviction.

Q. Under the Sedition Act it is an offence to stir up hostility between the races. You do occasionally get people prosecuted for it. I think there is something in the Public Order Act also.

A. Yes.

MR. ROBINSON: Thank you. I will acquaint myself more fully on that. Another question in regard to the Press I would like to ask you. In this country it is customary in the Press to refer to persons in news items as Africans or Europeans. A person does not get killed on a railway crossing, an African gets killed or a European gets killed on a railway crossing and then, of course, once you get on to other things, some of the offences like rape and human relations and so on, it takes on a different significance because you have a big headline, it says that a European woman has been subjected to this by an African male. Would you say it is conducive towards racial harmony to permit that sort of thing to continue?

A. No, it is not, but it is in the process of righting itself. I think going back over a number of years the tendency now more and more is to give names and eventually I think the race tag will fall away. In going back about ten years in memory the European Press were very prone to simply talk about a native or an African, they never gave any further details. Now more and more the tendency is to say Mr. or Mrs. So-and-So killed on a railway crossing. That is a very big step forward because before it really was a racial distinction. Now it is becoming blurred and I think over a period it will simply be treated as news and the name of the person and it will become less and less common to differentiate. I do not think you could change that legislatively. I do not see how one could because it has a news value. It is a service to the reader at this particular stage.

Q. Could your opinion in any way be affected by virtue of the fact that the entire National Press—I am now talking about English Press—is owned by a company with external affiliations and associations? Do you think that these trends are going to march with events within the Federation at quite the pace they might be because of the association of the National Press?

A. I am not quite sure that I get the question.

Q. May I put it another way. Do you think by virtue of the fact that our National Press is owned by South African interests, with the political trends within the Union and the attitude of some of the group that own our National Press in South Africa, the political affairs are having any impact or effect within the Federation?

A. It is bound to have to some extent at this stage. It is one of the reasons why I anticipated the march of events in the Union and separated my own company entirely from the Union. The link, I think, exists in two practices. One, it, is becoming less obvious today but at one stage an editor looked for promotion to a larger paper in the South but I think as the papers have run on the line of succession to promotion is new within the Federation so there is less of a tendency for an editor to look over his shoulder and not blot his copy book here. I think that has almost gone. In my own knowledge there are very few instances of transfer but up to five years ago it was very common to serve in the Union and here it conditioned their thinking obviously. The other factor, the South Africa Press Association, the SAPA News Agency Distribution is on its way out. It is quite obvious that the constriction of freedom of news in the Union is having a disastrous effect on SAPA and in a very short time there will have to be a reorientation of our news. It has broken down because the SAPA News siphoning through the Union has met with a bottleneck through restrictions on what could and could not be passed on; it made a nonsense of the whole structure and it is only a matter of time, I should say eighteen months, and that very strong link will cease to have any significance and then you will have irrespective of whether it is one group or half a dozen groups, the basic factors are your succession, your promotion of your top men and your source of news, and since SAPA is entirely of South African origin and the National Press have seats on the board and virtual control of it, it is quite obvious that in self-defence, whether there is a financial control or not, the newspapers here will insist on a source of news which is not constricted; that is quite definite.

I can say that with a certain amount of authority because in the Union the company I started there was prevented from becoming associated because of apartheid. My papers were African papers so I was not *persona grata*, but being on the board of the F.B.C. right from the very beginning, knowing that, we have started to build up our own news services, as you probably know.

Q. With great success, if I might say so.

A. Thank you. I anticipated that events were going to make that absolutely essential. Because of the financial association, the Rhodesian Printing and Publishing Company has not been as alive to these factors as much as an independent person would be. It is quite obvious if they do not do something soon, economics will put that right and as I say in the next eighteen months the source of news will not be siphoned through the Union and that will make a very big break.

CHAIRMAN: Thank you very much. This has been very useful to us.

A. Thank you once again.

Memorandum

C. M. KAMHUNGU

I have the honour to inform you that I personally want to see the Monckton Commission and presently express all my views before its selected members.

The following are my points I would like to say to the Commission:—

1. If it is true that the Government is responsible for the education of its subjects, but why does our Government not build us Government Schools in the rural areas (Reserves)? Our today's education comes chiefly from the Missionaries who sometimes expel children who do not belong to their churches.

2. We appeal to the Government to build us hospitals and clinics in the rural areas.

3. We appeal to the Government to amend the Land Apportionment Act and Land Husbandry Act in which we find difficulties within Southern Rhodesia.

4. The Act which declares landless to any one who has not paid tax for 5 years should be amended immediately.

5. The Act which gives District Commissioners power to declare landless to anyone in Southern Rhodesia who fails to pay his annual tax should be abolished immediately. It is far better for the Government to arrest such people who do not pay their annual taxes.

6. Headmen as Goverment employees should be paid salaries and should be provided with free uniforms and bags in which they put money (taxes) they collect from their people.

7. I appeal to the Government to abolish the word "Native" in Africa which is frequently used by whites to denote (black) which is extremely wrong.

Inyazura

21st December 1959

Oral Evidence

C. M. KAMHUNGU

Mr. Kamhungu said that he did not wish to add to the memorandum he had submitted but, in answering questions

from the Commission, he stated that difficulties arising out of the Land Apportionment Act and the Native Land Husbandry Act came from some people being given poor land and much too small an acreage. In the result, they were able to produce only very small crops and keep very few cattle. He said the average African farmer after destocking was left with no more than three or five head of cattle which were quite useless for the purpose of supplying milk and tilling the land. The Land Husbandry Act applied in his area and the average size of the plots was something like eight acres. He himself was permitted to hold nine head of cattle. He agreed that on this basis, with communal grazing for his cattle, his holding could be regarded as a farm of a minimum area of 98 acres (8 plus 90) based on ten acres of grazing for each beast. He stated that his income from the farm in 1959 was £25.

The Act he had mentioned resulted in considerable difficulties being encountered by families. If a man had more than one child, the eldest son would succeed to the property on the father's death but what were the other people to do?

Mr. Kamhungu criticized the Government's African educational policy and said that the only education they received was that provided by the missions. They found it difficult to educate their children. He disapproved of the practice of instituting difficult examinations when a child had to pass from his lower primary schooling to Standard IV. He said that there should be more schools to provide more places in Standard IV and upwards, but he considered that the Government simply did not want to build further schools. He was unaware of the vast sums of money set aside for African education but whatever it was they found it impossible to get the necessary school accommodation. In the result, after going through Standard III, most of the children stayed at home and only a few went forward to the upper primary and secondary schools. He also criticized the lack of teachers and said that very few teachers were available.

Mr. Kamhungu went on to say that people who did not pay tax expected to be deprived of their land. But, in answer to a question, he was unable to assert that this had in fact happened. He understood that it was contained in an Act of Parliament that people who had not paid their tax for five years were rendered landless. Subsequently, he changed his evidence to say that it was probably the case that it was necessary for a man to have been a taxpayer for not less than five years before any allocation of land in a Native Purchase Area would be made to him. He added that the Land Apportionment Act itself was not an evil measure; it was its implementation that was evil. The witness handed in a cutting from the *African Daily News* of some time ago and asked the Commission to take it to London and have it published in order to support the grievances the Africans faced in Southern Rhodesia. The cutting which was headed "What will happen to those who cannot get land?" is in the following terms:—

> "The off-asked question as to what will happen to those Africans who, because of the Land Husbandry Act, will find themselves without land when they need one, has been answered by the S. Rhodesia Government in a pamphlet just published, which is entitled "Please Tell me; I would like to Know".
>
> Says the pamphlet: "Those who are not allocated land or livestock at the time the Land Husbandry Act is implemented, have the right to inherit their parents' allocation eventually, or they can buy land or stock from those who wish to leave and make their living from commercial or other employment. In certain areas there is vacant land after allocation is complete, which can be applied for by those who have not received land allocations.
>
> Those people who are not successful in acquiring land in this way must then obtain employment elsewhere. until they have saved sufficient money to buy the land they want."
>
> The pamphlet containing this and other information is printed in three languages Shona, English and Sindebele.

Memorandum

A. F. ROUSE

Introduction

The evidence I wish to give will be put forward in a personal capacity.

It will be based on my experience whilst Director of the Latin American Office of the International Labour Organization of the working of the Federal Constitutions of Brazil. Argentina, Mexico and the U.S.A., in so far as constitutional questions and those related to non-African primitive peoples are concerned.

On specifically local questions it will be related to my experience here during eight years as a farmer and as a member of Native Labour Boards, and to the researches I have conducted into African intelligence and educability as a Senior Research Fellow of the University College of Rhodesia & Nyasaland.

The Outlook on Federation of the Various Groups Concerned

1. It is, of course, one of the most difficult tasks of the Commission to evaluate the views of the various groups on Federation and to determine how far such views are representative. The notes which are added are personal and intended to put into the pool of knowledge some individual experience and judgments.

2. The views of the three main political parties—the United Federal Party, the Dominion Party, and the Central African Party are well known, and need not be repeated. A note of caution should be sounded on the strength of the Central African Party. It has secured control of most of the Press, and its views are given prominence far outweighing its electoral strength. In fact it does not hold any *normal* seats with mixed voters in either the Federal or Territorial assemblies (Lusaka, a town mainly inhabited by transient officials is peculiar; probably this town and Zomba will need special electoral arrangements as has Washington, D.C.). The same Press gives undue prominence to the views of small and unrepresentative groups in the African townships.

3. The Commission will be aware that most of the Africans in European employment in the Federation are employed in agriculture and a high proportion of those in Southern Rhodesia are from Nyasaland. The European farmer working in the lands with his African labourers normally talks to them on current topics, and is in closer touch with them than either officials or missionaries.

4. Since early last year I have endeavoured to obtain through their employers the views of Africans engaged in agriculture on Federation. The groups covered involves something like a thousand Africans living in the Salisbury farming area. The conclusions reached may be summarized as follows:—

1. few Africans knew what Federation was, but all from Nyasaland were in favour of any association which would make it easier for them to work in Southern Rhodesia.
2. the disturbances in Nyasaland last year were said to have been stirred up by the Scottish Mission which was said to have abandoned normal missionary activities for trouble making. It was said that when the authorities took action the Africans were left to face the music themselves.
3. most Nyasaland workers do not wish to return home because of the "troubles". Many are illegally endeavouring to obtain "white" situpas (the registration certificates proper only to local Africans)

5. (4) It should be added that the most enterprising of the population of Nyasaland is that at work in Southern Rhodesia. It is not unnatural that among the less capable who remain in Nyasaland there should be some with extremist views (the parallel with South Wales when it was a depressed area is obvious.) In the two Rhodesias the Nyasalander has the reputation of being both industrious and particularly law abiding.

African Intelligence

6. It has become the fashion to relate the granting of political responsibility to Africans to the agitation of particular groups (including those with left wing views) and to the wishes of the United States. No realistic assessment has been made of African capacities for Government inside a European type constitution (the training ground provided by equal African participation inside political parties with a European membership, as is the case in the Federation, also tends to be ignored.)

7. No research on the above point has been carried on in depth in the Federation. The conclusions of research carried on elsewhere in Africa is, however, instructive.

8. The researches of Fick in South Africa (see the South African Council for Educational and Social Research Annual 1939) lead to conclusions which are much more pessimistic than those of Dr. Banda. The Tomlinson Report, however, (also published in South Africa) speaks highly of African potentialities in the economic field. Carothers (The African Mind in Health and Disease—London 1948) dwells on the lack of mental stability and perseverance. The work in the Congo of the late Professor Ombredane and of Professor Maistriaux (L'Intelligence Noire and Son Destin—Brussels 1958) has been the most thorough and comprehensive. By a wide series of tests they have established the African lack of powers of mental abstraction which in fact corrupts his moral judgment. To put it in its simplest form Professor Maistriaux concludes that the African finds great difficulty in realizing the abstract categorical imperative of giving his due to a bad man as much

as to a good man. Training in the arts of government where this blind spot is an obvious handicap is the only answer, but such training must inevitably be prolonged.

9. In all three territories the African has the right to run his own affairs in Local Government through Native Authorities or Native Councils; in addition he can qualify for the Federal or Territorial franchise by very low educational income or property qualifications. Valuable training grounds are thus open to him. In fact, however, few of the African politicians who have secured some newspaper reputation have been chosen by their fellows to start even on the bottom rung of this kind of training. None have been elected by any substantial group. Nevertheless it is one of the ironies of the policy of the U.K. Government to give recognition to the most vocal individuals or oligarchic groups without regard to their status among their own people, in fact respectable Africans in responsible positions (the ones I know best are foremen) speak of them with contempt.

Economic Considerations of Federal Administration

10. It is not proposed in this note to develop the economic pros and cons of Federation, but only to deal with the limited aspect of the cost of administration if a dual system is maintained.

11. On seeing in operation the Federal systems of administration in South America, the United States, and in Central Africa, I have been struck by the expense of the overlapping of functions involved, and (what is nearly as expensive) the avoidance of overlapping by constant consultations between the Ministers and officials concerned. After seeing the straightforward administration from Whitehall where functions are relatively clearcut, the expense of a dual system is most noticeable. It must be remembered that the cost of administration bears heavily on underdeveloped territories, and what taxable resources they have should be used as much as possible for development. An instance in the other sense, is Nyasaland where the administration (not altogether economical) was till Federation only financed by taxing imports, e.g. agricultural implements and fertilizers which are needed for development. This is partly responsible for the present poverty of Nyasaland.

12. It follows that any amalgamation which can be made within the Federal system would be to the good of the Federation. There seems to be no reason why the two Rhodesias should not be amalgamated from the constitutional and administrative point of view and for the resultant unit to be in federal relationship to Nyasaland. A close and realistic examination will show that the obstacles to amalgamation of the two Rhodesias are no greater than their incorporation in one effective Federation.

13. If such amalgamation is not possible, an effort should be made to make the divisions of functions between the Federal and Territorial Governments much more clear cut. In particular the implementation or non-implementation of functions on the concurrent list should be made the basis of clearcut agreements, to last for specified periods of years.

14. Though it is not a fashionable concept the future of the Federation may well best lie in a strong unitary state, with the extensive development of local government at the municipal and native authority level. Such a form of organisation could well lead to a better and more flexible system than the present. Economic and social policy could flow from the Federal centre and much of its implementation be effected at the local level where the ordinary citizen (white or black) could have the maximum say in its application to particular circumstances. With the present territorial governments, particularly those in the Northern Territories where they are comprised of non-resident officials local government is largely suffering from a sense of frustration as well as lack of a policy lead.

Compatibility of Government inside a Federation

15. Federal systems have been a commonplace recipe to associate territories which are otherwise divergent. Whether they are constituted on the Statenbund or Bunderstat principle such federal systems do not work where the divergence between the constituent states is too great. The United States of North America is an obvious example. It is not necessary to look back as far as the American Civil War—Little Rock is a modern instance. There are many other examples which are less open to the gaze of the public. I know of a number of fields where the U.S. Federal Government has deliberately kept its eyes shut to shortcomings on the part of individual states even when it has meant the non-fulfilment of international obligations such as the conventions of the International Labour organisation.

16. Brazil can also give numerous parallel instances. Though they are featured only in the local press the Federal Government has a constant struggle to maintain its continuity in its own fields in some of the "black" or "semi-black" states of the North of Brazil. The use of force, including the despatch of cruisers has become almost an annual necessity to secure even the payment of Federal taxes. *It follows that in Central Africa it is quite unreasonable to expect the Federation to continue, still less to develop, if the two Northern territories are made too heterogeneous from Southern Rhodesia in their type of government.* There is a clearly dishonest intention on the part of the British Government to hasten constitutional "reform" in these two territories while the review of the Federal Constitution is proceeding. This amounts, in fact, to sabotage of the whole Federation principle.

Allocation of Functions to the Federal and Territorial Governments respectively

17. Agriculture

Agriculture in the two Rhodesias was made a Federal responsibility at the inception of Federation. Early in 1959 a promise was given by the territorial government to the European farmers in Nyasaland that the same would shortly apply there. This promise has still to be fulfilled; it should be honoured without delay.

18. The European farmers in Northern Rhodesia have expressed great appreciation of the development of technical services and marketing since Federation. Clearly a unified Federal service can provide such services on a much better scale than several smaller-sized units.

19. African agriculture was retained as a territorial responsibility in all three territories, largely on the insistence of certain political interests, particularly some outside the Federation. A certain amount of hysteria was raised over land rights, which have, of course, nothing to do with the functions of a modern Ministry of Agriculture (Incidentally the same interests have had the hypocritical effrontery to complain of discrimination against the African in that the territorial departments of agriculture are so much smaller than the Federal Ministry.)

20. Quite clearly the services of the Ministry of Agriculture such as research and other technical aids and marketing, should be available to all agricultural producers. Equally the small territorial departments can never attract the outstanding man. It should be added that the African Farmers' Union in Southern Rhodesia has already asked to come under the Federal Ministry.

21. Education

Similar considerations apply to education, where the Federal Government is at present solely responsible for the higher education of all races, and the general and technical education of Europeans, Asians and Coloureds. Recent events in Northern Rhodesia have shown up the weaknesses of the African educational system in that territory. It comes back to the point that small fragmented educational services have a poor chance of attracting good staff.

22. Labour

Even in times of high level prosperity the skilled worker needs to be mobile over the whole Federation if he is to secure continuous employment in his particular line. The machine for placing him in employment needs to be effective over all three territories. A Federal employment service is the only realistic answer. The matching of details of those seeking work and of vacancies can never be done effectively otherwise. This is also of prime importance in regard to the control of immigration into the Federation which is of course already Federal.

23. The case for a Federal employment service is even stronger where unskilled labour is concerned. The present undirected streams of migration inside the Federation are wasteful both to employer and employee alike. Apart from the often fruitless tramp of the African worker in search of work. Many employers in agriculture find their own recruiting arrangements in other territories cost them up to forty pounds per head per worker recruited.

24. It is appreciated that the industrial relations background and legislation of the three territories are different. It is not suggested that at the first stage the *whole* of the three territorial labour departments should be unified under the Federal government but only their *manpower* functions. The latter are primarily economic, whereas other labour functions operates in many Continental countries; it was applied in the British Element of the Control Commission after the last war.

Salisbury

April 1960

Oral Evidence

A. F. ROUSE

Mr. Rouse wished to add to his memorandum by pressing the point about the Federation being expensive. He had calcu-

lated that the cost of the Governor-General and his household would be enough to paddock half of the Native Reserves of Southern Rhodesia, which would give a big economic return. He thought that the Governor-General's organisation was important mainly as a gesture.

He had recently returned from spending ten days in the Belgian Congo where he had been struck by the question of the franchise. The African politicians there were all insistent on the vote of confiscation. This was a concept of voting quite alien to English 19th century liberalism. At that time the state had only managed a few limited activities. But in the 20th century there was a different background. The "have-nots" had got the idea of taking away from the "haves" through the instrument of the vote. He therefore felt that the idea of a high qualitative franchise in the Federation was fully justified, and that the present qualifications should not be altered: this did not mean that he did not think that wages were very low. He had recently done research into the traditional African gwazas (i.e. the daily set task), and had calculated that these tasks represented one-seventh of what would be done by an English labourer in the same period, while the cost of each task was about one-sixth of what it would be in England.

He had been informed by a Deputy in the Belgian Parliament whom he had met in the Congo that the new settlement in the Congo had been decided on as part of an agreement between the two main political parties in Belgium. It was on such grounds as these that he considered that the Federation must be removed from the field of party politics in England.

In reply to questions, Mr. Rouse made the following further points:—

1. Paragraph 14 of his memorandum, last sentence, compared with paragraph 4. He was asked whether in fact he favoured a unitary state, and whether he thought this feasible in present circumstances. He replied that the times now demanded a bold lead. Much would depend on how you would constitute a unitary state; but it was significant that Nyasaland and Northern Rhodesian Africans continued to come to work in Southern Rhodesia, even under the controls which were applied.

2. Paragraph 16 of the memorandum. The divergence of states within a federation could not be strained too far. Brazil, as he had indicated, was a good example of this.

3. Referring to Nyasaland and the release of Dr. Banda, he could only suppose that the British Government was giving way because of the rioting which had taken place there.

4. He could not help remarking that the British Government were apparently organising changes in the Constitution of Nyasaland, while the Commission was still sitting, which might make the findings of the Commission out of date before they even reported.

5. The Congolese politicians were threatening the expropriation of large businesses, including the Huileries de Congo and the Katanga Mines *without compensation*. There were daily reports in the newspapers of this fact. The Belgian Deputy whom he had met had however said that the main troubles in the Congo had been inter-tribal, and not directed against the Belgian Government.

6. Mr. Rouse had lived for over a year in Brazil, and paid several visits there. In that country all racial discrimination had been made illegal by law. Nevertheless, in practice, intermarriage between the races was most unusual. It was noticeable however that the lower classes were darker, and the upper classes were whiter skinned. Universal suffrage existed in the country. Governments had changed through a succession of revolutions, and not necessarily by elections. The whites retained control through their superior organisation and the rigging of elections; thus the 10% of whites were holding on to power through a combination of force and fraud, including control of the press. The army was of mixed race, with compulsory military training for all. He thought that the Federation would have much to learn from Brazil on the side of economic development. In particular, it might teach the Federal authorities to break away from the conceptions of United Kingdom income tax. He had recently given evidence to a Working Party in the Federation under the Ministry of Economics, in favour of a visit by Federal officials to Brazil. He thought that in the Federation people were too prone to take for granted economic conceptions based on the stable economy of England. He believed in particular in the principle of the non-intervention by Government in economic affairs. He considered that in Western Germany it had been proved that a free economy was the best climate for advancement. He contrasted with this the controls which existed in the Northern Territories of the Federation, of which, in his view, inhibited both freedom and competition.

7. In paragraph 2, he was referring to the *local* press of which the Central Africa Party had gained control.

8. He understood that in Southern Rhodesia any area could establish a Native Council if it wanted to do so, and that such a Council could raise rates, undertake housing, water supplies and most of the normal functions of a Municipal Government.

9. Mr. Rouse was asked if, having regard to the violent opposition to Federation in the Northern Territories, he would nevertheless be prepared to impose Federation by force. He replied that at all stages of the development of government one was liable to get dissidence, and everything depended on the degree of consent which was considered necessary. He did not think that there was any question of force. It was necessary to prepare people's minds to understand Federation there was no programme for this purpose in the two Northern Territories. In Southern Rhodesia the minds of the Europeans were reasonably clear about Federation: they favoured it, but only on certain conditions.

10. Paragraph 22—Labour. He said that the suggested Federal Employment Service would be directed to manpower problems alone, while the Territorial Governments would continue to deal with industrial relations, conditions of service, and other labour matters. This was a common division of functions in Europe. He was fully aware of the two different systems of legislation to govern industrial relations in Northern Rhodesia and Southern Rhodesia. Nevertheless, he considered that where large scale migration took place, the best way to work was through an Employment Service organised federally.

11. Paragraph 8 last sentence. How long should the training of Africans in government be prolonged? He pointed to the example of the House of Commons in London, where many Members had reached politics through long periods in local government or in the trade unions. Similarly, back-benchers did not become Parliamentary Secretaries for a considerable time. He admitted that these might be extreme examples; but they illustrated his meaning. So far as Local Government was concerned he had in mind the Native Councils, and also the various political organisations themselves. He himself was a member of the Executive of the United Federal Party, and today Africans participated fully in its discussions, a fact that was sometimes forgotten.

12. He had referred in paragraph 9 to the "most vocal individuals". He did not know whether they had any real following. But he felt bound to point to the large numbers of Nyasalanders who came to work in Southern Rhodesia, despite their alleged dislike of the politics in that country. In this connection, he thought that the Federal figures were probably an under estimate. He thought that many of the Nyasalanders who came to Southern Rhodesia labelled themselves as, from Portuguese East Africa. If the politics of Southern Rhodesia were anathema, why did they come? He thought that a similar judgment could be made about South Africa. It had also to be borne in mind that if one moved in political circles one tended to overestimate the interest of the ordinary man in politics. So long as the officials with whom the ordinary man dealt with were reasonable and tolerant, he would not normally bother about politics. But as regards the question whether the people regarded as their leaders "the most vocal individuals", that was one which Mr. Macleod should answer. What basis had he for assuming that Dr. Banda really represented the Africans in Nyasaland?

13. Paragraph 14 last sentence. In Southern Rhodesia there were true Municipalities in the English sense, which were independent and operated with the minimum of government control. They had their own association which dealt with matters of common concern. But in the Northern Territories, for example, on the Copperbelt and in Blantyre/Limbe he had found that there were stringent restrictions on borrowing, which meant that little real authority was given to the municipalities there. He knew that African members of Local Authorities were fully aware of this fact.

14. As to the delay in bringing Africans fully into the Civil Service in Southern Rhodesia, he said that in respect of Local Government he was thinking of elected representatives rather than of civil servants, and of the analogy which he had drawn with conditions in Great Britain where people started their political careers in *Local* Government.

15. His views on the question of control by the Colonial Office from 6,000 miles away, and whether the elimination of protection by The Crown would upset the Africans in the Northern Territories, were to the effect that a policy of gradualism could be attempted to give Africans a better knowledge of the meaning of Federation. He thought that Federation had in fact done well, and he referred particularly to the free health services, especially when compared with the progress in some other under-developed territories. A programme of gradualism was the really honest way to proceed. He considered that the cost of administering the two Northern Territories from 6,000 miles away was fantastically high.

Memorandum

H. W. FOSTER

Constitutional Change: Two Proposals Stemming from the Need for Security

1. When the Federation was established, the British Government's objectives were clearly stated in the Preamble to the Federal Constitution. They then were, the political advancement of all the inhabitants and their security and welfare. The Commission's terms of reference make it clear that the British Government still retains those objectives. The Preamble also specifically recognised the right to an increased measure of independence for the Federation, within the Commonwealth when the inhabitants so desire. What was not so specifically stated however, was the right of all inhabitants to sound government and personal freedom, although, of course, those rights too are implicit in the Constitution.

2. The purpose of this Memorandum is to emphasise that greater independence, either Federal or Territorial, can conflict with good government and freedom and to suggest safeguards against this potential conflict.

3. There are many pointers to such a possibility. As the Commission is aware, many States have become independent since the war, only to find that they have exchanged efficient foreign tutelage for bad and corrupt government. Their record has been one of instability, of coups d'etat and revolution, assassination and judicial murder. It must be noted that all alike, upon the grant of independence, accepted free democratic constitutions, but today autocratic government has been substituted in most of them. This experience is relevant to the problems of British Central Africa.

4. The three Territories of the Federation differ not only from countries stabilised by centuries of political experience but also substantially among themselves.

5. Southern Rhodesia has enjoyed Responsible Government for 36 years. By and large, despite some marked shortcomings, the powers enjoyed have been well used. For some of the shortcomings, the country's relative isolation and the consequent resistance to change shown by some of its less-enlightened inhabitants, can be held responsible. Means must be evolved to overcome these obstacles, but the main point is that existing reservations in the Constitution today have virtually no effect upon the course of events. Thus, there might well be considerable value in substituting for what are now useless irritants, some more general measure, some ultimate form of authority, as a safeguard for the liberty and security of all.

6. The need for such a measure is indicated by experience elsewhere, for although not immediately pressing, who can say that similar dangers will not have become real in 10 or 20 years' time? The Southern Rhodesian Common Roll limits the franchise to those who have some education or a little property. I do not dispute its rightness or value but, quite obviously, it means that the character of the electorate will change. These small voting qualifications do not of themselves confer either wisdom or experience in the managament of a modern democratic state. Nor should we forget Newfoundland, which, as an independent Dominion, suffered such corrupt and bad government that in 1933 the British Government was obliged to resume its powers.

7. If these arguments apply to Southern Rhodesia, they apply doubly to Northern Rhodesia and Nyasaland, where both the people and the politicians are much more ignorant and inexperienced, and where the dangers of misrule are thus much greater. Today, amongst the African population, there is no large body of educated men in either Territory, and it will be many years yet before Africans can begin to provide any significant number of the trained technical men needed for a modern State: not only is there not a single African chartered accountant or engineer, but it is to be doubted whether there is in the whole Federation a single African who could even act as foreman on a large constructional project. Thus, many of the trained men necessary for development, as well as most of the essential capital, must continue to be imported. Neither experienced labour nor investment capital, both of which are prerequisites of the stated objectives of British policy, will be secured unless constitutional safeguards for the maintenance of reasonable standards of government are retained. Indeed there may well be a flight of both capital and men from the Federation instead of the inflow so badly needed.

8. For political and psychological reasons, however, it is inevitable that Africans, especially in the Northern Territories of the Federation, will be given increasing power. But it would seem obvious that, when experience clearly indicates that a mere translation of British democratic institutions is not likely to give satisfactory results, novel forms of government and new institutions should be devised. We must be ready to experiment, especially in the field of constitutional safeguards for the rights of all. Experiments do not always succeed. There must, therefore, be some supreme authority provided, at least until the masses can be educated to a point where they themselves can insist on governmental honesty and efficiency and individual freedom.

Board of Rights

9. Many suggestions to meet this situation have been made. A Bill of Rights, entrenched in the Constitution, and a Supreme Court similar to that in the United States have been proposed; but, in view of experience in South Africa and elsewhere, it is doubtful whether they provide adequate protection. Moreover, the onus would be on the aggrieved to appeal, and they might well be unable or afraid to do so. They might not even realise the need for protest.

10. A Second Chamber suffers from the same disadvantage as the others. But the most important objection to this also is that, once independence is granted, all alike are liable to be thrown overboard with the Constitution. Indeed, Europeans have done just that in South Africa, and some in the Federation would be quite capable of doing so if they felt their racial existence to be threatened; the example has not been lost on the emergent African politician.

11. I suggest that given a change in its functions, the African Affairs Board might offer a solution. Renamed, for instance, the Royal Board of Rights, it would be empowered to protect the rights of the whole community; as such it might well become more acceptable to opinion in this country than heretofore. But to do this, it must be identified with the interests of all, not with those of a single race. The new Board might consist of, say, five men (not Members of Parliament) chosen for their integrity, experience and independence of outlook. The President might be a Judge appointed from outside the Federation; his standing should be equal to that of the Chief Justice.

12. The Board's principal duty would be to watch all Federal and Territorial legislation, or proposed legislation, for injustice done or proposed to any race or group. Its powers would extend to administrative regulation as well as to Statutes, and it would have the right, indeed the duty, to order the responsible Minister to reconsider any measure or regulation and to have the matter debated in the legislature concerned. If there were continuing dispute the matter would be referred to the Prime Minister of the Federation or of the Territory concerned. Failing any satisfactory response, the President of the Board would have the duty to submit the dispute to the Sovereign, who would receive the advice of the Prime Minister concerned, and could be assisted in a decision by a Special Committee of the Privy Council.

13. In this way a supreme arbiter, acceptable to all reasonable men, would be provided; and, indeed the old precedent of the 1867 constitution of Canada would be closely followed. The procedure could also lead to the gradual education of public opinion on the meaning of fair and just government.

14. It must be emphasised that this duty of ensuring constitutional security for all would be paramount. The Board, however, in addition could have more extended functions—in fact, such would seem to be essential in the circumstances, and are outlined, in tentative form, in the Annexure attached.

15. I have not attempted to suggest the detailed administrative and constitutional machinery required: if the principle were accepted, the detailed working out could follow. I am far from oblivious to the difficulties. There is no precedent for the idea any more than there is a clear precedent for the problem; but this circumstance does not make a reasonable solution less urgent.

Constitutional Moratorium

16. Whatever forms the new Constitution or Constitutions may take, some years must pass before results become apparent. Innovations must be given adequate time to become accustomed usage and to be accepted by the general public: if they appear to be only temporary expedients preparatory to further "Advance" and more change, they will not succeed. Then the territories will never know stability; insecurity will grow; all progress, especially economic progress, will be hampered; and indeed everything so far achieved may well be destroyed.

17. It is, therefore, I consider absolutely essential that when the new constitutional arrangements are decided whatever they may be, the British Government should make a solemn declaration and state specifically that it:

(1) Accepts the duty to guarantee the new constitutions and will uphold them by force if necessary, and will not agree to, nor ignore, their overthrow or their erosion; and

(2) Will not consider changes or any review, such as that now in hand, for at least 15 years (preferably 25), other than minor accommodations and alterations which experience shows to be necessary.

18. Only in this way can constant agitation for more changes be stilled. Everybody would feel obliged to make the best of what has been laid down. In consequence, people as a whole would be able to regain confidence in the future, for they would at least know where they stood. Uncertainty is one of the greatest dangers to progress. Given constitutional safeguards and a constitutional moratorium as suggested, all our citizens would feel more strongly than they do now that they could go about their lawful affairs in security and peace.

Salisbury

Annexure to Memorandum

Suggested Additional Functions of Royal Board of Rights

As stated, the prime need of this multi-racial Federation, and thus the prime duty of the suggested Board, is the ensuring of constitutional security.

The Commission, however, might consider that, in view of known trends and future circumstances, certain other aspects of government and of political and economic development could fall, legitimately and beneficially, within the Board's responsibilities.

In making the following suggestions, I appreciate that there might well be objections on the grounds of infringement of democratic sovereignty; but there is only limited democracy in the Federation at present, for obvious reasons, and the suggestions are designed specifically to meet a situation which will certainly arise if the franchise is substantially extended. Indeed, is likely to arise in any case with or without an extension of the franchise.

In my view, any solution of the problem of government must lie in the direction of democratic representation limited by an ultimate authority which would prevent abuse of it.

Governmental Incompetence or Corruption

That there is a real danger under this heading no one can deny who has watched events in emergent States in the past decade.

The Board could have the duty of guarding against these evils. There is, for instance, nothing constitutionally repugnant in making the Auditor-General's departments (whether Federal or Territorial) directly responsible to the President of the Board: the Board would represent the State, under the Crown, and the Auditor-General, in theory, is the guardian of the State's finances.

If the Board were strengthened by the addition of an Efficiency Branch it would be able not only to keep the normal operations of government under close observation but would also be able to give much-needed advice and instruction in the art of government to new and inexperienced politicians or civil servants.

Sound Planning

Much more than rather negative precautions is needed if the Federation is to confront with success the many and difficult problems facing it.

It is a commonplace today to remark upon the lack of foresight shown by democratic governments. This apparent inability to think ahead springs in part from the difficulty which Ministers and their senior officials alike experience in finding time for thought: they are too absorbed in urgent daily work. In addition, the information needed for sound planning is often not available, and there exists no means of collecting or collating it. There is the further difficulty that planning ahead—the meeting of problems which, though obviously likely to arise, are not of any immediate urgency—would often involve expense and decisions for which the public was not prepared. In a word, the government might lose votes.

The Board might become the much-needed vehicle for this essential activity. The work involved might be considered under three heads:

Economic

It is obviously absurd that, in a country so little developed unemployment and the fear of unemployment should exist. Yet certainly these are at the root of much of the unease felt by both European and African; the European fears for his job and his standard of living, and the African that his advancement be unreasonably delayed.

Obviously, there should be ample work and opportunity for all. Their achievement, however, depends on long-term planning which would ensure that schemes for development and their financing shall be properly prepared well in advance. Information is wanted on which such plans could safely be based; research is wanted; and overlapping must be avoided.

In particular, the study of the country in its broadest outline needs to be undertaken, and the assistance of international agencies would thus be required. The development problems of the Zambesi basin, for example, need to be studied as a co-ordinated whole: given the constitutional machinery, the unedifying and wasteful wrangle over Kariba and Kafue might have been avoided while as development proceeds the interests of all the riverine states in proper allocation and use of water will become more important and harder to reconcile.

As an impartial body, the Board of Rights could consider these problems and organise the much-needed research and planning activities accordingly.

Social Change

The social problems of Central Africa are unusually difficult because they involve group and race attitudes which arouse strong emotions not amenable to reason. Unless they are tackled energentically and objectively racial partnership will remain a dream. No reasonable man underestimates the difficulties, but there can be no solution in drift.

Here again, an elected government finds itself in difficulty: whatever it does it is likely to encounter fierce opposition, and if it neglects the problem, violence is inevitable.

Time will be needed if any solution is to be found, and time can be bought only by means of a constitutional system, such as that proposed in the Memorandum, which ensures that no single group can dominate another. Within the time gained, the problem can be studied carefully, especially in relation to experience in other multi-racial countries, and the situation may prove far less unmanageable than it appears now. Careful policy might gradually remove causes of friction; and an impartial body, if enjoying the general confidence, might well provide the means towards the true partnership which most thinking men desire.

Propaganda

The most careful forethought is useless, the best-laid plans vain, unless the public can be brought to accept them. In this task of explanation and information, the Board could play a peculiarly useful part: it is not trying to gain power and has no axe to grind.

No government can perform the duty in the same way, because its motives are always suspect to one group or another. Yet the duty must be performed. World opinion also must be considered. Its influence on this continent is already large and will grow. At present it is largely uninformed for little authoritative presentation of facts has been attempted. Nor would purely Government statements necessarily be accepted. Impartial information based on the truth and a study of the logic of the situation, presented by a body whose word would be accepted by all, can alone meet the needs.

As previously emphasised, I do not underestimate the difficulties or the cost. The Board would need a considerable organisation, which would take time and thought to build and, starting relatively small, would have to expand very rapidly as it gained experience. Specialists for other countries would be needed, in the same way as they are needed by the major industries now.

But the cost in effort and money would be small indeed, compared with the cost of failure of the whole Federal experiment.

Oral Evidence

H. W. FOSTER

Mr. Foster stated that after service in the Army and experience in Kenya and elsewhere he had come to Southern Rhodesia twelve years ago, where he was now a Company Director.

Mr. Foster who had presented a memorandum with an annexure, felt that the existing reservations in the Constitutions were unsatisfactory and that what we needed was something very much more immutable. He agreed that the Board of Rights referred to in his memorandum would by no means necessarily ensure a reasonable standard of government; but his main object in suggesting such a Board was to put an end to existing, and avoid future discriminatory measures either in principal or in subsidiary legislation. This would apply not only to the legislation of the Federal Government but also to that of the Territorial Governments.

Broadly, by arrangement or when legislation was presented, the Board could suggest changes if that legislation appeared to be unsatisfactory on the issue of discrimination. If the responsible minister did not agree to the suggested changes, the Bill would have to be debated once more. If nothing was done then it would have to be referred to some special committee of the Privy Council for adjudication, and that Committee in effect would have power to make laws in the Federation and Territories but only, of course, if some injustice was demonstrated. Although the special Privy Council committee would

also deal with subsidiary legislation and local government legislation, in practice it was most unlikely that it would have to deal with anything other than major issues.

In regard to the composition of the Board he went on to say that he thought the appointments could be made by the governments of the day but they would have to be acceptable to the Governor-General acting in his personal discretion.

In connection with paragraph 12, the witness agreed that legislation would only be introduced after Cabinet approval had been obtained, including that of the Prime Minister. He did not subscribe to the view, however, that this would be largely a useless sort of protection because for one thing a second debate would have to follow and, for another, once the matter had been raised by the Board outside pressures would unquestionably develop. If no result satisfactory to the Board followed the second debate, the matter would then be transferred to the Privy Council, a judicial body, but in this instance armed, in effect, with legislative powers.

The witness admitted that any Constitution would have to embrace a Bill of Rights, which was the only thing that could provide standards on which the legislature itself and the committee of the Privy Council could operate. But he emphasized that a Bill of Rights was useless on its own unless there was some power behind it, and this was what he was endeavouring to suggest. A veto such as the reference back, or the need for a two-thirds majority were all very well but these sort of things could never safeguard any Constitution. There must be an outside body. At all costs the country must avoid what was happening in the Union of South Africa and Ghana, where in effect the Governments of the day had virtually thrown the Constitutions out of the window. He thought that his suggestion was politically possible, although it was very likely that it would be opposed by the ruling party in this country. He thought there was some precedent for what he had suggested in the Canadian Constitution. The whole problem was a very difficult one indeed.

On reconsideration of the question of appointments to the Board he thought that it might be dangerous to make the Governor-General the arbiter of these. Perhaps it would be better to have the Chief Justice and other Justices; but even so there were inherent difficulties, and it would be necessary for this particular suggestion to be given further consideration.

He thought that the Board he had suggested should be able to interevene at any stage, because this would have the merit of probably being able to avoid controversy. In the country he thought there were numbers of reasonable people and that the Federal Government would be prepared to trade the scheme he had suggested for Dominion status. Having further thoughts about the appointments to the Board, he thought it might be wise if these were made by the Judicial Committee of the Privy Council rather than by the United Kingdom and other Governments. He tended to distrust the idea of using the local judiciary.

In response to a question, Mr. Foster said that, while the main function of the Board would be to act as a watchdog, it could perform other functions while not engaged in its primary duties.

Memorandum

MISS B. TREDGOLD

The reason why I am presenting this short Memorandum is because as an Anglican missionary, I have worked with and lived amongst urban Africans for some time, and so am bound to have come into contact with much that touches the daily lives of the people.

Much is said of the fears that the Africans of the Northern Territories have for the alleged harsh administration of the Southern Rhodesian Native Affairs Department. It may be that the Commission has had evidence from Southern Rhodesian Africans on the same point.

It must be remembered that the non-indigenous African's contact with the Department is usually because of registration or employment or relations with employers, whether in the towns or on mines or farms in the country. He seldom sees the Native Department officials at their best, i.e. in their Districts when they are dealing with men living on their own farms in Reserve homes. Therefore, there is usually a certain amount of stress or tension, either through vast numbers, or the pressure of white opinion in a local area, or the ordinary friction of employer/employee disagreements.

It cannot be denied that there are still too many officials of the Native Department who are out of sympathy and out of touch with the changing situation, and who refuse to acknowledge the need for an ordinary relationship between a responsible Government official and the citizens in his care. It cannot be said that there is brutal physical treatment, but a harshness, officialdom and lack of understanding.

It must be remembered that many of these men are recruited for this very important branch of the Service after leaving school and receive no training as exists for every other similar Service in the Commonwealth. They are expected to learn the intricacies of administration etc. as they work at clerks, and pass examinations through private study. All of this is bound to have a narrowing effect on the policy of the Department and to have a frustrating and disheartening effect on the many men of high quality who enter it. The specialist branches of the Native Department, Education, Agriculture, Engineering, etc., most of whose members have had to receive some further post school training or professional qualification, show a marked difference in their relationship with the people and very fine evidences of co-operation.

A factor that has added to the difficulties and very much to the unhappy reputation of the Department is that the Government not realising the enormous expansion that was about to take place in this country handed a considerable amount of its powers to the Local Authorities and in some cases, particularly in the Federal Capital, this has meant a considerable slowing up of much of the Government's effort to give opportunities and better conditions to the African people and to break down official racial barriers. Naturally to the ordinary African, it is all the Government.

These unfortunate aspects of our country's administration are not permanent and are disliked by great numbers of Southern Rhodesians. They in no way represent the general policy of the Government, but they loom large in the minds of the other Territories, because they are points of greatest contact. The many rapid changes taking place throughout the country are bound to be reflected throughout the Departments of the Government and while one must accept that some of the men in the Native Affairs Department are slow to accept African advancement, it is the hard and self sacrificing work of this Department that has been one of the great contributions to the stability of our country.

The last few years have shown that there are sufficient men and women of all races here with real goodwill and desire to build this country together. Legend and prejudice die hard. Our greatest work must be to win the confidence of the Federation as a whole.

Harare Township, Salisbury

29th January 1960

Oral Evidence

MISS B. TREDGOLD

In amplification of her memorandum Miss Tredgold said that the Native Affairs Department had fallen behind the times in their handling of the affairs of the African people of Southern Rhodesia. An example of this was that the Department always took the advice of Chiefs in the adoption of children. The fact that adoption cut across certain aspects of tribal law meant that the Chiefs advised against adoption and their advice was taken by the Department. The Chiefs were well aware of the needs of the rural people, but matters of this sort, affecting the lives of urbanised Africans, were outside their scope.

It was vitally important that the Native Affairs Department should attract better men to its service and make sure that they were better trained. She did not wish to make any reflection on their devotion to duty of members of the Department, who were often overworked and had too much responsibility. Unfortunately, they were all recruited in the first instance as junior clerks in crowded offices. Before they could achieve promotion, they had to learn a language and pass law exams, all within the day-to-day pressure of departmental work. This system inevitably led to inefficiency and a lack of sympathy with the people they were administering.

In answer to questions, Miss Tredgold made the following further points:—

(a) There were no Africans in responsible positions in the Native Affairs Department as there were in corresponding positions in the Northern Territories. It followed that Europeans in the Department grew up with the tradition of being Kings in their own domains.

(b) The impression given in some quarters that the Department was staffed by bullying or arrogant people was not fair. Much of this attitude was the result of overwork and the consequent lack of time to consider cases as sympathetically as was needed.

(c) Local Authorities, on which Africans were represented only in an advisory capacity, had great powers over the people in urban African townships. She personally lived in an African township; the position whereby the Municipalities were landlords with powers over

the domestic affairs of their tenants was unsatisfactory.

(d) The powers of the Native Affairs Department should be broken down so that matters affecting the lives of Africans were dealt with by the same departments as those which dealt with European affairs. Matters such as social security should not have to be dealt with through Native Commissioners, particularly in the urban areas. These criticisms did not apply with equal force to Africans living under Native law and tribal conditions.

(e) The fact that matters affecting the daily lives of the people in urban areas were administered entirely by the Native Affairs Department had some very unfortunate results. For example, the divorce of Christian marriages could be carried out under Southern Rhodesian law in exactly the same way as divorce in respect of a lobola or polygamous marriage. So long as the Native Affairs Department retained responsibility for such an enormous range of matters, there was little incentive to bring the law more into line with modern practice.

Memorandum

G. R. PALMER

Gordon Robert Palmer will state

That I am an Attorney by profession who gave up the practise of the Law in order to go farming.

That I have lived in Southern Rhodesia since 1935.

That I left the Union of South Africa, where I was born because I did not like the Nationalist Government in that Country.

That I opposed Federation as I could not see how three territories with such divergent interests could possibly work together.

That I consider that as the United Kingdom, France and Germany cannot even work in a common customs union much less federate to form a Federated States of Europe where all the peoples are on roughly the same plane of civilisation, it is even less possible for the Federation to work.

That Her Majesty's Government in the United Kingdom is, and was, wrong in endeavouring to impose this unworkable constitution on the peoples of this Country while retaining the say in the territories of Northern Rhodesia and Nyasaland.

That the policy of Her Majesty's Government in the United Kingdom in acceding to African Nationalism at this juncture is wrong and will have disastrous results not only in Northern Rhodesia and Nyasaland but also in Southern Rhodesia.

That I base my arguments for the statement contained in the last preceding paragraph upon the following grounds:—

1. That during the last 10 years I have employed over 400 different natives.
2. That I realise that the educated native does not usually seek employment on farms, but that the type I employ is certainly representative of the majority of the Native population of the three territories at present.
3. That of the 400 or more that I have employed not one could enforce discipline.
4. That the natives at present have no control over even their own children and do not ever apply any discipline to their children.
5. That the reason why they are unable to apply discipline is the fact that they fear that they will be bewitched by discontented subordinates.
6. That until the Native has acquired a sufficiently high standard of civilisation to be free of the fear of witchcraft he will not be able to accept or dispense discipline.
7. That a democratic state requires discipline and self-discipline to enable it to work properly.
8. That until a reasonable stage of civilisation and consequently discipline is achieved by the Native a democratic form of Government with the Native participating therein is not possible.
9. That in 10 years experience of working with natives I have found one, and only one, that could be relied upon to do the work allotted to him to the best of his ability, and who takes a pride in his work. He is the *only one* of all I have employed that can be left unsupervised for long periods without disastrous results.
10. That I contend that if only .25% of the vast majority can be relied upon to work properly, without supervision, and that none can instil discipline, it is fallacious to expect democracy to work.
11. That in Ghana where the contact with civilisation has extended over 300 years even the Commissioners of this Commission cannot contend that there is true democracy, so how can one expect it to work in a land where the contact with civilisation has been less than 100 years?

That of the European population of Southern Rhodesia at least 40% are people born in Africa, either in Southern Rhodesia or in the Union of South Africa.

That the majority of the Europeans in this Colony are loyal British subjects who chose to come to this Country because they believed that it had a great future as a Self-Governing Colony.

That the Federation, has in fact, diminished the powers of self-government in Southern Rhodesia and if the United Kingdom Government insists on the continuance of Federation while retaining the absolute power to alter the constitutions of Northern Rhodesia and Nyasaland, the future for Europeans within the Federation is doomed.

That at the time the peoples of this Country were urged to Federate the leaders of the pro-federation party and the British Government implied, that there would be no major changes in the government or constitutions of the two Northern territories, until the Federal Constitution was re-considered this year.

That people believing this to be true voted for Federation.

That this belief was unfounded is only too true.

That if the electorate were permitted to vote as to whether Southern Rhodesia should stay within the Federation it would *now* vote against Federation with an overwhelming majority.

That five years ago the majority of the Europeans of this Country would have voted overwhelmingly against any association with the Union of South Africa.

That the majority would today welcome such an association because they have seen that the United Kingdom Government is quite prepared to treat the European in Africa as expendable in order to keep the African market "sweet".

That such cynicism on the part of the United Kingdom Government will have the effect of turning the Europeans into Nationalists and the next step from there would be a link up with the Nationalist Government of the Union of South Africa.

That if the United Kingdom Government is set on giving every help to African Nationalism as it appears to be, the best way to achieve this would be to create an enormous fund and purchase the assets of those Europeans who do not wish to be dominated by the African, and so obtain their peaceful retirement from the political scene.

That in conclusion I would point out that if the United Kingdom Government thinks that by assisting or acceding to African Nationalism they will earn the gratitude of the African I should like to stress that in *no* African language within the Federation as far as I know are there the equivalent words for "Thank You" or "Gratitude". If the United Kingdom Government thinks that in gratitude for "Freedom" the African markets will remain open to British goods they will find their mistake when Africa is flooded with Japanese and Indian goods at prices with which the British Manufacturer cannot compete.

Marandellas

1st March 1960

Oral Evidence

G. R. PALMER

Mr. Palmer said that under Federation the powers of the Government of Southern Rhodesia were continually diminishing. As more African voters came on the Roll, this power would diminish still further. At the same time Northern Rhodesia and Nyasaland had more say in the affairs of people living in Southern Rhodesia than they had before Federation.

There had been a change of feeling from three years ago. When he had written his memorandum on 1st March, the majority of people at Marandellas would have liked to go it alone, if necessary in close association with the Union of South Africa. Recent events in the Union had shaken this opinion to some extent, but it probably remained the feeling of a great many people.

In reply to questions, he said that he thought that there was much to be said for some African participation in the Government of Southern Rhodesia, provided that the qualifications for the voters' roll remained fairly high and Africans came on only as they qualified. At the present time, the qualifications for the vote in Southern Rhodesia were too diverse; he thought that they should be simplified by acquiring a fairly high educational standard combined with some property

qualification or service to the state. To give Africans complete power immediately would be the end of Southern Rhodesia.

Memorandum

A. M. CLOSE

The World Background

The rate of exhaustion of natural resources is a matter of vital concern. If food supply fails to keep pace with population, civilization will collapse in a fierce fight for food to decide which people will survive and which will die. Today the world population is about 2,600 million people with an annual increase of over 35 million. Sir Charles Darwin was reported to have stated (1st May 1958) that the present rate of increase averaged 90,000 babies daily. The birth rate depends on the number of women between the ages of 15 and 45.

The whole world is at present in a phase of rapid industrial development with an accelerating rate of consumption of non-replaceable fuels and other mineral products. The United States of America has a third of the world's known resources of petroleum (omitting the recent discovery of oil in the Sahara), but this will take place in about 40 years, and in the Middle East in about 100 years. The biggest deposits of uranium are found in the Congo and Canada but no rich deposit will remain after about 30 years. Copper is being rapidly exhausted. Lead will last about 70 years, and zinc and tin about the same. The present sulphur output will end in about 25 years. In the United States, ore reserves with 50 per cent of iron will be exhausted in about 15 years and reserves of above 35 per cent in another 35 years. After that lower grade ores at greatly increased cost will need to be used. In the United States the original virgin forests covered 40 per cent of the land, but today only 7 per cent. About a third of the world's primeval forests have been destroyed. About a third of the original 9 inches of top-soil has been washed away by the rain or blown away by wind.

The world's resources are being exploited with ever increasing diligence. Industrial populations must be kept going with raw materials. One of these consists of fertilizers, some of which is produced by power and some derived from underground. As population increases the world's soil and fertility will disappear, first on sloping land, and world-wide starvation will set in. As the world's resources become used up so will industrial populations be thrown out of employment. When there is no more oil fuel there will cease to be motor transport on our roads and on our farms. There is today an enormous wastage of fuel in the world's cities in advertising signs and unnecessary lighting. There will be little power in countries which have not developed to the full all possible hydro-electric schemes, eked out by tidal, wind, and radiation power. Without raw materials and without power the outlook for future generations is bleak. The larger centres of population will largely become uninhabitable, and the discharge of sewage into rivers or the sea will be and is a crime against humanity.

A direct result of Christian humanitarianism is an expanding population. In the past a large proportion of babies died. The unfit failed to survive—Natural Selection. Now modern science has been brought into play, and every effort is employed to enable the unfit to survive and breed. If the number of women of child-bearing age is doubled one must expect the number of babies produced annually also to be doubled. That is simple arithmetic. Most countries are increasing their populations by 2 or 3 per cent annually.

One result of expanding populations can readily be visualized. Food exporting countries such as Argentina and Canada are filling up with population and in the course of a generation or two will no longer have surplus food to export, the whole produce being required for home consumption. In previous decades the export of food was paid for by the import of manufactured goods, but when full industrialization has been set up, imports of manufactured goods will no longer be required. That means a reduction of overseas trade, and one of the first countries to feel the pinch will be Great Britain. Lack of employment and lack of food is likely to cause the country to dissolve in civil war, unless mass emigration is resorted to in time.

A factor common to all humanity is the Intelligence Quotient. Each individual is born with a certain quotient which is practically constant throughout life. It is uninfluenced by environment or by training. It is an hereditary factor, and one effect of Natural Selection was to eliminate those born with a low quotient. Now they are preserved to breed. The average I.Q. of a population is taken as 100 and most people range about this figure. The I.Q. of a genius will run as high as 150 or over, whilst at the opposite extreme an imbecile will have an I.Q. of 50 or less. Humanity can be divided into two classes—the mentally deficient and the mentally intelligent—the former of which should never be given the power of the vote. Statistics have proved that the average I.Q. of the British and American populations is deteriorating by two or more points per generation. This is partly due to the heavy taxation to which the more intelligent are subjected and to the great expense involved in bringing up their children. They cannot afford to have big families and are dying out in consequence. Those who are mentally deficient, however, hungry, indifferent, and ignorant, wander about begetting themselves. So the proportion of intelligence to deficiency is gradually widening; a ratio of 1 to 10 may become 1 to 30 in a generation and 1 to a 100 in a century, so that in the course of time there will be insufficient people of high intelligence capable of running a country and its industries.

That is the background against which the future of the Federation of Rhodesia and Nyasaland should be studied.

The primary object of any government is to tax the population of a country and to expand the revenue so obtained. One of the expenses is self-remuneration. All over the world there are men who seek wealth and power for their own selves by becoming elected to parliament, even if they are quite unfitted intellectually, and many succeed by getting a majority of ignorant voters to vote them into power, particularly by starting some political party for fomenting discord. We thus have a system of political parties under leaders who set the tone. One party with a majority of seats in parliament, though with an occasional minority of total votes, attempts to force legislation for its own benefit on the country. A leader may possibly be of great benefit to a country, but he can equally be a disaster, and in some cases both.

The practice in the past has been to divide a country into territorial districts, some urban and some rural, and the modern slogan is "One Man, One Vote". This commonly results in a very unequal franchise. A rural constituency with a small and largely ignorant electorate will send a Representative (not of their choosing) to parliament, whilst an urban constituency with a large and more intelligent electorate will also only send one. If two races inhabit a country and one is mostly rural and the other is mostly urban, then the proportionate representation is likely to be most unfair. Power is likely to reside with a minority party with a minority of wisdom but which has gained a majority of seats. Such a party is likely to pass laws which will help to entrench itself in power. Recruiting for the civil service and the police will tend to be restricted to those who profess to support the political party in power, and those who don't can say goodbye to prospects of promotion.

Under such a system the far-sighted candidate is likely to be defeated by the near-sighted one, the effective doer by the eloquent talker, and the reluctant expert by the ambitious agitator. Our wisest have no chance under it. The party leader with the majority of seats dishes out lucrative appointments to his own followers, not to the most suitable elected persons available, as a reward for their support. Members appointed by higher authority do not represent anyone. Voting on legislation is not performed according to a members knowledge and conscience, but in order to maintain a particular political party in power (or in order to try and unseat it). A political party system of government is a sham, and it should be abolished in favour of something better. That something is the Guild System.

Instead of dividing up a country into territorial constituencies, let the whole population be divided up into Guilds. There would be a Church Guild, an Education Guild, a Farmer's Guild, a Police Guild, a Railway Guild, a Road Guild, a Servant's Guild, a Trader's Guild, etc., etc. A new country could start with some twenty or thirty Guilds, the number expanding with growth till there may be two or three hundred. It should be noticed that every man, woman and child would be represented in parliament by someone in charge of his interests.

A candidate for parliament should be highly intelligent and well educated, he should be an expert in his calling, and he should be a person of experience. He should be completely independent of political parties and should enjoy sound health, and his character should be above suspicion. He should therefore not be less than 40 years of age, and not much over 60 when his mental and physical powers are on the down grade and he is keeping a younger and more up to date person out of a job. Any person considered suitable to stand for parliament should be subjected to searching tests by a responsible examining body, and if he (or she) successfully passes the tests his name should be included on a panel. Such will be the best men that a country can produce to serve as possible rulers, and it will be a distinction for anyone to qualify and have his name put on a panel. It is suggested that in order to qualify, a candidate must have an Intelligence Quotient of not less than 120. An elected member would to all intents and purposes be a responsible Minister of the Guild he represents. Whether there should be a cabinet or not should be left to evolution.

A voter should have a certain modicum of intelligence in order to qualify for the vote. It is obvious that an imbecile should not have the vote and that it is most unwise to grant the vote to anyone who is mentally deficient. It is suggested that an I.Q. 92 should be the lowest limit prescribed to qualify as a voter. A voter should also have a certain amount of experience of life as an adult, and no longer have a tendency to become a hot-headed young hooligan. It is therefore suggested that an age limit of 30 should be set to qualify as a voter. There is not the same necessity to impose an upper age limit as so few would be affected. There should be no differentiation between one class and another, no first-class citizens and second-class citizens. Either a citizen is old enough and intelligent enough to exercise the vote, or he is not. Obviously the whole population would need to be tested for the Intelligence Quotient, and there would have to be qualified examiners in permanent employment for the purpose. Each Guild would put up a certain number of candidates, and the qualified voters of each Guild would elect one to represent the Guild in parliament. Each Guild would have a head office in the capital and branch offices in the country, which would keep their member fed with up to date statistics, and act as employment bureaus for their members. Should an elected member cease to give satisfaction to his Guild, then a test poll should determine whether he should be replaced or kept on. That is true democracy—the right of the electors to remove their representative if ever the occasion arises.

A change to the Guild System can only take place if it has the goodwill of an existing political party parliament. It will involve the political eclipse of several of its members, and if self-interest is the uppermost of their feelings they will vote against a change. But if national interest is dominant in their minds, then the parliament has to decide the constitution of its Guild successor, what Guilds there should be formed to start with and so forth. Future developments and expansion should be left to the Guild parliament. The Guild parliament will be a "best man" parliament, all experts, all independents, so that there will be no need of a second revising chamber. Each Guild would submit an annual report of its functioning, making for national efficiency.

One of the future duties of a Guild Parliament will be to adopt measures to control the birth rate, firstly, to obviate the reproduction of the hereditarily unfit, secondly, to make illegal the marriage of young people so that the length of a generation shall be increased, and thirdly, to prevent overpopulation. A Guild parliament would probably attain these objects by requiring every new marriage certificate to state the number of living adults that may be reproduced, depending largely on the I.Q.'s of the respective parties, an excess being followed by sterilization. Generally speaking, a million women should only have a million daughters in order to keep a population stationary.

One of the changes that a Guild parliament will have to face is that of capitalist finance which cannot last much longer. Any rise in income is bound to lead to a rise in the cost of goods and services based on those incomes. The value of money is therefore always depreciating. The day will come when the pound will only be worth an A.D. 1900 penny. As population expands and mechanization grows, unemployment will become a permanent nightmare. There will be little overseas trading when the world's resources become exhausted. Heavy taxation of the employed in order to keep the unemployed alive is not a heartening prospert. A change will have to be faced. The upper strata of highly intelligent people will avoid reproducing themselves and will die out, leaving a less intelligent proletariat to face the music.

The Federation of Rhodesia and Nyasaland must choose between two things; one is the adoption of the Guild system and slow race improvement through the decrease of the unfit and the increase of the well-born. The other is to perpetuate political party politics and to expire in Armageddon. For, unless the numbers of the people are adapted to the capacity of the soil to feed them, then famine, pestilence and war will grind on their ruthless way.

Marandellas

9th February 1960

Oral Evidence

A. M. CLOSE

Mr. Close, who had submitted a memorandum, confirmed that his real aim was to have a system of elections for Parliament through occupational guilds, and in reply to questions made the following points:—

(1) In considering who was to decide on the original composition of the guilds he thought that the existing Parliament would have to debate the system and decide what guilds would have to be started. Then at the next Parliamentary election the representatives of all the guilds would debate their own composition.

(2) Each guild would have equal representation at first, but if a guild became too big it could be sub-divided. The guilds themselves and the Parliament would have to agree on the nature of the sub-division. Taking as an example the farmers' guild, all farmers in the whole Federation from Tanganyika to the Limpopo would vote for one representative or more if their guild had been sub-divided.

(3) Political parties should be abolished altogether. They were the cause of all the mischief in the world, and if they were abolished there would be no international troubles.

(4) In the guilds there would be no vote on any policy, but solely on personalities. There would be scores of local guild branches which would each put up a member for election to Parliament. They would thus, for example, vote for a representative of the farmers who would be chosen from among ten to twenty candidates. The vote would not be on a policy, but would largely depend on the experience of the candidates. There would be no election campaign. Voting would all be postal. Lists of candidates would be sent out with a photograph and a statement of the experience of the candidate. Thus all farmers between Tanganyika and the Limpopo would vote for a farmer, and so on.

(5) He confirmed that for the exercise of the vote the minimum I.Q. of 92 would be required. Also because young people were apt to be young hooligans the age limit for the vote should be 30; by that age a person would be able to think sensibly. Everyone would have to be tested for their I.Q., and he understood that the examination would take about one hour for each person. He considered that under this system Africans would have an equal chance of being elected.

(6) The Government would have to appoint the expert examiners on the I.Q. He realised that the Government was appointed by the members of Parliament, the latter by the guild members, and thus there was a "chicken and egg" difficulty.

(7) Africans would be in the same guilds with Europeans and there would be no colour bar. Africans in the Reserves would all be in the farmers' guild. There should be no distinction between natives and whites.

Addendum to Oral Evidence

A. M. CLOSE

I wish to thank you for helping me to give evidence to your Group yesterday, but I feel that I did not prove to be a particularly satisfactory witness owing to my increasing deafness and to a hearing aid to which I am not yet accustomed. I am therefore inditing this letter to provide you with a little more information.

I was educated at Weymouth College (classical) and from 1900 to 1903 at the Royal Indian Engineering College, Cooper's Hill. I was 22nd on the entrance list passing in and 9th on the list in my year passing out, although the youngest student in my year. My drawing work—bridge and survey—were put on exhibition. This seems to indicate that I was educated and had a certain modicum of intelligence. (Intelligence and Aptitude Tests were unknown in those days).

I was posted to the P.W.D. in India and on arriving at Bombay fell foul of the Customs. It was the first time that I learnt that there was such a thing as a Customs and Excise Organization. Several months later I made my first attempt at taking levels and found that I did not know how to work out the calculations. A few years later I used a theodolite for the first time in making a triangulation in the High Himalaya and thought its adjustment was out and I uncorrected it. It was not till later that I became an expert in the use of surveying instruments. At the beginning of 1915 I had difficulty in crossing from Chile to Argentina and boarding a steamer for England in order to join the British Army because I had started without a passport. It was the first time I had heard of such a thing. A little knowledge is a dangerous thing.

I relate this as an illustration that young persons who have left school and undergraduates at universities are really only superficially educated, a large part of whose learning is quickly forgotten, and whose emotions are subject to periodic outbursts when in mobs. Witness crowding into a telephone box, or pushing a bed along a road, or a pram round Cecil Square. It is only after a number of years and young adults have gained some experience and responsibility that they become fit to exercise the vote. If I had ever had a vote I would have automatically voted Conservative because that is what my people would do, not because I knew anything about politics.

Fixing 21 as the voting age, or lowering it to 18 as in the Union, are simply devices by political parties calculating thereby to gain more votes to help maintain themselves in power,

and is one of the factors that leads to political disturbances and to second-rate candidates being elected to parliament. If 30 is fixed as the voting age, when most adults are married and settled and have gained some experience and have lost the tendency of the young to hooliganism, then there would be a distinct betterment in election results.

As regards elections by senior adults I would like to bring to your notice what Bernard Shaw had to say on the subject. "Conceive the perplexities of Mr. Everyman at a general election. I have just been convinced by the Labour candidate that if the mines are nationalized I shall be able to buy my coal for what I am now paying. But he has promised Smith next door that he will vote for revision of the Prayer Book; and I could not stand that—flat atheism I call it. The Conservative candidate says he will die in the last ditch in defence of the Prayer Book; but he owns half the coalmines in Durham and won't hear of cheapening coal; and they tell me he is an Anglo-Catholic which is no better to my mind than Popery, for I, thank God, am a staunch Protestant. I agree to all the Liberal candidate says about liberty and getting rid of all these snooping inspectors coming and interfering in my business with their regulations and all that, but the man is a republican and has the cheek to say so; and I am for King and Country. The Independent seems to me the most likeable of the lot, but he wants to have a negotiated peace and make us all the slaves of Hitler. Besides he hasn't a dog's chance against the Party man, and I don't like having my vote wasted. There was a Communist up last time, and he forfeited his deposit. Robinson voted for him, and I tell you he did look a fool. Fortunately, this is a free country, and I need not vote unless I like. I just won't vote at all. At the club each chap will think I have voted for his pet candidate. Anyhow this election business is all rot."

I divide humanity into three classes—the few with a high Intelligence Quotient, the great majority with medium I.Q.s, and the remainder with deficient intelligence. I also divide humanity into two classes—those who have reached the age of 30 and have acquired some experience of the world, and those who have not. The possession of property, or an income, or schooling do not of themselves fit an individual to become a voter or a candidate for parliament. The essentials needed are Intelligence, Experience, and Character. A highly intelligent and experienced adult can be penniless and propertyless, and a moron can have everything. Hence a person is either old enough and intelligent enough to vote, or he is not.

The whole population needs therefore to be measured, for without measurement we cannot gauge who the competent people are. Only persons who have passed searching tests should be eligible for election to parliament. A high I.Q. (120 or over), a lower age limit of 40 (Tom Mboya is 29), and a higher age limit of 60 or so should be imposed. The higher age limit is needed because however able and well-liked a leader may be, he is keeping younger and more up to date others from rising who therefore tend to become rebels. If all people tended to become centenarians, and heirs did not inherit properties till they were in their seventies, I think there would be a good deal of dissatisfaction prevalent.

Bernard Shaw also wrote, "All men are corrupted by irresponsible power. Sometimes it produces horrible excesses of cruelty and bigotry" and "When democracy began with parliaments we guarded them with a property qualification which secured at least some elementary education for our legislators; but they abused their power so disastrously in their class interests that it was discarded in favour of no qualification at all," and "Our rulers are mostly elected by people who have never seen them and know nothing intimate about them, voting therefore according to Party labels, religious creeds, and social prejudices under pressure of more or less vigorous propaganda and canvassing." Each Guild would elect one of its best representatives and have the power of replacing him if there should arise any dissatisfaction. Since all members would be Independents there would be no vituperation and the population would not be divided against itself. It would be unnecessary to create a Senate and unnecessary to have four parliaments. If any Guild became too big and unwieldy, Parliament would split it into two as seemed best. Thus, mining could be split into coal and other types; farming could be split into European and native, or territorially.

I shall end up with a quotation from G. H. Curle. "But for the almost continuous jibes and retorts of journalists, the nations of the world would hardly ever realize that they hated each other, and nearly all the unpleasant incidents arising from them would soon sink into oblivion. We shall only abolish war when we have a Press which need not earn big dividends."

Marandellas

4th May 1960

Memorandum **403**

BRITISH MEDICAL ASSOCIATION—(Mashonaland Branch)

1. Identification. We are representative of the Mashonaland Branch of the Medical Association of Southern Rhodesia (British Medical Association). This is a non-political organization representing virtually the whole Medical profession in a vast area which includes Salisbury, Kariba, Sinoia, Gatooma, Marandellas and all intervening smaller centres. Our Association is open to all registered medical practitioners, irrespective of race or assignment; whether European or African; whether private practitioner or Government employee. We number two hundred and are composed of those born here, those whose ancestors came here and recent immigrants, and *we and our children have our homes here and intend to stay,* because we have so selected this part of the world.

2. Federation. The growth and economic advantages of Federation have meant that a fuller medical service has become possible. Economic stability has meant Medical Aid Societies acting as insurance against ill health, at the same time safeguarding the doctor/patient relationship.

Federation has attracted Specialists in every field, including Brain, Plastic and Thoracic Surgeons, and men and women of high professional standard in both the General Practitioner and Specialist fields. The Medical Reputation of the Federation is assured. Cases for specialist treatment come to the larger centres of the Federation from surrounding countries.

Should there arise a state of affairs which resulted in the withdrawal of the stiffening influence of devoted European staff from African Health Services, that withdrawal could result only in the disintegration of the services on the rocks of self-interest and corruption.

3. General. We need more doctors, especially for medical work, amongst the ninety-six per cent of the population, who are Africans. Much of this could eventually be done by Africans. It would appear, however, that one generation cannot be sufficient to instil the traditions and integrity usually associated with the Profession. Training must continue, though at present there are only about half a dozen fully trained African doctors in the Federation. We regret that, in spite of an open invitation and a greatly reduced subscription for House Officers, no African doctor has applied to join our Branch of the Association.

The attitude of Africans to "White Man's Medicine" has changed from that of suspicion to an enormous demand. The new forms are slowly accepted, both medically and culturally, and, when accepted, they become part of the African's life. African Hospitals deal with overwhelming numbers, and urban Africans are now demanding Private Practitioner treatment, while we observe that Africans, Indians and members of the Coloured community are to be seen in the consulting rooms of all Practitioners, demonstrating the non-discriminatory nature of medical practice.

We observe that the bulk of the work which has been done for the indigenous population has been carried out by such members of the white population as Government Medical Officers, Missionaries, etc., who have been and are prepared to sacrifice their own interests and financial gain for the good of the whole, devoting their lives to the service of the African. We recognize that the few African doctors—and, for that matter, Africans in the Professions—are the natural mouthpiece for the ambitions of their own people, but we feel that they should not, on that account neglect the professional duties for which they have been specifically trained. Until they achieve maturity in these professions, they are not ready for political leadership.

Europeans: We observe increased anxiety, with its consequent ill effects on health, due to uncertainty as to the future. We urge that that uncertainty cease with all speed.

4. Health:

(a) Preventive Medicine: Must remain Federal. There are obvious advantages in regional control.

(b) Curative Medicine: There is a difference of opinion amongst members of the Profession as to whether Curative Medicine should be a Federal or a Territorial responsibility, but the weight of opinion is that the effective control of Curative Medicine should be within each Territory. We would urge that the financing and staffing of this service be placed territorially and locally in correct perspective.

We would stress the necessity for building up comprehensive medical services in the larger centres. Therefore, the Department of Health should give special consideration to the needs, both financial and in regard to hospital facilities, of such centres.

Since the inception of Federation, the two principal medical centres, and particularly Salisbury, have been the most neglected in these respects, despite the fact that they are the specialist

centres for the Federation. Large hospitals have been built in other areas and have apparently so drained the Treasury that the principal medical centres, particularly Salisbury, have suffered.

The Salisbury Central Hospital is almost as it was in 1938, despite repeated promises of the erection of a new Hospital; the number of general beds has increased by 40, yet the European population of Salisbury has risen from 10,000 to 85,000 in that time, and from 46,000 to 85,000 since Federation. At the same time this Hospital, having increasingly become the principal Specialist Hospital for the Federation, accommodates large numbers of patients from all areas of the Federation as well as from all neighbouring countries.

Likewise, the African Hospital is grossly understaffed medically, despite repeated offers of assistance made by local specialists and practitioners. These offers have been either ignored or refused, with the result that the African Hospital is grossly understaffed.

The effect of Federation upon the Government Nursing and Government Medical Services has been to reduce recruiting, largely due to the widespread transfer of personnel. Further, the transfer of staff, particularly in the Nursing Service, to other areas of the Federation has deprived the larger centres of much trained staff, with the result that the Nursing Service has lagged far behind the advances made in Specialist fields by the coming to the Federation of Medical men and women of considerable calibre.

Failure to utilize, in African Hospitals, the services of General Practitioners and Specialists, other than the few employed in full-time Government service, has retarded the medical service rendered to the African.

The central Hospitals play a part in the professional or further professional training of Doctors and Nurses, supplying most of the staff to the Hospitals throughout the Federation, and, rather than their being regarded as the Cinderellas of the Service, should be financed and staffed in measure commensurate with their functions. In this respect the Federal Health service has proved inadequate.

The remedy, as we see it, is to decentralise Curative Medicine by the institution of Regional Hospital Boards with executive powers, thus placing the management of Curative Services territorially and locally in representative hands and in the correct perspective. This we would urge if the Curative services are to be of high standard and if local requirements as regards Hospital accommodation and adequate medical services to all races are to be met.

In submitting this evidence we would stress that we are a non-political body which realises, however, that matters affecting the daily lives of the people should be, as far as possible, under territorial or regional control and that our interest is in rendering good medical services to all sections of the comunity. To attain this, decentralization is essential.

Salisbury

18th March 1960

Oral Evidence

THE BRITISH MEDICAL ASSOCIATION—(Mashonaland Branch)—Represented by: Miss G. E. Keith, Dr. Fynn, Mr. Robinson.

Miss Keith said that the British Medical Association Branch which she represented did not advocate the dissolution of Federation; but they thought that the definition of health as a function of Government needed to be redefined. Whether or not primary responsibility for health went back to the Territorial Governments, it was desirable that preventive medicine should be dealt with on the widest possible basis. They were concerned however, at the present organisation of the Health Department. There must be greater decentralisation of control, whether this was done by passing back the curative services to the Territorial Governments or by establishing regional boards under the control of a central Federal Department of Health. The final answer depended on a number of considerations, including the form of Government which emerged in the two Northern Territories. It was difficult to assess the effect of Africanisation in terms of the Health Service.

Since Federation there had in fact been a growth in the Health Services in the Northern Territories at the expense of Southern Rhodesia. If it had not been for Federation, more hospitals would have been built in Southern Rhodesia which had in practice been built in the Northern Territories.

Summing up, Miss Keith said that she felt that the Health Service needed local control by people whose interests were local.

Dr. Fynn said that he had been much perturbed by paragraph 33 of the Morton Commission Report* which turned down the suggestion that regional control should be applied. The Salisbury General Hospital was 20 years out of date, in spite of the fact that it was the centre of specialist services for all races. Salisbury had suffered since Federation because of commitments elsewhere; the emergent African, in particular, had been neglected in the provision of improved services in the rural districts.

At the present stage in the development of the medical services in the Federation, the sudden withdrawal of European help would be disastrous. At present there were only four African doctors in practice in the Territory. He personally had until June 1959 been a member of the Southern Rhodesia medical service seconded to the Federal Health Service. The Federal Service presented personal problems to a number of doctors in so much as most of the promotion existed in the Northern Territories. Many Southern Rhodesian doctors had left the service rather than transfer to Northern Rhodesia or Nyasaland. Before 1953, the Southern Rhodesia Medical Service had had a good response from advertisements in the United Kingdom. The Federal Service still had a good response to advertisements, but many applicants asked for a guarantee that they would serve in Southern Rhodesia. Any change in conditions of service which compelled large numbers of doctors to resign would create a most dangerous and difficult situation.

The witness made the following further points in answer to questions:—

(*a*) In order to meet the current shortage of specialists in Government hospitals, particularly African hospitals, certain specialists in private practice had recenlty been appointed to serve on a sessional basis. Similarly, general practitioners had been appointed to serve as clinical assistants in out-patient departments. Unfortunately, services of this kind on a part time basis were not necessarily adequate for meeting requirements.

(*b*) There would be great advantage in setting up regional hospital boards as in the United Kingdom. Large areas could be covered in this way—e.g. Mashonaland, the Copperbelt etc. As a start, a Mashonaland board should be set up in Salisbury. Under such a system, junior appointments could be made by the management committees themselves, leaving only the senior appointments to be made by the central health authority.

(*c*) In the interests of medicine, it would probably be preferable to have regional control under a central Federal service than disintegration into independent Territorial services. This applied particularly to preventive medicine which included inter-Territorial and international health control with particular reference to bilharzia, malaria, yellow fever, etc.

(*d*) The Mashonaland Branch accepted and advocated partnership in all fields and were doing all they could to assist in the training of African doctors, nurses and orderlies.

(*e*) The British Medical Association had advocated the establishment of a large multi-racial hospital in Salisbury which could eventually become a teaching hospital associated with the University College. Unfortunately, work had now been started on an enormous new hospital scheme which was not planned to be multi-racial. This seemed to be contrary both to good sense and to the provision of the Preamble to the Constitution.

Memorandum

THE CHAMBER OF MINES OF RHODESIA. (This organisation applies to Southern Rhodesia only)

1. In the opinion of the Chamber of Mines of Rhodesia, a body representative of one of the major industries in Southern Rhodesia, the establishment of the Federation of Rhodesia and Nyasaland in 1953 has given considerable impetus to the industrial and economic development of the three territories. There are numerous indications of the benefits all three Territories have derived from the Federal concept. The broadening of the economic structure on to a Federal basis has resulted in the development of the Kariba project and the expansion of transportation and other services on an inter-Territorial basis rather than a purely parochial basis. It is the considered opinion of the Chamber that the future of the Federation can only be assured by continued industrial and economic development. This development which will result in an increase in employment and an improvement in standards of living for all races, can only be assured if confidence in the future of the Federation is established.

**Report of the Commission of Inquiry into the Health and Medical Services of the Federation,* 1959 (*ref: C.Fed* 139).

2. The need for an expanding economy is probably greater in African countries than in European ones, due to the high rate of increase in the African population which prior to industrialisation existed on a rural subsistence economy. The continuance of a subsistence economy, particularly in Southern Rhodesia, is not a practicable proposition and there has been a very marked migration of the population from the rural to the urban and industrial areas. Unless adequate avenues of employment and advancement in the various fields are provided by an expanding industrial economy, the Federation will be unable to feed, house, and provide for the increasing population.

3. The mining industry in Southern Rhodesia has a genuine sense of its responsibility towards the thousands of Africans which it employs; this aspect can be clearly demonstrated by the enlightened and progressive attitude of employers in their endeavours to advance Africans into more responsible avenues of employment and, further, by its interest in improving the general conditions of living.

4. The two portfolios with which the Chamber is most closely connected are those covering Mining and Labour which, under the present arrangements, are the responsibility of the Territorial Governments. Certainly for the time being, the Chamber recommends that these portfolios should continue to be Territorial responsibilities chiefly due to the varying conditions appertaining in the three Territories.

5. The structure of the mining industry of Southern Rhodesia is very different from that in Northern Rhodesia while to all intents and purposes there is no mining industry in Nyasaland. Mining activity in Southern Rhodesia varies from small owner-operated mines to large enterprises such as the Wankie and Shabanie Mines. There is no concentration of mining activity in the Colony, this taking place throughout the length and breadth of the country. A further point at the present stage which, in the opinion of the Chamber, stresses the impracticability of transferring this portfolio to the Federal field is that in Southern Rhodesia mining title is vested in the Crown while in Northern Rhodesia it is vested in the British South Africa Co. Ltd. The mining laws of the two Territories have necessarily been developed in the light of this fact, together with the geological differences and the greater agricultural development in Southern Rhodesia. The legislation is consequently very different and also takes into account the difference in the structure of the two mining industries.

6. The Chamber also considers that at the present time it would not be practicable for the portfolio of Labour to be transferred to the Federal sphere. The Labour policy of Southern Rhodesia has developed on the National Industrial Council system which has been most successful in respect of Southern Rhodesia conditions, but may not yet be applicable to the other territories with differing histories of labour relations. From information available to the Chamber, it appears that Labour legislation in Northern Rhodesia is gradually becoming more aligned with that of Southern Rhodesia and it is possible that at some later date a common Labour policy could be introduced for these two Territories.

7. Other than in respect of two of the portfolios, Power and, to a lesser extent, Finance, the Chamber considers that there should be no re-alignment of the responsibilities for the various portfolios as between the Federal and Territorial Governments.

8. While the portfolio of Commerce & Industry is allocated as a Federal responsibility, the development of industry is on the concurrent list. Industrial development in Southern Rhodesia stems largely from the mining industry which is exclusively a territorial responsibility. With a view to extending development in this field, the Southern Rhodesia Government has established an Industries Branch of the Treasury and an Industrial Loans Board. The constitution in recognising the differing problems of mining and industrial development as between the three territories, fails, however, to give Territorial Governments authority over power distribution within their spheres. This, in the opinion of the Chamber, is a serious handicapping factor in industrial and mining development which is largely dependent on power. Experience has shown that the existing organisation of the electricity industry is unwieldy as a result of over concentration in the Federal field, and, therefore, not conducive to industrial development, generally, within Southern Rhodesia. The differing problems in the distribution of power can best be illustrated by the percentage consumption of electricity by broad industrial groups during 1958. In examining the following table, it is also necessary to bear in mind the geographical spread, or concentration, of the consumer groups within the individual territories.

(This tabulation has been prepared from the "Monthly Digest of Statistics" compiled and issued by the Central African Statistical Office, and has been reproduced at the bottom of this page).

9. The Chamber considers that there should be a re-alignment of the responsibilities as between Federal and Territorial Governments in the portfolio of Power. The Federal Government should continue to be responsible for the overall direction of generating policy and for the administration of major projects such as the Kariba Hydro-electric scheme and possibly others of a similar nature which may be established in the future. It is essential that the extent of generating capacity to be installed throughout the Federation should be under a centralised Federal Electricity Authority on which the three Territorial Governments should be given adequate representation. The activities and responsibilities in the Federal field regarding generation should be confined to the bulk supply of power, as, for example, from the Kariba project, but that thereafter the responsibility for distribution and management of existing power stations should fall within the purview of the Territorial Governments.

10. In submitting this recommendation, the Chamber has confined itself to the broad principles but would be pleased to supply the Commission, or any other appropriate authority, with details of how these principles should be introduced. The present system under which the portfolio of power is the sole responsibility of the Federal Government is, in the opinion of the Chamber, unsatisfactory and a handicap to industrialisation in Southern Rhodesia.

11. In terms of the present alignment of the fiscal arrangements between the Territories and the Federal Government, the Territorial Governments are hampered in their efforts to raise revenue for their requirements; for example, the Southern Rhodesia Minister of the Treasury has, because of the restrictions under the Federal constitution, been forced to continue a royalty tax on the value of all base minerals produced in the Territory. This taxation, in the opinion of the Chamber, is hampering the development of the mining industry in Southern Rhodesia and, further, is bad in principle in that it represents differential taxation. This is a matter on which the Chamber has made representations to the Territorial Government but without success, due to the limited means available to the Territorial Minister of the Treasury to raise revenue. Accordingly, the Chamber recommends that there should be a review and re-alignment of the fiscal arrangements to permit a realistic allocation of revenue to all the Territories or to permit Territories to raise by direct taxation funds in a manner more equitable to all sections of the community than by discriminatory taxation such as the present royalty tax on base minerals.

Salisbury
April 1960

Oral Evidence

THE CHAMBER OF MINES OF RHODESIA. Representatives: T. A. J. Braithwaite (President),* R. S. Walker (Vice-president), D. E. Cox (Member of Executive Committee), N. Ambrose (Manager).

In amplification of the memorandum presented by the Chamber of Mines Mr Braithwaite summarized the views of the delegation as follows:—

Federation had been a benefit economically and industrially

**See also evidence of this witness at Wankie on the 16th April, 1960 (p. 92)*

Electric Power Consumption in the Three Territories by Broad Industrial Groups Expressed as Percentages of the Total Consumption in the Federation

Territory	*Agriculture and Forestry*	*Mining and Quarrying*	*Manufacturing Industries*	*Domestic*	*Other*	*Total*
Southern Rhodesia	1·66%	12·64%	13·69%	12·28%	5·92%	46·19%
Northern Rhodesia	0·00%	46·46%	1·59%	4·13%	0·97%	53·15%
Nyasaland	0·00%	—	0·29%	0·22%	0·15%	0·66%
Federal Totals	1·67%	59·09%	15·57%	16·63%	7·04%	100·00%

to the three Territories, particularly to Southern Rhodesia. But a continued programme of economic development was necessary.

It was considered that in the mining industry in Southern Rhodesia advancement of both Europeans and Africans generally had been achieved in both the industrial and social fields.

It was not desirable or practicable for the functions of Mines or Labour to be Federal but the need for close policy alignment was recognised, particularly as between Southern and Northern Rhodesia.

There should be greater liberty and facilities for the Territories, particularly Southern Rhodesia, for fostering industrial development. For this purpose it was necessary to bring about a re-alignment of responsibility for electric power: the table given in the memorandum was designed to illustrate this. There also was need for a re-examination of the fiscal arrangements in the Federation in order to give greater flexibility in the raising of revenue, and to overcome the existence of differential taxation affecting the mining industry.

Mr. Cox said that while they were mainly concerned to express their belief in the industrial and economic development attributable to Federation, it was nevertheless necessary to consider certain political factors. In the first place, industrial development must depend on political stability, and the tempo of development was at present slowing down because of the current political uneasiness. Instability lay primarily in the two Northern Protectorates, where there existed violence, boycotts, and political intimidation of Africans by Africans.

Political disaffection was not usually to be found in countries which enjoyed development in the economic and social spheres. In Southern Rhodesia before Federation, there were considerable developments in health, agriculture and education; in these respects, the Northern Protectorates ran a poor second and third, and in the political sphere also the Protectorates were lagging behind. In Southern Rhodesia there had been the open voters Roll for a long time. In the Protectorates even the foundations of the electoral system had yet to emerge.

The Colonial Office system of administration was out of date and unable to meet the challenge of Africa today. No doubt a system of benevolent protection by remote control might once have been suitable. But the traditional forms, including the tribal system, were crumbling away, and there was no new pattern to replace the old order. He was not making any criticism of individuals, but of the Colonial system. It had two special weaknesses. Firstly, power to a great extent rested in the hands of officials who were mere visitors to the country. That could not give the same result as would a man who had to live in the country with the results of his decisions. Secondly, it was tragic that the lives and property of people in Africa were subservient to the whims of party political propaganda in the United Kingdom. Without the removal of these links with the United Kingdom, it would not be possible to get more people to come into Central Africa, and thus to get more vital industrial development in the Federation.

In reply to questions Mr. Cox and the other witnesses, speaking in turn, made the following further points:—

(1) They agreed that in the Northern Territories there was no criticism of the Colonial Office system—rather the reverse, there was a fear of losing the protection of the Colonial Office. Nevertheless they felt that there was greater relative stability in Southern Rhodesia, and greater economic expansion. This only followed logically from the Southern Rhodesian system. People did not realise how much had been done in Southern Rhodesia for the whole population.

(2) It was pointed out that in Southern Rhodesia there were at present on the Common Roll 65,000 Europeans and 2,000 Africans. (Mr. Walker said that this would be more properly expressed that there were 67,000 people on the roll with the required qualifications). Was it because of this composition of the Roll that capital had come to Southern Rhodesia from outside? It was not certain whether potential investors made a study of the voters Rolls. It was more likely that they looked at history. In Southern Rhodesia an effort had been made to build up the machine on a multi-racial basis. Many more Africans could have the vote if they took the trouble to register. Everything in Southern Rhodesia had been created by the Europeans who were, nevertheless, willing to bring Africans into the system. They considered the fears of "domination" in the Northern Territories to be unreasonable. In Southern Rhodesia they had tried to build up a democratic system.

(3) The officials in the Northern Territories had no roots in the country. The establishment of a Central African Civil Service was suggested. The prime consideration was residence in the Federation. That system should by stages replace the H.M.O.C.S. Interchange of officers between the three Territories would give the advantage of seeing the other man's point of view, and would also tend to weave a thread of continuity of policy. But it was no use having uniformity of administration unless there was also uniformity in the interpretation of partnership. For example, trade unions in Northern Rhodesia had been deliberately set up by the Colonial Office on a racial basis. In Southern Rhodesia, the trade unions were non-racial. Again, in the new Northern Rhodesian Constitution some parts demanded racial qualifications. That policy was not consistent with criticisms which were made of racial discrimination. These were examples of wide cleavages of interpretation of partnership.

(4) How was it going to be possible to get rid of "whims of party political propaganda in the United Kingdom"? They agreed that the British Government was pledged not to withdraw its protection from the Northern Territories. The problem was how to insulate the Federation from these political tremors. If only the two parties in England were better informed, there might be a realignment and a better approach to the problems on a bi-partisan basis. It was suggested that many Members of Parliament of both parties knew very little about Central Africa.

(5) The two Protectorates were the two weak links in the Federation. Something must be done to strengthen them and their faith in the Federation.

(6) It was the fashion today to think that the vote would confer all sorts of benefits, but most Africans would prefer 10/- more pay each week than a vote exercised once every five years. But they agreed that the value of having a vote was to dispel the feeling that people were unable to express their views in politics.

(7) It was difficult to say if a redistribution of powers from the Federation to the Territories would be an effective remedy for fears of domination by Southern Rhodesia. Such redistribution might allay the fear of domination, but on the other hand, it might be a first step in a gradual dismemberment of the Federation.

(8) Questioned further as to the two alleged weaknesses of the Colonial Office system, and the proposed remedies, the witnesses agreed that the remedies were indirectly steps to full membership of the Commonwealth and independence of the Federation.

(9) It was not practicable *at the present time* to transfer Labour to the Federation, although there was need for a closer alignment. In future they would like to see both Mines and Labour Federal, but they could not see when it would be possible to achieve that.

(10) Paragraph 9 of the memorandum—responsibility for electric power. The responsibility for power projects such as Kariba should be Federal; but in the supply of power it should be recognised that there were different problems in the three Territories, as illustrated by the Table. This indicated that the needs of industry in Southern Rhodesia were much more diverse than elsewhere, and also in that Territory the geographical distribution of industry on a wide basis was quite different. Thus the development of industry in Southern Rhodesia was on a different pattern, and on a larger scale than elsewhere. That industry must now be expanded greatly. For the immediate future industrial development, including mining development, was very much the responsibility of Southern Rhodesia. Southern Rhodesia labour relations were also on a different pattern. The only really common feature in the three Territories was the availability of markets. Both the labour pattern and the industrial pattern were different. In industry power was a very important factor, and so also that should be handled in a different manner. Distribution of power should be on a local basis, and also the control of thermal stations and tariffs and finance. These should be transferred from the Federal Government to the Territorial Governments. The Territorial Governments should completely re-organise the tariff structure. The Chamber of Mines considered this a very important reform, and very necessary.

They envisaged a Federal Power Authority for large Generating projects, and also control of the policy of generation. This was essential to prevent competition between Federal and Territorial projects. The Authority would supply power on a fixed tariff to the provincial Authorities. Those Authorities would make a charge for the power and would also decide on the tariff structure in their own Territories so as to get flexibility of charges. (It was mentioned by Mr. Menzies that there was an Australian precedent for this arrangement). This conception included Nyasaland, as and when the time came for that development. But the problem would not in fact arise until a physical link existed.

(11) It was agreed that the Territorial Governments were even at the present day in a position to subsidise electric power. Generally Territorial Governments had a better knowledge of the problems of industrial development, and were better able to determine what charges should be imposed.

(12) Paragraph 3 of the memorandum—the witnesses were asked whether the reference to the progressive attitude of employers related to the fields of normal promotion training and apprenticeship for Africans. They replied that it covered social services for Africans as well. The mining companies in Southern Rhodesia accepted full responsibility for both their European and their African labour and this covered the whole of their industrial and social needs. Giving Wankie Colliery figures, Mr. Braithwaite said that over the past ten years 7% of the African labour force had come to undertake more responsible occupations than at the beginning of the period. They also claimed that between 1% and 2% of the Africans were now occupying positions which ten years ago were occupied by Europeans. In relation to Europeans this represented a fairly substantial replacement. The Colliery had accepted responsibility for training Africans and they foresaw the advance of Africans to even more responsible posts in the future. In seven years times they would see Africans in the indentureship trades side by side with Europeans and working for the same pay.

(13) Mr. Braithwaite said that the Colliery was responsible for housing, feeding and wages. Over the past seven years African wages had increased between 80% and 100%. Health and medical facilities, welfare, education, recreation and training facilities, youth service, spiritual welfare, traditional culture, pensions and gratuities were also provided by the Colliery Management.

(14) In such an undertaking as the Wankie Colliery the machinery or negotiations was organised through the Native Labour Boards. There was a Native Labour Board for the mining industry on which the Chamber of Mines was represented. At the more domestic level the Chamber itself had required its members to set up joint committees which included both management and African employees. These had become the medium for industrial conciliation, and had worked well. There were no Africans at present on the Native Labour Boards, however.

(15) Paragraph 5 of the Memorandum. If Labour eventually became a Federal subject they felt that the legislation which the Ministry would apply would probably be a mixture of the legislation of Northern and Southern Rhodesia, although they themselves preferred the latter. There was no point of substance in the omission of Nyasaland from the statement in the memorandum, and they were quite prepared to include Nyasaland when the time came.

(16) During the Nyasaland state of emergency, although there were numerous Nyasalanders on the mines, and on one mine at least 95%, there had been no difficulties at all. The joint committees already mentioned were then used as a means of liaison for the dissemination of news.

(17) Paragrah 11 of the memorandum. The basic principles for the redistribution of fiscal powers would be similar to those for electric power. For example, the basic Federal income tax might be reduced and the amount of the Territorial surcharge increased. The evidence given had sprung mainly from the feeling that under present fiscal arrangements the Southern Rhodesian Government had had to fall back on the Royalties tax which the Chamber of Mines considered inequitable and discriminatory. Their evidence however was merely to the effect that the problem of redistribution should be re-examined. They certainly wanted a greater degree of financial responsibility for each Territory. They wanted the Territorial Governments to have a larger share in financial control and in loan raising, despite the difficulties which they recognised over the powers of taxation. At the same time, they would not want any readjustment which would have the effect of weakening the Federation.

(18) Industry should remain a concurrent subject, but the electric power function should be split as they had explained.

(19) The Royalties tax raised half a million pounds per annum in Southern Rhodesia. Gold was exempt from this tax. They felt that the Royalties tax was bound to militate against the development of mining in Southern Rhodesia, as it was a tax on producers selling throughout the world. They did not regard this as a form of special pleading.

(20) The structure of mining in Southern Rhodesia was different from that in Northern Rhodesia, and its economics were different. They thought it noteworthy that they were able to recruit labourers for mining in Southern Rhodesia from places farther north than the Copperbelt.

(21) On the subject of trade unions, the change of legislation in Southern Rhodesia had only taken place on January 1st. The European trade union had now declared itself multi-racial, and was trying to recruit Africans. There had already existed in the past African trade unions in industries other than mining. But there did not seem to be the same scope or pressure for trade unions on the mines as elsewhere. This may also have been due to the fact that there was less cohesion in the mining industry in Southern Rhodesia than on the Copperbelt. Even among the Europeans in industry only about 40% were members of the European trade union. At Wankie Africans had certainly no desire to participate in trade unions, although the Chamber, as employers, would really like to see this participation increase.

(22) The Africans employed in the mining industry in Southern Rhodesia numbered 55.000, a larger number than those employed in Northern Rhodesia. More than half of them came from outside Southern Rhodesia. At Wankie 22% came from outside Southern Rhodesia, and 40% came from outside the Federation.

Memorandum

INSTITUTE OF LAND SURVEYORS OF SOUTHERN RHODESIA—B. J. R Creasey, President

I am directed by the Council of the Institute of Land Surveyors of Southern Rhodesia to request that the following memorandum be presented to the Advisory Commission on the Review of the Federation's Constitution under the Chairmanship of Lord Monckton:—

1. Introduction

The scope of this memorandum is confined to the subjects of land tenure in and as far as it affects the profession of cadastral surveying.

2. Existing Constitution

(i) In the preamble to the Constitution of the Federation of Rhodesia and Nyasaland, the Territorial Governments are recognised as being responsible for the control of land.

(ii) The Federal and Territorial Legislatures have powers under Item 67 of Part II of the second schedule to the Federal Constitution to make laws concerning "Geological, Trigonometrical, Topographical and Cadastral Surveys" and, if there is any inconsistency between the two, the Federal law shall prevail over the Territorial law.

(iii) At present, Cadastral surveying in Southern Rhodesia is controlled by the Land Survey Act, (Chapter 244 of the laws of Southern Rhodesia) as amended, and not by any Federal law.

(iv) At present, matters relating to the Registration of Land in Southern Rhodesia are controlled by the Deeds Registries Act 1959 and not by any Federal Act.

(v) The Federal Legislature has exclusive powers in terms of Item 40 of Part I of the Second Schedule to the Constitution, as amended by Section 2 of Federal Act No. 27 of 1959, to make laws concerning ". . . professions or callings as and to the extent which, the Governor General with the consent of the Governor of the Territory concerned may by order designate."

(vi) The professional qualifications of Cadastral Surveyors in Southern Rhodesia are prescribed in Chapter 244 of the Laws of Southern Rhodesia and the Land Surveyors Registration Act (No. 35 of 1957) and not by any Federal Law.

3. Cadastral Survey Legislation Recommendations

(i) The present system of laws relating to Cadastral Surveys and the Registration of Land which are in force in Southern Rhodesia are without doubt the envy of much of the western world where security of title is often only obtained at the expense of much litigation Canada and Cyprus have recently favourably examined our system.

(ii) In all of the older "Federations", the United States, Canada, Australia, it has become the invariable practice to decentralise cadastral surveys, even when the systems of land tenure and registration are the same throughout the larger unit. The main reason for this is to avoid delays in land transactions which would invariably result from reference to a central headquarters situated too far away. In the Central African Federation where the systems of land tenure in the three components are not the same, to centralise the ancillary cadastral surveys would be virtually impossible.

(iii) Nevertheless, being extremely proud of our system of cadastral surveying, we see some advantage in gradually aiming for a unified system based largely on our methods, to apply throughout the Federation. We consider this can be most easily achieved by extending the close liaison between the Territorial Government Departments and the Territorial professional societies, rather than by Federal Legislation being imposed upon us.

(iv) We strongly recommend therefore, that, so far as can possibly be foreseen, cadastral surveys shall remain under the control of the Territorial Legislatures subject to whatever laws are in force relating to land transactions in the three Territories.

(v) It follows, therefore, that we are opposed to the provisions of Item 67 of Part II of the Second Schedule to the Federal Constitution in its present form, and would suggest that this Item be amended as follows:—

Part II of the Second Schedule to the Constitution be amended by the repeal of item 67 and by the substitution therefore of the following items:

67. Geological, Trigonometrical and Topographical surveys.

67. Bis, Cadastral surveys, provided that the Federal Legislature may legislate on this matter as, and to the extent which the Governor General with the consent of the Governor of the Territory concerned, may by order designate.

4. Professional Qualifications: Recommendations

(i) We recommend that while the control of the professional activities of cadastral land surveyors remains in the hands of the Territorial Governments, the question of determining suitable qualifications for admission to the profession should also remain in the province of the Territorial Governments.

(ii) In regard to professional qualifications, the Institute of Land Surveyors of Southern Rhodesia is at present preparing a Bill for presentation to Parliament to set up a Board to prescribe syllabuses and set entrance examinations to the Associated Professions, to issue Diplomas to successful candidates. This would enable people to qualify for certain professions without them having to attend universities in other countries.

(iii) While we see some advantage in reaching a uniform standard of qualifications, again we consider this end should only be realised by negotiations between the three Territories and not by Federal Legislation.

(iv) The Federal Constitution at present, provides that the Federal Government may only legislate on matters relating to professions with the consent of the Governor of the Territory concerned. We believe that this consent should not be given in the matter of qualifications for Cadastral surveying.

5. Land Tenure: Recommendations

(i) All matters relating to land tenure should remain under the control of the Territorial Governments.

(ii) At the present time in Southern Rhodesia three distinct types of title exist (a) Freehold Title (b) Communal Title and (c) Restricted Title.

(a) Freehold Title is the full and complete ownership of the land; the right to use, enjoy or dispose of the land at the decision of the owner. In Southern Rhodesia Freehold title has been granted by the Government to considerable tracts of land amongst which are included the majority of European owned farms and town plots as well as many thousand of Native Purchase Area Farms. All these are rigidly surveyed farms or plots, and deeds with diagrams attached are registered for all of them in the Deeds Offices at Salisbury or Bulawayo. The members of this Institute are agreed from personal observation when surveying Native Purchase Area Farms that the owners definitely use and preserve their land more advantageously and with more thought to the future than their brothers in the Reserves.

(b) Communal Title was originally the ill-defined title to tracts of land used by tribes prior to this century. These tracts were normally occupied by the tribes for a few years before the tribe moved on to another tract, thus giving the soil a chance to recover. In recent years the tribes have settled in fixed areas, namely the Reserves as defined in the Southern Rhodesia Constitution. In as much as these areas are owned by the whole tribe but the inhabitants are controlled by a chief a very direct parallel to the Communistic system exists. Here we consider is a basis for the well recognised but not always understood belief that Africa might easily turn to Communism. Possibly the greatest defence that the "Western World" has against this very real threat is that in its sphere of influence, individuals may enjoy the benefits of land tenure systems permitting the freehold ownership of land. We believe that the Southern Rhodesia Government has through the Land Husbandry Act No. 52 of 1951 both appreciated the problem and came to grips with it by instituting the third form of title now existing in Southern Rhodesia.

(c) Restricted Title is a loose definition for the Farming and Grazing rights being granted by the Government at the present time in the Reserves over which the Southern Rhodesia Government has not received ultimate control. As a consequence of Section 43(1) of its Constitution it is unable to alienate freehold farms such as has been effected in the Native Purchase Areas. Whilst we support the Land Husbandry Act because it is a step towards Freehold Title and because the land is better used and preserved here by the individual right-holders than it is by the Community in the Reserves where the Act has not been implemented, it cannot be too strongly stressed that the adoption of a system permitting freehold ownership of land for Africans living in the "Reserves" would result in greater national stability and would enhance the sense of personal security and responsibility amongst these persons.

In short, we believe that there should be no differentiation as far as land tenure systems are concerned between European areas, Native Purchase areas and the Reserves.

(iii) We see evidence that the various territories are moving towards such unified system of land tenure, but are most disturbed lest in order to speed up the issue of title to land, Governments should consider the introduction of sub-standard methods of Cadastral survey practice. This has already occurred in one African Territory outside the Federation and the cost of rectifying this is proving far greater than any saving which originally resulted. We as a profession feel that the system which has been built up here has stood the test of time and consider it most important that our standards should not be relaxed. This Institute feels quite capable of adapting itself to meet the requirements of any sudden expansion in survey which will result if Africans are to be allocated individual land holdings.

(iv) The Federal Government may well take a lead in this matter, thereby gaining the confidence of the African population, which is so vital to the well being and advancements of the Federation. It is appreciated that there are many ways outside the narrow limits of land surveying in which this object may be achieved, but our recommendations as a professional society, are being confined to that subject, and one of the ways in which the Federal Government may assist is stated hereunder:—

If there is to be the need for a vast increase in cadastral surveys, the Federal Government should immediately substantially expand its services in Trigonometrical and Topographical surveying so as to provide an adequate density of trigonometrical control for the speedy execution of such cadastral surveys. Topographical maps will be required for the proper planning of re-settlement schemes, irrigation projects and siting of roads and railways where necessary.

(v) We would like to stress that we are in full agreement with the present policies being practised by the Governments of this Federation in maintaining land registration and cadastral surveying under the auspices of the various Territorial Governments. We consider that the Federal Government has not only its part to play in producing maps etc., but by all means in its power assist the Territorial Governments in the gradual replacement of Communal Title by Freehold Title.

6. A delegation of the Council of the Institute of Land Surveyors of Southern Rhodesia is prepared to give oral evidence in Salisbury within the scope of the above memorandum, if the Advisory Commission so requires.

Salisbury

31st March 1960

Oral Evidence

THE INSTITUTE OF LAND SURVEYORS OF SOUTHERN RHODESIA. Representatives: B. J. R. Creasey, President; F. W. Landwehr, Hon. Secretary.

The witnesses who had presented a memorandum, said that they had agreed with the Branch in Lusaka as to their representations, but as to the legislative recommendation on Cadastral survey they had made a precise proposal for the amendment of the Legislative List. They confirmed that as to land tenure they regarded the present position as satisfactory. They reiterated with reference to paragraph 6, sub-paragraph (iii) of the memorandum that they definitely did not wish the standards of survey to be lowered.

The witnesses explained the difference between the Cadastral, Trigonometrical and Topographical surveys. The system of Cadastral survey in Southern Rhodesia had been brought from the Cape at the time of the settlement. All South African survey qualifications were recognised in Southern Rhodesia, but not necessarily so in Northern Rhodesia and Nyasaland. They explained the difference in the qualifications required in Northern Rhodesia, but agreed that the standards were of a similar high nature as in Southern Rhodesia. The English qualifications which applied in Northern Rhodesia had a different emphasis. Further, Nyasaland accepted the qualifications of other Dominions such as Canada and Australia. They regarded the South African approach as the soundest, involving a very full training.

In answer to questions, the witnesses made the following further points:—

(1) Paragraph 3 (v) of the memorandum. For many reasons they considered that Cadastral practice should be regulated by the separate Governments. Each Territory of the Federation differed widely in its standards, system of education and so on from the rest. There ought to be no danger of the Federal

Government overriding the systems of each Territory. They were therefore suggesting a special reservation in the Legislative List in respect of Cadastral survey similar to the reservation in Item 40 of the Legislative List relating to professional qualifications. It was in this respect that their recommendations were more specific than those which had been made to the Commission in Northern Rhodesia. There was close association between the Institutes of Land Surveys in Northern Rhodesia and in Southern Rhodesia, with exchanges of minutes and of delegates.

(2) As to paragraph 5, (ii) of the memorandum (Professional Qualifications), they were making exactly the same recommendations as had been made in Northern Rhodesia, and in Southern Rhodesia likewise a draft Bill was now ready. The Bill to which had referred was a Public Bill to lay down the qualifications. It was of general application, and particularly for the Civil Service, which was looking for an examining body. It was setting up a Board for professional examinations generally. They were hoping that the University College would in due course offer courses in line with the needs of land survey. The general idea was to make it possible for a full survey qualification to be obtained locally. When that happened local certificates would be issued. This system would eventually cover all three territories. They knew of no opposition to this Bill, and thought that it fitted a genuine need.

The qualification would involve a course at the University, a period of articles, and a trial survey set by the Surveyor-General. In South Africa the qualification involved four years at the University, one year in articles, and a trial survey set by the Government, the whole period covering 5½ years or even six years. It was very difficult to compare this system with the English system. The latter was better in some respects, and in others worse. This derived from a fundamental difference in the land conditions in England and in Africa; in England, there were now reliable physical boundaries, but in Africa greater reliance had to be placed on the Cadastral fix related to the minimum number of beacons at the corners of plots. For this reason, the English surveyor in Africa had to learn a good deal about the local system, whereas the South African qualified surveyor could start on his work immediately. The systems of registration were also different in South Africa and in England. From this point of view the English qualifications had recently been considerably improved, and they saw no reason why the new English qualifications should not be recognised. They confirmed that generally South African survey qualifications were recognised in Southern Rhodesia.

(3) Paragraph 6 (iii). They agreed that sub-standard methods of survey had not yet in fact been applied in the Federation. Their recommendation was based on a fear, since they had heard about certain methods of rapid survey for title carried out in Kenya, which had involved the planting of fast growing hedges as a basis for air photography. The hedges had subsequently spread so that the original line of the survey had become arguable. They had also observed that in connection with the implementation of the Land Husbandry Act in Southern Rhodesia there had been a depiction of rights by air photography. They could not agree that this method would be secure if it were related to the granting of title. In short, they did not want more depiction by aerial photography not based on accurate measurements in the field.

(4) There had never been any bar in the Federation to Africans acquiring the qualifications for land survey; but no Africans were at present coming forward. A bar had in fact been imposed by the refusal of the South African Authorities to allow Africans from the Federation to go to South African Universities.

(5) With reference to paragraph 6 (ii) (c), the Institute strongly supported the Native Purchase Area system, and had been involved in surveys of those areas in the last three years. The surveyors had been most impressed by the care and attention given to the Native Purchase Area farms, and had reported favourably. They were also pleased to see that there existed the aim of having "Urban Purchase Areas".

(6) They considered that the Africans definitely aspired to have freehold title. This would be satisfactory so long as everyone had an equal chance. They were definitely in favour of it. They would also like to see Reserves eventually consolidated with individual titles.

Memorandum

THE REV. H. CARTER

Memorandum submitted by Rev. Herbert Carter, C.B.E., 45 years in the Colony; 16 years General Superintendent of the Methodist Church in Southern Rhodesia, 5½ years Secretary of the Southern Rhodesia Christian Conference: Long-standing family and Christian Council connection with Nyasaland; one year resident in Northern Rhodesia and many years Church and Christian Council connections with that country.

Presented in my personal capacity.

1. My general attitude to the question of the maintenance and further development of the Federation is that it is most deeply desirable to find a way in which the scheme may be brought to fulfilment, but the adverse factors are serious and require dealing with speedily. These factors have arisen principally in Nyasaland and Northern Rhodesia owing to a deep-seated fear of domination by the politically more mature territory of Southern Rhodesia, which has in their view a wrong attitude to the rights of Africans. The long-standing determination to share in the Government of the country has now become in powerful sections of the Africans of the northern territories a determination to govern themselves: we are now faced with an explosive situation very different in its strength and scope from that which began to appear 8 to 10 years ago and of which little notice was taken when the early Federation talks were going on.

2. While it is true that the majority of Africans in all three territories are not awakened politically and are quite incapable of thinking nationally, the growing number of highly intelligent Africans knowledgable on political and economic subjects cannot be ignored. They demand full recognition and place as citizens, and are not placated by present economic progress and new advantages secured since the Federation was formed.

3. The Africans of Southern Rhodesia are comparatively easy on the Federal question; the politically minded among them are more concerned with trying to secure more political power in their own territory. They are not satisfied with the degree to which their interests are represented by European members, and regard it as a great blot on the Colony's record that no African sits in the Southern Rhodesia Parliament or holds any very responsible position in Government service. They do however join heartily with their fellow Africans of the other territories in their hatred of legislation which discriminates against them. Colour-bar legislation and practice, which cannot be dismissed as being "pin-pricks", are long overdue for radical modification and in very many instances for complete disappearance.

4. I do not take the view that the Land Apportionment Act is wholly bad and should be totally repealed. Indeed I am convinced from knowledge acquired during 22 years' membership of the Native Land Board that with regard to the Native Purchase Areas the Act is a genuine charter for the African people in the matter of real ownership of farms (as distinct from the holding of "rights" in the Reserves and Special Native Areas). The protection afforded to them by the Act is the only guarantee that any considerable number of Africans will own farms under Title. If the Act were repealed and the whole country thrown open to buyers without differentiation we should rapidly return to the situation which existed before 1931 when Africans could legally buy anywhere but could not in fact do so by reason of prejudice and poverty. Land ownership would in this country as elsewhere where there is considerable land pressure, go with money power. In this regard Africans would not be able to compete with European purchasers, and many Africans at present owning land in the scheduled areas would be bought out—e.g. by tobacco farmers seeking sandy soils. There are already a considerable number of sub-divisions and sales taking place now between Africans, considerable profits being made by the sellers. In a completely open market there could be a flood of sales in the areas now scheduled under the Act as "African", but the prospect of Africans buying in the present European areas would remain at zero.

5. Land Apportionment Act in relation to business and residence. In a large measure the present delimitation of European and Native areas benefits African traders and self-employed business men, in that in the Native Reserves, Special Native areas and Native Purchase areas, Europeans are not granted business sites unless the local Chief or Native Council agrees and the Native Commissioner recommends because the granting will be beneficial to the Africans and is desired by them. A similar protection exists in the African townships. The build-up of African traders is impressive, but were the Native areas thrown open to all it does not seem possible that African business men would be able to compete with the financially much stronger non-Africans whether Jews, Gentiles, Greeks or Asians. This attitude may be stigmatised as paternalistic but I think it makes sense for a few more generations. The argument sometimes advanced that this racial protection given to Africans in "their" areas is well matched by the protection given to European traders and business houses in the cities and towns is somewhat invalidated by the fact that the bulk of the purchasing by Africans in such regions is secured by the very attractive European and Asiatic stores and not by the African traders in the neighbouring African townships. Further it is known that the

African traders in the outside districts and in the townships often fail to secure the same wholesale terms as their European competitors. The Land Apportionment Act has had many amendments and many alterations have been made to the regulations framed under the Act. In practically every case the amendment has been made to remove or diminish the force of some anomaly or anachronism in Urban areas. The Act to create multi-racial zones in the cities and towns has been nullified in effect because the Municipalities whose initiation and consent is required by the law uniformly refused to act. No Africans have stable and secure rights of occupation of site or premises in a European town, legally granted, other than Advocate Chitepo and the African students of the University College: I do not know of any others. This situation is painfully and bitterly thwarting to advanced Africans; it is noted very markedly by Africans of the northern territories where no comparable legislation is in force and is one of the major causes of their fears of connection with Southern Rhodesia in the Federal set-up. It seems very unlikely that residential and commercial rights in Southern Rhodesia towns will be granted under existing legislation: this position should be examined. Multi-racial projects which can be freely undertaken in Northern Rhodesia and Nyasaland lead to all sorts of trouble in Southern Rhodesia and appear to escape 100% prohibition only because of the difficulty in defining "occupation" in legal terms of universal application. It should be noted also that the difficulty extends to private land holders with regard to private and non-commercial matters in both town and country: e.g. it would be illegal for a land-owner or occupier of premises to allow an African friend or professional or business man to "occupy" any part of his house or other premises unless he first "employed" him and signed the African's Registration Certificate. The complaint made by some very "right-wing" Europeans that the Africans are more beneficially protected than the Europeans are, will hardly be justified by examination of the facts relating to the land areas, mining, and financial benefits which accrue under the Land Apportionment Act and analogous legislation. If it were true it would be quite defensible in that the politically and economically weaker sections of the community need the protection. Unless we really come together in equitable partnership the question who will be the stronger and who the weaker at the end of the present generation will be a real battleground. It may come about that legislation protecting the Europeans will be needed. One other important matter must be mentioned in connection with the Land Apportionment Act and its effect on Africans and African opinion about Southern Rhodesia. The total area available for African occupation is just under 42 million acres, and that for European occupation just under 52 million acres, leaving about 3½ million acres Forest and Undetermined. 2 million Africans are domiciled in the three categories of Native Areas, the other 283,000 living in towns and other European areas. It has to be agreed that "the land is at the root of most of the racial disturbances that have occurred in Africa". Southern Rhodesia has 211,000 Europeans, of whom some 123,000 live in the towns (107,000 in Salisbury and Bulawayo), leaving only 88,000 scattered throughout nearly 52 million acres. It is no wonder that Africans throughout the whole Federation, seeing the relatively small use made of vast stretches of the European Area in Southern Rhodesia become cynical and embittered, and see great significance for race relations in the fact that agrarian land works out at 21 acres per African person and 591 acres for each European person. The whole weight of argument both about population density and actual production of foodstuffs is on the side of setting aside more land for Africans, which can only be done by reducing that at present allotted to Europeans. One may with some assurance foresee that the inevitably rising tide of African political power throughout the Federation will lead to a radical alteration in the present land occupation.

6. The Franchise and Parliamentary representation. Even if one were able to deal with background matters in full it would still remain true that the present crux in Federal matters is political. Education, agriculture, housing, medical services, roads and communications, wages and conditions of employment are all advancing and improving year by year, and the acceleration since Federation is most marked—but we do not seem to be getting nearer to a solution of the problem of political power. The interpretation of what the term "civilised persons" means, even among those who more or less accept the idea that power should be in their hands varies a good deal: wider still is the divergence of thought about the proposition that every adult person in the Federation has an inherent right now to be allowed to vote. If one does not accept proposals for "Universal suffrage" now or in the near future as being the right answer—and I do not—then one will try to find a plan of development over a period of years whereby an increasing number of persons will become eligible to vote and to offer themselves as candidates for election. Your Commission will have heard many proposals. Is the present principle of one system for the Federal franchise and other systems for the territories the best that can be found? Is the Federal Government to set the standard, or would it not be better to allow the territories to vote for Federal parliamentary candidates on their own territorial franchise system? That seems to me to be sensible. While one would like to see a non-race conception of parliamentary government it does not seem that the present policy of "Party not race" is getting us anywhere though Africans do belong, in small numbers, to all parties. If the present general temper worsens then parties are likely to be organised on racial lines. The present systems all aim at racial control at the franchise level hence the many arguments about qualifications of voters. May I ventilate the idea that perhaps the control could be better exercised at constituency level? That is, to make every constituency a two member constituency, one member to be European and one African, with Eur-Africans and Asians joining one or the other, voting to be on a common roll with one standard of qualification, and each voter able to vote for one European and one African. Equal numerical representation would not, I feel sure, result in straight racial voting on measures proposed in parliament; voting would be mixed, the party system would have a better chance of surviving, and the system would in all probability give excellent training in taking nation-wide views, and it seems to me to be applicable to the Federal parliament, the Southern Rhodesia and Northern Rhodesia parliaments, but not to Nyasaland where a different proportion of seats would be called for. It should be noted that the parliamentary position in Southern Rhodesia is undoubtedly responsible for a good deal of antagonistic feeling on the part of African politicians in all three territories. They see that on party lines no African is or is likely to be elected to the Southern Rhodesia House. A new delimitation of constituencies to ensure that somewhere there is a constituency predominantly African is not very promising though it might come off: it would mean that a dominant party called upon some European voters to vote for an African against the party's European opponent.

7. Relationships within the Federation. I have long been convinced that there will not be harmonious and mutually advantageous relationships between the territories and the Federation until Northern Rhodesia and Nyasaland are advanced to something approaching self-government. If the Federal Government had not been set up the object of attack would have been the Colonial Office. The great divergence in the political maturity of the three areas have, I consider, been the underlying cause of the present Federal difficulties. The one to a hundred chance of success has not come off. There seems reason to believe that a number of Colonial Office officials in Nyasaland and Northern Rhodesia were opposed to Federation, some expressing their dislike and others damning it by silence. Detailed and correct information and persuasive propaganda were not put out early enough, and when it put out the emphasis on economic advantages failed to win converts. In Nyasaland the pro-Federation and anti-Congress Chiefs were overcome and silenced: Congress intimidation was extensively used in tribal gatherings and among farm labourers as well as in the towns. To many, the consideration which ought to over-ride all others is the ideal of an ultimate common nationhood, non-racial politically and economically, with the social consequences working themselves out in accordance with natural development and changing sentiment. The prospect of accomplishing such an ideal is conditioned by the settlement which will be made in the near future. The continuance of the Federation as it exists now, without change, is in view of the attitudes taken by Africans in the north somewhat precarious to say the least of it. It may not be found practicable except at the risk of bloodshed or such extensive passive resistance and civil disobedience that the affairs of the Federation and the business of the three territories would be brought to a halt. It is however possible that the extreme nationalist leaders are bluffing somewhat and that some of them would retract a good bit if their followers would let them. There appears to be merit in Sir John Moffatt's suggestion that some more acceptable new form of association be sought, which would avoid the break-up of the Federation and the waste of what has been accomplished in the past seven years, and would ensure the maintenance of the principle of partnership in the territories together. Political sharing on a realistic basis within each territory and in the association of the territories in a *sine qua non*. Both sides will have to make concessions and to recognise fully the interdependence of all groups. There may be just time enough to persuade sufficient numbers of influential people that the doctrine of interdependence is a true one.

8. Bill of Rights. Human beings in the last resort are concerned with their rights as individuals even more than with national policies, and all too frequently with their claims more than their responsibilities to the body politic. I would hazard a guess that the Commission has heard from Africans that they fear "the slavery of Southern Rhodesia" and do not trust

the law-makers who are responsible to the European electorate. Comparisons with Afrikaner legislation in the Union of a repressive and domineering character are frequently made. Some remember the treatment of the opposition in Ghana but generally speaking Africans do not trust Whites to establish and maintain for them anything approaching the U.N. Declaration or any older conceptions of personal liberty. In many fields the Federation is maintaining high British traditions, e.g. religious liberty, public education, medical facilities, rail, road and air travel and vast sums spent on housing. Some rights however have been curtailed by differential legislation. Many feel that the need has been demonstrated to have included in the Constitution in such a way that the Government of the day cannot unilaterally alter it, a solemn declaration that the liberty of each and every person lawfully in the Federation is a sacred thing, entitling him to secure justice without discrimination with regard to his life, liberty, property and home; to be protected against all degrading treatment or punishment, and to possess positively the right of free speech, freedom of association and peaceable assembly: also to have equal opportunity with other men to qualify for employment or a profession and not to be debarred by statute or regulation from such employment or profession by reason of his racial origin. In the light of the emergencies of the last year it appears necessary also to require that the laws relating to subversion, treason, violence, and incitement to any of these things, be so made that any person arrested on suspicion, or charged with any any of these offences must be brought to trial within a reasonable time and not indefinitely detained or restricted without trial. The bitterness caused by the emergency laws and regulations and their application both with regard to time and manner, and the long detentions and restrictions have very much worsened race relations. The utmost must be done to restore a sense of security for all persons to whichever section of the community they belong. Today's position of privilege and security held by us Europeans as such however fully justified by circumstances in pioneering days is now an anachronism. They are foolish who blind themselves to the certainty of rapid changes in relationships—and now is the time to recognise the one-ness of the community in the matter of human rights.

9. Territorial and Federal responsibilities. The claim being made in each territory to control the day-to-day territorial affairs is one which needs to be brought into happier relationship with Federal responsibilities. It is suggested that this is an important item for your Commission's consideration. This matter of the possibility of either Territorial or Federal or both legislating on certain matters seems prejudicial to any strong sense of security being enjoyed by the different populations. The right of the Federal law to over-ride territorial law on a certain matter, territorial sentiment being what it is, obviously contains the seed of grave disagreement, however well the system may be working in other countries. Here it is likely to lead to the same complaint as is voiced by the Federal Government itself and the Southern Rhodesia Government about limitation of powers and the evil of ultimate control being held "elsewhere". (Agitation about Nyasaland agriculture and Northern Rhodesia Education are pointers.) Subjects which appear suitable for Federal control include Posts and Telegraphs, Defence, External Affairs, Higher Education, Health, and Power. For Territorial legislation and control, the subjects would include Primary, Secondary and Technical education, Lands and Agriculture, Police, Housing, and "African Affairs" so long as they may remain in a separate category. If Agriculture became territorial, a joint selling organisation might be considered necessary. Immigration is a difficult matter which needs sorting out. Freedom of movement within the Federation is desirable: whether this should be secured by Federal citizenship issuing in control of all immigration without territorial restrictions, or be territorial with well-oiled machinery for transfers I do not know, but present territorial restrictions (e.g. for Asians, and with regard to the permanent settlement of Africans in a territory other than that of their birth) seems to many to strike at the roots of Federal principle and to make Federal citizenship a thing of small moment with the Federation itself.

10. Conclusions

(1) That, taking the long view, the Federation with some modifications in the relationships of the Federal and Territorial Governments, ought to be maintained, as three independent States of small populations cannot last for any great length of time, nor is there any other federation or affiliation in sight with as good prospects of success as the present one.

(2) That the Federation will only be maintained by progressively dissociating national origin from place and power, and the free granting of equal opportunities to all in accordance with capability, and with common standards and common loyalties.

(3) That immediate political advancement and constitutional development should be granted to the northern territories, with clearly defined territorial responsibilities for their internal affairs.

(4) That there should be a Federal Senate or some form of Upper House with power to revise, delay, and make proposals upon, all legislation submitted by the Lower House and not merely on legislation suspected of differentiation.

(5) That certain basic human rights be guaranteed by being written into the Constitution in such a way that they cannot be disregarded or abrogated by the Government of the time: possibly safeguarded by the Supreme Court or by Commonwealth guarantee.

(6) That the Southern Rhodesia Land Apportionment Act be radically amended with regard to non-agricultural areas, i.e. with regard to rights of ownership and "occupation and use" of urban areas, including the participation of members of any race in Municipal affairs.

Salisbury

7th April 1960

Oral Evidence

THE REV. H. CARTER

The Rev. H. Carter said that he had nothing to add to his memorandum, and invited questions, in reply to which he made the following points:—

(1) Paragraph 8 of the Memorandum. Bill of Rights. He thought it would be of definite value to have such an instrument. In the memorandum he had only mentioned some of the matters which might be included. These had been mainly prompted by the situation in the Union of South Africa, where people had not known what their rights might be from year to year.

(2) Paragraph 10, Conclusion (1). He thought it very doubtful whether the Federation could be made acceptable. At the Kitwe Conference which he had attended two years ago, he had met a number of advanced Africans, and had been greatly distressed by the extreme views which they expressed. They were quite unconvertible, embittered and outspoken. They thought that Federation in its present form was led by Southern Rhodesia, of which they simply did not approve. Despite this, every attempt should be made to keep the Federation together.

(3) Paragraph 10, Conclusion (4). It was pointed out that he had not provided for the Senate or Upper House to have a veto. He considered that the delay which it could impose would induce the Lower House to reconsider the question at issue, and also the people. There had been experience in Southern Rhodesia of legislation being very quickly enacted. With three Territories which were so divergent, there ought to be delay and the opportunity for the revisions of views. He considered that delay should be a sufficient safeguard.

(4) The population and land figures given at the end of paragraph 5 of the memorandum were derived from pamphlets of the Federal Information Department.

(5) He thought that European opinion in Southern Rhodesia was on the whole moving towards the sort of idea which he held himself. The general attitude had changed remarkably in the last 4 or 5 years. The Europeans were moving in the right direction, and he was not aware of any recent change in their sentiments. The general attitude both in daily life and in public affairs had very greatly improved.

(6) In paragraph 9 of the Memorandum he had stated that Health should be a Federal subject. He had been a member of the recent Morton Commission on the Health Services of the Federation. His own view was that Health, having been federalised, should remain so but with greater powers being given to regional boards, eventually perhaps down to smaller regions; their powers should be wider and freer. But he did not wish to see the breakdown of the Federal Ministry of Health. He agreed that the Commission had not examined missions in the rural areas, although they had seen some mine hospitals. On the question of medical supplies, they had felt that the fault did not lie with the Federal Ministry but with the people concerned with making requisitions for medical supplies. He was referring to the people in the hospitals including the rural hospitals. He agreed that these people were servants of the Ministry of Health. He also agreed that the Commission had heard no witnesses from the "receiving end", but only from officials. People had not come forward to give the Commission evidence, in spite of advertisements in the Press, and very few Africans had come forward. They had not found the Health Services inefficient in Northern Rhodesia, but it had to be remembered that the Commission was tied to restrictive terms of reference. For that reason they had not

spread out into the wider areas and examined auxiliary services. There had certainly been complaints about excessive centralisation. The Commission had not conducted its examination further down than to hospitals.

(7) Paragraph 9. He thought that *European* agriculture should be a Territorial subject.

(8) Paragraph 10, Conclusion, sub para (2). By the reference to "common standards" he meant that the aim should be to have common standards of life for all. At present there was too great a contrast between wealth and much lower standards of living. And this great difference of standards appeared to be on lines of colour. There was still a very great cleavage. It was necessary to work for greater equality. There was no hope for the Federation unless a common loyalty could be achieved.

(9) Paragraph 10, Conclusion, sub para (4). He had not considered whether there might be both a Bill of Rights and a Senate or Upper House. He had considered the Bill of Rights merely to be a step in the law-making.

(10) Paragraph 6. Two-member constituencies. This system should apply both in the Federal and Territorial sphere. He attempted to make no judgment as to how many constituencies there should be, but he was clear that the system would achieve an equality of racial representation. He had noticed that in the Federal House a straight racial vote was seldom seen: Members were becoming more independent. He, therefore, anticipated that on the system he proposed there would be mixed voting. This proposal had been turned down by the Tredgold Commission, on the ground that it might lead to the nullification of votes. But he himself thought that the system would give rise to an African sense of responsibility. He agreed that there was a risk involved, but considered it better to take the risk in this manner than through any rigging of the franchise.

Memorandum

NATURAL RESOURCES BOARD OF SOUTHERN RHODESIA

Introduction

1. Before setting forth the evidence which the Natural Resources Board considers should be provided to the Monckton Commission it would be advisable to set out briefly the functions and duties of the Board as provided in the Natural Resources Act to show how the Board fits into the administrative organisation in both the Territorial and Federal fields in Southern Rhodesia.

Background

The Natural Resources Act 1941, as amended.

The Natural Resources

2. In terms of the Act the natural resources are defined as—

(*a*) the soil, water and minerals of the Colony;

(*b*) the animal, bird and fish life of the Colony;

(*c*) the trees, grasses and other vegetable products of the soil;

(*d*) such other things as the Governor may, by proclamation in the Gazette, declare to be natural resources, including landscapes and scenery which in his opinion should be preserved on account of their aesthetic appeal or scenic value.

The Board

3. In terms of the Act the Chairman and Members of the Board are appointed by the Governor with due regard to the special interests concerned. At the present time Members of the Board have been appointed who have particular knowledge and experience in matters relating to Native Affairs, Engineering, Mining, and European Agriculture. No Government officials are members of the Board.

Functions of the Board

4. The functions of the Board, in addition to the powers and duties specifically assigned to it under the Act are—

(*a*) to exercise general supervision over natural resources;

(*b*) to stimulate by propaganda and such other means as it may deem expedient a public interest in the conservation and improvement of natural resources;

(*c*) to recommend to the Government the nature of legislation by it deemed necessary for the proper conservation, use and improvement of natural resources.

Access to Ministers and Annual Report

5. The Act provides that the Chairman of the Board shall have direct access to any Minister and it requires that the Board, in its Annual Report, shall include the recommendations made by it to Government or any Minister and shall show to what extent these recommendations have been accepted.

Technical Questions and Summoning of Witnesses

6. The Board is required to consult experts on technical questions and it has the powers which a Magistrate's Court has to summon witnesses, to cause the oaths to be administered to them, to examine them and to call for the production of documents. Penalties are provided for giving false evidence or for witnesses refusing to be sworn, give evidence or produce documents.

Acquisition of Land and Construction of Works

7. The Act provides for the acquisition or expropriation of land and for the construction of works on any land for—

(*a*) the protection of the source, course or feeders of a public stream;

(*b*) the disposal or control of storm water;

(*c*) the mitigation or prevention of soil erosion;

(*d*) the conservation of water.

The cost of works so constructed is in the first instance paid from moneys appropriated by the Southern Rhodesia Parliament from the public revenue and the Board is required to apportion the cost between Government and any other persons who will be benefited by such works (provided that no apportionment shall be made against a "reserve native").

Orders by Board

8. The Board may make orders on the owner, occupier or user of any land within the European area and Native Purchase Areas and such orders may relate to—

(*a*) the construction and maintenance of soil or water conservation works;

(*b*) the preservation and protection of the source, course and banks of rivers and streams;

(*c*) the depasturing or limitation of stock;

(*d*) the prohibition or restriction of cultivation of any part of the land;

(*e*) the control of water, including storm water;

(*f*) the prohibition of the erection of buildings or the making of bricks at any place which the board considers to be too near to a public stream.

There is an appeal against any such order to the Natural Resources Court referred to in paragraph 12.

Orders by Native Commissioners

9. The Act empowers Native Commissioners to make orders on the users of any land in Native Reserves and such orders may relate to—

(*a*) the depasturing or stock;

(*b*) the method of cultivation and utilization of the land or the crops to be grown thereon;

(*c*) the prohibition or restriction of cultivation of any part of the land;

(*d*) the control of water, including storm water.

There is an appeal from any such order to the Board which may confirm, vary or set it aside.

Intensive Conservation Areas and Conservation Committees

10. In the European area the Act provides for the voluntary declaration of intensive conservation areas and for the election of Conservation Committees (which are bodies corporate) from owners of land within the area. At the present time there are 93 Intensive Conservation Areas (with the same number of Committees) covering the whole of the European area.

Functions and Powers of Conservation Committees

11. Subject to the approval of the Board the functions and powers of Conservation Committees are—

(*a*) to inaugurate and undertake the construction of works and other measures for soil and water conservation and improvement of soil and water supplies in its area; and

(*b*) generally to co-operate with and assist the board in carrying out the objects of this Act.

(*c*) to construct and maintain such works as it may deem necessary for soil and water conservation or improvement; and

(*d*) to superintend or perform, or enter into contracts for the superintendence or performance of, all such acts, matters and things as are incidental to soil and water conservation, maintenance or improvement.

(*e*) to make arrangements with any other conservation committee for undertaking on a joint or co-operative basis any works in their respective areas.

Natural Resources Court

12. The Act provides for the establishment of a Natural Resources Court the president of which shall be a Water Court Judge. Any person affected by a decision concerning an apportionment of costs (see paragraph 7) or an order (referred to in paragraph 8) who considers that such decision or order is inequitable, unreasonable or unduly harsh may appeal to the Natural Resources Court. Provision is made, in certain circumstances, for an appeal to the High Court and Federal Supreme Court against the determination of the Natural Resources Court.

Evidence

Conservation of the Natural Resources in Southern Rhodesia

13. Prior to the coming into being of the Federation in 1953 all the Government Departments concerned with the conservation of the natural resources (with the exception of minerals) in the European area of Southern Rhodesia, in particular the use of the land, were concentrated in the Southern Rhodesia Division of Agriculture under one Minister. This organisation was not only satisfactory but a logical grouping of Departments with a basically common objective—the wise and proper utilization of the natural resources.

14. With the advent of Federation the Departments of Conservation and Extension, Research and Specialist Services and Veterinary became the Federal Ministry of Agriculture while the Departments of Irrigation, Lands, Forestry and Game, as did the Board, remained Territorial. Conservation in relation to agriculture became a Federal function in all but the African areas. Some of the difficulties and anomalies that have followed the re-grouping of the Departments referred to are mentioned briefly below.

15. The Natural Resources Act provides that the Chairman shall have direct access to any Minister. This is clearly very essential if the Board is to fulfil its functions but consequent on Federation this legal right is restricted to Southern Rhodesia Ministers despite the fact that some of the Departments concerned with the preservation of the natural resources are Federal.

16. The Board's Annual Report, which deals with all aspects of conservation of the natural resources, is presented to the Southern Rhodesian Parliament which can only discuss those Southern Rhodesia Parliament which can only discuss those sections which deal with matters that are a Territorial function.

17. The conservation organisation in the European areas of Southern Rhodesia is fundamentally based on the very close inter-relation of the activities of the Board, the Conservation Committees and the Federal Department of Conservation and Extension. The Board and the I.C.A. Committees are Territorial bodies, established under the Natural Resources Act, which rely almost entirely on the Federal Department of Conservation and Extension for technical advice on conservation matters related to European agriculture. On the other hand also, it is an acknowledged fact that the Federal Department of Conservation and Extension could not function effectively outside the existing organisation.

18. Legislation dealing with the use of water in Southern Rhodesia is a Territorial responsibility but the Federal Government subsidises the conservation of water in the European areas. Conservation Committees which, as mentioned previously, are Territorial bodies, are financed by the Federal Government. All the legal powers necessary for the conservation of the natural resources in the European areas are contained in the Southern Rhodesia Natural Resources Act despite the fact that conservation in these areas is a Federal function in terms of the Constitution of the Federation.

19. Undoubtedly the most important aspect of the problem of conservation of the natural resources of Southern Rhodesia is in relation to the African areas where considerable devastation of all the natural resources has and is still taking place. In many areas active erosion continues to occur and generally the decline in the fertility of the soil has not yet been halted. The problem in these areas is very great and serious and by comparison the problems in the European areas may be said to hardly exist. However, the ratio of Government funds devoted to the problem in the European areas as opposed to African areas shows that from the truly national viewpoint this fact is not recognised. The reason is, of course, easy to see—the two Governments, Federal and Territorial, examine their financial responsibilities in relation to their separate functions and not in relation to the overall problem of the conservation of the natural resources within the whole area of Southern Rhodesia.

20. In an effort to remedy the difficulties and anomalies which arose from conservation (in relation to European agriculture) becoming a Federal function and bearing in mind that the Board's main function was to "exercise general supervision over the natural resources" of Southern Rhodesia, whether in the European or African areas, the Board discussed with the Natural Resources Board of Northern Rhodesia the question of possible Federal legislation embracing the two Territories but the Board was informed that the Northern Rhodesia Government had made it perfectly clear that it would not consider any proposal which would in any way affect the powers and functions of the Northern Rhodesia Natural Resources Board or the Natural Resources Ordinance. The Board then recommended to the Southern Rhodesia Government that there be two Natural Resources Acts, the one Federal and the other Territorial, to deal with the respective functions of the Federal and Southern Rhodesia Governments in Southern Rhodesia. It was envisaged for convenience and effectiveness that the Boards established under the two Acts would in fact have identical membership and probably the same members as are appointed to the existing Natural Resources Board of Southern Rhodesia. This proposal, however, was unacceptable to the Southern Rhodesia Government.

21. In the opinion of the Board the unsatisfactory situation outlined above stems from the fact that Government Departments with the same basic functions, i.e. the wise and proper utilization (conservation) of the natural resources are separated and responsible to two different Governments.

22. The natural resources of a country surely cannot be divided into European and African natural resources and the conservation or wise utilization of a country's natural resources clearly cannot be properly planned and managed if the responsibility for such planning and management is divided between two Governments on such an artificial basis.

23. It is the Board's submission that all Government Departments, whether at present Federal or Territorial, whose basic concern is the proper and sustained utilization of any of Southern Rhodesia's natural resources, whether they be in African and European areas, should be responsible to the same Government. For the effective functioning of these Departments the Board is not concerned whether the Government be the Federal or the Southern Rhodesia Government.

Salisbury

6th April 1960

Oral Evidence

NATURAL RESOURCES BOARD OF SOUTHERN RHODESIA. Representatives: G. Deedes (Chairman), T. A. J. Braithwaite* and P. Haviland (Members)

Arising out of paragraph 20 of the memorandum, Mr. Deedes said that the Board had suggested that there should be two Natural Resources Acts, one being Federal and the other Southern Rhodesian, in order to get over certain obvious difficulties, but the Board appointed in the terms of those Acts would have the same membership. His Board had felt that all resources in the Territory were a Territorial responsibility, and that was the reason for the suggestion. The representations had not been accepted because evidently the Southern Rhodesian Government had felt that it might become too unwieldy and that the Southern Rhodesia Board would lose its identity. The Board had views as to whether natural resources should be a Federal or Territorial function but, of course, it was not for them to say, although they thought that probably it would be better if the function were within the Territorial rather than Federal sphere, even if all agriculture were a Federal function.

The witnesses thought that without question marketing and economics should remain Federal, but that conservation and extension services should be under one government and, from their point of view, that government should be the Territorial Government. Prior to Federation, there had been considerable disagreement between Territories on agricultural matters but this concerned almost entirely marketing and economic aspects. These divergences had a direct impact on the economy of the three Territories at that time, particularly when one was faced with the situation of Southern Rhodesia selling, for example, surplus maize for export which had the effect of impinging directly on the economy of Northern Rhodesia and Nyasaland, and the reverse could also have taken place. Difficulties also arose on the veterinary side and cattle movements could not be satisfactorily checked when this function was dealt with on a Territorial basis.

As far as the research and specialist services were concerned, prior to Federation people in Northern Rhodesia invariably said that people in Southern Rhodesia had these services to a far greater degree than they had them in the north. The posi-

**This witness gave evidence at Wankie on 16th April 1960 (p. 92) and also appeared as a member of the Chamber of Mines of Rhodesia delegation (see above evidence at Salisbury 3rd May 1960 (p. 397).*

tion under Federation now is that the north has received and is receiving the benefit of the services, which after all are often very long term, much earlier than otherwise would have been the case. Mr. Deedes mentioned that Professor Davies of the University College had said that Federal Agricultural services were as fine as anything in the world and that they should never be broken up and divided between the Territories. The witnesses felt that difficulties or deterioration in the services would necessarily arise if there was a severance, but if this came about quite obviously care would have to be taken, particularly in the question of staffing in order to avoid competition between the three services. At the same time, they thought it would be unwise to break up any one or more of the small groups to perhaps three or four officers dealing with some specialist services. All in all, they thought it was a very open question as to whether research and specialist services other than the small ones to which they had referred should remain Federal.

Referring to paragraph 14 of the memorandum, Mr. Deedes said that the references there to the departments of conservation and extension, research and specialist services, and veterinary and animal husbandry related to European agriculture only, although in respect of the second of these, namely research and specialist services, African agriculture was able to derive direct benefits from the Federal function.

In answer to a question, the witnesses stated that while there were no Intensive Conservation Area committees in the African areas, there were agricultural committees in the Native Purchase Areas which equated to the I.C.A.'s but these were only able to function in Native Purchase Areas where there were Native Councils. At the moment, eleven such agricultural committees were in operation and these in a sense were subcommittees of the Native Councils. There were 55 Native Purchase Areas in Southern Rhodesia, 22 of which had Native Councils. The work through these agricultural committees was being strongly encouraged, but an important difficulty that had to be faced was the lack of an adequate native agricultural extension service which had been urged by the Natural Resources Board and, although there was an urgent need for extension services, these at the moment were being prevented from being implemented by the lack of finance. The Board was convinced that the Native Agricultural Committees were proving to be of great value. The first of these was brought into operation some 18 to 24 months ago and the eleven existing ones represented something over 2,000 African farmers. Unquestionably, if the Board were empowered to do so, it would form more of these agricultural committees but, as things stood, they came under the Native Councils Act.

The witnesses informed the Commission that the Natural Resources Board could make orders under its legislation in respect of both European and African areas. These orders were made on the recommendation of the I.C.A.'s and native agricultural committees. For its part, the Board felt that persuasion to better farming methods was the preferable course to follow, and the success of this policy was probably borne out by the circumstances that, since 1941, only 34 orders had been issued, but most of these had been rescinded in the meantime immediately the farmer had toed the line. There had been very few prosecutions and, as far as he could recollect, Mr. Deedes thought there had been none of African farmers. The Natural Resources Board used the I.C.A.'s and the agricultural committees as their agents but for this reason and because of the lack of staff the Natural Resources Act tended to become inoperative for practical purposes when there was a Native Purchase Area which had no agricultural committee. He added that the Board was now taking an African member on to the Native Affairs Committee of the Natural Resources Board which was likely to have the effect of making co-operation even keener. In response to another enquiry, the Board said that their experience in Southern Rhodesia was that there had been very little resistance indeed by Africans to the application of good farming methods, and what there had been had been mostly connected with de-stocking, which the condition of any particular piece of land demanded. They said that without going into the political issues they could not satisfactorily give the reason why the Nyasalanders should be so opposed to the application of conservation and extension methods, although it could be because the Nyasaland Government had made no real effort to explain the advantages. In Southern Rhodesia Native Department officials had been at great pains long before any de-stocking, for example, was due to take place to explain the consequences of the Department's action. In addition, they were able to operate through the Native Agricultural Committees referred to earlier in the evidence. Mr. Deedes wanted to stress that there was a great deal of co-operation today between all European I.C.A.'s and African farmers, and he and his Board thought that this was a most desirable example of partnership which almost literally grew up from the grass roots. It was essentially non-political and non-racial.

Mr. Haviland, responding to a question, said that he thought the Board's submission, set out in paragraph 23, could be achieved with research and specialist services being Federal, particularly fundamental research, although it might be that given the staff it would be more appropriate for applied research to be Territorial. He, for example, was quite opposed to the centralization of water supply administration; but he had no objection to hydrological research being centralized. He reiterated that in his view conservation and extension services should be a Territorial function.

In connection with paragraph 9, the witnesses asked that the term "Native Reserves" used there should be read to embrace the "Special Native Areas" which followed the definition in the Act.

Memorandum

GIRL GUIDES ASSOCIATION OF SOUTHERN RHODESIA

1. Historical Background

The Southern Rhodesia Girl Guides Association was officially inaugurated in 1919, though there had been several Companies in existence before that date. It then consisted of European members only.

In 1927, however, a move was made to include girls of the non-European races, but after much thought the Girl Wayfarers' Association was started for these. This Movement was modelled upon a similar organisation in the Union of South Africa, which in turn had been frankly copied from the Guide Association and which embodied many of the ideas and principles contained in Guiding.

Many of the first officers in the Wayfarer Association were already Guiders, and a close and friendly relationship continued for many years. The wife of the Governor was President of each Movement.

In 1936, the Coloured and Indian children were admitted as full members of the Guide Association, and from that time many Guiders felt that a move must be made towards the inclusion also of African girls into the world-wide fellowship of Guiding. Opposition came, however, from the African Movement as much as from the Europeans, on the grounds that with the education of African women as yet in the early stages, it was too soon to expect the African girls to be able to take the tests at the European standard. However in the early 1940's first steps were taken towards the closer co-ordination of the work of the two Movements. In 1945 Wayfarers were included in the Guide Movement as "Wayfarer-Guides". There was still a separate Council and Executive for each, and each had its own Chief Commissioner but were under a Joint President, the wife of the Governor.

In 1947 a Joint Advisory Board was elected and from this a Liaison Committee was formed to draw up a constitution which would include all Racial Groups.

In 1951 this constitution was passed, and the name Wayfarer was dropped from the African Group, and all became Guides. There was one Chief Commissioner, but it was still felt necessary to have two Assistant Chief Commissioners for the European and African Groups respectively. In 1953, however, this was no longer felt to be necessary and these posts were abolished, all Guides under one Chief Commissioner.

Southern Rhodesia has the full status of a Dominion in Guiding, with the exception that, as she is not politically independent, she may not have a direct representation on the World Conference of Girl Guides, where we are represented by Commonwealth Headquarters in London. This year, however, in recognition of the part played by Southern Rhodesian Guiding in the field of Race Relationships, the Chief Commissioner was invited to be a member of the British Delegation to the World Conference in Greece.

2. Training and Camping and the Meeting of all Races in Guiding

Since 1953 more and more has been done within the Movement about closer contact of one race with another. At first Africans took alternative tests which were suited to their specific needs, and environment, but over the years it has been possible to evolve tests with a sufficient number of alternatives to suit all groups, and today all tests are taken by all groups at the same standard, which is considered to be a high one.

Since 1951 all Commissioners' Conferences have been fully multi-racial. From the time of amalgamation of the two Movements Guider (Officers) Trainings have more and more frequently been multi-racial, until today Trainings for a single racial group are the exception rather than the rule. These are, however, held when specific needs are felt, since it would seem

only right to keep a balanced outlook in this matter and *not* to sacrifice special needs to a desire to always be multi-racial.

In 1954, the first Colony Residential Training was held in the Rhodes Estate Preparatory School Buildings. Unfortunately Federal Government regulations regarding the use of European school buildings by Africans prevented African Guiders from being present as residents. Representatives from Northern Rhodesia and Nyasaland were present for the first time also. Since this date, however, by the use of non-Government buildings it has been possible to hold most successful Guider Trainings which are fully multi-racial. As a result of all these Trainings it is now possible for use to be made of Guiders of all races as specialised Trainers. More will be said later regarding the provision of Training facilities.

In 1955 the first Colony Inter-racial Group Camp for Guides was held in the Matopos National Park, and again we were delighted to have Northern Rhodesia and Nyasaland Representatives there. At this camp specially picked girls from the four racial groups (with the full permission of their parents) camped together for 8 days. Each group had its own small camp within the whole, and meals were planned separately, mainly because of great differences in diet. Otherwise all activities were joint. Long before the end of the week however, Guides were visiting each other at meal times, and mixing was entirely happy and natural. Several subsequent camps of this nature have been held, and always there are a far greater number of applications from all races than can be catered for. Invitations have been sent to Northern Rhodesia and Nyasaland, as we are glad that it has been possible for them to send representatives on several occasions, giving our girls the chance of getting to know their northern sisters in the Federation.

In 1956 a Conference was held at Goromonzi African Secondary school at which there were present delegates from 13 Commonwealth countries in and around Africa, namely:—Kenya, Uganda, Tankanyika, Ghana, Nigeria, Sierra Leone, Mauritius, Bechuanaland, Basutoland, South Africa, Northern Rhodesia, Nyasaland and Southern Rhodesia.

Fifty-two delegates of all races lived and worked together for two weeks, with the greatest possible happiness and co-operation, and in an atmosphere of deep understanding and fellowship. This atmosphere was to the largest extent created by the presence of 66 Rhodesian Guides of all races, who in mixed patrols did all the orderly work from scrubbing floors and polishing shoes, to the cooking and laundry requirements of the delegates. It was an inspiring sight to watch the happy working together of all racial groups, and much credit was due to the courtesy and helpfulness shown by the European Guides who set a fine example of team spirit within the Patrols. No person who was present at that Conference, whether adult or child, will ever forget the experience of being free and happy one with another, whatever one's race. Visits were paid by the Governor-General and the Governor, and each commented on the obviously happy spirit of co-operation and friendship.

In 1957 Southern Rhodesia sent a contingent of 33 Guides and Guiders to the World Camp in Windsor Great Park. The sum of £6,000 for this venture was raised by the parents and children of the Colony and well-wishers, independent of any public fund, and reflected greatly on the good standing of our organisation in the public mind. This contingent was the fourth largest in the Commonwealth. During the five weeks duration of their stay overseas Southern Rhodesia Guide Headquarters received many favourable comments on the bearing and conduct of our Guides and also on the fact that they made a very happy and integrated group, wherever they went. Three small camps had been held before their departure to assist in this and it was obviously successful, as every Guide considered herself part of the Rhodesian family, and was conscious of the responsibility of representing her country abroad. Many of these children have since met, and others who have not been able to do so have kept in touch by letter. All except two (one African, one European) have kept on with their Guiding.

3. Inter-Territorial Contacts (within the Federation)

The three Federal Territories met together for the first time at the Goromonzi Conference. Although Southern Rhodesia was the hostess country it was possible to speak from time to time with one voice and also to co-operate in the running of a "Federation Night" where I think most of us felt for the first time, that we could co-operate very happily, whilst recognising certain vital differences and accepting these as not being impossible obstacles to closer co-operation.

In January 1958, a first official meeting between the three Territorial Commissioners was held. It was here decided that whilst it was entirely desirable that each country should be fully informed of happenings in the other territories, it was not considered the appropriate time, nor was it deemed necessary that we should be more formally linked.

Following upon this meeting full contact has been maintained, and there has been much interchange of ideas and knowledge.

In September 1959, the 1st Inter-Territorial Conference was held at Zomba, at which three delegates from each territory were present. At this Conference, a more detailed examination was made of the Policy, Rules and Organisation of the Guide Movement as applied in each Territory, and it was found possible to share much. On the other hand it was unanimously decided that no formal link should yet be attempted.

As a result of this Conference it has been found possible to share Training material, and to work on similar tests.

In January 1960 a Training Conference was held in Lusaka with delegates from all three territories. It is envisaged that meetings such as these will now be held at regular intervals. There has been an interchange of Training material and personnel and this is likely to increase. Invitations have now been issued from the two Northern Territories to Southern Rhodesia for the sending of Guiders and Guides to Trainings in those two Territories. As stated above such invitations have been issued from Southern Rhodesia since 1954 and we are very grateful for the opportunity now for Southern Rhodesia children to get to know something of the life in these other territories in our Federation.

It will be seen that our contacts have been in the vital field of Training, and we all feel that this must be of great benefit to the youth of our three countries, and that there is more possibility of an ultimate link-up if we are all working along the same lines.

We are all unanimous that, in our Organisation, this is the right way to tackle the problem of securing understanding and friendship amongst the young members of our Movement, who live in our three territories but who, as yet, know far too little about each other.

4. Finance

The Southern Rhodesian Guide Association has no assistance from the Government other than an annual grant of £50 from the Native Education Dept., which is exclusively for the use of the African Group. The Native Reserves Trust gives £1,000 per annum, also earmarked for this Group. Our Association maintains a Headquarters building in Salisbury, containing office and shop and has there a full-time Secretary and part-time Assistant Secretary, both paid.

The running expenses of the Association are over £3,000 per annum. These include the salaries above, all travelling expenses of Trainees, bursaries for travelling to Training and Conferences outside the Colony, travelling expenses within their areas and to Conference for all Commissioners, and Executive members.

The Association has been most generously supported in the past by the Beit Trust, but since the decision of that Body in 1956 not to give grants towards recurring expenditure, we have been self-supporting. Funds are raised by public subscription, by assessments on all Districts, which are met largely by individual effort, and by the subscriptions of the children, which range from 5/- for European Guides to 1/6 for African Guides.

5. Provision for Training in the Future

(i) The Beit Trust and the Dulverton Trust have generously responded to an appeal for the sum of £5,000 for a Colony Residential Training Headquarters, which is at present in the course of erection on a site leased by the National Parks Board in the Robert McIlwaine Park near Salisbury. Here there will be a large Central Conference Room and kitchen, 2 large dormitory blocks (divided into 4 berth cabins) which will house fifty Trainees, and a Trainers' Cottage.

Here at last we shall be able to hold multi-racial Trainings without restriction as to race or creed. We know that this will fill a very great need, and hope that besides serving ourselves we may serve the larger community of making this Headquarters available for use by other organisations holding similar ideals and principles.

The need was so great that the Southern Rhodesia Guide Executive decided to go on with the plan although we had only half of the £10,000 in hand. The Beit Trust is now considering an application for a further £5,000 to meet this, and we are hopeful that our application will be granted, and so release monies which we are able to raise ourselves towards the continued provision of grants towards Training expenses, without which many Guiders could not afford to come to take part in very necessary Training.

(ii) A start is shortly to be made with the erection of a mountain shack on Trust land in the Inyanga area, from which

it is planned to carry out Advanced Leadership Training—on "Outward Bound" lines, (and open to senior Guides and Cadets (16-21) of all races.)

Conclusions

Those of us who have had the privilege of serving our country through this great Movement during the past twenty years and more, are deeply impressed at what it has been possible to achieve during the past 10 years. We know that if we can persevere as we have done in the past, along the road which leads towards a full realisation of what is meant by full citizenship in our country we can help in our small way to make for a happy and contented community. On this basis we feel that there is unlimited hope for the future of one and all in this part of Africa.

But we do not minimize the effort that will be required and know how much training will be needed. We know that we need to begin with the young children and to carry this through until adulthood, and we believe that Guiding provides an excellent medium for this training into a realisation of what full citizenship means and demands from each individual in the country.

We believe that while the pace at which we proceed has increased, yet there is always a need to consolidate; to see opportunities for development and close co-operation, and to seize those opportunities and to use them, in the full knowledge that each step passed brings another challenge in its train.

We realise to the full that in the Guide Movement we are indeed fortunate in that the three organisations of the three territories share the same Promise and Law, and work to the same ideals. This makes everything we do in the way of linking up so much easier than in the Political field. We too, have our difficulties, often caused by the political dissensions, but I think as our Movement is concerned we have overcome these at each stage, because we realise that there are bound to be differences in our way of life, and by the acceptance of these differences yet always seeking some common ground upon which we may build. In addition we always try to find some possibility of practical application of what we believe, without undue publicity which so often takes things out of perspective.

Notes

1. The following figures may be of interest:—

	No. of Commissioners	*Total membership*
1951	32 (No non-European)	5,239
1959	78 (10 African, 1 Coloured)	13,861

(i) of the total membership just over two-thirds are African

(ii) European membership has increased slightly in the last year.

2. It may be of interest to the Commission that the Northern Rhodesian and Nyasaland Governments make substantial annual grants to the Guide Movement in their territories, in addition to providing full time Guide Trainers and their transport.

In addition the Northern Rhodesian Government has asked the Northern Rhodesia Guide Association to run Leadership Training Courses for which Government assistance is provided! The Southern Rhodesian Government has not so far seen fit to give any financial assistance to our Organisation, nor does it sponsor Leadership Training. We have, however much personal support and assistance from Government officials in particular the National Parks, and Native Affairs Dept.

This lack of financial support has perhaps bred a sturdy spirit of independence, but does nevertheless place a heavy burden upon the rank and file of the Movement, and does hamper development and Training.

The Federal Government gives no financial assistance to any of the three Associations.

Salisbury

26th April 1960

Oral Evidence

THE GIRL GUIDES ASSOCIATION—Represented by Mrs. Wynne, Chief Commissioner.

Mrs. Wynne stated that she did not wish to add to the memorandum she had submitted but she responded to a number of questions put by the members of the Commission in these terms.

As far as Guider training was concerned, there were no difficulties at all with the Africans, Europeans and other races joining in on a completely equal basis. There was, however, a difference in the pace of their training. Up to a little while ago, there had been different standards of tests applied, but even these were not on a racial basis. They were merely alternatives. A European or African child could elect to take whichever one she pleased. Since 1958, however, the alternative tests had been completely removed.

Mrs. Wynne said that they had encountered certain difficulties in regard to age because the general rule applying to Guides was that they must leave at the age of 17. This rule had met with considerable dissatisfaction from the African groups in the reserves for the obvious reason that normally the girls there would start their training at a much later age. But even so, it was a flexible rule with a right of appeal, and the movement was sponsoring the senior group in the rural areas. The witness said that so far there had been no sign of competitive (and possibly political) youth groups in Southern Rhodesia and, in consequence, it was only lack of finance that was keeping them back from getting Guiding thoroughly established in the rural areas. Distances were great and this meant there was a considerable call on their purse.

Mrs. Wynne stated that Guiding was definitely reaping rewards. There was no question but that it was inducing a wonderful tolerance and understanding between the different racial groups, and she was pleased to be able to say that they were meeting with no difficulty at all from European parents. The lesson they had learned over the past nine years was that it was important to take each forward step as it came, and to meet it then in order to create a completely happy atmosphere. At no time had there been any looking back. She mentioned incidentally that the Guide movement in the Colony had advisedly avoided any flagrant publicity, and she felt sure that this was something that had helped greatly. All the Guiders mingled and in different parts of the Colony, they were brought in at least once a year for their training.

Mrs. Wynne stated that she had strong views on co-education, and she was not in favour of it. She thought that as between the races it could lead to resentment. On the other hand, she had not the slightest objection to an integration of schools of one sex provided that standards were maintained. She agreed that it was essential for the University to be co-educational and, of course, multi-racial. She thought that multi-racial schools should start at the top with the secondary schools and gradually work down to the primary schools. She did not feel that the question of age was as important now as it was only a few years ago because the African primary schools were now taking children in at a lower age.

On the question of numbers in the Guide movement, Mrs. Wynne said that the preponderance of African Guiders over the Europeans, which was probably about two to one, had nothing whatsoever to do with the fact that the movement had now become multi-racial. Nine years ago—she had given figures for 1951—the proportion was probably less than it is today; but this was only to be expected as the movement was always reaching out further and further into the rural areas and among the Africans. She had found that the difficulty in gaining recruits from European quarters arose almost entirely because of their extra-mural activities such as sports. She repeated that the cause quite definitely was not the result of integration.

Memorandum

CATERING & HOTEL WORKERS' UNION OF SOUTHERN RHODESIA—G. Gotora, Secretary.

We wish to start with the History of Settlement in Southern Rhodesia.

Before we start our evidence we wish to make it clear why we have made up our minds so late. The reason is that a number of Africans have given evidence in Southern Rhodesia and we believe that those who have given evidence may have misled the Commission about this country and why Federation is receiving 100% opposition from Africans. They believe the following history will be the basis of the future of the whole Federal area. Read on the history that bring fears to the Federation and the removal of the Reserve Clauses in the Southern Rhodesia Constitution.

In October 1888, a Concession—the Rudd Concession—was signed by Lobengula, King of the Matabele and Rudd, a Representative of Rhodes and the British South Africa Company. This document has been the subject of academic controversy as far as its legal validity is concerned.

The document as known to us today is written in highly technical language, characteristic of all legal documents of this nature. It is believed that this highly technical document drafted and worded in its entirety by Rudd and his party was interpreted to King Lobengula by Helm, a missionary of the London Missionary Society, in Tswana, a foreign language to both Helm and King Lobengula. Helm's incompetence to express himself properly in this language cannot be doubted, especially in translating such technical language. Lobengula, being a Zulu had undoubtedly little command of Tswana and unable to comprehend the technicalities embodied in this document.

The result of this muddled state of affairs was the placing of the so-called "X" signature (if ever he did) by Lobengula on the document which he did not understand fully. In addition to this semi-fraudulent act by Rudd and his men, it is believed and supported by historians that Lobengula was intoxicated by Cape brandy before he was asked to place that controversial "X" on the document. Under these circumstances the legal validity of this document is suspect.

Taking this document, however, as it is believed to be by the settlers, let us consider its contents. The terms of the Concession included the paying £100 every lunar month, the delivery of 1,000 Martini Henry Breech loading rifles, together with 1,000 rounds of suitable ball cartridge to the royal kraal and the delivering on the Zambezi River a steam boat with guns suitable for defensive purposes, in lieu of which £500 would be paid. The concession was subject to cancellation in the event of the monthly rents being in arrears for a period exceeding three months.

None of the terms of the Concession was ever fulfilled. The King received nothing. This was the first violation of the African's faith by white settlers. The concession was a conditional contract dependent on payment of rent and as the rent was never paid, it extinguished itself.

Even if the rent had been paid, the contents of the document specifically stated that the British South Africa Company would be allowed to exploit the minerals of the country and does not state or imply that the British South Africa Company was to be allowed to possess or occupy the land. It was a mining agreement and nothing else.

After acquiring the document, Rudd returned to South Africa and returned with a regiment, not to mine, but to begin manoeuvres of occupying the country by force. This was the second violation of the Africans' good faith by the settlers and the beginning of all our present misunderstandings.

Rhodes having obtained a charter from Queen Victoria, marched into Southern Rhodesia. On September 12, 1890, two years after the fraudulent Rudd Concession, the white settlers manifested their intentions by hoisting the Union Jack below the Harare Hill. This September 12th is called "Occupation Day" and has been an honoured holiday in Southern Rhodesia since that day. It is not only unintelligible, but disgusting and annoying to see this word "occupation" being used in this sense. There was no war fought or any treaty of occupation negotiated. There was no attempt at invasion; the Africans welcomed them as foreigners seeking for fortune. The white settlers had, however, deceitfully turned a mining concession into an occupation concession.

From September 12, 1890, the settlers consolidated themselves and embarked on the first steps to exploit, suppress and dominate the Africans. The Africans who had looked upon the hoisting of the Union Jack as an insignificant ceremony began to get alarmed by the manoeuvres of the white settlers who wasted no time in putting into practice their iniquitous intentions. Forced labour was introduced and the happy land with its peaceful people entered its first phase of political torment and torture. Thus white rule began to spread in Southern Rhodesia.

The vigorous policy of exploitation resulted in an uprising—the Matabele Rebellion in 1893. This insurrection was suppressed with an iron hand. Guns boomed and thundered, killing hundreds of innocent Africans. The rebellion was subdued by the most atrocious methods. This was the first battle for freedom from the fast-growing yoke of the white friends, now turned ruthless enemies.

After the rebellion, a vigorous native policy was brought into operation. The policy was modelled on the pattern of the Cape Native policy with which Rhodes was only too familiar.

Three years after the first Matabele Rebellion, the second broke out in 1890. The Mashonas, also feeling the pinch of white rule, rose and in that year the whole country was in rebellion. These revolts were crushed mercilessly.

The crushing of these rebellions brought all the Africans under the rule of the settlers. Native policy for the whole Colony was welded and Africans entered the second and still existing phase of subjection and exploitation. Provision was made in the Order-in-Council of 1898 for the appointment of a Secretary of Native Affairs assisted by officers called "native commissioners". We will talk about this department below.

In 1898, the British South Africa Company established a government of settlers only, to govern both black and white. This company government succeeded in doing one thing—the complete subjection of Africans and the total deprivation of their political standing in the land of their birth.

The settlers were not, however, satisfied with a company government tied to Britain's Whitehall. The idea of self-government for the Colony was mooted. It was supported by all the settlers, especially when the question of controlling the Africans from within was viewed. Negotiations were entered into between the settlers and the British Government. Africans were not told, nor were they consulted about what was happening concerning the changeover from Whitehall to Salisbury.

The British Government, thirteen years after their biggest political blunder in Africa—namely the granting of Union constitutional status to South Africa—selling millions of Africans there to the settler boers—decided to grant self-government to the white settlers of Southern Rhodesia. The Africans had no part in the talks leading to this constitutional change. Their opinion was never sounded. neither were they told that their new supreme bosses would be the white settlers.

But Britain, conscious of her obligations towards the Africans here and perhaps aware of the blunder committed in 1910 in South Africa, tried to whitewash her hands by retaining a power of veto on all legislation affecting Africans as a community. We say "tried to whitewash" her guilty hands because she has never used the veto since 1923, despite the fact that sets and regulations of Parliament discriminating against Africans have since 1923 been the chief business of the Southern Rhodesia Parliament.

Although Britain has neglected us and left us to the mercy of the settlers here since 1923, we are of the firm opinion that we are still a protected community of the British Government under the clauses of veto in the Letters Patent of Southern Rhodesia. At the time of self-government in 1923 there was, according to available records, about 935,000 Africans and 35,000 Europeans in the Colony. Despite this, an entirely White Parliament was elected. Africans, having not been allowed to enter this white Parliament became fully convinced that Her Majesty's Government in Britain only meant to grant self-government to Europeans and was to continue protecting the interests of the Africans who were voiceless. We still believe this to be the case today.

Part Two

The Southern Rhodesia White Government since 1923

Let us now examine the white settler's government since 1923. We will look into its policies item by item.

I. Franchise

In 1898 a legislative council with some nominated and elected members was constituted. Every white male person of 21 years of age and over was entitled to register as a voter provided he was a British subject and had taken an oath of allegiance and was permanently resident; could write his name, address and occupation; occupied premises worth £75 or had a bona fide wage of £50 per annum. These qualifications excluded Africans completely. The Africans' disabilities were:

(i) None could write at that time.

(ii) Their wages at that time were nothing more than 2/6d. or 5/0d. per month.

(iii) They had no property as defined by the settlers; their cattle was not taken into account, neither were their huts.

The Africans therefore had no voice, they were entirely in the hands of the white legislators.

In 1914, European women were given the vote. Qualifications were raised to £150 worth of property and £100 per annum, income. Literacy tests were still maintained and although many Africans could write by then, their income was not much beyond 5/- per month.

In 1923, the settlers were given self-government by British and the existing qualifications were retained. This still excluded Africans as, though hundreds could now read and write, their income had not improved.

After the second world war, industries began to expand in Southern Rhodesia. Education also began to make some headway among the Africans. The white settlers saw the threat and to safeguard their position a further alteration had to be made. In 1951, therefore, the property qualifications was raised to £500 and income to £240 per annum. The African wage averaged about 30/- to £10 per month, at that time. In 1954, the African wage in Salisbury and Bulawayo was raised to the minimum of £4 15s. 6d. per month, which is £57 6s. 0d. per annum and £182 14s. 0d. less than the income per year required to qualify as a voter.

In spite of this, the white settlers were not safe, they felt. A few Africans in industry began to get substantial wages and a slight increase in secondary education was noticeable. In 1957, another change was thought necessary. A cunning franchise was devised with a two-roll system—mainly to make the democratic world believe that Africans have a vote in this country. These rolls are known as the "Ordinary" and the "Special" rolls; their qualifications are as follows:

(*a*) Ordinary Roll Qualifications:

(i) An income of £720 per annum or ownership of immovable property valued at £1,500 with literacy tests.

(ii) An income of £480 per annum or ownership of immovable property valued at £1,000 with Std. VI education.

(iii) An income of £300 per annum or ownership of immovable property valued at £00 together with Form IV (Std. 10) education.

(*b*) Special Roll Qualifications

(i) An income of £240 per annum with literacy tests as above.

(ii) An income of £120 per annum and two years secondary education.

(N.B. Special Roll will be closed permanently when voters on it reach 20% of the ordinary voters.)

Let us take the above clauses and see how they exclude Africans from becoming voters.

The Ordinary Roll

1. The statutory wage for Africans in big towns is, at present, £6 10s. 0d. per month and much less in the smaller towns. This is £78 per annum and £642 less than the annual income required for a vote. European wages, on the other hand, are between £50 and £200 per month. No African owns property in urban areas, nor are there many owning property in the Colony as a whole. The urban areas under the Land Apportionment Act belong to Europeans where Africans may not own property.

2. In 1957 there were 7,051 African students in Standard Six. Assuming that they all passed, their wage as teachers would be £6 per month, in industry £6 10s. 0d. and the same in other departments of the civil service. None of them therefore, would qualify for a vote.

3. In 1957 there were 107 African students in Form IV. Assuming that all passed (which, of course, is impossible), as teachers they would earn £15 per month; in industry and other civil service departments it would be between £6 10s. 0d. and £20. Thus their annual income would be £240 at the maximum and fall short of the £300 stipulation.

The Special Roll

1. With a minimum wage rate of £6 10s. 0d. and few in the region of £20 per month, few indeed would qualify under this clause.

2. In 1958, there were about 900 African students doing their two or three years post standard six education. This included teachers, in training, carpenters, builders, nurses, agricultural demonstrators, leather work trainees. As teachers they would earn £9 10s. 0d. per month as males, £7 15s. 0d. as females; as nurses or demonstrators, £8 per month; the few in industry may earn £10 per month. All their annual incomes would fall short of the necessary £10 to qualify for a vote.

If we examine this franchise we will see that the white settlers' aim is to raise the qualification each time Africans appear to qualify in a bigger number. Wages are kept low and education is hampered in order to keep Africans off the voters' roll. Franchise is like a carrot tied to a string by a person who is on top of the tree who keeps pulling it up each time a horse tries to reach it. It is kept dangling in such a manner that the horse never reaches it at all.

The Special Roll, it was feared Africans might flood one of these years and was therefore limited to 20% of the ordinary roll. When the special voters reach this figure the roll must be closed permanently. The people who have been civilised and responsible, cease to be. Civilisation and responsibility are taken as the criteria for a vote, although no one is able to define these two terms without revealing the true colours of the settlers as far as the franchise is concerned. Civilisation and responsibility means in practical terms "Europeanism" and Europeanism is the qualification for a higher wage and ownership of property—the very two requirements for a vote.

This device of keeping the franchise qualifications out of the reach of Africans has made it possible to keep the Southern Rhodesian Parliament all-white since 1923. The white parliament passes laws for whites and blacks and what comes of this cannot surprise anyone as there is no restraint. The result, since 1923, has been the passing of oppressive and discriminatory acts against the Africans.

There are today about 90,000 European voters and less than 2,000 African voters. The voters' roll is publicised to the world as common and non-racial. What hypocrisy this is when Africans do not even form what could be technically called a "minority" on the voters' roll.

The trend in Southern Rhodesia is contrary to democracy. In other democratic countries, the trend is to lower the qualifications until adult suffrage is reached. In Southern Rhodesia, the rule is to raise the qualifications when more and more Africans become conscious of their rights. The reason? To keep power in European hands for ever or the foreseeable future—as white politicians usually call it—a phrase that could mean 1,000 years.

II. Land

Before and a few years after self-government, the Africans could buy and own land anywhere, without discriminatory limitations. This state of affairs was not the right thing to the settlers and they waited for a time when that freedom could be curtailed and the Africans put in their place.

Soon after the granting of self-government, Britain was no more an obstacle. A Commission was appointed in 1925 to investigate the land conditions of the Colony. This was the all-white Morris Carter Commission. Africans were not represented, nor were they consulted and yet the commission was to investigate the backbone of African economy and the greatest asset of every nation—namely land.

The Commission worked for five years and gave its report in 1930. This report was a shock to the African people. By it, the Commission assigned 30% of the land to about a million Africans and 70% to about 35,000 Europeans. This was a direct violation of human dignity and a true manifestation of the thieving tendencies on the part of the white settlers for land.

The Commission recommended that land should be divided into:

1. European areas.
2. Native Reserves.
3. Native purchase areas.
4. Forest areas.
5. Unassigned areas and undetermined areas.

Of these five groups, only (2) and (3) belong to Africans. The rest are in theory and practice, European areas. It means, therefore, that what is technically called "crown land" is, in fact, European land.

In the same year, 1930, the recommendations of the Commission were embodied in the iniquitous Land Apportionment Act, the basis and foundation of 90 per cent of the inequalities between Africans and Europeans. In 1941, the all-embracing new Land Apportionment Act was passed. The final assignment of land was then:

Europeans	51,987,000 acres
Africans	41,900,000 acres
Forest areas	3,000,000 acres
Undetermined areas	57,000 acres

As stated above, forest and undetermined areas (which include crown land) are European areas. It means, therefore, that under this arrangement, Europeans have 55,044,000 acres and Africans have only 41,900,000 acres. Most of the latter, into the bargain, is poor land out of the watershed.

The Act made a rigid ruling that in all aspects of life Africans and Europeans should live apart. The Act has been defended on the grounds that it was passed to save the Africans from having all their land taken by Europeans. This is, no doubt, a false statement calculated to hide the true reasons of the presence of the Land Apportionment Act on the Southern Rhodesia Statute Book. Giving Africans 30% of sandy land off the watershed while Europeans got the rich land on the watershed can never be reconciled with these fallacious arugments.

(*a*) The Act was passed to deprive the Africans of good land and to subject them to a poor economy.

(*b*) The Act has been, and is, continuously declared to be and looked upon as the safeguard of the white man's heritage in Southern Rhodesia.

(*c*) Some settlers have even gone to the extent that they would leave the country were the Land Apportionment Act repealed.

The 30% of land given to Africans might have been sufficient at the time, in 1925. The population, however, grew and symptoms of land shortage began to manifest themselves. The government became alarmed at this situation and in the early forties began to think of ways and means of reducing the harmful effects caused by the overcrowding. At the same time, with European immigration increasing (particularly after the last war) the European demand for land also increased.

Two ideas emerged within the government. The first was to de-stock as many cattle as possible in African areas and perhaps add a few acres of arable land. The second was to remove Africans then settled on the so-called crown lands to the then existing reserves or to some undetermined areas. These undetermined areas habitually referred to now as "Native Special Areas" are poor lands which were left without specific allocation by the Land Apportionment Act.

De-stocking was started vigorously about 1948. Thousands of cattle were slaughtered or sold at take-away prices. Opposition mounted among Africans but the government proceeded with this policy. This did not, however, improve the situation and something more drastic had to be done. The African population increased rapidly but the land available remained static.

In 1951, the government introduced the Land Husbandry Act. This Act was passed under the camouflage that the government intended to revolutionise African agriculture. This is what the public and experts on agriculture who visit this country are made to

believe. Is this the truth? Certainly not. The Land Husbandry Act was passed in order to depopulate the reserves and leave them with only the people the land could carry.

Under the Act, each person (21 years for males and 25 for females) is entitled to about six acres. The government believes that at the completion of the implementation of the Land Husbandry Act in the 33,793,266 acres which comprise the total of African reserves and special native areas, only 307,000 Africans will get land allocations. The African population is over 3 million, but if we put it at 3 million it means that about 2,793,000 will have no land rights at all. They have to go to the urban areas, mines and farms which are European areas.

We have said something above about Africans being removed from what are called crown lands to undetermined areas styled in the government terminology "Special Native Areas". These special areas are remote places where the conditions of living are very difficult, to say the least. To mention some of them, Gokwe, Beit Bridge, Binga, Matsai and Urungwe would suffice. Most of these areas are dry, hot and infertile. Beit Bridge, for instance, has an average rainfall of 5 to 15 inches per year. Tsetse fly, a dangerous fly to stock and human beings is found in plenty in these areas.

To support our arguments concerning these areas here are quotations:

> "In the Sebungwe District in Area C, the fly position worsened during the year and it was feared that there would be a large scale infection of the Lupani District." (Chief Native Commissioner's Report—1950).
>
> "Cattle in the Beit Bridge area maintained fairly good condition until October after which they deteriorated considerably. Some deaths were reported". (Chief Native Commissioner's Report—1958).
>
> "In the Urungwe District, which was evacuated a few years ago, the few donkeys and goats appeared to be in good health. While the position is static there is no indication of when cattle will be permitted to return to the reserve." (Chief Native Commissioner's Report—1955).
>
> "In the Beit Bridge area, it was only possible during the year to move few families from crown land along the banks of the Limpopo River into the adjoining Beit Bridge Special Native area. This area is practically arid and the resettlement must depend on the location of suitable water supplies. Drilling for water has continued during the past but the results have been disappointing. There are many thousands of acres of excellent grazing country not being used solely due to the lack of suitable water supplies." (Chief Native Commissioner's Report—1958).

These are quotations of admission by officials of the Native Affairs Department. In the eyes of non-officials, the situation must be worse than is reported here. There is not sufficient rainfall in most of these areas and bore-holes are to be made. In most of these districts cattle are not allowed due to tsetse fly and as a result people have to use their hands for ploughing—these people had many cattle before they were moved to these areas. They were ordered to slaughter or sell them at give-away prices.

All these people were removed from areas in which they had lived from time immemorial. Their areas were declared crown or European lands without their knowledge, in terms of the Land Apportionment Act and their only notification were eviction orders—force being used if they resisted. For instance, the removal of people from Rosedale to Gokwe in 1952 was conducted with brutal force by the police. Bulldozers were used to destroy the villages of people who had refused to move so that they would have nowhere to live and therefore submit and go to Gokwe.

Since 1949, 82,500 Africans have been moved from the so-called crown lands and 21,500 were removed from the Zambesi Basin to these special areas. It is believed that by 1962, all Africans still living in crown lands or European areas will have been removed to these areas.

The right of Africans to buy farms is limited to a few acres. There are special areas technically termed "Native Purchase Areas." Nevertheless, the government has not seen fit to sell more farms to all those Africans who desire them. Where Africans are given six acres to a person in terms of the vicious Land Husbandry Act, European farmers own thousands of acres most of which lie idle, undeveloped, when Africans are crowded and congested in small areas and are hungry for more land.

III. Urban Areas

Urban areas belong to Europeans and the African is legally a squatter there. With the implementation of the Land Husbandry Act, 2,793,000 Africans will drift to the urban areas where their position will be worse than what it was in the reserves.

It is estimated that there are today 600,000 Africans in urban areas of which about half are believed to be from the Northern Territories, Portuguese East Africa and Angola. This number will, of course, rise rapidly as the Land Husbandry Act begins to show results. A completely urbanised African community with neither a place in the reserves nor in the urban areas will be created.

The Africans are aliens in the urban areas because all towns are European land. As a result the African is subjected to the carrying of passes of all types. He has to carry them wherever he is. Failure to do so is an offence and punishable by a fine or hard labour imprisonment.

The economic position of Africans in urban areas, farms and mines is appalling. On £6 10s. 0d. per month, in big centres like Salisbury and Bulawayo and £2 per month on farms and mines he is supposed to live, feed, clothe and educate his children. Where an African gets £6 10s. 0d., a European gets from £60 to £200 or over, yet they buy the same bread, the same sugar and everything at the same price. In spite of getting as little as he does the African is taxed £2 for poll tax, while a European with an income of several hundreds of pounds goes tax-free. The notion of graded taxation is unknown.

In addition to his low income, the Government sees fit to site African townships ten to fifteen miles out of town. The African has, therefore, to pay bus fares everyday which alone costs him £2 15s. 0d., leaving him only £3 15s. 0d. out of his monthly income to support his family.

A commission set by the Government two years ago, brought out a shocking report on the economic position of the Africans in the urban areas. The Plewman Commission stated that it was impossible to understand how African families were living. The report stated that most African families needed twice their present income and how they were able to live the commissioners submitted they were unable to understand. The Government ignored the Plewman report and shelved it to rot.

This meagre wage has resulted in untold misery. The Urban African's children go naked and malnutrition is mounting day by day. It is a common sight in the urban areas to see African children begging for money and searching for food in the rubbish bins.

The shortage of accommodation is shocking. It has become an acute problem. Africans do not own the houses they live in. The houses belong to the municipalities and they can only live there as long as they are employed. In Harare (in Salisbury), for instance, failure to get employment within three weeks will render a family liable to eviction from the house. It is a common sight to see a family stranded with all belongings outside a house, because the husband has been unable to get employment within three weeks. They are penalised for failure to get employment, yet the rate of unemployment is growing.

When it is argued that Southern Rhodesia is booming economically and that all its people share the wealth of the country, it is not difficult to correct the propaganda and to rightly put it that Southern Rhodesia is booming economically and its European population share the high dividends of the country's wealth.

IV. African Workers' Rights

The criterion for the recognition of the rights of workers is based on the colour of a person's skin. Although Southern Rhodesia, through Britain, is a signatory to the International Labour Convention and has time and time again since the inception of the International Labour Organisation, affirmed and re-affirmed the protection of basic trade union rights, an African worker has no rights at all in this country.

The international agreements say among other things, on the part of the workers, that the "International working man's day shall not exceed eight hours a day; every worker has a right to trade union organisation for the protection of his rights; workers must have the right to technical and commercial education as well as apprenticeship in order to improve their efficiency and skill in their work; they must have a right to independent trade unions without obstruction or direction by laws of the governments to the leadership and policy of such unions; labour laws must be made in co-operation and consultation with labour organisations".

The International Labour Organisation has banned any servile labour as inhuman, brutal and savage and not in keeping with the declaration of the basic human rights.

In Southern Rhodesia, the Government has, by laws and custom, snatched away the internal rights of the African people as workers. Under the Master and Servants' Act the African worker is at the disposal and mercy of the Europeans. He is by law, not allowed to withdraw his labour if he deems that his employer is ill-treating him or that his employer is exploiting his sweat and strength without giving him adequate remuneration. If he strikes, he is charged in courts as a criminal. So whether he is satisfied with his work or not, he is legally coerced to continue rendering his services at his family's ruin. Many farm, domestic and mine workers have been prosecuted for daring to assert their rights.

In these occupations the African works anything up to 14 hours a day. This deliberate disregard of the labour conventions has the blessing of the Southern Rhodesia Government. All European

workers have the right to organisation in trade unions so that their rights are safeguarded. European workers have unfettered rights to technical education, commercial and apprenticeship training after Standard VII, but Africans can only have commercial training after Form IV (Standard 10) education. There is only one commercial school to cater for all the three million Africans.

Parliament has at last passed the Apprenticeship Act, but since the Government does not consult with African labour leaders the Act will have no practical advantage to the Africans as the body appointed to effect this act is dominated by Europeans. Africans are thus compelled, as workers, to be under the control of the white workers.

By an Act of Parliament the recognition of trade unions is titled more to the advantage of the European workers, and not to all workers in the country. Under the 1959 Industrial Conciliation Act, it is recognised that all unions which were registered under the former Industrial Conciliation Act (which then excluded Africans) are automatically registered under the 1959 Act. Further, by an Act the Government has determined who shall lead the unions. It is specifically stated in the Act that the leadership of the unions should be in the hands of civilised people. By civilised people, as we have stated above, is meant Europeans. In order to see that this is achieved, the Minister is given power in the Act to determine the voting system where Europeans are likely to be outnumbered by Africans. Several Africans will be equivalent to one European when casting votes.

In all, it means that the African worker is virtually destitute of any rights as a worker.

V. Civil Service

When you talk of civil servants in Southern Rhodesia, you talk only of Europeans. Africans are not civil servants but Government labourers. The definition of civil servant in Southern Rhodesia excludes an African employed in the civil service, although in order to muzzle them from taking part in the political activities in the country, they are theoretically defined as such, while in fact they are not.

The civil service posts, except as clerk in the Native Affairs Department, a messenger in Government offices and a helping hand where possible are shut to the African. The Government is not at all prepared to advance Africans. A motion introduced in the Southern Rhodesia House a year ago, calling upon the Government to advance Africans in the civil service was accepted and passed for reasons, that seem now, to have been for propaganda purposes. No one believes that it will be implemented immediately. It appears that it will be kept as such, as the Government can now show its critics that it has accepted the principle of African advancement in the civil service.

Where Africans do equal work with their European counterparts, the African's wage is in great disparity with that of the European. For an illustration, let us take the British South Africa Police force. In this department, Africans outnumber Europeans greatly and do more work than Europeans. An African constable, however, starts at a wage of about £8 and rises to £30 when he attains the rank of first-class sergeant. This is the maximum he can ever achieve. A European constable starts at about £40 plus allowances, whereas the African starting wage of £8, excludes any such allowances.

The treatment of the two constables—European and African—is beyond what can be called normal disparity. An African with twenty or more years service is still lower in rank to a European constable with three months service. He gets orders from him and is more of a messenger to carry orders to his other African constables. It takes an African constable twenty-five years or more to earn and wear a belt used by European constables as soon as they finish training.

Their uniform is different, their treatment is different, their arresting powers are also different. The European constable can arrest Africans and Europeans. An African constable can only arrest an African. He cannot arrest a European, let alone handcuff him. He can only report an incident to a white constable who may effect the arrest.

This is really shameful colour bar practice, yet it is the pattern in the Southern Rhodesia civil service. African advancement is suppressed. The Government would rather import workers from overseas than employ local Africans despite the fact that Africans here hold educational qualifications and experience suitable to fill such posts.

VI. Education

The history of African Education in this country can be credited to the missionaries rather than to the Government. Despite claims by the Government that African education is advancing rapidly and that Southern Rhodesia has the largest percentage of school-going children in Africa, African education is truly lagging behind. In some cases, the lagging is deliberate in order to hamper African advancement, and thereby protect the voters' roll from being swamped by Africans.

The following statistical data will help to illustrate our argument:

Children in School	1947	1957
Sub. A	81,821	124,954
Sub. B	44,813	91,283
Std. I	31,260	69,391
Std. II	19,693	48,851
Std. III	13,513	38,495
Std. IV	7,109	15,926
Std. V	3,952	11,576
Std. VI	2,211	7,051
Form I	618	3,216
Form II	428	1,889
Form III	19	894
Form IV	—	107
Form V	—	69
Form VI	—	13

Although these figures may show an increase of children in Sub. A—that is from 81,821 to 124,954, it will be easily noticed that of the children who were in the Sub. A in 1947, far less than half got as far as Standard III (a five year education), only one ninth reached Standard VI (eight years' education) and only about one fortieth reached Form V (which includes all post-Standard VI course), only thirteen were in Form VI, and not more than half passed. As Form VI is the minimum entrance qualification to enter the University College of Rhodesia and Nyasaland, this gives an average of not more than two or three students entering the college every year.

The decreasing of the number of children as they go up from Sub. A is not at all the fault of the children. Most of the children fail to a place, especially after they have passed Standard III. Again after they have passed Standard VI there are not sufficient schools for them to pursue their secondary education. There are only eighteen secondary schools catering for 107 central primary schools. The 107 primary schools cater for 2,470 lower primary schools.

The development of the African is geared to "five year plans" etc. and the development, regardless of the conditions, cannot allow the erection of unplanned schools. For instance, in the last Five Year Education Plan ending this year, 1960, thirty upper primary schools were apportioned each year for the whole country. This made it impossible even for those Africans who could manage the building of a school in their area. No permission would be given to run such a school.

Under the new Act—the Native Education Act—coming into operation this year, no school may be built without the approval of the Director of Native Education. The Director has power to refuse on reasons known only to himself and the final court of appeal for such a refusal is the Minister of Education. This ruling is not based on the desire for efficiency in schools, but on fear that Africans would build schools for their children, thereby accelerating African education. It is surprising to hear the Government say that there are not enough schools, yet on the other hand, the Government forbids Africans to build their own schools.

To make matters worse, the Government introduced an age limit in 1955. An age limit, without compulsory education is undoubtedly a fantastic scheme. In spite of the fact that education is not compulsory and schools are few, the Government saw fit to regulate that no children should be admitted into Standard IV when they have reached their fifteenth birthday and no child admitted to Form I after the sixteenth birthday. The scarcity of schools makes children start school late or miss one year and thus, they only find their future blocked.

The reasons for this lagging behind of education have been attributed to lack of money. This argument is most plausible. The problem does not exist at all among European children who are far more expensive to maintain at school than African children.

This argument is really lame. Africans in the rural areas build schools for their children without remuneration. The Government and the missionary superintendents come only to supervise the school and provide teachers. Admitting this shortage, the Government saw fit to debar untrained teachers from the teaching field. The Government, at the moment, has only one teacher training school. Together with those produced by missionary schools, they are too few for the growing population and as a result thousands of children go without school.

VII. Justice

Equality before the law of the land is the first and the main spring of the Rule of Law and Justice. In multi-racial countries like Southern Rhodesia, the notion of equality before the law is a very important safeguard to justice and to law and order.

However, this is not the case, by far, in Southern Rhodesia. In procedural law the African has not the facilities available to Europeans. In criminal cases where a jury panel of eight or twelve reasonable people should be employed so as to give a *justic vonetion*, the African is given two assessors. The qualifications for these assessors are:

1. He must have been a Native Commissioner;
2. Or must have been an employee of the Native Affairs Department in a capacity dealing much with Africans.

Native Commissioners have claimed to be authorities on African habits, customs, etc. The result is that before they enter the court they carry with them their preconceived ideas. Evidence to them becomes immaterial. They must construe every word said by the accused in the light of their claimed knowledge of African habits.

VIII. Freedom of Speech and Association

Freedom of speech, association and property, the trichotomous liberty of the British people has two of its fundamentals (speech and association) whittled in Southern Rhodesia. Totalitarianism, oppression and intimidation have superseded the cherished liberty and democracy believed to be the traditional uniqueness of the British people.

The African in Southern Rhodesia has become muzzled. He is unable to speak for his rights, neither is he allowed to defend them. He can only speak if he is a member of the United Federal Party, the Dominion Party, the Central Africa Party or any other European parties. The qualification to speak without getting into trouble is to support Government policy or white supremacy, which in general, is always camouflaged under the so-called partnership. This has made Africans who are not in the Government cap or European parties, victims of all suppression, intimidation and arrest. (See below Preventive Detention Act).

Direct and active suppression of all opposition from the Africans against the white settler Government started in the 1950's.

(*a*) Subversive Activities Act

In 1950 as signs of African nationalism became apparent, the Government passed the Subversive Activities Act. This Act was for the prohibition and suppression of subversive propaganda, namely communism, fascism or otherwise and of riotous and other undesirable assemblies and the dispersal thereof; for the prohibition of persons from attending public gatherings in certain circumstances; for the prohibition of the printing, publication, importation or dissemination of documentary information which may engender feelings of hostility between certain sections of the community or which contains subversive propaganda; for the control of movements of persons who promote feelings of hostility between certain sections of the community or spread subversive propaganda; for the deportation of certain persons under this Act.

It needs no serious analysis to detect for whom this Act is primarily made. Its first application was on Africans. They were deported, suppressed and intimidated under the Government's ill-conceived and ill-defined "subversive propaganda". Well over a score of Africans from Nyasaland and Northern Rhodesia have been victims of this flagrant Act.

(*b*) Public Order Act

In 1954, Africans peacefully went on strike at the Wankie Colliery. The Government without any justified reasons declared a state of emergency, sent armed forces, and used tear gas. There was no valid cause at all to use armed forces there. It was, however, the first direct and serious intimidation and suppression of Africans' free expression of their dissatisfaction.

After this strike the Government was not satisfied with its powers under the said Act, and a new sweeping Act—the Public Order Act—was passed in 1955. Although the Government argued that the Act would affect all races, the like soon manifested itself when the Southern Rhodesia African National Congress came into being. Congress leaders were maliciously prosecuted for nothing more than justified criticism of Government policy—the kind of criticism any person is entitled to air against the Government in any country where democracy is respected.

From April to December, 1958, about sixty prosecutions against Congress leaders and members were made. These prosecutions were all based on sentences as these:

> "The settlers got themselves better and fertile lands under the Land Apportionment Act; the Africans were moved to areas that are dry; There is no democracy in this country. The settlers' government is oppressing the Africans but we shall continue to fight for our rights in the land of our birth. Native Commissioners compel people to work on roads, fill dip tanks, without any remuneration in a manner that is against the law; we are discriminated against like dogs; it is obvious that the white settlers hate us."

Utterances of this nature were construed as subversive, inciting and hostile to the Government. Cases were therefore composed of wanting to overthrow the established Government. European politicians are, however, at liberty to say anything against Africans. Their language does not cause hostility at all. One politician declared: "To say an African is equal to a European is just as foolish as saying that a hyena is equal to a horse". Another said: "Africans are barbarians". A notable and veteran politician of the Federation—"Africans are all liars." The Federal Prime Minister has time and again declared that the Central African white settlers will stage a Boston Tea Party if they do not get dominion status here. This is a direct challenge to overthrow British established authority in Central Africa. No Congress man ever said words as irresponsible and subversive as these, yet they were the ones to be prosecuted and jailed. To say Europeans are exploiting Africans is a crime punishable by imprisonment and detention. But to say Africans are liars, Africans are all barbarians, Africans are baboons, etc., is accepted by the Public Order Act as long as the Europeans say it.

(*c*) Security Branch

With the coming into being of African nationalism, a branch of the C.I.D. known as the Security Branch was constituted. This branch is staffed by Africans and Europeans but only African members are sent to cover meetings of the African political and trade union organisations.

These Africans have either passed Standard II, III or IV. A handful has Standard VI as the highest qualification. With this low standard of education, these poor fellows are supposed to report proceedings and speeches at political meetings. They do not know shorthand and have to use long hand when taking notes. Mass meetings are usually conducted in vernacular languages and they are supposed to translate speeches made in the vernacular into English as the speaker delivers his speech. This is hard even for a well-educated man. If so, how much more for a Standard III detective! His own normal speech in English is unintelligible, nothing more need therefore be said about his translation.

The result is that these men take down bits of opinion of the speech in their own broken English, inserting their own terms and wrongly spelt words. Where the speaker has said, for instance: "discontent has caused bloodshed in other countries but we do not want bloodshed here", the poor security man will only be able to grasp the words "bloodshed here".

When he goes back to the office, the European security officer whose job is to edit the reports takes the notebook. He then comes across those words "bloodshed here". This is good for security. He then consults the African security man and then the words thus: "If the Government will not listen to our grievances, there will be bloodshed here soon". When all the report is properly edited from these bits the African security man is made to sign it. A case is then composed with reference to the relevant section of the Public Order Act and the speaker is charged and brought to court, prosecuted and convicted for inciting people to violence.

That the reports are edited by Europeans and that Africans are then made to sign them has been admitted by the police authorities. The way in which these Africans usually break in courts is a true manifestation of the fact that they testify what they never wrote or heard. They have only a rehearsal knowledge concerning the charge.

This is what is called security in Southern Rhodesia and it is this type of information that the Government relies on and has relied on in landing all African leaders in detention.

The Government also employs civilian informers who are paid very high salaries.

The Beadle Report had this to say about security men:

> "The bulk of this type of evidence led by the Minister, consisted of the evidence of African security details of the British South Africa Police, who testified to statements made at public meetings by various individual detainees. The accuracy of this evidence was usually contested by the detainees concerned.
>
> "The standard of education of the average security detail was not high. The great majority had been educated to Standard Six and a few beyond. Their knowledge of English also, for the most part, though good enough to enable them to give evidence without the aid of an interpreter could not be classed as really good. They all, however, impressed the Tribunal as honest witnesses." (Beadle Report—Page 3, Pars. 3 and 4).

(*d*) Meetings

African freedom of association is controlled in urban areas by location superintendents who are always in touch with the security department. Superintendents can refuse an organisation a permit to hold a meeting. The existence of an organisation is therefore dependent on the wishes of the location superintendent. From May, 1958, because African workers who had no accommodation in the location, organised a procession to the offices of the Native Administration Department in Salisbury under the auspices and support of the Trades Union Congress, the T.U.C. was banned from holding meetings in Harare African Township.

The freedom of workers to meet and discuss their grievances is of fundamental importance in every country. In Southern Rhodesia they are denied the right to do so. Trade union leaders have been prosecuted for disputes with employers which are purely industrial and are for the furtherance of trade unionism. Today some are languishing in detention for nothing else than their legitimate trade union activities.

At all meetings of African organisations scores of policemen and security men are sent to report. Informers are also detailed to report. At one meeting, policemen outnumbered members of an inter-township committee which was meeting to consider the situation of bus transport in the townships concerned.

In addition to reports at meetings, informers and policemen are detailed to report anything they hear anywhere—at parties, sports meetings, beerhalls, etc. It is difficult to say anything critical of the Government anywhere in Southern Rhodesia today, for there are informers everywhere who are paid large sums of money. As their payment is determined by what they bring, informers do not waste time in looking for stories. They sit down, compose a story and take it to the security department. A typical example of such a brewed story can be read on Page 23 of the Review Tribunal Report:

"An excerpt from the evidence of a secret witness who was considered to be reliable illustrates this well. This witness stated that a Congress leader told him this:

> 'Referring to the events in Nyasaland he (the Congress leader) said that the Government is very stupid indeed by sending all the soldiers to Nyasaland which is only one part of the Federation. He then went on to say that we are waiting for the President to come back. If he had come back we would have started another trouble this end, and we would see how the Government would distribute its soldiers.
>
> This trouble in Nyasaland is not the only trouble because we are waiting for the president, Mr. Nkomo to return from where he is at present (when he comes back he will from a point in the bush press a button which will start everything).
>
> Before we do anything this year we would like to see that we are heavily financed from outside countries as our donations. If Mr. Nkomo returns we are okay and the government had had it thick. We are going to start the trouble from one place to the other, one at a time so that when the Government send soldiers to Northern Rhodesia there is another one in Nyasaland, an automatically one again in Southern Rhodesia in Salisbury, then another at Bulawayo, then Umtali, Fort Victoria and in all reserves and when all places are making trouble we can then see how the government is going to deal with it.
>
> While the government is busy distributing its troops all over the country, we can then occupy some government offices and buildings in Salisbury, Umtali and Bulawayo and so on, and thus taking the government into our own hands.
>
> Every person will be making trouble so much that the Europeans will run away from their buildings and then we can occupy them. All the men will hold the positions while our women will do the protesting to the government that we want our country back. These events will be done systematically and methodically and yet fully organised and we will win our country back from these white savages. When Nkomo comes back our people will have to buy enough food to last a long time during the strike. All of us will then decide to die at that time and the Europeans can do what they like with their guns on us'."

After the above story the tribunal added this:

> "These are not the exact words of this witness but they represent the gist of what he said and illustrate the way in which Congress leaders were thinking and talking."

This, is no doubt, a fantastic story and it is not conceivable that a leader of a political organisation can so lavishly state the strategy of his organisation to anybody, not even to his followers. The man, of course, got a fat cheque for this fantastic brewed story.

This is the AVO system employed in this country today. All freedom is now extinguished. Only those Africans who support the Government or European parties have the freedom to talk—about things in support of the Government or white supremacy in general.

(*e*) State of Emergency

The growth of Congress and its exposition of iniquitous practices of the government and the Native Affairs Department which in the rural areas exploit and oppress Africans through the rule of native commissioners, who use statutory powers wrongly, began to disturb the Government, especially the Native Affairs Department.

The government felt that something ought to be done about Congress. Nothing else other than banning the organisation could serve the purpose. But it was not easy to simply ban an organisation. Some reasons had to be found to accuse Congress. Final touches were, however, being put to plans. Congress continued to grow and became the largest political organisation in the country. This disturbed the government. Congress continued to expose the injustices of the government, lawfully and constitutionally. The government was, however, eager to see Congress becoming lawless so that they could ban it. In this they failed absolutely.

Early in February, a rumour which, no doubt, must have started in government circles was made to circulate to the effect that Congress would be calling a country-wide strike of African workers on February 13th. This rumour caused general alarm through the country. Europeans bought guns indiscriminately and one gunsmith reported that his stocks had run out. Regulations controlling firearms were relaxed to enable Europeans to arm themselves in general against Africans.

Congress and T.U.C. leaders refuted the rumour and urged people to go to work as no strike had been contemplated by them at any time. The strike failed and the government was in a mess. Something had to be done to ban Congress, yet opportunities were not forthcoming, because Congress continued to work within the law.

Heaven-sent fortune came when sporadic rioting was reported in Nyasaland. To make things better for the government a peaceful strike of workers broke out at Kariba. The African National Congress was not connected with it in any way. Nevertheless, it gave a chance, despite the fact that Section 24 of the Public Order Act only justifies the declaration of a state of emergency in this colony when there is internal trouble and not external danger. The government seized the chance and the Governor was requested to declare a state of emergency in Southern Rhodesia on Thursday, 26th February.

No state of emergency ever existed in Southern Rhodesia as there was no trouble forthcoming or impending. The delcaration was a way to stamp out Congress, arrest all its leaders and imprison them. This is fully illustrated by the following quotation:

> "Many weeks of planning have gone into this operation which is in progress at the present time. The Federal Government were informed of our intentions about three weeks ago and gave their unstinted approval and their most generous support with all the forces they had available. The closest co-ordination has been built up, not merely between the two governments but between the respective security forces." (Sir Edgar Whitehead's statement to the House on the 26th February, 1959).

It needs no further elaboration after reading this quotation to see that the declaration of the state of emergency, was a pre-conceived plan which had nothing to do with the imminent danger to forces of law and order in the country. The situation in Nyasaland had nothing to do with the Southern Rhodesia Government.

(*f*) Preventive Detention Act, 1959

After the declaration of the state of emergency, the Southern Rhodesia Government introduced one of the most iniquitous bills ever heard of in the tradition of British justice. There was no doubt that the so-called security bills were drafted months before the emergency, as it took the Government only a few days to present before the House these all-embracing bills.

Protests were made mostly by Europeans as Africans were then liable to prosecution under emergency regulations. The Government, however, ignored all these protests and passed the bill. In their effort to justify these measures, the Government quoted instances such as the Regulation 18B of the Emergency Powers (Defence) Act, 1939 in Britain. This was, however, a war measure and cannot be compared with measures designed to suppress the opposition in peace time. The whole world that respects justice and the fundamentals of "innocence until found guilty"; "no imprisonment without trial", was no doubt, shocked.

The Preventive Detention Act created a tribunal designed on the pattern of gestapo methods, following no recognised rules of evidence and sitting in a closed court with sealed windows and a strong guard outside. It was a mockery of justice to say the least.

With lies forming the grounds of our detention, we stood before this pseudo-court to have our cases reviewed. Since the Tribunal was merely to review cases, the decision of "guilty or innocent" lies with the Minister of Justice who is both our accuser as well as our judge—a rule which is repugnant to natural justice.

As a result the Minister only discharged three people unconditionally, detained some and rusticated others to Gokwe now commonly called "Central African Siberian Concentration Camp".

To say that the Beadle Tribunal was instituted to review cases is a political lie. The truth is that the Beadle Tribunal was a sort of Commission constituted to get evidence concerning the grievances of the people from Congress people. This they did and it needs not investigating to know that the Tribunal submitted to the government a full and factual report of what actually Congress stood for, the grievances of the people and the maladministration of the Native Affairs Department in the rural areas.

This was revealed indirectly by the Prime Minister when he said: "The immediate task of the Government would be to remove all African grievances in the rural areas so that when agitators are again out, they will have no leg to stand on". It knows that therefore there were grievances and that Congress was manifesting these grievances. How then can the two statements "Congress was inciting happy and peace-loving masses" and "my government would take immediate steps to remove grievances" be reconciled? The report of the Beadle Tribunal was a direct verdict rather than a finding. The Devlin Commission which investigated the causes of

disturbances in Nyasaland produced a report which inflamed and infuriated the Central African governments. It would appear that the Beadle Tribunal was directed to challenge the findings of the Devlin Commission. The Ridley Report in Northern Rhodesia was equally directed.

However, despite our innocence, we are intended to languish here for five years for no reason other than we were exposing the government's injustices and discriminatory policies. The government has no case against the Congress leaders now imprisoned. If there were a case the government would not have hesitated to bring us before the courts of law.

(*g*) The Unlawful Organisations Act

Freedom of speech and assembly among Africans has been whittled and finally suppressed. The Unlawful Organisations' Act, an Act designed to stamp out anything like an African organisation as the second of the security bills. The Act in its present form will make it impossible for any African political organisation to live long in Southern Rhodesia.

IX. The Native Affairs Department

We have spoken about the Southern Rhodesia Government in whole but the story of Southern Rhodesia would never be intelligible without examining the Native Affairs Department.

The history of the Native Affairs Department dates back to 1898 when an Order-in-Council of the British Government made provision for the administration of Africans in the country. A secretary of Native Affairs was thereupon appointed, with officers serving under him to be known as Native Commissioners. Since that year the African has undergone untold suffering under the various native commissioners stationed all over the country. The staff of this department appear to be selected for their stern attitude towards the Africans.

The Africans rightly regard this institution to be at the bottom of their troubles and sufferings. It has grown to be a monstrous political oppressive institution—a political octopus with tentacles in the political, social and economic life of the African people; mercilessly directing influence to retard and arrest African progress. It is a vicious political institution opposed to African advancement. It is significant that since 1898, this department has seen fit and proper not to advance any African to a position of responsibility in the Native Affairs Department. To this day, after its 62 years of reign, not a single African has ever qualified to be a Native Commissioner in Southern Rhodesia.

The political purposes of the Native Affairs Department have never failed to peep out for all to see. Whenever an African organisation, or a non-racial organisation was formed to foster Africans political or social aspirations, or to bridge the discriminatory gaps between Europeans and Africans, the Native Affairs Department has always been directed to subvert and discourage the work of such organisations by employing such cunning, false statements as this:

> "It is quite true to say that at one time persons who interested themselves in Native welfare were apt to be regarded as negrophilists but today there is a large body of Europeans who give freely and voluntarily a great deal of their time to this work and it would be heartening to see from the Native people a great appreciation and response for what is done to alleviate distress and to promote good works among them. With very few exceptions the more enlightened members of their race who have progressed materially hold themselves generally conspicuously aloof from giving tangible or energetic contributions towards the welfare of less fortunate members of their community. They, however, usually apply themselves quite vigorously to the type of political organisation which is forever finding fault with the efforts of the government on their behalf."

On the same page in the last paragraph the Secretary for Native Affairs concluded by saying:

> "Aid societies of various names and description ostensibly insuguated to encourage mutual help amongst clans, tribes or communities, are legion, but in all instances they fade out as rapidly as they are formed usually with a complete disappearance of the chairmen, treasurer and subscriptions." (Both quotations are from the Report of the Secretary of Native Affairs, 1955, page 12).

This statement apart from its general falsehood is no doubt, a deliberate insinuation directed against African organisations that refuse to be under the influence of the Native Affairs Department, hence the department assassinates their character, it would be very interesting were the Native Affairs Department to reveal the number of people accused of misappropriation of public funds in organisations and Government departments in the Colony since 1898, including employees and officials of the department.

Maladministration is characteristic of all native commissioners. Unstatutory powers are employed to exploit the Africans. Among the most misused powers, brought to notice of the Congress at the time it began to spread in the reserves were:

1. People were made to work on roads and fill dip-tanks for several days without remuneration.
2. People spent days at the Native Commissioner's Office without attention being paid to them, whevener they went there with complaints or to pay poll tax.
3. Headmen entrusted with unremunerated responsibility of collecting poll tax, travelled to and from the Native Commissioner's office at their own expense. Where a person of the village was absent and working in the urban areas, the headmen were compelled to find him and collect the £2 tax from him. The headman had to make these journeys at their own expense and without any remuneration.
4. Native Commissioners interpreted Government statutes in their own way, suitable for their stern attitude. For example, at Sipolilo, Weya and in several other districts, Native Commissioners issued grazing permits in a manner contrary to the Act. Thirty people were charged for disobeying their orders in terms of these Acts and 22 were convicted by a magistrate. All the 22, subsequently on appeal had their cases upheld. It was found that Native Commissioners had acted contrary to the requirements of the Native Land Husbandry Act.
5. Instead of being administrators tendering advice to the people they have become a terror to the people and no African would dare go to see them if he could avoid it.

These and numerous hardships which Africans suffer are the works of the Native Affairs Department.

It is not a secret that the officials of the Native Affairs Department loathe the educated and enlightened Africans. They regard these Africans as a threat to their present position of inflated and artificial dignity and to their maintenance of discipline. The Native Commissioners think and act as if they have all the answers on matters concerning the Africans and on the relations between black and white.

The following extract from the report of the Secretary for Native Affairs presented to Parliament in 1953 will suffice to show the ruling mentality of officials of the Native Affairs Department. Commenting on Native education, on page 6, paragraphs 10–16, the Secretary had this to say:

> "While on the subject of kraal schools—and I am afraid, somewhat in contradiction of my praise of missionary teachers —I feel I must draw attention to the structures passed by some Native Commissioners on the behaviour of both pupils and teachers. Three quotations will suffice: 'The teacher training work is being developed along lines calculated to impress the teacher with the need of influence in the community as well as in the classroom, but the gulf between theory and practice is as wide as the poles. The lack of discipline and respect shown to others, by both pupils and teachers, past and present, is appalling. In respect of our schools, however, there is still evidence of laxity and incompetence. there is a lack of discipline and organisation is poor. Still more appalling is the average kraal-school pupil's bad behaviour and lack of respect for his elders, both black and white. Their sullen resentment to discipline and authority grows more apparent every year. It may suit the negrophilist, but is of little to help to the general good of a state with a mixed population.' "

The Secretary of Native Affairs then comments:

> "I regret to have to draw special attention to this subject but I consider it of major importance. Those three quotations are culled from the reports of three Native Commissioners in widely placed districts and are only examples. I have had occasion, both in my annual reports and in broadcast and press messages to the Africans, to comment on bad behaviour and manners. The old African was a model of good behaviour; family and parental control was strict and familiarity or 'cheek' was unknown.
>
> "May I appeal to All European school superintendents and to all African teachers to remember this and to inculcate once again the virtues of respect, of obedience and good manners. It is not a sign of weakness; it is not 'infra dig' to be polite to one's elders and betters and far more harm than good can be done by well-meaning teachers of both races who are apt to teach that *all men are equal!*

It is not necessary for us to point out in detail the causes of alarm on the part of these Native Commissioners and the Secretary for Native Affairs. It is only correct to say that the kind of respect and good manners they require from Africans is a kind of apologetic attitude on the part of the Africans to white officials and to white people in general. Hence reference to "older Africans in the past". Africans are a model of good manners among themselves and among any other people. But when respect is demanded and expected as a right by people who have no respect for others such as the Native Affairs officials, it is only natural for Africans to withdraw their respect for such people.

It was revealed during the Todd crisis when the Cabinet of Mr.

Garfield Todd rebelled against in January, 1958, that one of the causes of this disagreement between him and his Cabinet was the desire on the part of Mr. Todd to abolish the Native Affairs Department on the grounds that this institution was no longer in keeping with the march of time and that it no longer served a useful purpose other than a discriminatory and oppressive chamber for Africans.

We sincerely endorse Mr. Todd's attitude that the Native Affairs Department should be abolished.

X. Discrimination

Since 1953, when the so-called partnership policy began to be vigorously pronounced as the policy of the government of this country, we have seen nothing to this day capable of inducing us to believe that racial discrimination will come to an end. The colour bar is as rife as it was before 1953, if not worse, today. Notice boards bearing "Natives Only", "Europeans Only" are everywhere. The African is as much a victim of discrimination as he was ten years ago.

The government has tried to advance a lame argument that it cannot legislate for social integration. To shield their approval of the colour bar by contending that the electorate would not accept it is a political lie. It is the government, not the voters who are the promoters of colour bar in Southern Rhodesia. No incident ever took place when post offices were made free for all for the first time. If the post office colour bar was peacefully broken down, no reasonable person would think that there would be hostilities in other fields.

For publicity purposes, the government amended the Land Apportionment Act so as to allow hotels to be multi-racial. Unwilling to see that happen, the government put a provision in their amendment that no hotel would be forced to become multi-racial but that they would have to apply. As a result of this provision no hotel has yet applied, but the government uses the amendment as propaganda for partnership. They have no serious intention to see that hotels and restaurants turn multi-racial.

For Southern Rhodesia to tell the world that it is different from South Africa is to us, political deceit. Apart from the fact that Southern Rhodesia chose to call her apartheid by the name "partnership" and South Africa called hers "apartheid" without disguise, there is no other difference. Many writers have stated that Southern Rhodesia to a great extent is worse than South Africa in many ways. John Gunther, an authoritative American writer, in his book, *Inside Africa*, states that in certain corners colour bar is more ruthlessly pronounced in Southern Rhodesia than in South Africa. A few comparisons will suffice:

Southern Rhodesia	*South Africa*
1. Land Apportionment Act.	1. Land Act and Group Areas Act.
2. Job reservation.	2. Job reservation.
3. Social segregation.	3. No social integration.
4. Immorality Act.	4. Immorality Act.
5. Subversive Activities Act.	5. Suppression of Communism Act.
6. Proscribed organisations (Unlawful organisations Act).	6. Bans leaders from attending meetings.
7. Imprisons African leaders without trial	7. Brings leaders to open trial (treason trial).
8. Africans buying through windows at several shops.	8. Africans buying through windows at several shops.
9. No Africans in Parliament.	9. No Africans in Parliament.
10. Native Education Act.	10. Bantu Education Act.
11. Deposes Chiefs for political reasons (recent deposition: Chief Mangwende).	11. Deposes Chiefs for political reasons (Chief Luthuli).
12. Refuses passports to African leaders.	12. Refuses passports to African leaders.
13. Passes Act (Africans only), etc., etc., etc.	13. Passes Act (Africans only), etc., etc., etc.

We can draw a very long list to show that similarlity of the government's activities in Southern Rhodesia and those in South Africa, all aimed at the suppression of African freedom. The only difference, if there is really any, is that South Africa is a naked wolf while Southern Rhodesia is a wolf in sheep's skin. As we have already pointed out, these countries have gone a long way to becoming police states.

It is the white settlers in Southern Rhodesia who have caused all the tumult existing in Central Africa today. Federation was imposed on the Africans in Central Africa at the instigation of the Southern Rhodesia white settlers. The aim behind the federal set-up was to hinder Africans in Northern Rhodesia and Nyasaland attaining independence.

Thus the partnership policy was no less than a hoax by Lord Malvern, who desired to form a great Central Africa under the domination of white settlers. When Lord Malvern was once forced to define partnership, he had this to say. "That it was the relationship between the rider and the horse". That is exactly what it means in this country. The African is the horse and the white settler is the rider.

We reject Federation, because it was designed to entrench white supremacy in Central Africa.

Salisbury

Oral Evidence

THE CATERING AND HOTEL WORKERS UNION OF SOUTHERN RHODESIA—Represented by G. Gotora.

Mr. Gotora said that for the last two years he had been employed as the full-time General Organising Secretary of the Union which had a membership of 2,000 in Southern Rhodesia. He was born in Mrewa, Southern Rhodesia, but he had not lived in either of the Northern Territories—he had only travelled through them from time to time.

Elaborating on his memorandum, he said that he and his Union set great store on a franchise based on the ideal of one man, one vote, because this was the position in the United Kingdom. He said that with a franchise thus based, the voting strength of the African would only be approximately the same as that of the European because there were millions of Africans who, even if registered, would not take the trouble to vote. Another reason why he wanted no qualifications for franchise was that the monetary qualifications were quite useless in this country because the African was far too poorly paid. Indeed, the Government, in their anxiety to prevent the Africans from getting on to the roll, stopped employers paying Africans a reasonable wage. It was essential to increase the African electorate because it was found that even African Members of Parliament never took the trouble to go to their African constituents because they had been elected on a European vote. He also suggested that there should be no educational qualifications; but he agreed it was desirable that candidates should be more highly qualified as this would ensure a better Government. He thought it might be possible to insist that candidates should have studied or taken a degree in such subjects as political science.

In reply to a question, the witness responded with the query as to why should voters have any qualifications when many who have no education whatsoever were wiser men than those who have had a former education and passed certain standards. He said the desire of the Southern Rhodesia Government was to keep the African ignorant. Mr. Gotora said that he was a trade unionist who should really not take any part in politics, but he was a member of a political party. He added that he loved Dr. Banda's speeches.

Memorandum

HIS GRACE THE DUKE OF MONTROSE, M.P.

Autobiographical Note

The Duke of Montrose came to Southern Rhodesia in 1931 at the age of 24 under appointment as agronomist and pasture research officer to the leading firm of fertiliser distributors and continued in this employment for 3½ years. In 1934 he decided to make this country his home, and with the assistance of a Government Settlement Scheme took up and developed as a farm a piece of virgin land 100 miles from Salisbury, subsequently moving in 1938 to another farm less off the beaten track.

From 1939 to 1945 he served in the R.N.V.R. as a Lieutenant and Lieutenant Commander, for the last two years of the War being in command of an escort destroyer.

In 1945 he returned to farming in South Rhodesia as a full time occupation, until in 1959 he was elected a Member of Parliament for Hartley/Gatooma in the Federal Assembly of Rhodesia and Nyasaland.

Factors affecting African psychology that should be considered when contemplating widening spheres of African advancement

In considering our own affairs it is sometimes not amiss to know what others have thought when confronted with a not dissimilar problem. The following paragraph is taken from a Report of the House Committee on Immigration and Naturalization of the Sixty-Eighth Congress of the U.S.A. (1923) for in it I think we could with justification read the word "electorate" where occur the words "people" and "population".

> "It is necessary to the successful future of our nation to preserve the basic strain of our population. . . . Since it is the axiom of political science that a government not imposed by external force is the visible expression of the ideals, standards, and social viewpoint of the people over which it rules, it is obvious that a change in the character or composition of the population must inevitably result in the evolution of a form of government consonant with the base upon which it rests."

In any case it is certain that any major change from a predominantly European to a predominantly African electorate would inevitably "result in the evolution of a form of govern-

ment" very different to that at present existing in Central Africa.

It is therefore apposite to consider factors that would cause just such a change in the character of our electorate, if any significant broadening of the franchise were undertaken. This necessitates a study of the ways of thinking—the thought processes—the psychology—of those people who are not now enfranchised but would be if the present qualifications were lowered. It is with such people that I, as a farmer, have been in very close touch for nearly 30 years and had opportunity to assess their psychological approach to the many problems they encounter in their contact with the European and come up against in the European occupied areas of Rhodesia. Problems to be faced when in "transition" from a primitive to a more complicated form of culture.

I think I have made it clear that the points to be made need not be taken to apply to the more advanced and educated Africans who already are enfranchised though even in some such persons all the dust of environment and past generations may not have been entirely blown away. For the purposes immediately before your Committee it is only necessary to consider this evidence as it applies to those who are not now entitled to vote on the common Voters' Roll but who would be enfranchised if the qualifications are further lowered. I make, moreover, no suggestion that changes in other aspects of our national "set-up" are not necessary.

I further hope that in the few points which I wish to put before the Commission I may give some indication that many others, far more qualified than I, have carried out a wide study in the realm of African psychology and to those not already familiar with it I call attention to the fact that the results of this research have been published in an extensive bibliography. I believe that some familiarity with these findings will be necessary to the making of wise decisions in regard to the African Continent.

A work almost essential to this end, since the author quotes liberally from the findings of others as well as his own, is *The African Mind in Health and Disease* by J. C. Carothers—World Health Organisation Monograph Series No. 17 (1953). A second work with considerable bearing on the subject though it deals with the American Negro and not the African as such, is *The Testing of Negro Intelligence* by Audrey M. Shuey, Chairman of the Department of Psychology, Randolph-Macon Woman's College (1958). This is a review of seventeen textbooks in the field indicated by the title.

"Both these books confirm the fact that as things are at present there exists a difference between the Black and White Races in regard to average mental ability and psychological approach. The authors make no claim that this difference is hereditary for they admit that it could always be claimed that "environment", in its widest sense is always sufficiently diverse to account for it. The term environment here of course includes the incidence and effects of diseases, multnutrition, and dietary deficiencies both of parents and the individuals under investigation. Such effects are rife even among apparently healthy Africans. This does not get over the fact that these differences are there and are real, and must be taken into account. Should they, or let us say some part of them, be innate there is nothing we can really do about it since human beings cannot be the subject of careful genetical selection and breeding programmes. But much undoubtedly *can* be done by way of improving the "environment" and there can be no argument about it that such changes as we envisage will not come about if settled European communities disappear from among the African people. The settled European home, bringing up its children and by example imparting a knowledge of values, must be the only way a primitive people can learn how to live."

In dealing with only a few of the characteristics that, when widening of the franchise, would change the character of the electorate I will as far as possible, with each in turn, indicate them as observed and expressed by the ordinary European observer and accepted by him with an uncomprehending shrug of the shoulders, then indicate the form in which they are found and explained by some of the trained investigators.

1. Failure to Compromise

A point that must be considered as racial barriers break down is the inability of the majority of Africans to accept compromise. The African will often abandon a good job or a good contract if some quite minor concession is not made, or an entire labour force may be permanently upset if any one of a list of requests or demands to their employer is not met even though all the others are agreed to.

J. C. Carothers in his monograph draws attention to a probable psychological reason for this "all or nothing" trait of the African mind. He calls attention to the fact that the infant African, for his first 18 months or 2 years, lives a life little different to that of the womb. Carried on his mother's back in close and warm contact with her body he is fed on demand at any hour of the day or night, while no attempt is made at hygienic training. The infant is not made to conform to any sort of timetable and never experiences the need to wait or that all good things, even a meal, come to an end. He "lives a life that in many ways fails to introduce the child to the frustrations of reality and, in psycho-analytical language, the illusion of omnipotence persists till after self-consciousness is established" (Carothers). Then comes the moment when the child is abruptly weaned. The mother's interest is transferred to her next pregnancy and the child suffers a considerable emotional neglect. In the African mind, therefore, "the world is divided into two forces—a benevolent power which would give him everything and a malevolent which would deprive him of even life itself. He cannot look critically at himself and the world and see that neither the goodness nor the badness is absolute and he must somehow contrive to get rid of the badness and recover the goodness—or persuade himself that he has done so." (J. F. Ritchie, Rhodes Livingstone Papers No. 9).

The result is that when one starts to give, either materially or by adopting a more liberal approach, it is extremely difficult to persuade most Africans that at a particular time or point one is not prepared, or is unable, to give any more or go any further.

This undoubtedly has considerable bearing upon the fact that the recent troubles in Nyasaland and the Congo may be said to have occurred in countries where the most concessions had been given or promised.

2. The Desire to Conform

The proclivity of the African to "follow my leader" is a matter of common observation and perhaps in no type of community could it be said with greater truth that the removal of one discontented man may bring to an end what might appear to the uninitiated to be a widespread discontent. This not only applies when Africans appear not to accept the circumstances in which they find themselves but also applies to the fact that they may be persuaded by one or two of their number to accept circumstances that one might suppose they could with justification complain about. Those who have had much to do with Africans have generally come to realise the impossibility of asking a group of Africans to divide themselves left and right on any particular issue. As an example one might say "Those who wish to leave on the left and those who wish to remain on the right". After great hesitation on the part of anyone to make a move, in the moment it becomes possible for them to form an opinion as to the choice of the majority, nine times out of ten the whole group will suddenly move over to that side. This can largely be explained as follows:—from childhood onwards it is borne in upon the African that he must do nothing that might offend the spirits of his people, some of which spirits at any given time are occupying the mortal bodies of his contemporaries though others may, pro tem, be in the limbo of the spirit world, or even occupying some inanimate objects such as a tree or rock or even an animate creature such as a bull. The spirit of his grandfather, for instance, may even now be in his son. Wherever those spirits are it is up to him and the rest of his group to give no cause for offence to these powers. The customs of his people are designed to avoid this possibility. It is essential, therefore, that he should conform to the "social rule" and to that end it is safest to do what others do. Expressions of individuality are discouraged and the need to conform is continually accentuated.

When to this characteristic is added the natural inclination that persists, even in America, for white and black communities to vote on a colour basis, it is suggested that the likelihood of any large-scale division among the lesser educated members of the African community on the lines of purely party policy is most improbable. It may indeed be justifiably hoped that such division may occur in an African electorate where the franchise qualification is kept reasonably high, but among the masses it is almost certain that they would vote "en bloc" for he who promises the greatest immediate degree of gratification.

3. One Track Mind

There is, I believe, an African proverb to the effect that one cannot pursue two buck on the same day. Indeed it is generally accepted by the Europeans that to give an African more than one thing at a time to think about is fatal to efficiency. To the European the African is "par excellence" one track minded and if given only one straightforward task is often capable of performing it up to European standards.

This inability to have more than one thing at a time in mind becomes very apparent when, for instance, an African is informed of a family illness or believes he is the subject of some supposed "evil eye". It is beyond his ability to put such information temporarily at the back of his mind and to continue even to the end of a shift with any sort of efficiency.

Indeed, insistence on his doing so is often the cause of accidents where machinery is concerned. This characteristic is also referred to by Carothers as "the inability to attend to two things at once, or at least to keep the second near to the threshold of consciousness while attending to the first". He refers to African adult psychology as "monoideic".

This lack of aptitude to consider more than one thought at a time largely precludes the ability to see "cause and effect" in their true perspective and politically means that some sudden concept of immediate gratification can be accepted in complete isolation from previous benefits or disabilities or the results that may ensue.

I suggest that the wide acceptancy by Nyasaland Africans of the demand for "Independence" is a case in point.

In the sphere of industrial advancement the above psychological characteristic is of major importance and could with advantage be borne in mind when the Commission is considering evidence on the "fractionalisation of jobs" an the Copperbelt and elsewhere. To take a simple example—the European driver of a heavy diesel transport vehicle is expected to have sufficient knowledge of his engine to effect running repairs and to keep the wheels rolling when far from his base. In fractionalisation of this job in aid of African advancement, it may be proposed to break it down into:—

1. a lower category driver who "knows nothing about what goes on under the bonnet" and
2. another employee who cannot drive but goes out to mend the thing if it breaks down.

Some other types of European employment would have to be fractionalised into 3, 4, or even 5 minor jobs to get the greatest efficiency from African employees, and it is knowing this that the European artisan feels he has some security in his stand on "no fractionalisation" and "equal pay for equal work".

4. The Seat of Power

I have already mentioned under 2 the regard held by the African for the power or powers believed by him to be exercised by the spirit world.

In ordinary tribal matters the spirits are consulted through the tribal medium or "mhondoro" who in many ways is of greater influence than even the chief. (See "Medicine and Magic of the Mashona" by M. Gelfand). To the African mind, therefore, it must always appear that he who is the more successful or more powerful is the medium of stronger spirit forces than he who fails. To the African individual it is not his to choose whether the spirits selects white or black men as their chosen mediums. His wisest course is to conform to the will of the most powerful medium. The really important thing is to know precisely who that medium is.

The recent events connected with Dr. Banda, his arrival and arrest, provide a most cogent example. Propagandised before his arrival as "The Messiah", his subsequent ability to flout authority and insult the Governor and anybody else he chose, with immunity, naturally created the impression in many African minds that the more powerful spirits had transferred their power and ability from the white man's Government to Dr. Banda. To the minds of others the position was at least obscure and to have any doubts on so important a matter is to be in a very unhappy position. It was, therefore, with absolute truth that Sir Roy Welensky said that the arrest of Dr. Banda caused a sigh of relief among the African people, for once more they knew with certainty whom to heed. That the Government was supported by spiritual powers more powerful than those of Dr. Banda they now knew for certain.

What the effects will be if on his release he is permitted to carry on from where he left off may therefore be imagined.

In the wider sphere of subversive activity generally one must not lose sight of the fact that the ordinary African is never quite sure whether the demagogue or agitator, particularly if he has had considerable contact with Europeans and European education, has not acquired some increased occult powers. A veiled threat then that "something will happen to you or yours, if you do not join the Congress," etc. is a very good reason for playing safe and doing what he who threatens is proposing.

Should an individual or a group of individuals stand out against such veiled threats, the first signs of sickness among one of them or his family, or something amiss among his livestock or other possessions, is enough to make most of them have second thoughts and obey.

5. Some Comments on Comparative Intelligence

It is frequently commented upon that European children often play happily with African children up to the age of 9 or 10 years and thereafter cease to find companionship amongst their erstwhile playmates. The fatuous and ill-informed suggestion was even made recently in a Rhodesian newspaper (with accompanying photograph of two toddlers) that but for the influence of parents this Elysian state would continue indefinitely. But what is the truth?

It is a common observation that the African child is a bright and promising little fellow up to the age of puberty which he reaches, in any case, two years before the European. He then becomes hopelessly inadequate and disappointing and it is well known that this is due to his almost total absorption henceforth in matters of sex. Whatever the reason for this most disappointing state of affairs, the phenomenon is recognised by practically every investigator.

There is every indication that while the intelligence and mental age of European and African children is much the same up to about 10 years of age, thereafter the African (or Negro) starts to lag behind, so that even where a European boy may have no alternative companions he finds that at about that age he has mentally grown away from the African children with whom he once played. Added to this, of course, is the fact that the African child's all absorbing interest in matters of sex is not only condoned but, in many cases, encouraged by the customs of his people and this alone makes the pubescent African an undesirable companion for European children. The effect of this period upon the development of the African was commented on by S. Davidson, Rhodes Livingstone Papers (1949).

The following tables may be of interest in this connection. They are compiled from information given in official Reports of the Central African Statistical Office on Non-African Education, and in the African Demographic Survey (both of 1958).

Median Ages by Standards in Government Schools

Standard	*European*	*Coloured and Asian*	*African*
I	8.6	10.2	10 & 11
II	9.7	11.1	12
III	10.7	12.4	13 - 16
IV	11.7	13.3	The median
V	12.7	14.2	standard of
Form			education
I	13.7	15.2	of any age
II	14.8	16.3	group never rises above Standard III

A similar state of affairs has been shown in many American investigations but to keep within the orbit of official reports the following table is compiled from the Report of the Committee to Investigate Public School Standards and Conditions in the District of Columbia 1957.

Grade	*White Schools*		*Integrated Schools*	*Negro*
3rd	Nat. Average	Grade	−½ Grade	−1 Grade
5th	+½	„	−1 „	−2 „
6th	+1	„	−½ Year	−1½ „
8th	+1	„	−1 Grade	−2 „
9th	+1	„	−1 „	−3 „

For other suggested reasons for stalling of Negro mental development see under "Negro" in the 13th Edition of Encyclopedia Britannica, (that is, before the Encyclopedia was taken over by Harvard University and politics expunged scientific information).

Conclusion

It may be some unformulated sense of such limitations that appears to cause some African leaders to feel that Western Ways, the Modern State, and European "hustle", do not hold the prospect of true happiness for their people. Perhaps this was the mood of Jomo Kenyatta when in his book "Facing Mount Kenya" (1938) he produced a sort of "blueprint" for an African State—certainly it was not for the right to establish a European type democracy that his adherents rebelled and fought to drive out the Europeans.

It may be that the African masses can never find happiness and fulfilment among the standards demanded and the ways of thought of a Western-type state. Certain it is that Europeans cannot find happiness in anything less.

In conclusion, therefore, I would remind the Commission of one particular characteristic of the European and that is his propensity to pack up and go when the environment, political, social or other, is not to his liking.

We are all here in Rhodesia because either we or our fathers at some time in the last 100 years pulled up their stakes and "left home".

In this context I hope the Commission will consider the analogy of Mauritius and I quote from *A Short History of Mauritius* by P. J. Barnwell and A. Toussaint:

"The Moody Report (to give it the name of the chairman of the enquiry into the 1943 troubles) said a change of

heart was necessary. The British Government in London might be willing to spend much money on improving the colonies of the British Empire, but money alone would not solve the problems of Mauritius; a changed attitude among the people of Mauritius was also required."

"The Legislative Council had previously included nine officials, ten elected members, and nine members nominated by the Governor, some of these nominees being officials and others non-officials. The new 1948 Legislative Council was to contain three officials, nineteen elected members, and twelve nominees, who were all to be non-officials."

"Under the 1885 constitution relatively few persons were able to vote—only 12,000 men out of 220,000 adults in 1946. Under the 1948 constitution almost all adults were to vote, women as well as men, so long as they could read and write. The main idea behind these changes was that of government by consent of the people."

What has happened? There is today only one elected European in the Legislative Council. Most of the European families, some of whom have been seven generations in the island, have left or are leaving. There are said to be now 30,000 Europeans from Mauritius in Natal alone, while only 10,000 are left in the island. In Southern Rhodesia 48% of the capital of a large new sugar industry is from Mauritius.

It can happen here.

And if it does what chance is there of that breaking away from backward taboos, of that improved nutritional diet, of that whole change of environment, without which, even if his handicaps are not hereditary, the African stands little chance of real advance.

I must apologise to those Rhodesians on the Commission who are already only too familiar with all I have submitted but I feel sure that they will confirm to others that it is no more than the truth.

Salisbury

Oral Evidence

HIS GRACE THE DUKE OF MONTROSE

The Duke of Montrose had submitted a memorandum. Now he presented and had read to the Commission a supplementary paper which was in the following terms:—

With reference to the paper I submitted, I must apologise for some of the rather cumbersome sentences in which I expressed myself but due to some misunderstanding here in the High Commissioner's Office as to the latest date for submitting evidence I had not the opportunity to edit it as I would have liked. However, I hope it was possible to get the gist of what I was trying to say.

I feel that the task of the Commission is very much like that of a pilot or navigator whose duty is to set a course for the captain and those other officers who will have to steer the ship of Central Africa through the stormy seas that lie ahead. It is not out of place then if I use the analogy of navigational ability and the degress thereof needed to navigate a ship upon the ocean—a task with which I became somewhat familiar during the War as a Navigating Officer and a Destroyer Captain.

Now; the Admiralty Manual of Navigation is divided into three volumes. The first confines itself to the fundamental principles of general navigation which in our present context is analogous to the approach of any educated man to a major problem about which he knows little in detail. The second volume teaches the various formulae that must be used, but makes no attempt to involve the would-be navigator in the knowledge of how these formulae were arrived at; or how the correctness of them may be proved. It is sufficient for all practical navigational purposes that he should know the formulae and know how to use them, and so be able to fix his position by "rule of thumb" methods. He can do this without any profound knowledge as to how the relevant Tables are arrived at, and without any profound knowledge of spherical trigonometary. In fact it is at this practical point that the knowledge of the ordinary seaman is sufficient to enable him to bring his vessel across the oceans of the world and into harbour.

Now in the context of your enquiry I believe it is from men and women at this practical "working-knowledge" point in the understanding of African people that you will have received much valuable evidence—from men with a long and understanding background of life among the African people.

To return to my analogy. The third volume of the Manual of Navigation deals entirely with the proofs of the trigonometrical formulae, etc., that the student of the second volume has learnt to use, and the document that I have submitted to you is no more than a very humble attempt to call the attention of those of you who are not already aware, that there does exist in our present context a great deal of literature setting out the results of careful study in the field of African psychology and mental ability by trained investigators. This may be said to constitute the third volume of the Manual of Navigation that is needed in the task before you.

As in the maritime context, if you are prepared to accept the formulae given to you in all honesty by "old hands", then, of course, there would be no practical purpose in studying the third volume. But I have an unhappy feeling that some members of your Commission will discredit as "biased" facts that have been put before you, knowing them to be based on purely practical observation. I would hope, therefore, that some, at least, of you will find time to go into the deeper, psychological aspects of our problems, set out, as they have been, by trained observers.

As I have stated the document I submitted aimed at more than indicating that a great deal of work has been done by others on a subject which is much too intricate and extensive to form part of the evidence I supposed would be welcome today. Suffice it to say that even if all heritable factors are discounted, (and it is probable that at least 50% of our mental make-up is heritable, but even if that aspect is discounted), there is ample difference in the whole pattern of African upbringing, from birth to adolescence alone, as compared with that of the European to account for a very great discrepancy in their approach to problems and their reaction to events. I have no hesitation in saying that this would be confirmed by any psychologist, even without first-hand experience in Africa itself, if no more than a factual account of the African's life as a babe, as an infant, and as a child were set before him.

I feel that I will have performed a useful task today if I should have done anything to persuade you gentlemen, before you make your recommendations, to satisfy yourselves beyond all reasonable doubt whether [and no matter for what reasons, and irrespective of what may be done about it in the future] the African, as he is today and will be for the next 20 years, is capable of running a Western type democratic State, *or* whether, as many must have told you, he is indeed a man with a completely different mental approach to almost every event. Without that knowledge you cannot hope to assess what will be the results of any policy that you may advise.

Now, I would like to change my theme.

I hope that you have been told, or if not already told, that you will make the United Kingdom Government tell you before you formulate your decisions, *what is their goal in Africa,* what is their ultimate political object—what is the final picture that they hope to see?—because it seems to me that the present near-objective of indiscriminate Africanisation and handing over control of the whole Continent to the black Africans, and to pursue such a policy heedless of all warnings, is going to prove as big a blunder for Africa as the wartime policy of unconditional surrender has proved to be for Europe. Such near horizon aims that do not follow through to some political finality are most dangerous.

We must surely have learnt by this time that it is necessary to go further than such chimerical objectives as "a war to end war" or a war "to make the world safe for democracy", or in our present context, slogans such as—"Africanisation", "Multiracialism", "Partnership", and so on. We must go further than the pious hope that African controlled states will welcome the presence of settled European communities and that if given their freedom they will be happy enough to receive financial aid from the West to the exclusion of the Soviet Union. We must not assume that because a few Europeans say that *they* have no racial preferences—I avoid the word "prejudices"—Africans may be found of the same mind. Such things are no more than pious hopes and are

(1) Contrary to what is already indicated in those areas that have received independence,

(2) Contrary to what is indicated by African leaders in those countries where the white man is still in control,

(3) Contrary to the experience, even in America, where preference for one's own kind is still very evident after three or four hundred years of association.

From the point of view of white communities in Africa who have made it their home, black predominated governments mean extinction.

By that I do not mean that European company executives and employees, living in company houses and with company furniture, in Africa for stated periods of employment, and sending their children back to Europe for schooling, will not still be found. In saying that the European will go, I refer to the European who, today, calls Africa his home. One may consider the present exodus from the Congo.

One supposes it is the policy of the Western Powers to keep the African Continent inclining in favour towards the West, but if they think that this can be done by making concessions

to backward peoples, I suggest that they are entirely wrong and that this policy is no more than wishful thinking. Some study along the lines I suggested in the paper submitted would be sufficient to indicate that there cannot be, at least for a very long time, sufficient Africans able to make full use of the educational facilities available, in such a way that they would be able to fill a majority of the leading executive positions in Government, Industry and Commerce.

It is in their failure to get from education all that they hope that I think resentment may even be felt against those who have tried to educate them. We come back, once more, to the possibility that at least some of this inability may be hereditary. What then? It is my belief that antagonism to the white man will increase rather than diminish if time should prove that when the white man has opened the door the inherent lack of some factor of mental ability prevents them passing through it. Then will come the rebellion of what Lothrop Stoddard called the "underman" in his book "The Revolt Against Civilisation". If, as I think, the Western Powers believe that a friendly Africa is essential to their defence and they believe Central Africa as a land area to be essential in any major strategy, there is only one sure way of being certain that it will be held for them secure and loyal, and that is for them to see to it that their own kith and kin remain here and remain in control. It is pure fantasy to imagine otherwise. If the East West conflict materialises it is very certain that African governments could never defend this Continent. No one but the white man will or can stem the Eastern Flood.

Apart from strategic reasons the departure of the European at this stage of their development would be a tragedy for the African people themselves. When we view the great mass of ignorance, disease, malnutrition, and lack of hygiene to be dealt with before environment can even be said to have been modified, before we can even assess the African potential, you will see that the Europeans' task in Central Africa has hardly begun.

Perhaps it was, and is, our task not only to go out into the World and preach the Gospel, but to go out into the World and show men how to live and how to live more abundantly. We *must* remain and we will only remain so long as political control—I do not say monopoly—remains in European hands. We have brought forward a backward people at a great pace. We will continue in this work—only do not push us so that we fall.

The British Government have sown the wind up North and will see the harvest of the storm but we, in Southern Rhodesia, hope to save as much as we can for ordered progress, continued white settlement and that the West may have at least one friend on the African Continent.

When this supplementary paper had been read the Duke of Montrose spoke in amplification of the memoranda.

Arising out of discussion of the tables given in Section V of the original memorandum, the witness stated that they must hope for the best and try to lead the African on. What the African was demanding was equality but what at this stage of evolution he required was really equality of opportunity.

It was quite clear that the only way European leadership could be maintained in the Federation was either by working hand in hand with the African or enforcing that leadership. He was quite satisfied that most of the Africans in the country wished the Europeans to remain. It was only the demagogues, who were self-seeking, who wished the Europeans out of the way, because once that had been achieved they themselves would be able to achieve domination over their fellows. The door was opening or was now open to the Africans to get in so that the two races could indeed work hand in hand but the witness felt that if they did not take that opportunity and achieve results, they should not condemn and regard their failure as something that had been thrust upon them because of the colour of their skins. Unfortunately, far too many African people believe that the word "education" was the open sesame to everything. The witness said that it was essential that all should work together but there was no reason why in doing so there should not be certain minimum conditions. As an instance of that, he suggested that the Europeans might, for example, not like multi-racial schools. If they were of that mind, there was no reason why they should be forced into them.

He thought that the African was only making demands to take part in the government of the country because he was an African and not because he had the ability to conduct the government of the country with merit, and he posed the question to the Commission: was there any African who could be given the ministerial portfolios of, for example, agriculture and commerce and industry? He was satisfied there was not. Any such ministerial appointments would be completely hollow, as they would have to be carried almost entirely by the European staff. His view was that they should start at the bottom and become proficient, really proficient, in local government and on committees, etc. He agreed that the opportunity to acquire proficiency had only come to the African to enable him to demonstrate his ability within the last three years or so. He was opposed to even moderate political advancement in either the Territorial or Federal spheres on the grounds that the European would find this intolerable and have to leave the country as soon as this came about. What was needed not only by the Europeans but more particularly by the African was time.

The witness remarked that so far as the franchise was concerned, even one of the African members of the Commission had himself drawn the definition between the stage of development of the rural and bundu African and the urban African. He, the witness, was opposed to lowering the franchise; but if it was done well, he did not mind at all who ran the country.

The witness went on to say that if the qualifications for candidates were very high, that is if they were chosen from people who had had great experience, or chosen by electoral colleges, a great deal of good could probably result. He did not for a moment, however, suggest that candidates should be elected to parliamentary seats by electoral colleges. He added that he was in favour of the common roll.

In reply to one question, he stated categorically that his views were certainly not those of the ruling party in the Union of South Africa.

Concluding, the Duke made a plea that members of the Commission should make a serious effort to read the books to which he had referred in his memorandum. He mentioned that when, in another place, he had referred in debate to the psychology of the African, an African member of parliament had approached him subsequently and told him that he had a brother who had been weaned at the age of eight and was found to be completely impossible. The psychological effect on African children who were subjected to this form of nurturing was that he felt that he had been replaced by his father when he was weaned and that the father, who at that stage was by custom able to resume cohabitation, hated him. This bred a resentment to the fathers authority and that resentment to authority persisted thereafter.

Memorandum

THE COLOURED COMMUNITY OF BULAWAYO

Drawn up by representatives of:—The Barham Green Ratepayers Association, Forestvale Residents, Upper Rangemore Landowners Association, Thorngrove Residents.

Preamble

Whilst it is our considered opinion that, in view of the developments in the world generally and the increased tempo of events in Africa together with the growing interdependence of all mankind, Federation—based on the true conception of Partnership—should and *can* be made to work; nevertheless certain vital aspects must be taken into account:—

1. No scheme of Partnership can be successfully carried out unless all parties are prepared to face up *honestly* to the problems involved. This includes honesty on the part of Central and Local Governments as well as the four racial groups and individual citizens.
2. What are now minority groups *must* have their rights protected during the immediate future until everybody can compete on a basis of merit alone.
3. The present differentiation into European, Coloured, Asian and African must be done away with and *all* referred to as Rhodesians. Emphasis must be placed on a common citizenship, with all having a common loyalty to the country and not, as at present, a loyalty to the country *plus* an even stronger loyalty to a particular group.
4. The part that the Coloured Community has played in the opening up of Rhodesia must be recognized and the fact that in their veins flows some of the finest European blood ever known in Southern Africa. (A perusal of some of the surnames would be enlightening not only for the Commissioners but also for most citizens in this country). Let us never forget Cecil Rhodes' own words "As to the Coloured People I owe them a debt of great gratitude for the work they have done for me in opening up this country. They stormed the fastnesses of the Matopos not once, but several times; without their help, I could not have achieved what I have. I regard them as one of the great sources of prosperity in this country. I am happy to have the opportunity of making this statement."

Taking the above into consideration we therefore recommend that the Federal and Territorial Governments unequivocably

declare that all citizens shall be considered Rhodesians and have equal opportunity based on merit. Further that a law be passed making it a punishable offence to refuse admission to cinemas, cafes, restaurants, theatres, recreational centres, etc.: or to refuse employment, on the grounds of race, colour or religion.

It is imperative that equal pay be given for equal work and that the Government be the first to set an example. It is a cause of much heart-burning that the Government should adopt the attitude—which is reflected amongst the European community generally—that the Coloured Community lives at a lower standard of living than the European and thus makes its salaries, old age pensions and social welfare relief for members of the Coloured Community so much lower accordingly. This attitude is resented strongly by the Coloured Community and by all right thinking Europeans. Two examples will suffice, namely School Matrons and Housekeepers, School Secretaries. The work done is identical for both European and Coloured yet the difference in pay is quite scandalous. If this position is permitted to continue then bitterness will increase and racial feeling intensify between the two groups.

Members of the Coloured Community, suitably qualified, must be eligible for employment in all branches of the Government Service at the same rate of pay as that of Europeans doing an equivalent job. This is definitely not the case at the moment and thus it is considered that the Government is being dishonest in its protestations of Partnership.

1. Government Acts

Which either discriminate against the Coloured Community or are interpreted in a discriminatory manner, consist of:—

(a) Workmen's Compensation Act.

(b) Mining and Prospecting Act.

(c) Immigration Act.

(d) Firearms Act.

2. Municipality of Bulawayo

All restrictive clauses in title deeds and the bye-laws pertaining to separate latrines *must* be declared *ultra vires* the Constitution.

3. Legal

It is quite unfair that children born out of wedlock, but acknowledged by the European fathers (many in the most prominent positions in this country) should be excluded from claiming against the estate of their father, when provision has not been made for them in a will.

Likewise where a European man has lived consistently with a woman of another race, but not legally married, it should be possible for the woman, on the death of her partner, to claim against the estate and thus avoid hardship and in many cases complete dispossession.

Many members of the community have suffered unfairly, when appearing before the courts, through not being able to afford the services of a solicitor or to appeal against a severe sentence. It is considered imperative that the Department of Justice in consultation with the Bar should investigate at once the setting up of a Legal Aid Bureau along the lines of those existing overseas. It is confidently felt that assistance would be given by overseas organisations if this was felt necessary.

4. Education

Whilst partnership in this field must inevitably lead to integration in the schools, it is recognized that this is a long term policy and that, for the immediate future, separate schools will have to continue. In accepting this position it must be stressed that *equal* opportunity must be accorded to all.

Secondary Education must be made compulsory for all members of the Coloured Community, irrespective of where the parents are living, and the Government should provide adequate Hostel accommodation to make this possible.

The number of Secondary Schools in the Federation are quite insufficient and additional ones must be built. Here it should be stated quite categorically that the official census figures for the Coloured Community do not reflect the correct position. At the time of the Beadle Commission it was estimated that in Southern Rhodesia alone some 10,000 "first generation" Coloured children living with their African mothers in the reserves existed, and because of their environment had been included as "African". *Full* Technical facilities should be provided and it is essential that proper Technical Colleges be provided for those children who are not suited for an academic course. We deplore the half-measures suggested in providing technical facilities at existing Secondary Schools.

Teacher Training. Whilst a gesture to partnership has been made in allowing Coloured and Asian students to attend Heany Training College, it is a fact that they cannot benefit fully from this because they cannot share in the complete life of the College, and are unable to take part in the social and extra-curricular activities of the College. If all students, irrespective of race can live in at the University College of Rhodesia & Nyasaland, it is a reasonable demand that all teacher trainees be provided with accommodation at Heany. It is an evasion to plead that Heany is only temporary and that things will be different when the new College is built.

5. Housing

Contrary to the report of the Currie Committee, the Community is extremely dissatisfied with the approach to Coloured Housing made by the local authorities (not excluding Bulawayo) and it is felt that Housing be taken right out of the hands of Municipalities and that the Government either set up a Housing Institute or make arrangements direct with responsible organisations within the Community.

6. Health Services

Accepting the fact that a new Government Hospital is nearing completion at Bulawayo for the Coloured and Asian Communities, this has taken 25 years of constant battling and even now the Government has been completely lacking in vision. The new Hospital is inadequate before it is even opened. The number of beds has been gauged on the number of patients at the old Memorial Hospital, entirely overlooking the fact that dozens and dozens of members of the Community have refused to enter this Hospital because of the poor facilities, lack of trained nurses and rude treatment generally.

No facilities exist for the care of T.B. patients and if the Government and local authorities find it necessary to make special provision for both African and European T.B. patients, it is illogical for them to say—when requested to do the same for the Coloured Community—that "modern drugs render the isolation of T.B. patients unnecessary and that they can be treated in the general wards". Definite provisions *must* be made for the isolation of all infectious and contagious cases.

It is felt generally that the question of Hospital fees should be a matter of consultation with responsible persons who know the Community and in cases of genuine hardship they should be waived. *Many* members of the Community are carrying a very heavy burden by way of doctors' bills because of the almost inflexible rule that "a private doctor should be called".

A Government doctor should always be immediately available for emergency cases.

It is our considered opinion that all T.B. drugs should be free of charge, irrespective of whether the patient is in hospital or not. This is something which should be carried by the Government. Facilities should be provided at the King George VI Memorial Centre and similar places for the care and treatment of polio victims and other handicapped persons from the Coloured Community. These places were built with public funds and should not be for "Europeans Only".

Facilities must be provided for the treatment of Coloured patients at the Nervous Disorders Hospital. At the moment "in patients" have to go to Ingutsheni where the conditions for the Coloured Community are shocking in the extreme.

Hospital Advisory Boards. Without question the Coloured Community should have direct representation on all Hospital Advisory Boards and not as at present by Europeans who are thought or reputed to be sympathetic towards them.

7. Prisons

Conditions at the prisons generally for Coloured prisoners are bad and immediate improvements must be made. In particular it is requested that adequate provision be made for a Remand Home for Juveniles either awaiting trial or transfer to a Reformatory. Likewise a Reformatory should be provided within the Federation and thus avoid having to rely on the "goodwill" of the Union authorities.

8. Armed Forces

Opportunities should be made in each of the armed forces for those members of the Community who wish to make this their career. There must be equality of rank and pay with the European and no ceiling be placed on their advancement if they are able to measure up to the required standard.

Oral Evidence

THE COLOURED COMMUNITY OF BULAWAYO. Representatives: G. Hendricks, J. van Beek, J. M. Moore, Rev. R. F. Green.

They agreed that a summary of their memorandum would be that insufficient recognition was accorded to their community; they had nothing to add to it and offered to answer questions, in reply to which they made the following points:—

(1) There were approximately 3,000 Coloureds in greater

Bulawayo. The figure of 15,000 Coloureds was usually given for the Federation, but they thought it inaccurate; they thought the figure was nearer 30,000. This excluded pure Asians but included Indo-Africans.

(2) Among Coloureds there were three different points of view: some wanted to be regarded as Africans; some as Europeans; and some wanted to have representatives of their own in the Legislatures. In fact they had no alternative but to be a group on their own, because of Federal and Southern Rhodesian Government policy. But the general feeling among most Coloureds was that any form of racial representation in Legislatures would be not consonant with partnership; they, therefore, did not ask for special representation. There was a vast range of culture among the Coloureds themselves, and they had had a great struggle for recognition; there were indeed difficulties in referring to them as a community, since they could be rather regarded as a collection of families, primarily concerned with their own security. This gave rise to the fact that some individuals had given to the Commission their own views rather than those of the community generally, which was definitely that they did not want special representation.

(3) The community generally favoured Federation. There was however disagreement among the witnesses as to whether or not the Federal Government had done anything to help the Coloureds. It was true that secondary schools for Coloureds had been put up but they would not accept children from more than 30 miles away. They were also anxious as to what was to happen to the products of these schools, for whom there were very few openings. They thought it advisable for Governments to take the lead in finding suitable work for them. They wanted to be employed in the Civil Service. They agreed that not very many Coloureds were at present unemployed; but that was because they were prepared to take any job whatever the salary. They felt that Coloureds were not treated fairly in respect of employment. In Bulawayo a Post Office vacancy had been recently advertised, on the basis of a Cambridge School Certificate pass. A Coloured boy with Honours in six subjects had applied and been rejected, and the Coloureds thus attributed that to discrimination.

(4) Section 4 of the memorandum (Teacher Training). The reason why the memorandum stated that the Coloureds and Asian students at Heany were unable to take part in the social and extra-curricular activities of the College was because those students had to live at the Stanley Hostel seventeen miles away, and go to and from the College every morning and evening by bus, and thereby lost the advantage of social contacts with Europeans.

(5) The only field of employment for Coloureds was as lorry drivers, or as teachers in Coloured schools. Coloureds were never employed as clerks in Government offices or in the Native Department. They had been making applications for years to enter the Post Offices. Mr. Moore stated that he himself was only a driver, and the majority of the Coloureds were drivers. On the railways the position was better. Plate-layers were now better off than before and there was the possibility of promotion to become Inspectors. In the past, many Coloureds had been dining-car chefs.

(6) There were many first generation Coloured children in the Native Reserves. Some tended when grown up to join the Coloured community, and men stood the best chance of doing so; but girls tended to remain native and eventually to marry natives.

(7) Coloureds generally did not attempt to get employment in the mines, although Mr. Moore knew of two cases of Coloureds working at bulldozing, at lower wages than would be paid to a European. It was natural for Coloureds to be discriminated against in respect of wages throughout the Colony.

(8) Memorandum, Section 7 (Prisons). The Coloureds were mainly affected by over-crowding. They did not go into the European side of the prisons. There was a special section of the prison at Bulawayo separated both from the European and African prisons. They were particularly distressed by the fact that there was at present no special place for Coloured juveniles awaiting trial, while there was a European Remand Home and an African Remand Home. Last year two Coloured juveniles had been kept on remand with adult offenders for three months. Because there was neither a Remand Home nor a Reformatory many cases were never brought to court at all. The Rev. R. F. Green had on occasion pleaded for the committal of Coloured juvenile offenders, but that had been refused. In one case the result had been that the boy had had to be sent to the Reformatory at Cape Town, and now he was past redemption. But the excuse given by the authorities was that it was not an economic proposition to have a Remand Home for Coloureds—but such institutions were not economic propositions in any community. The Union would not now accept non-European convicts.

(9) Memorandum, Section 3 (Legal Aid). This was a general complaint, and did not apply to the Coloureds only. They agreed that there was an Act of Parliament establishing legal aid, but Coloured people had been refused it, and no office existed to which they could go for such aid.

(10) Memorandum, Section 1(a) (Workmen's Compensation Act). This point had been discussed in Bulawayo by a very large group of Coloureds. It arose from the general attitude that Coloureds must inevitably be living at a lower standard than Europeans so that under the Act an incapacitated Coloured person would get less compensation than a European. An African would get still lower compensation. This rule also applied in all social welfare payments.

(11) Memorandum, Section 6 (Health Services). The reference to the fact that "a private doctor should be called" arose from the fact that this was the general rule on reporting to a hospital. It was very difficult indeed to get a Government doctor. A Coloured girl had been shot in Bulawayo and her mother had been forced to pay all the necessary specialist fees.

(12) Wages. They maintained that there was a scandalous difference in the pay of Europeans and Coloureds; this difference could be measured at between £15 and £20 per month. For example a European matron would be paid between £40 and £45 per month and a Coloured matron between £20 and £25 per month. The same applied in the armed forces. The Coloureds were discouraged from joining by being offered low pay. But there was no discrimination when it came to taxation; they all paid European taxes, including income tax. There was no poll tax; there had been one, but it had been abolished.

(13) Memorandum, preamble point 2. They claimed to be citizens of the country, and wanted to have the same facilities as Europeans. This feeling went deep, and stemmed from unemployment, coupled with the present rapid advance of Africans. Firms were already dismissing their Coloured staff in favour of lower paid Africans—for example in the Premier Woodworking factory in Bulawayo. Hence there was already an appreciable unemployment among Coloureds in Bulawayo, and in Salisbury it was even worse.

(14) On constitutional matters, the Coloureds were satisfied with the conditions for voting. If the terms of the Federation were carried out with emphasis on partnership, it would be perfectly acceptable to the Coloureds.

(15) They felt particularly strongly about the rights of Coloured children born out of wedlock. Their African and Coloured mothers were often left destitute. It was also wrong that an illegitimate child could not claim against his father's estate. They realised that the fathers could make wills, but in fact they rarely did so.

(16) They were critical of the Bulawayo Municipality Housing Scheme for Coloureds. The last 49 houses put up, only a year ago, were already cracking. It was because the cost of the houses for Coloureds had been strictly limited. They thought that the Government ought to guarantee loans for home purchase schemes, that a housing institute was needed for housing generally. There was a lack of vision in the Municipality. Generally they were dissatisfied with the provision of housing by the Municipal Councils.

(17) Educational advances for Coloureds had not been due to Federation, but to the Union Government giving notice of the closure of their schools against foreigners. For that reason the Southern Rhodesia and Federal Governments had been compelled themselves to find some means of training teachers for their own Coloured schools.

(18) The first generation of Coloured children were causing an increasing problem in the Bulawayo schools. There was a flow of children into them who could only speak Sindebele. At the other end of the scale children were also going into European schools, being passed off as either Europeans or Portuguese.

Memorandum

RHODESIA RAILWAYS

Constitution of the Rhodesia Railways

1. The Rhodesia Railways own and operate the public railways in Northern and Southern Rhodesia and the Bechuanaland Protectorate.

2. Prior to 1st April, 1947, the Rhodesia Railways were owned and operated by private enterprise.

3. In the post-war years the Company was unable to obtain finance on reasonable terms to meet its obligations to the public in providing increased railway services. Following negotiations involving the U.K. Government and the B.S.A. Company, the Southern Rhodesia Government, with the concurrence of Northern Rhodesia and the Bechuanaland Protectorate purchased the share equity of the Company on 1st April, 1947, and repaid the outstanding debenture debt of the Company.

4. The Southern Rhodesia Government in collaboration with Northern Rhodesia and Bechuanaland then established, by means of simultaneous parallel legislation in the three territories, a statutory corporation domiciled in Southern Rhodesia to take over the ownership and operation of the railways from the Rhodesia Railways, Limited. This was done under the Rhodesia Railways Act, 1949, of Southern Rhodesia, the Rhodesia Railways Ordinance, 1949, of Northern Rhodesia and the Railway Proclamation, 1949, of the Bechuanaland Protectorate. Under these statutes the assets of the Rhodesia Railways, Limited, were acquired by the Rhodesia Railways statutory corporation and the assets were made a first charge as security for the Southern Rhodesia Government's loan of £30,000,000 which was raised for the purpose of purchasing the undertaking from the previous shareholders and for redeeming the debentures. The statutes made the Governments of the three territories responsible in certain proportions for meeting any operating deficits of the statutory body.

5. Responsibility for the higher direction of policy, for the appointment of the Railway Board and the appointment of the General Manager was vested in the Rhodesia Railways Higher Authority which consisted of the Prime Minister of Southern Rhodesia, the Governor of Northern Rhodesia, the High Commissioner of the Bechuanaland Protectorate and the Southern Rhodesia Minister of Transport.

6. In the discussions between the three participating governments prior to the establishment of the statutory body, after consulting experts in South Africa and in East Africa who had already had considerable experience of publicly-owned railways, it was recognised as a fundamental requirement that *the Rhodesia Railways should be operated as a business organisation entirely divorced from party political associations and influences.* The fact that the Higher Authority which, as has been mentioned, was responsible for higher direction of policy, consisted of high officers of the governments of the three territories helped to maintain harmony between the aims and objects of the Rhodesia Railways and the policies pursued by the three governments, without causing Railway affairs to be brought into politics in the participating countries. The statutes did, however, require that the annual reports and statements of accounts of the Railways should be laid before the Legislative Assembly in Southern Rhodesia and the Legislative Council in Northern Rhodesia. The Southern Rhodesia Act also required that the Southern Rhodesian Parliament should be given such information relating to the undertakings of the Railways as Parliament might at any time require. These provisions were made in the legislation because of the obligations of the Governments of Southern and Northern Rhodesia to meet the major part of any deficit on operating which the Rhodesia Railways might incur. The idea was that the Legislatures, in the exercise of their rights in respect of fiscal matters affecting respectively Northern and Southern Rhodesia should be kept informed of the general financial soundness of the Railways from time to time.

7. At 31st March, 1954, which was the first railway accounting date after the establishment of the Federation, the loan indebtedness of the Railways to the Governments of Northern and Southern Rhodesia and to other lenders whose loans had been guaranteed by the Governments, was £58,600,000. Soon after Federation the obligations and liabilities of Southern and Northern Rhodesia in respect of these loans were transferred to the Federal Government who thus became the guarantors of the loans of the Rhodesia Railways and also became liable, in the place of the Northern and Southern Rhodesia Governments to make good any losses or deficiencies the Railways might incur. There remained, however, an obligation on the part of Bechuanaland to meet 5% of any deficit, the remaining 95% being the responsibility of the Federation.

8. In 1955 the Federal Legislature enacted the Rhodesia Railways Laws Amendment Act, the principal effect of which was to constitute a Federal Minister (the Federal Minister of Transport) as the Rhodesia Railways Higher Authority in place of the high officers of the three Governments. The Act also transferred to the Federal Government the entire obligation to meet deficiencies and to guarantee loans, etc. This was a logical step as a precursor to Federal and Bechuanaland legislation which would go further towards adjusting the powers, duties and functions of the Higher Authority, the Railway Board and the General Manager consonant with the change in circumstances in the Rhodesias and Bechuanaland which had taken place since the Rhodesia Railways were established in October 1949.

9. The position now is that the Rhodesia Railways are a statutory corporate body owning and operating the railways in Northern and Southern Rhodesia and the Bechuanaland Protectorate. They have no responsibilities in Nyasaland but their responsibilities in Bechuanaland, which of course is outside the borders of the Federation, are no different from those in respect of the Rhodesias. The Rhodesia Railways are therefore not strictly an instrument of Federal Government policy but naturally there is a close liaison between the Government and the Railways. In effect the Railways are concerned with the interests of railway users whereas the Government is concerned with the taxpayer.

10. The Rhodesia Railways, although they have borrowed large sums from the Federal Government and although they are assisted by guarantees given by the Federal Government to external lenders, are an entirely self-supporting financial entity in all other respects.

11. All working expenses and all loan service charges including interest and redemption in full are met out of the Railways' resources. The balances in various reserves are an insurance against the undertaking becoming a liability to the Federal taxpayer. The Rhodesia Railways are unique amongst publicly owned transport systems in the fact that they have not had to call for assistance from the taxpayer and are distinguished among publicly owned railways in Africa, South of the Sahara by the fact that on average their charges are lower than on other Southern African railways.

12. The Railways feel that in respect of any changes which may be made in the Constitution of the Governments of the territories in which the railways operate, it should be recognised that the Rhodesia Railways should continue as an autonomous publicly owned non-political corporation of the nature of a public utility trust. It is regrettable that this principle is not specifically written into the Railway Statutes. The relationship between the Railways and the Governments should be confined to that of a co-operative debtor and an understanding creditor.

Employment Policy with Particular Reference to African Advancement

13. As has already been explained, under the Rhodesia Railways legislation the Railways are required to be operated in accordance with business principles. However there is an additional obligation the railways are required to observe which is not embodied in the legislation. In 1946, in the course of negotiations between the Prime Minister of Southern Rhodesia and representatives of Her Majesty's Government in the United Kingdom regarding the purchase of the Railways from the Company it was agreed that the policy regarding the employment of labour by the Rhodesia Railways statutory body should be as follows:—

> "It will be the policy of the Commission to promote the welfare and advancement of the African employees of the Rhodesia Railways, Limited, both by progressively improving their conditions of service, housing, health, feeding, etc., and by securing for them opportunities for employment in more responsible work as and when they are qualified to undertake such work. Her Majesty's Government in the United Kingdom has a special responsibility in regard to African labour both in Northern Rhodesia and the Bechuanaland Protectorate. In the measures which it takes for the advancement of African labour the Commission will of course be required to take into account the interests of all other employees of the Railways and to consult closely on these questions with the representatives of the European and also the African employees. In this connection the Commission will give facilities and encouragement for any steps which the African employees may take towards the formation of a trade union or unions".
>
> (*Note:* The reference to "Commission" above now means "the Rhodesia Railways statutory body".)

14. The action taken by the Rhodesia Railways to implement these obligations is covered later in this report.

15. A difficulty faced by the Railways was the need to reconcile the duty to make decisions in accordance with business principles, with the duty to provide advancement for Africans and generally to improve their conditions of service, etc.

16. In the opinions of the Railways the situation in the Rhodesias in the years immediately following the establishment of the statutory body in 1949 was not propitious for the advancement of Africans in employment in the Railway undertaking. This was due primarily to the fact that Railway policy was unavoidably dominated by the need to expand railway services to meet the tremendous increase in the traffic demand after the war. In the circumstances it was judged to be essential in the interests of the users of the railways to avoid cause for friction with the Rhodesia Railway Workers' Union and the Amalgamated Engineering Union representing the European Railwaymen.

17. Since Federation there has been a change in the public attitude together with a more liberal outlook on the part of the European Trades Unions, towards advancing the African. Added to this is the fact that since the end of 1957 the Rhodesia Railways have had a surplus of capacity over traffic demand, which has enabled the Railways to take more active steps to bring about changes in the Employment policy in fulfilment of the undertaking agreed upon in 1946.

18. A further difficulty faced by the Railways is the claim by the European Unions that at the time of the establishment of the Rhodesia Railways as a statutory corporation they were given an assurance that the employment rights of European railwaymen would be preserved. This claim is based on a letter dated 19th June, 1947, from the Prime Minister of Southern Rhodesia to the General Secretary of the Rhodesia Railway Workers' Union, which included the following announcement of a decision taken by the three

Governments involved in establishing the Rhodesia Railways:—

"Conditions of Employment. Existing conditions of employment will continue automatically under state control".

19. Whatever this statement was intended to mean, the European Unions aver that it gives them the right to expect that Europeans will continue to be employed exclusively in various types of railway work hitherto reserved to them unless arrangements are made to the contrary by agreement between the Railways and the European Unions.

20. The Railways feel that the European Unions are attaching to this extract from the Southern Rhodesia Prime Minister's letter more meaning than was intended and that in regard to employment policy the Railways are not prevented by the Prime Minister's letter from pursuing the undertaking accepted by the three Governments in 1946, quoted above.

21. The Railways' aim is that for all employees irrespective of race, wage levels should be based primarily on the value and quality of the work done.

22. The policy directive to the Rhodesia Railways, regarding African employment, quoted in paragraph 13 of this report covers conditions of service and feeding, housing, welfare, health and hygiene, opportunities for employment on more responsible work, and the formation of African Trades Unions. Each of these is dealt with in the succeeding paragraphs.

Improved Conditions of Service and Feeding

23. In 1949 minimum African wages were 25s. a month in Southern Rhodesia and 20s. a month in Northern Rhodesia plus rations (whose value was 25s. per month) and accommodation. The present basic minimum wage is £6 18s. 6d. per month throughout the system. Rations (estimated to cost about 63s. a month) are no longer issued free but free accommodation is provided. In 1949 the maximum basic wage in the lowest grade was 40s. per month plus rations and accommodation. Today the maximum basic inclusive wage in the lowest grade is 221s. per month. In 1949 the maximum wage in the higher grade was 160s. per month plus rations and accommodation. Today the minimum basic inclusive wage in the higher group is £303 10s. 0d. per annum. In 1949 the maximum wage in the higher grade was 237s. 6d. per month plus rations and accommodation. Today the maximum basic inclusive wage in the higher group is £363 10s. 0d. per annum. As is stated later in this paper a new agreement is under consideration in the National Industrial Council which may result in an increase in the present maximum basic inclusive wages of Africans.

24. In 1955 a family allowance of 22s. 6d. per family per month was introduced. This was paid to married employees in lieu of rations to wives and children. At the present time a family allowance for African employees whose wives are resident with them at their place of work is paid at the following rates:—

Under 4 years' service	37s. 6d. per month
Over 4 years' service	60s. 0d. per month

25. Increased long service gratuities are now paid in accordance with the following scale:—

20 to 25 years' service	35% of the inclusive monthly wage at the date of completion of service, for each year of service.
25 to 30 years of continuous service ...	40% " "
30 to 35 years of continuous service ...	45% " "
35 years or more of continuous service	50% " "

26. In 1958 a special allowance of 10s. a month was introduced to be paid to Railway African employees living in accommodation owned or leased by the Railways four miles or more distant from their place of work.

27. In 1951 a special allowance of 12s. 6d. per month was introduced for employees in itinerant gangs who occupy portable accommodation.

28. In 1953 an "Away From Home Allowance" was introduced at the rate of 6d. a day for a maximum period of ten consecutive days, and this rate has since been increased to 1s. 6d. per day for a maximum period of 60 consecutive days.

29. In 1951 a Special Shift Working Allowance was introduced, of 3s. per month. It is now 5s. per month.

Housing

30. During the period from 1st March, 1949, to 30th June, 1959, the Railways have provided 12,571 houses of various types for African employees and their families in both urban and rural areas. Including cost of services such as sanitation, roads, water reticulation, lighting, recreation halls, the total capital expenditure incurred is £2,850,000.

31. African employees are also accommodated in houses leased from Local Authorities. The present level of rental paid to the Local Authorities is £69,000 a year.

32. In 1957 it was decided to improve the standard Railway African urban house and this is now a four-roomed dwelling with a water closet and shower cubicle attached. Electric light is being provided. The plinth area is 456 square feet. The standard area of each plot is 70 ft. by 40 ft. and it is fenced. The buildings are of pre-cast concrete under asbestos roofing. Wood and coal burning stoves or electric hot-plates are being provided. Electricity is paid for by the occupant on the basis of a nominal charge; he only pays for water consumption in excess of 4,000 gallons a month.

Welfare

33. After the War an African Affairs Department was established, within which was incorporated a Welfare Section to organise and conduct welfare activities for the benefit of African staff and their dependants.

34. From small beginnings a trained staff of seven Europeans and 42 African welfare workers has been established. This staff is responsible for organising a comprehensive range of social and cultural pursuits in addition to dealing with individual cases of hardship, and helping with the alleviation of problems stemming from the de-tribalised and cosmopolitan nature of present-day urban African society.

35. The Railways have spent a substantial sum at major depots in providing sports fields, recreation halls, club rooms, beer halls, markets, schools, playground equipment and miscellaneous improvements. Grants from the Railways, coupled with funds raised on a self-help basis by local Railway African Welfare Committees have enabled an extensive range of equipment to be purchased for the day to day requirements of the Welfare Centres. The Railways have also provided specially for the welfare of rural gangs.

36. Facilities made available to Railway Africans today have not only provided them with a wider knowledge of life and standards of conduct, but have also succeeded in developing an *esprit de corps*. These include:—

For Employees:

Competitive Sport, Military Bands, Dance Bands, Recreational and Handicraft Clubs, Indoor and Outdoor Pastimes, Reading Rooms, Debating Societies and First-Aid Training.

For Wives:

Classes in Sewing, Knitting, Domestic Science, Hygiene, Pre- and Post-Natal Care, traditional modern crafts, Home and Garden Competitions, Home Nursing and Child Welfare.

For Children:

Youth Clubs, Boy Scouts, Girl Guides, Indoor and Outdoor Games, Handicrafts, Choirs, Holiday Camps, Training on "Outward Bound Schools" techniques.

For Family:

Radios for rural employees, Cinemas, Libraries, Railway African Newspaper, Home and Hospital Visits by Welfare Staffs, Traditional Crafts and Design, and other Social Functions and Entertainment.

Hygiene and Health

37. African Health Demonstrators now cover the whole Railway system. They receive an intensive three-months' course of instruction under the Hygiene Officer of the African Affairs Department and at the end of their course are required to pass an examination in theory and practice, of a high standard.

38. Propaganda and the practical example of the demonstrators has had a noticeable effect in an all-round improvement of standards of health and hygiene amongst Railway African employees, their families and their homes.

39. Many African Clinics are operated throughout the Railway system. These are staffed by trained and experienced medical orderlies under the supervision of European Nursing Sisters and Railway Medical Officers. Prior to 1951 no separate African clinics were available within a reasonable distance of Railway African townships. Prophylactic treatment is available for infectious diseases. First-Aid posts are provided where necessary, namely, Plate-layers Gangs, Relaying Gangs, etc.

Opportunities for Employment in More Responsible Work

40. Since the early days of the Railways there has been a division between categories of work carried out by Europeans and Africans. In general, labouring types of work were undertaken solely by Africans and the skilled and semi-skilled work and general administration was carried out by the European. Since 1954, the Railway Board and the Railway Management, in consultation with the Federal Government have made strenuous and sincere efforts to enable increased opportunities to be found for the employment of Africans in types of work hitherto confined to Europeans. In 1955 following discussions with members of the executives of the European Trade Unions, and the unofficial African Union, an officer of the Railway African Affairs Department was detailed to investigate work performed by Africans employed on Railways in territories adjoining the Federation and in industries in the Federation. This Officer's report was completed in 1956. It

indicated the possibility of employing Africans in 25 categories of work previously confined to Europeans. In some cases it was considered that the work would require to be "diluted" to enable Africans to acquire the necessary levels of skill and responsibility; in some cases no such dilution was considered to be necessary.

41. The Railways persuaded representatives of the European Unions and the unofficial African Unions to join with representatives of the Railways to form a Standing Committee to make recommendations on African Advancement proposals and to discuss the means by which Africans could be employed in the 25 categories of work considered suitable for Africans. After some initial advances discussions broke down as a result of a hardening in the attitude of the European Unions. The European Unions insisted on the European rate for the job being applied, which meant in effect that there could be no dilution of jobs at present carried out by Europeans to enable them to be brought more readily within the scope of Africans. Unrealistic and "sheltered" rates of pay attaching to certain European jobs would require to be paid to Africans, with consequent repercussions on African employees in similar categories of work outside the Railways. Throughout these negotiations the unofficial Railway African Union and the Railway African employees have been most patient, restrained and co-operative in the interests of promoting an early understanding.

42. After protracted negotiations, complicated by political pressure, and by numerous newspaper articles and editorials agreement was eventually reached on the National Industrial Council for the Railways, representing only European interests. This agreement provided that there would be no dilution of European jobs, that Africans selected for employment in European jobs would, after training, undergo a two-year testing period during which period they would receive £10 per month less than the minimum basic European rate of pay, whilst retaining their African privileges of free housing and free medical services, etc. The unofficial African Union has expressed dissatisfaction with the agreement in view of the restriction on advancement which they feel would result.

43. The intention was that at the end of the two years' testing period if the Africans were found satisfactory they would be placed on a full rate for the job paid to the European and allowances and be required to pay rent for accommodation, and subscribe to the Medical Funds, etc., on the same basis as the Europeans. The attitude of the Europeans Union is that there should be no lowering of standards of work, nor any lowering of standards of pay,

44. The desire of the Railways is that there should be no racial barriers to employment, that wages should be paid in accordance with levels of skill and responsibility, and that persons selected for employment should be chosen on account of their ability and for no other reason. Apart from the obvious practical difficulties preventing the immediate implementation of such a policy the Railways have had to keep in mind the directive, embodied in paragraph 13 of this report that they should "take into account the interests of all other employees of the Railways and to consult closely on these questions with the representatives of the European and also the African employees".

45. A further difficulty has been the absence of any apprenticeship scheme or learnership scheme for Africans in skilled and semi-skilled jobs, respectively. Whilst the Railways see hopes of overcoming the difficulties as they affect learnership, they consider that the more difficult task of apprenticeship is one which can only be handled on a national scale. The Railways' understanding of the position is that technical schools, which are under the control of the Federal Government only provide for non-African education, and African education which is a territorial responsibility gives no opportunity for night technical education in conjunction with African apprenticeship.

46. The cardinal point which the Railways have always had to bear in mind is that in the final analysis, if advancement is to be effected by peaceful means, which are the only means the Railways are prepared to entertain, it is necessary that the European in Railway employment should be persuaded to accept the African in European work. This has meant that the Railways have had to avoid coercive methods and have had to rely on the development of a more sympathetic and understanding attitude on the part of the European Railwaymen, whose feelings are at present dominated by the fear that the work upon which they are engaged will no longer afford them and their children sheltered employment. The undertaking given to all existing European employees on the Railways that they would not suffer any reduction in pay and that they would not lose their employment has done little to ease the attitude of the European Unions.

47. The latest position is that the agreement reached on the National Industrial Council has been referred back to the Council by the Territorial Ministers with the request that certain amendments should be made before it is declared binding on all employees of the Railways. The main points involved in the suggested amendments are:—

(*a*) complete removal of discrimination on grounds of race or colour for all jobs falling within the scope of the Council;

(*b*) the creation of certain new jobs to which certain stated rates of pay are to apply;

(*c*) guarantees of continued employment to railwaymen at present working in jobs covered by the new agreement;

(*d*) application of the principle that every job should have one appropriate rate of pay and that this rate for the job shall apply to all persons doing that work;

(*e*) the elimination of differential rates of pay which was suggested in respect of the testing period.

48. In regard to (*b*) above the new jobs proposed have scales of pay generally lower than the present minimum rates payable to Europeans and relate to certain grades of workers in the following occupations:—

Plant Operators.
Crane Drivers.
Drillers.
Road Motor Drivers (excluding Road Motor Service Drivers).
Dining Car Waiters.

49. The Territorial Ministers have also suggested that the agreement should be amended so as to require every person entering any of the following grades of employment to serve a trial period not exceeding twelve months compared with the present maximum period of six months:—

Transportation Department:	Shunter, Number Taker, Wash-out Man, Fireman,
Commercial Department:	Checker, and Copy Typist.
African Affairs Department:	Clerk (African Paysheets).
Accounts and Finance Department:	Hollerith Punch Machine and Verifier Operator.
Chief Engineer's Department:	Handyman, Class 2, Pumper.
Mechanical Department:	Battery-hand, Machine Moulder and Core Maker, and Truck Fitter.
Stores Department:	Storeman, and Handyman, Class 2.

50. The Ministers' proposals also include an assurance that no railwayman at present employed in any grade or class of work in any of the posts mentioned above, at the time of introduction of the new agreement, shall suffer any reduction in his remuneration, nor shall his eligibility for promotion be in any way impaired.

51. It appears that the effect of the Ministers' proposals will be that all posts on the Rhodesia Railways coming under the National Industrial Council will be open to all races.

52. By making special provision for certain posts as mentioned above, for which the rates of pay will be generally less than those paid to Europeans, which have their origin in suggestions made by the Railways at an early stage of the discussions with the European Unions, the Ministers appear to be making it easier for less educated persons to qualify for these posts. The Ministers' proposals also mean that all employees in these posts will receive all allowances that are normally paid to Europeans and that they will be expected to contribute on the same basis as Europeans for privileges such as pensions, medical, housing, etc., and to enjoy those privileges on the same basis as Europeans.

53. A meeting of the N.I.C. is to take place on the 3rd May, 1960, at which the agreement previously entered into with the N.I.C. and the amendments now suggested by the territorial Ministers will be considered.

African Trade Union

54. The Railways' views on African Trade Unions is that it is desirable for any Union to be a properly constituted and responsible organisation representing African Railway Workers' interests throughout the system. For some years there have been in existence organisations in Northern and Southern Rhodesia purporting to represent the Railway African workers, with which the Railways have been in the practice of carrying out unofficial negotiations. It has been the hope of the Railways that from these beginnings there would evolve a proper African Railway Workers' Union which would be officially recognised and properly constituted in the manner envisaged in the Second Schedule to the Rhodesia Railways Act of Southern Rhodesia.

55. It now seems likely that a Railway African Workers' Union will be registered and the Railways believe that the Territorial Governments, with whom the decision rests, are prepared to authorise its constitution.

Other Matters on which the Monckton Commission may wish to Hear the Railways' Views

56. The Railways believe that there are probably many other matters upon which they could usefully offer to give evidence to the Commission. The feel however that if an attempt is made to

cover all these matters in written evidence, the Commission may find that it is being provided with some material with which it is not really concerned. The Rhodesia Railways, in addition to giving evidence on the points dealt with earlier in this paper, would be happy to assist in providing any further evidence the Commission may require on particular points which the Commission may wish to specify.

57. The Railways desire to conclude this paper with the general observation that the Rhodesia Railways, which have existed as an extra-territorial organisation since before Federation, would probably have proceeded, in the matters covered in this paper along lines similar to those they have followed, had there been no Federation. Nevertheless, they feel that the establishment of the Federation in 1953 resulted in the early formation of a climate of public opinion, particularly of European public opinion, in which it was made considerably easier, although never easy, for progress to be made in the advancement of the interests of Africans, not only as workers in the Railways but as persons in whose interests it is one of the duties of the Railways to provide efficient services.

Bulawayo

29th April 1960

Oral Evidence

RHODESIA RAILWAYS—Representatives: Mr. Grey (Chairman, Railway Board); Mr. Masterson (Vice-Chairman, Railway Board); Mr. Cordell (Chief Officer, African Affairs Department); Mr. Collis (Statistical Officer); Mr. Winterton (Staff Section, General Manager's Department).

Mr. Masterson said that he had previously filled the post of Secretary to the Railway Higher Authority, and more recently had been Chairman of the Committee appointed to go into the whole question of presentation of Rhodesia Railways evidence to the Commission. In their memorandum they had tried to be objective, but they were conscious that they might not have drawn attention to all the subjects in which the Commission might be particularly interested.

The constitutional position of Rhodesia Railways was not well known in the Federation. It was an autonomous organisation and had functions, Territorial and external, the latter in the Bechuanaland Protectorate. It was, in effect, in the nature of a public utility trust whose work was directed towards the interests of the users of the railways. In general, the Railway Board considered that political pressures tended to be inimical to the wider interests of the users.

Mr. Grey said that Rhodesia Railways were not truly Federal because they did not cover Nyasaland. The Railway Board met at least once a month, with meetings alternately in Salisbury and Bulawayo. After the establishment of Federation, the railway loans, for which Southern Rhodesia had previously been responsible, were transferred to the Federal Government. The Governments concerned had responsibility for sharing any losses that might arise; in fact there had not been such losses. The Higher Authority was now the Federal Minister of Transport.

In answer to questions, the following further points were made:—

(*a*) The fact that governmental responsibility for Labour matters was Territorial raised certain difficulties, because two sets of Labour legislation had to be complied with. Particularly the Industrial Conciliation legislation was difficult as between Southern Rhodesia and Northern Rhodesia. In any negotiations with the trade unions, therefore, the Federal Government had to sit back and wait for the negotiations to end.

(*b*) If for any reason there was a political need to help a particular industry, this could not be done by charging differential or favourable rates on the Railways. It was contrary to Railway policy to make one user subsidise another.

(*c*) Although the Railway Board recognised that they could not be immune from public sentiment, they felt strongly that they could not be subject to too much political direction. No business could act in the interests of all its users if its affairs were subject to detailed public or parliamentary examination and criticism, or if its surplus funds in any particular year could be taken over by the Treasury.

(*d*) If any industry felt that undue preference was being exercised against it, appeal could be made to the Higher Authority. There was provision for a tribunal to be set up to deal with both rates and the services provided. In the normal way, an industry would first appeal to the General Manager, who was responsible for fixing rates. If they failed to obtain satisfaction from him, they could appeal to the Railway Board, and from the Board to the Higher Authority. If *prima facie* evidence appeared to exist, the Higher Authority could then set up a specially constituted tribunal.

(*e*) African advancement had not taken place as rapidly as many would have liked. Nevertheless, there had been a striking relative improvement in the conditions of pay for Africans. For example, while the average rate of pay for Europeans had risen from £668 per annum in 1947 to £1,235 per annum in 1959, the average African wage had increased over the same period from £29 to £140, an increase of 4½ times. Although a number of new senior posts for Africans had been created in the same period, there had been little direct advancement into the European sphere. Negotiations were going on at the same time that the present evidence was being given in the National Industrial Council, and it was hoped that this would result in agreement to redesignate a number of jobs in the interests of African advancement.

(*f*) The management was very much alive to this problem and they were hopeful of a satisfactory outcome. During the negotiations the African trade unions had been very tolerant—more so, indeed, than the European unions—but it must be appreciated that European fears of losing employment were not less serious than those of Africans. The management's aim was to try to hold the scales as evenly as possible.

(*g*) There had been much criticism of the importation of Europeans, particularly Italians, during the period immediately following the war. This policy had been forced on the management by the Governments concerned as a result of an advisory mission by Sir Miles Thomas. The growth of industry in the Federal area had been expensive after the war, and all the Governments concerned had had the obsession to get ahead of the increased traffic which had been offering. This state of affairs had been achieved at the beginning of 1957, since when African advancement had gone ahead. There was no danger of a "crash" policy of this sort being introduced again; it had been a "once for all" affair to meet a very special requirement.

(*h*) Although complaints of discrimination against African passengers had been justified in the past, such discrimination should not now occur. Accommodation and booking facilities for first and second class passengers were provided without colour discrimination. It was recognised that incidents had occurred in dining cars, but the introduction of African waiters should help to minimise this in future.

Memorandum

F. GROSSMAN

If the European and African are to live in a state of partnership and we hope to make a success of Federation, it is of vital importance that the exploitation of the African, particularly if such exploitation is robbing him of hundreds of thousands of pounds, is investigated and suppressed without delay, as this state of affairs will no doubt sooner or later lead to serious repercussions.

I am referring to the monies of which the African Welfare and Development funds are being deprived by a syndicate consisting of a handful of unscrupulous people, and a further score or so who are receiving money in varying amounts to allow this state of affairs to continue.

It is the law of the country that only Municipalities, Town Management Boards and certain industries with special permits are allowed to make and sell African Beer, and the law states that the profits from the sale of such beer may only be used for African welfare and benefits. However, when these laws were framed no-one anticipated that a racket would be evolved to deprive the African of the major portion of this enormous source of revenue.

In the past, the Mines, etc. brewed the beer and the profits went to welfare funds, and this is still largely the case in Southern Rhodesia. For instance, in Salisbury during the last 12 months the sales of beer have given the African welfare funds around £150,000, and the same in a lesser degree applies to all the Municipalities and mines, etc. in Southern Rhodesia.

The same was formerly the case in Northern Rhodesia, but some years back (in 1955) a syndicate was formed by a German (who was interned during the war) for the purpose of brewing African beer, and by means of bribing and corrupting those who could be of assistance to him, he has virtually obtained a monopoly of brewing African beer in Northern Rhodesia.

As a result of this bribery in the right quarters, the Municipalities and Mines gave up the breweries and sold or leased these to the Syndicate. At that time the Syndicate charged the Municipalities 1/6d. to 1/6½d. per gallon and the Municipalities resold for 2/6d., giving a profit to the Welfare funds, but the African was not satisfied to pay such a high price and

this led to constant trouble, riots and boycotts, with the result that the Municipalities had to reduce their price to 2/-.

The average cost of producing African beer by the various Municipalities is between 9½d. and 11½d. per gallon, so that the Syndicate, brewing in such enormous quantities, should be able to produce at 9½d. to 10d., but for the sake of argument let us call it 1/-. Last year the Syndicate sold over 12 million gallons of beer and under normal business methods should have made a profit of £300,000, but not one penny of this reached the African Welfare or Development funds. The Municipalities, on the other hand, each of whom of course only sells a small proportion of the total quantity manufactured, adds 6d. to their cost and out of this they have to pay:

Interest on money borrowed for the building of beer halls;

Salaries of European Beer Hall Supervisors;

Electricity and water;

Administration charges;

African staff at the Beer Halls;

Special Beer Hall Police;

Purchase of mugs, etc., etc.;

Wastage and spillage, etc.;

and the Welfare funds receive little or no money.

Why have we not had more outcries from the Africans? Because their leaders, such as Kaunda and Nkumbula, are receiving cash payments from the Syndicate.

If the brewing of African beer is allowed by private enterprise, why should the excessive profits not be payable to African Welfare, or why is this beer not taxed (excise duty) at source? European beer sales pay such duty for the benefit of the population as a whole.

Why does the Syndicate only reflect a profit of around £100,000 instead of £300,000 and more? Because the salaries drawn by some of the Directors are enormous, e.g.:

Dr. Coetzee	£500	per month
Mrs. Ilma Branson	£450	per month
Mr. Max Heinrich	£4,500	per month

A perusal of the list of shareholders reveals an outstanding example of how the Syndicate is protecting its interests and the following are a few of these:

Heinrich Syndicate Ltd.

Max Heinrich	40,800 shares
John Heinrich (his son)	36,000 „
Mrs. Branson	48,000 „
Dr. Coetzee	48,294 „

Dr. Coetzee received this large shareholding free of cost when he held the position of Chief Medical Officer of Health at Ndola.

Petrus Ferreira, Director of African Affairs	2,400 shares
John Dodd, C.I.D. Inspector, Kitwe	1,200 „
Stefanus Venter, Health Officer, Nkana	3,600 „
Dr. Lewin Woolf	9,600 „
Wilfred Raffo, African Beer Hall Manager, Bancroft	4,000 „
Edmund Gordon, Health Officer, Nkana	4,800 „
John F. Matheson, Police Superintendent, Bwana Mkubwa	2,400 „
John Francis Finnigan, Director of African Affairs, Luanshya	1,500 „
Victor Kestell Francis, Director of African Affairs, Broken Hill	500 „

We then get such shareholdings as:

Renati Natali, Maitre d'Hotel, Johannesburg	23,940 shares
Vionia Filip, Beautician, Ndola	1,000 „

Further shareholdings are:

Dr. van Blommestein, Chief Medical Officer of Health of the Anglo-American Corporation	19,200 „
Osborn Bakery, Ltd., the Company of the Macintyre family (Federal Minister of Finance)	23,040 „

and obviously many shareholders have hidden their identities by nominee holdings.

I have invented a process for the manufacture of African beer equal to any produced by the Syndicate and have offered this to the Northern Rhodesia Municipalities at 11d. per gallon. I have also visited the Copperbelt, but in most cases could not even obtain a hearing; where I did, it was, of course, without success and I was informed later, "Oh, Mr. —— has a shareholding in the Syndicate" and it is therefore practically impossible to break into the market, even if it means money for African welfare.

Recently the Syndicate tried to obtain the concession from the Lusaka Town Council and offered all kinds of inducements to effect a take-over. The following are a few extracts from the Council's meeting on this matter as published in the Central African Post of October 12, 1959:

"The Town Treasurer considers that the Syndicate's offer gives a misleading financial impression" and

"The Lusaka Town Council's profits have increased 45 times from 1955 to 1959 on the sale of beer."

"In 1960 the rental value of the Council's brewery will not be the Syndicate's offered £400 but £4,000."

"Council's revenue from the Syndicate's purchase of 3 plots would be £120 a year compared with a loss of revenue from beer purchases of £29,000, rising to £100,000 a year."

He considered that the provision of small pubs in place of large central Beer Halls (which the Council would have to pay for by repayment to the Syndicate) would further reduce the profit on the sales of beer and might even eliminate any profit.

The Town Treasurer estimated selling costs at 6¾d. per gallon. If beer was bought at 1/6d. per gallon (the present price —which is higher than on the Copperbelt) the profit of 3¼d. per gallon could be used up in additional administrative and running costs of small pubs. He added: "The brewing of beer is a far more profitable activity than the selling of beer", and further said: "Can it justify handing over to private enterprise a share of public funds which will shortly be in the region of £100,000 per annum?"

This is one instance where obviously honesty prevailed and the Syndicate's offer was rejected, but on the Copperbelt and in other towns the Syndicate was successful. However, sooner or later there will be serious repercussions, and this, to the honest thinking man will be rightly so.

The tentacles of the Syndicate are now spreading into Nyasaland and Southern Rhodesia, where they are breaking my patents by producing beer and Mahewu (another African beverage) by a process patented by me, but I am powerless to fight this matter as I just cannot match their enormous financial resources. I am, therefore, like the African, deprived of my legal rights.

In conclusion, I would like to stress that if partnership and the Federation are to succeed, then it is of the utmost importance that the African is given an honest deal and that which is legally due to him.

Salisbury

Oral Evidence

F. GROSSMAN

Mr. Grossman said that he was Managing Director and Chairman of Farm Foods Ltd., a firm manufacturing food mainly for Africans and having a factory in Gwelo.

The witness submitted a written memorandum giving an example of what he considered to be the exploitation by a private enterprise of Africans on the Copperbelt. This related to the sale of beer by a private syndicate (the Heinrich Syndicate Ltd.) who had obtained a monopoly for the production of Kaffir beer on the Copperbelt.

The witness said that during 1959 12 million gallons of beer had been sold by the Syndicate. He calculated that manufacturing costs amounted to 9d. or 10d. a gallon, which was sold to municipal councils at 1s. 6d. a gallon. The retail price to Africans was 2s. a gallon. On the conservative assumption that the profit to the Syndicate was 6d. a gallon, not less than £300,000 had been made by the syndicate during the year. The law provided that the profits from the sales of African beer should be applied to African welfare. Nevertheless, this large profit had been retained entirely in the hands of the manufacturing company. Out of the retail margin of 6d. a gallon kept by the municipalities concerned, a very high proportion went on administrative costs and only a very small sum was eventually available for welfare purposes. In the witness's view, the failure to devote large sums to African welfare might well be responsible for some of the troubles now centring around beer halls in Northern Rhodesia.

Unfortunately, shares in the Heinrich Syndicate were held by a very large number of people in positions of authority, including mayors, compound managers, police officers and, indirectly through nominees, Ministers and municipal officers. Contrary to reasonable practice, the municipalities concerned did not call for competitive tenders for the manufacture of beer, but had accepted offers made to them by the Syndicate. No fewer than 160,000 shares in the Syndicate had been issued for considerations other than cash, including a large parcel to Dr. Coetzee, formerly the Medical Officer of Health at Kitwe. The Federal Minister of Finance was also associated with the Syndicate.

The witness produced lists of shareholders in the Syndicate and other associated companies, showing that certain directors, including Mr. Max Heinrich, received up to £4,500 a month as remuneration.

The witness said that it was generally accepted that "small fiddles" went on in connection with some 80 per cent of the breweries, whether municipal or otherwise, brewing African beer. In view of the enormous sums which had been made available, for example in Salisbury, to African welfare from the sale of beer, these "fiddles" were relatively harmless. Profits made by the Heinrich Syndicate, however, were out of all proportion to the sums available to African welfare in Northern Rhodesia. Fortunately, the Lusaka Municipality had been aware of the dangers and had recently turned down an offer by the Heinrich Syndicate.

The witness represented that, quite apart from any possible corruption in connection with the issue of a permit to the Heinrich Syndicate, the law laid down that only municipalities, town management boards, and certain industries employing large labour forces (who were granted special permits) were allowed to make and sell African beer, and the law stated that the profits from the sale of such beer could only be used for African welfare and benefits. Prima facie, therefore, the retention of such large profits by a public company was contrary to the spirit of the law.

The witness disclosed a personal interest in the matter in that he had been attempting to compete with the Syndicate in the manufacture of African beer.

R. H. JAMES

The witness said that he was the son of an English Admiral, and had served in the Royal Marines during the war. He had been demobilised in 1946, and had then started farming in Southern Rhodesia at Umvukwes.

Mr. James said that he hoped that the terms of reference of the Commission did not rule out the breaking up of the Federation. Southern Rhodesia had been induced to join the Federation for two reasons; to get financial benefits for herself, and to give political stability to the Northern Territories; but the latter had not achieved stability. The Federation provided a bridge between the conditions of Southern Rhodesia and those of the Northern Territories.

He thought that racial harmony would develop only if it were possible to build up in Southern Rhodesia a bond of loyalty and a feeling of common purpose in the Community.

He was in favour of removing all "pin pricks" from the indigenous people. In Southern Rhodesia, what was needed was a sense of patriotism among both Europeans and Africans. At present there was no sufficient common tie between Europeans and Africans to build up a nation.

He asked the Commission to consider the breaking up of the Federation, and to think of the possibilities of a purely technical type of association on the lines of the East Africa High Commission.

There was already a feeling in Southern Rhodesia adverse to the influx of labourers from the Northern Territories. Mr. James said that he employed 120 labourers, mostly from Nyasaland, and 17 of them had been with him for 13 years, nearly as long as he had been in the country. He then spoke of the teacher whom he had employed to teach the children of his labourers on the farm. There were 140 children in the school, and the standard had now been raised to Standard V, and next year he hoped that teaching would go to Standard VI. When recently he had said that he would get a Nyasaland teacher to teach the children in their own vernacular, the head teacher had been upset, and had protested that this would only put a Southern Rhodesian teacher out of a job. He thought it a good sign that this man should have thought of himself more as a Southern Rhodesian than simply as an African.

He himself had come out to Southern Rhodesia with no preconceived ideas. He had heard much talk of the idleness of the Africans, but this was partly due to their poor health and living conditions. Some Europeans who came out to the country also became very idle. He would not describe himself as a negro-phile; but he was prepared to see everyone treated on the same basis. He would not mind it at all if the colour bar were abolished. But the Africans themselves would scream about it. Their land would immediately come up for sale, and there would be a free inter-change of commodities; when the economic consequences were realised by the Africans there would be more outcries. Nevertheless there was too much fear and prejudice in the country; when the Post Offices were made inter-racial there had been no fuss, and he thought that no one would really mind dining with Africans at the Ambassador or Meikles: in fact those things were bound to come. Either the colour bar here had to be whittled away or the results would be the same as in South Africa; at any rate the tension in the country would make life unendurable. The people in Southern Rhodesia wanted harmony and peace. Some people had come out to the country to better themselves, and some from a sense of adventure. He himself would like to see Southern Rhodesia as a nation on its own. He was disturbed by the torrent of abuse and criticism from home, which tended to make people anglo-phobe. He could understand now why South Africa wanted to be a Republic—they wanted to have a nation for themselves. It had been just the same at the time of the Boston Tea Party. If this criticism from the United Kingdom went on, it would merely solidify European opinion in Southern Rhodesia.

There were so many tribes in Southern Rhodesia, mainly of Zulu extraction. Matabeleland had been occupied by right of conquest. He had heard old African tales of inter-tribal warfare. But there was now a greater feeling of security in the country, and a spirit of co-operation and African willingness to learn. He thought this was lacking in Nyasaland, which he also knew; he knew nothing about Northern Rhodesia; but the stoning of cars up there did not seem to be civilised behaviour.

He considered the Africans of Southern Rhodesia more civilised than those in the North, because of closer contacts with Europeans. He recognised, however, that the European influences in Southern Rhodesia were not without blemish.

In regard to the Federal concept, he doubted whether any Africans would ever say "I am a Federal citizen" or "I am a Federalee". But if Southern Rhodesia were to be separated it might be possible to get a common loyalty, even inter-racially, among her peoples.

In reply to questions Mr. James made the following further points:—

(1) He belonged to no political party. He had voted for Federation because he thought it would supply a larger unit in the modern world. But he now feared the pace of political development in the Northern Territories. He was afraid of the wholesale political advances in the North, which would then be applied to the Federation, and in turn to Southern Rhodesia.

(2) He had naturally given some consideration to the financial implications of Southern Rhodesia "going it alone". He agreed that development would be slowed down, but he did not think that the Africans would suffer. Southern Rhodesia would be an independent viable unit; and there would be a surplus of African labour arising from the implementation of the Land Husbandry Act which would be absorbed into industries. He was also suspicious of financial arguments because no country had ever really gone on the rocks financially.

(3) He referred again to the attitude of the South African Government in wishing to have a Republic. He thought they were right to do so, so that people would no longer look over their shoulders towards England and Holland. It was different in Canada, where the French had no pretensions; the remainder of the population there were largely Irish. Australia was largely populated by people of British stock, and they had been able to absorb other emigrants; in that country there was no great mass of Italians, Hollanders, or others. He had noticed that his friends in South Africa tended very much to have a British background.

(4) He thought it would be a great mistake to keep the Federation together. The Africans of Nyasaland wanted their independence, and to be given self-government inside the Federation was not the same thing. Northern Rhodesia should also be made free. He was quite sure that Southern Rhodesia would be able to "go it alone". The financial arguments were only a red herring drawn across the trail.

(5) If the Commission did not do the sensible thing and break up the Federation, then at any rate there should be a large transfer of powers to the Territorial Governments. It was not a question of being afraid of what was happening in the Northern Territories; but he thought that they were being pushed politically beyond their capabilities. Africans in Southern Rhodesia ought not to be pushed on in the same way politically in preference to giving them economic advancement. If it came to the point of holding the Federation together by force you could not possibly get a homogeneous nation. The great thing was for Southern Rhodesia to be on its own. He said he had held these opinions since about 1955 or 1956. Although the Federal Government had overriding responsibilities in its own sphere, it was at that time that the British Government had advanced the Northern Territories Constitutions much too far.

(6) It would help greatly if the United Kingdom would make a gift of ten million pounds for the setting up of a full system of registration of births, deaths and marriages for Africans; then it would be no longer necessary to have a system of passes.

(7) He had no objection to a close association of the Territories on the economic side only; but there should only be a kind of consultative body with, for example, mortgages over Kariba and similar schemes.

(8) He would agree to moderate diminution of franchise qualifications over the next ten years; but he did not like timetables.

(9) He was quite clear that he would sever political connexions with the Northern Territories. He wanted to make a nation of Southern Rhodesia, and equally he wanted no union with South Africa. That would only shake the confidence of Africans in Southern Rhodesia in Europeans.

(10) He knew that there was a great deal of pressure from what was called "big business" to keep the Federation going. It had to be remembered that in 1953 Southern Rhodesia was solvent, although it now had commitments beyond its means. But equally Nyasaland had had more than her fair share of the Federal revenues. If there was a process of "paying back" perhaps Southern Rhodesia would get something out of it.

(11) He was questioned as to whether he applied the same attitude to finance to his farm; and he replied that he made a profit on his farm.

M. FRIED

Mr. Fried informed the Commission that he was a food farmer of Mazoe and that he had been in Rhodesia for 23 years. He was born in Germany and had experience of nationalist mob rule there. He was married and had five children all of whom were born in Rhodesia. Mr. Fried produced a memorandum which he read and expanded to the Commission. The memorandum was in the following terms:

'Agriculture stands on the threshold of great things. We have gathered much knowledge. Where I used to get four to five bags of maize I now get twenty or thereabouts. Where one beast was run to about twenty-five acres we can with the new methods run a beast to two acres. I have myself produced milk at a cost of 1/7d. to 1/8d. per gallon, vegetables are wholesale sold at two pennies a pound and I produce eggs at about two shillings and sixpence a dozen. These prices could still be reduced, I feel, with more research for which we have no money. We have not touched the managerial problems, etc.

I am saying this because I would like you to see that the African is now at last with rising wages in the position to afford food and particularly animal protein. The bulk of our population in this country lives on only forty-five per cent of the protein (animal) that is the minimum requirement and I have benn given to understand that in the northern Territories the position is worse.

I believe that no human being can become a productive person without food and health. Our population is riddled with disease and particularly in the towns desperately undernourished.

Now in order to produce more food, more consumer goods, etc. we need stability, confidence in the future. This is particularly so with the sections who have invested much and have much at stake.

Stability can only be created by removing artificial barriers which irritate, and create goodwill and understanding amongst all sections, and by removing grievances.

Before coming to these grievances I would like to add that I think it is most important that all terms used so often loosely should be clearly defined. What is partnership . . . whose definition is right; left, centre or right? What is a citizen and where does he differ from a voter . . . or does he not perhaps? What are a citizen's rights and what are a voter's? Having defined terms I should like to talk about the grievances and their solution.

The franchise. I favour a low qualification, which once and for all settles the subject and stops the turning of the franchise into a political yardstick cum barometer. Literacy in English, which is equivalent to perhaps a standard six. If there is any doubt about a voter he should perhaps be given a simple dictation in front of a small jury.

Once a man becomes a full citizen all restrictions should be removed. He becomes a full citizen with all its rights, duties and responsibilities. If he is an African he ceases to be administered by the Native Department.

The Land Apportionment Act should be repealed. All citizens should be allowed to buy and sell land anywhere they wish, subject to the laws of municipalities with regards to the number of people per room, etc. and in the country subject to good farming practices.

The Native Dept. would nevertheless still have a very important part to play. They would still have to look after all the protected people who still live under a feudal system. The farmers in the intensively farmed areas would still continue to assist the government with administering to the sick and would continue to arbitrate in minor strifes. And a good thing for the government too, because it saves them an awful lot of money and bother. As more and more people are transferred from the N.D. to full citizenship so that department would contract and eventually when not required any more and when all protected persons have become citizens it could close down or perhaps be converted into a welfare dept.

The reserves would eventually be turned into freeholds and thus become part and parcel of the economic framework. Subsistence farmers could when they become citizens with borrowing power be turned into a valuable part of our economy but of course they would on becoming citizens give up the doubtful advantage of living as protected people in reserves and become citizens living where they wished.

The European areas now thrown open to citizens would become the intensively farmed areas open to all who can satisfy the demands of I.C.A.s and farm to approved standards, and perhaps hold master farmers certificates or have the requisite knowledge. Farmers might assist the younger members of the community and the people who are short of cash by leasing, again with full regard to the standards of farming, acreages, etc. This might also alleviate the pressure on land. Finance for all citizens to be made available on the usual terms and under the usual conditions. I think it is important there that inexperienced citizens should be warned and advised on the judicious use of credit and its very great danger when used unwisely.

The confidence of the established farmers, mostly European, must at all costs be maintained. These people, with their terrific investment and an unlimited potential must not be alienated. A third of all labour in the country is employed by the farming community and their need of labour is still great. It might take ten years to train a native commissioner to become of real value—I assure you that it takes just as long to make a farmer, and then he is just at the threshold of knowledge and experience. I must confess here that I need to spend out of capital and loan fund about two thousand pounds and I am only a small farmer and will not. Just imagine how much is held back by this feeling of insecurity. And land not opened or developed is as useless as a desert.

Education should be fused from the top. Secondary education should be the next object, but full integration can only be achieved if and when English becomes the mother tongue of all citizens. It is important that emphasis be placed on the dignity of labour. There is too much emphasis on academic education. I think we are out of step there with the rest of the world. The ratio should be about one academic to nine technical institutions.

Integration in industry. The rate for the job may be the ideal. But in many cases the job is grossly overpaid. On the railways a steward may get 80 pounds. He is not giving the community the service for this money. There without antagonizing the man, the answer seems to be fragmentation. The steward retains his job, but the job is graded down and an efficiency barrier between the various grades introduced. In commerce these things seem to sort themselves out by themselves. We used to have European drivers of buses and petrol lorries. Now the job has been taken over by Africans and they are making a good job of it. In my personal experience they are polite and efficient. Yet the job is not barred to Europeans, or at least should not be. In a tobacco company European and African clerks work side by side serving customers, and they seem to have a harmonious atmosphere there. Unheard of when I first came here.

The greatest stumbling block to the happiness of the people seems to be the doctrine of exaggerated nationalism. On either side there is a core of people pouring bad will into the community and poisoning the hearts of citizens. I am afraid some of them might never find happiness here and they would be better off elsewhere. The moderate is by nature happy and well-balanced, and perhaps not as intense as the extremist, but here with many problems besetting him, he will have to rule with firmness. The principles we all believe in must be defended by firm and just rule, even though it may seem hard at times. There is so much illwill, so much superstition and ignorance. The religious bodies, educational authorities and all moderate citizens will have to try to educate the masses. Every citizen should be made an ambassador of the ideal. There is still plenty of latitude in the framework of multi-racialism for expressing one's beliefs as long as they are not treasonable against the ideals of the state.

The moderate element will play a most important part there in the binding together of the nation. But no nation will prosper if from the outset one section tries to outdo the other. No nation will survive if one section appeals to the outside.

A way must be found to rule from here, and not from far away. The constitution must entrench the freedom of all people and the courts must be forever outside the pressure of the state.

I sincerely pray that you may so tap the collective wisdom of the people of this country, that we can look forward to a long period of peace and prosperity for all the people of this beautiful country which is also my home, the only one I have, and the happiest day for me would be if a European would be elected by Africans and an African by Europeans.

Confidence, goodwill, happiness . . . if we fail it will be sad for us who can go, because we have some skill and ability, but it will be sadder still for those who will stay, for then it will all have been in vain for them too.

I hope we will succeed and go forward to a happy time when the labourites and conservatives in this country can have a really good fight.

One question was put to Mr. Fried and this concerned the acquiring of citizenship by an African. He said that when a man attained citizenship then his (Mr. Fried's) concept was that he would be free to come and go as he wished, but other Africans would remain under the Native Affairs Department. Those who attained citizenship and lived in the reserves should be given an opportunity to take title to their land. It was true that for the time being they would have to remain under the general administration of the Native Affairs Department but they would have all the other rights, duties and responsibilities of any citizen.

SALISBURY

5TH MAY, 1960

Memorandum

SIR ANTHONY GRAFFTEY-SMITH—Governor of the Bank of Rhodesia and Nyasaland

In all public discussion and argument about the effects and future prospects of the Federation, the economic issues usually rate low and are indeed often ignored altogether. Yet, it cannot be denied that the economic motive was a crucial, if not the paramount factor, behind the federal concept. It is, perhaps, going too far to say that the success or failure of Federation should be judged by the results in the economic field alone; but, negatively, it would seem fair to say that if Federation had not accelerated the growth of the economy, the whole concept could, with justice, be written off as unsuccessful. It is not difficult to show that this has not been the case, whether looked at from the general or the individual territories' points of view.

2. On the economic side, Federation wrought a more fundamental change than anything on the constitutional or political levels. Whether consciously realised or not, the effect of Federation was to create nothing less than a closely integrated economic union of the three territories. The changes involved the establishment of a full customs union with a common external tariff; the creation of new economic institutions; a co-ordinated investment plan; centralised external borrowing; pooled reserves; and the further development of a single monetary system, the elements of which, it is true, had been in existence even before 1953. The only important exception to full economic integration was on the fiscal side; each of the three territories retains a fair degree of autonomy in the raising of revenues and control of expenditure, although the Federal Government occupies a predominating position in these matters.

3. Once the distinction between the economic and political consequences of Federation is appreciated, an entirely new light is thrown on the arguments and counter-arguments about the shares of the total gain which each territory is supposed to have obtained out of Federation. Since the effect was to create an integrated economic union, questions of relative territorial advantage are, if not wholly irrelevant, somewhat artificial, and all the more so because the premise on which the case is based is often invalid. Thus, for instance, to argue that Southern Rhodesia has benefited unduly by the concentration in this territory of the major part of industrial expansion in recent years is to ignore entirely the fact that the creation of the larger national market itself ensured that industry would tend, by the operation of normal economic laws, to become concentrated somewhere in the new economic unit. The main operative factors bringing about its localisation in Southern Rhodesia were, no doubt, the rail, road and air services, the proximity to the ports and to the Union of South Africa, and the existence of a pool of high spending power arising from the rich tobacco and maize farming centres in this territory. Once industry had begun to concentrate in Salisbury and Bulawayo its growth in these centres became in a sense self-sustaining as more spending power was released, although to a lesser extent, the two Northern Territories have also progressed in the industrial field. This would have occurred even less if they had remained as independent territories; and there would have been a greater tendency to rely on supplies from the Union of South Africa and Southern Rhodesia.

4. The simple truth of the matter is, that in an economic, no less than in a marital, union there is little to be gained by trying to assess which party has benefited the more. What matters is whether the marriage has resulted in a gain to the common weal. Looked at in this light, it would be difficult for anyone to deny that Federation has led to a general increase in economic welfare. A quick glance at the national income statistics is sufficient to show that in the period from 1953 to 1958 (the latest figures at present available) the total increase in net national income was of the order of £113 million, at an annual compound rate of increase of no less than 7½ per cent. Even if allowance is made for the general increase in the price level during this period, the increase in the real national income of £72 million was by no means unimpressive. And, if the account is taken of the growth of the population, the annual compound rate of increase of real national income per head works out at 2 per cent—a figure which compares more than well with most other developing countries.

5. From the general point of view, therefore, I do not think it is possible to deny that, economically, Federation has been a success. The gain, moreover, has not been confined solely to a rapid expansion of the national income, and it is an unquestionable fact that the Federation, with its more diversified economy, is a great deal more stable than any one of the three territories would have been if left to face the winds of economic change on its own.

6. It has been said that the Federation has had too short a life to prove itself one way or another. On the political side this may well be so; but it is far from true of the economic aspects. Federation has, I submit, fully proved itself to be an economically viable unit and one capable, in the right conditions, of sustaining a rapid rate of growth to the material benefit of all its citizens. More than this, however, it is important to realise that the economics of the three territories have during the past six years been fused into a single closely integrated and mutually interdependent economic unity. Any change which has the effect of disrupting this economic union is bound, therefore, to involve serious loss and, whatever the short-term political advantages which they may hope to achieve, not one of the three territories can expect to profit out of its break-up.

7. In many respects the Federation has become a victim of its own success. Everyone has become so accustomed to thinking and acting federally in economic matters that few stop to consider the implications of its disintegration. It is plain, for instance, that much of the development since 1953 has been orientated towards the needs of the internal economy with a market of roughly 8 million. If the Federation breaks up, there is little doubt that many of the country's most prized and expensive developments would cease to be economically feasible. For instance, much of Southern Rhodesia's industrial development which, it should be remembered, has not benefited this territory alone but has given employment directly and indirectly to many thousands of workers from the other territories, would become otiose: contraction would be inevitable.

8. As I have said earlier, it is not difficult to demonstrate that, from the point of view of the individual territories, Federation has been a success in the economic field. The following table bears ample witness to the interdependence of the three territories, with particular reference to movements in the price of copper. It should be noticed that in 1957, when copper prices fell sharply, the Northern Rhodesian share of the gross domestic product fell from £187 million in 1956 to £160 million in 1957, whereas the Southern Rhodesian figure rose from £217 million to £241 million. This is surely a perfect example of how a Federation should work.

9. The benefits to Southern Rhodesia have been touched on earlier, and are so obvious that they need no elaboration.

Shares of Gross Domestic Product

	1954		1955		1956		1957		1958	
	£m	%	£m	%	£m	%	£m	%	£m	%
Federation	350·6		404·5		448·7		448·6		430·9	
Southern Rhodesia ...	168·6	48·1	190·5	47·1	216·7	48·3	241·2	53·8	240·6	55·8
Northern Rhodesia ...	142·8	40·7	171·8	42·5	187·1	41·7	157·9	35·2	139·0	32·3
Nyasaland	39·2	11·2	42·2	10·4	44·9	10·0	49·5	11·0	51·3	11·9

Per cent Change over Previous Year

	1955	1956	1957	1958
Southern Rhodesia ...	+13·0	+13·8	+11·3	—0·2
Northern Rhodesia ...	+20·3	+ 8·9	—15·6	—12·0
Nyasaland	+ 7·7	+ 6·4	+10·2	+ 3·6
Federation	+13·0	+12·0	—	— 2·0

	1954	1955	1956	1957	1958
Average LME Cash Copper Price per long ton	£249	£352	£329	£219½	£197½

10. In the case of Northern Rhodesia, it is, of course, true that when the price of copper is extremely high, less flows into the coffers of the Northern Rhodesian Treasury than would have been the case before Federation. Although copper is an embarrassingly large egg in the Federal basket, in the context of Northern Rodesia, it is dangerously close to making the country a mono-economy. When the price of copper is low, the pooling of resources does materially assist Northern Rhodesia, as will be clearly seen from the table set out above. On two small but important issues, it should also be remembered that the act of Federation disposed of the considerable fiscal payment that Northern Rhodesia used to receive from the Union of South Africa, and also brought about some beneficial modification of the Congo Basin Treaty. But these are minor points, and one has only to envisage a really low price for copper to realise how much Northern Rhodesia would be happy to rely upon the gold, chrome, asbestos, coal, and tobacco of her Southern neighbour.

11. And what of Nyasaland, which has always been the poorest relation in the Federation?

12. At the time of the referendum a substantial body of opinion in the two Rhodesias was reluctant to accept Nyasaland into the merger on the grounds that it would contribute nothing but labour—which would be available in any case—and would prove to be a drain on the financial resources of the Federal Government.

13. It is fortunate for the Commission that they have to hand such an up-to-date, comprehensive and impartial document as the Jack Report. This survey was commissioned in November, 1957, in general, to examine economic conditions, and it provides up-to-date information up to about May/June, 1959. Those engaged in the survey were left in no doubt of the economic benefits and, in particular, the fiscal advantages which accrued to Nyasaland from the act of Federation. In the fourth paragraph of its first chapter, the Report gives considerable emphasis to this point, viz. "We are convinced that the country's economic development has been accelerated as a direct consequence of its federal association with the two Rhodesias, and that the economic benefits which have been enjoyed have been substantial. We think it right to state this view in the forefront of our Report . . . the evidence is conclusive that the greater rate of economic development which has occurred since 1953 must be attributed to the constitutional changes which were made in that year and that this greater rate of development could not be maintained if Nyasaland were to depend entirely upon its own resources."

14. From the outset of Federation, the fiscal advantages to Nyasaland were abundantly clear: at a stroke of the pen, the Government became financially responsible for far fewer services whilst enjoying larger revenue. Without setting out figures in tabular form, it is undeniable that the cost of Government services in Nyasaland is subsidised by revenue derived from the rest of the Federation to the extent of £2,750,000 a year.

15. The Jack Report points out that if the "Federal prop" were removed, a grant-in-aid of about £3,000,000 a year would become necessary.

16. In the field of public capital expenditure, the same pattern is discernible. In the three years before Federation, this averaged £1·23 million and in the three years following Federation, total expenditure by both Governments averaged £3·6 million—a threefold increase. Prior to 1953, Nyasaland was able to raise only one loan for development, but with the growth of the local capital market and the credit-worthiness of the Federation, Nyasaland has been able to share in four Federal loans raised abroad, and in five issues of local registered stock. Once again the Jack Report is unequivocal, viz. "There can be little doubt that without the support which it receives from the rest of the Federation, the Nyasaland Government's ability to raise external loans would be greatly reduced. In the absence of the provision of alternative funds this would mean not merely that several new lines of public development could no longer be contemplated but that certain present lines of development could not be sustained."

17. It is my own personal opinion that Nyasaland would, in the foreseeable future, have no chance whatever of borrowing abroad or locally in its own name. The Federal Government is itself experiencing difficulty, not unconnected with the emergency in Nyasaland, in securing long-term funds in London. For a variety of reasons, including the proposed amendments to the Trustee Act in Great Britain, gilt-edged generally are a friendless market and African issues in particular have experienced sharp falls in price. In the realm of public borrowing, there would be no hope whatever of Nyasaland "going it alone".

18. The increase in public investment, which I have mentioned, brought in its train some substantial private capital into secondary industry. In its turn, this brought a substantial increase in African employment. Private investment in agriculture, the backbone of the economy, also rose. The trend for which the Government was hoping in agriculture was to see further reductions in subsistence cultivation and increased concentration on cash crops. I need hardly point out that a change of this nature will provide the necessary spending power needed to stimulate the growth of secondary industry.

19. No one can deny that the Federation has provided great benefits to Nyasaland; even outside its borders, employment opportunities exist in the other two territories for those many who are unable to secure a reasonable standing of living in their own homeland. It would be a major tragedy if the political situation, which without doubt is putting the brake on economic enterprise in Nyasaland, were allowed to deprive the people of that country of the obvious benefits which must accrue—as has been proved by the past—from participation in a large and expanding economy.

20. To return to the Federation as a whole, it is generally accepted that capital investment, financed in the main by the inflow of foreign money, has been largely responsible for the country's rapid growth. In its formative years, the Federation successfully accomplished a rate of capital investment which few countries in the world could have equalled. The ratio of gross domestic capital formation to the national product in the period 1953 to 1958 averaged as much as 36 per cent—a figure well in excess of the average and higher than in most other countries in a similar stage of development.

21. As mentioned earlier, this pace of advance could not have been sustained withour resort to the external capital provided to a large extent from the United Kingdom. With the expansion of the economy and the growth of the national income, an increasing proportion of investment has been provided from domestic sources in the form of personal savings, ploughed-back profits, budget surpluses and internal borrowing. Since the establishment of the Central Bank, a great deal of progress has been made in laying the foundations of a mature institutional apparatus for the attraction, mobilisation and effective use of the country's savings, both African and European. One could instance the growth of the building society movement, the tremendous expansion of insurance, and the advent of new banks and of accepting and discount houses. Through these media, and not forgetting the important role of the Post Office Savings Bank, domestic savings have been greatly stimulated and put to increasingly effective use. During the fairly difficult year of 1959, the Central Bank raised locally on behalf of the Federal Government the sum of £56 million in 3 months Treasury Bills, and £15 miillon at short and long-term. These figures are vastly in excess of pre-Federation local borrowings. But, while dependence on external sources has been reduced, the need to borrow from abroad is still great. The inflow of capital is, and is likely to remain

for a number of years, the critical element in the country's development.

22. It is, therefore, of the greatest importance when considering the country's economic future, on which its political tranquillity largely hinges, to examine the prospects for obtaining overseas capital either by public loans or private investment. On official account (in which category I include the Federal and Territorial Governments, together with the Statutory Corporations and Boards) a total of some £73 million has been brought in from overseas sources in the form of public loan issues and direct loans from other governments and international organisations. Unquestionably this injection of loan capital has played a highly strategic role in the development of the country. Much of it has been utilised to improve basic services, thereby inducing an expansion of private investment.

23. What has to be considered is whether in any conceivable constitutional re-arrangement, which involves some diminution of the present status, such a high rate of foreign borrowing could be maintained in the future. In my submission any disruption of the Federation would have a seriously adverse repercussion on the ability of this part of the world to attract foreign capital. I believe this to be true whether looked at from the Federation's or any individual territory's point of view; and anyone acquainted with the main capital markets of the world would confirm this view.

24. Because of its resources, both financial and otherwise, the Federation is certainly able to command a higher credit-standing than any one of the three constituent territories. During the past six years, this country has succeeded in establishing itself in the queue of borrowers at the doors of the world's capital markets. There have, of course, been occasions when some of our external loan operations have been in jeopardy because of the existence of political fears, real or imaginary. But it is difficult to believe that these would be any the less if the three territories were separated. Indeed, as I have said earlier, one cannot imagine Nyasaland being able to borrow abroad at all on its own standing, except perhaps on quasi-charitable terms or possibly from unacceptable political sources.

25. It is worth emphasing also that the ability to borrow depends partly on the wider economic prospects of the borrower as adjudged by the lenders. It would not be easy to persuade anybody that any of the territories individually could expect to have as bright an economic future as they now enjoy mutually in an economic union. Also important in this matter of credit-standing is the financial status of the borrower and in particular the relationship between available revenues, the burden of existing debts and the size of the country's free reserves. All these factors are weighed in the balance by potential lenders. As a developing country, the Federation has, naturally, been obliged to pile up quite considerable external debt obligations; but on the other hand, the country's reserves (the largest portion of which are held by the Central Bank) are fairly substantial and the revenue-raising potential of the four governments is considerable. In the event of the Federal unit being broken up, it would be necessary to negotiate an acceptable redistribution of the commonly-held reserves and a basis for allocating to each territory its proportion of the joint public debt—surely a Labour of Hercules. Whatever the eventual form of settlement, it is quite certain that from the financial point of view the credit rating of all three territories would be greatly diminished as a result. In each instance, the balance between existing commitments, available reserves and revenue-raising potential would be highly adverse to future borrowing capacity. Moreover, each territory would be faced with an imminent problem of repaying maturing debt—a dilemma which is serious enough for the Federation but doubly so for any individual territory on its own.

26. Turning to the private investment side, it is significant to note that in the period from 1954 to 1957, a net total of £95 million is estimated to have been transmitted from overseas countries for investment in the Federation. This estimate probably understates the true position since no allowance has been made for the re-investment of profits of foreign-owned subsidiaries which, logically, should be included. The biggest source of capital, as on official account, was the United Kingdom, followed by the Union of South Africa. These figures make it clear that the inflow of private capital has been of the greatest importance in the development of the country. Due recognition should be given also to the introduction by foreign-owned firms of the technical know-how and managerial skills which play a vital role in economic development. It is obviously of the highest importance to the region's future growth that this inflow of foreign investment should continue unhindered and, if possible, at an expanding rate.

27. When considering putting capital in an overseas country, a potential investor's mind is, no doubt, conditioned by his assessment of the political risks. It is certain, however, that in reaching a final decision purely economic considerations are likely to prevail, although, of course, it is not always possible to make this clear-cut separation of motives. Among the economic factors, the size of the potential market is perhaps of predominant importance. Modern-day industrial techniques nearly always put the emphasis on the economies of large-scale production. Below a certain minimum size of the market (or potential market) it is just not feasible to consider setting up certain types of industry. Inevitably, therefore, if the Federation were broken up into three separate smaller markets, the attractions of this part of the world to potential investors would be bound to diminish. Indeed, some already established industries might be forced to curtail or even close down their activities. Such private capital as did continue to flow would be concentrated in Southern Rhodesia to an even greater extent than at present.

28. Whatever changes are found to be necessary in the present constitutional and political framework of the Federation, I am convinced that the welfare of all the inhabitants of the Rhodesias and Nyasaland will be best served if the essentials, at least, of the economic union are kept intact. I realise that this involves a reconciliation of what at the moment appear to be hopelessly conflicting aims, mainly outside the economic field; but I believe that it is possible to find such a solution which is just and fair to all.

29. Lest it be thought that the tenor of my evidence has in any sense been complacent, I should like to conclude by emphasising that I am not suggesting that the Federation stands pat on its record alone—good though, in all the circumstances, I believe it to have been. I am conscious that change in certain directions is necessary; and that progress towards true economic partnership between the territories as well as the races must be speeded up. It is my sincere belief, however, that the solution to these difficult problems can only be found if the economic environment is right and, as I have argued, this is more likely to be the case in a unified economy which has undoubted growth prospects. We have established a firm economic base and, however imperfect it may be in certain directions, we should attempt to build on it. There is nothing at all to be gained by anyone destroying it.

Salisbury

23rd April, 1960

Oral evidence

SIR ANTHONY GRAFFTEY-SMITH

CHAIRMAN: Your main observations in the memorandum are directed to showing that on the economic side there is every advantage in the retention of the unit which is embraced in the Federation. In paragraph 28, you state: "Whatever changes are found to be necessary in the present constitutional and political framework of the Federation, I am convinced the welfare of all the inhabitants of the Rhodesias and Nyasaland will best be served if the essentials at least of the economic units are kept intact." You point out that this involves a reconciliation of what appear to be completely conflicting ends, mainly outside the economic field. Assuming for this purpose the necessity of retaining the economic union, can you help us at all as to what you would regard as the essentials of the economic union to be kept intact?

A. The very unity which makes it possible derives from the fact that they share at the moment the financial ups and downs. When one Territory is doing well and the other badly, there is a levelling process because of the fact that we are three. Therefore by essentials of an economic union I mean that, for instance, when Northern Rhodesian copper is low they benefit from revenues which arise from high tobacco prices in Southern Rhodesia. The reverse obviously applies. And Nyasaland shares in both, so that an increase in one is to the benefit of the other territories. Breaking away from that form of uniting the three countries would be disastrous.

Q. Would you care to trespass outside the economic field and say what you think would be essentail to retain as a political centre in such an economic unit?

A. You mean how could one reconcile that amount of economic unity with the political difficulties? I think some looser form of economic union might conceivably be possible, but I have not worked out what form it might take.

SIR LIONEL HEALD: Could you help us by giving your view as to what powers would have to be retained by some central authority in order to enable you, as representing all the people in this economic union, to function satisfactorily?

A. I would have said a good number of the existing powers given to the federation in the Constitutional List would in fact still have to be retained by the Federation. I have not a List handy and cannot do it in detail, but in my particular field of banking and currency, for instance, we have been federalised since 1938 and the currency has been a common factor in all three territories since that time.

There was a currency board at one time, but even the commercial banks, I think is fair to say, adopted a global rather than Territorial view. One of the last things to be surrendered would be a common currency. That is something to everybody's advantage: They are used to it, and I have never heard any demands for

its being got rid of. On the fiscal side, incumbent on what I have said about the sharing of good things in bad days by one Territory, the fiscal division would have to be not necessarily in the same proportions as at present but it would have to be retained in some form or other—that is the division of the spoils when it comes to tax. The same division is more roughly applied to the raising of capital, and I am convinced that no one individual Territory could hope to borrow with as much success as the Federation itself. Federal credit at the moment is somewhat low, due to events which have happened 1,000 miles to our south. There has been a sharp fall recently. But I do not consider that any one Territory could stand alone when it came to going into the world markets. My experience of all the international banking centres very much reinforces me in that view.

Q. And what about taxation? There would be distribution of functions?

A. Yes, there would obviously have to be some further division of functions. Whether one would slavishly adhere to the same percentages as laid down by the Fiscal Committee one would doubt, if you are moving other things about. But thinking in terms of Nyasaland, I do not see that fiscally they would have any hope of being viable or, as it were, living on their own fat. They would need a share of other people's taxation. The other two Territories are more difficult. Northern Rhodesia, in buoyant days for copper, would probably do quite well as an independent entity, but would be in a bad way indeed if copper should descend into the depths as it did before. Southern Rhodesia I daresay would manage a rather—in my view—shaky viability, with a highly reduced standard of living.

Q. What about the political point of view—would a Federal minister of finance, from your point of view, be essential or not?

A. As opposed to three Territorial ministers of finance? In those circumstances I am not sure whether I would be a Federal bank; but if I am, there must be a Federal Minister of Finance.

Q. Those go together, and then it follows if you have a Federal Minister of Finance certain political consequences follow, unless you are going to have a dictator.

A. The short answer to the question is yes, unless there was complete fragmentation; in which case I do not know what would happen to me: I might become a Southern Rhodesian bank.

MR. MOLSON: How do you think it would be necessary to enable each of the Territories to share in each other's good things? The two main sources of revenue levied by the Federal Government are income tax and Customs and Excise.

A. As revenue goes, you mean on current account and not necessarily capital account?

Q. Those of us who are thinking in terms of relaxing the bonds of Federation are not thinking of going so far as doing away either with collection of income tax by the Federal Government or the collection of a single level of customs all round the three Territories. Supposing those two were maintained—income tax and common customs—would that in itself meet the point to which you attach importance, and which is indeed of considerable importance?

A. I am a little off my own ground here, because I am not a fiscal expert. I would not have thought so: you are continuing to exclude capital borrowing. If one is thinking purely quantitatively, you have to tell me whether you are going to follow this up by making a similar suggestion about capital account. I think I would say no, if it is just income tax and customs, but I have no figures in front of me.

Q. You emphasised the importance of each of the Territories helping the others as commodity prices go up and down. As regards the borrowing of money, I take it as being a *sine qua non* that there should be a Loans Council and that no government should be allowed to borrow externally without the approval of the Council and on terms approved by the Council?

A. Yes.

Q. Would that go most of the way to preserving the credit-worthiness of this part of Africa?

A. Looked at from the point of view of foreign credit standing, I agree, but from the point of view of the quantity of money necessary to raise, one has to take into account local borrowing as well. Recently, we have perhaps been borrowing more locally than we have managed to secure abroad. I am not including Kariba money, but one has also to couple with that the question of borrowing locally. Generally speaking, that is not covered by the Loans Council proper, but it is covered by representatives of the four governments, which follow a common pattern and also agree on the division, which may vary slightly on the constitutional terms from time to time. That is such an important amount as well as the foreign money, that I think you must continue that too.

Q. Supposing that the recommendations were for a certain relaxation politically and for the preservation of the Loans Council, and if we slipped in a recommendation that the powers of the Loans Council should be extended from external loans to internal loans in order that the Loans Council should be able to effect a real control of the borrowing of all four governments, would that seem to be a step forward in your direction?

A. Yes. The question of actually making it subject to the Loans Council is a matter again on which I am not qualified to speak. I think one would run into certain opposition there, as I think I am right in saying they have in other parts of the world. The conception is correct. Consultation would take place with the four Governments. I do seem to remember when the last Consultation was drawn up this ran into certain troubles, but I cannot remember what they were. I think there have been troubles on this one, but it certainly emerged that the Governments are very close in contact on local borrowing as well. I am on the receiving end of that in so far as I do, as it were, raise the money for the Federal Government which in its turn distributes it. So far as I know those conversations have been fairly amicable and they work. On this subject, the Loans Council is not entirely essential to your question as long as there is agreement between Governments.

Q. I am really thinking of this as a *quid pro quo*. If our recommendations were for a certain relaxation of the bonds of Federation in order to meet the wishes of Nationalists it might be quite fair and reasonable, in order to preserve the economic unity, to slip in some tightening of that on the economic side as a *quid pro quo* for a relaxation on the political side. Would that appear to be helpful to you in preserving the credit-worthiness?

A. Yes, I think it would be. I would rather like to ask you, would you insist on unanimity in that form of Loans Council?

Q. I think that is obviously a matter to be discussed.

A. That is an important one, I think.

Q. What I am really trying to get at is to pick your brains about how far we can go in a political relaxation without involving any of the ill effects which you have brought out in your memorandum.

A. I think if you maintain the Loans Council and did something on the lines you have indicated it would certainly help the credit-worthiness, we hope, to stand more or less where it stood before; but, of course, I do not know what your political relaxations are.

MR. TAYLOR: Would you say, Sir Anthony, that in the circumstances envisaged by Mr. Molson the central power would have to possess sufficient legislative authority to be able to operate the entire and complicated machinery of modern governmental control of economic activity?

A. I would indeed,

SIR DONALD MACGILLIVRAY: Would you think it would be likely that the credit-standing of the Federation would be affected in any way if there was some re-distribution of responsibility for services such as health, education, agriculture?

A. No, this is really a change of the Constitutional Lists.

Q. On responsibility for external affairs and defence?

A. I would not have thought that would have had a tremendous effect on the credit-standing.

Q. In the first case you say it would not affect it all?

A. I would not have thought so, but clearly there would be a corresponding adjustment in percentages; presumably that was postulated.

MR. ELLMAN-BROWN: From what you have said you would say basic taxation is essentilly a function of a centrally controlled body, basic taxation and legislation?

A. Yes.

Q. You probably would not be surprised to hear we have had considerable evidence that the percentages between the various Territories should be changed. It can be done two ways, by changing the percentages or increasing the Territorial surcharge. Would you say, Sir, knowing the trends of the increase in industrialisation here, and the prospects in Northern Rhodesia, that to change the Territorial surcharge would, in fact impede your main concern of getting that balance. In other words giving the two Territories more taxation means that they will be more responsible from their own resources instead of through the pooling. Would you agree and would you reckon that would have a serious effect from the loan point of view?

A. Yes. I would very much prefer to see an increase in the percentage rather than any attempt to tinker with the surcharge which would have an effect very quickly indeed of putting up the general rate and the rate of the two combined which would not be attractive to immigration and to industry.

MR. ROBINSON: I wonder if you could tell us to what extent the concept of a permanent Federation resulted in a capital inflow into this country, more particularly in the private sector? Put it another way: if there was a loosening of the bonds to any considerable extent would that effect either those who have invested in the Federation or who are likely to do so?

A. Of course it is difficult to know how loose the bonds might be made. What is absolutely clear to me is that both in London and in America—and I think perhaps I can speak about America with a certain amount of experience—that Federation as an act was undoubtedly welcomed. It possibly was welcomed as much as anything because the Americans are very fond of what might be called "bigness'. That was after all one of the selling points of Kariba. It was a monster scheme, it was viable and it had a considerable appeal to Americans who are undoubtedly impressed by size. Even Americans who come here always like to be told that this place is equal in acreage to Texas, California and New York. It is a childish thing to know but they always like being told it. But in any case I am sure that all the people with whom one talked about Kariba money—I had the honour of making the first soundings for the Kariba money—were very pleased and impressed by the size and what they hoped would be the cohesion. I have been there several times since, and on each occasion they are impressed by size and the fact that we were doing well and the thing appeared to be working.

I do not know whether this is the correct thing for me to say but, if you do not know it, it is an interesting manifestation that we are seeing here in Salisbury a great number of Americans at present who have done a sort of South of the Sahara tour. Sometimes they come here to finish up, sometimes they go to the Union, but I have been struck by the fact that they have not been at all pleased with the splintering and fragmentation they have seen elsewhere. They do not like it, and they have asked me quite anxiously if I saw a likelihood of anything similar starting here. I have said that I would regard any loosening of the economic ties as absolute blatant folly but they do express apprehension, of, as I say, a splintering and a disruption which is happening, maybe for good reasons, all over Africa to our north.

I would therefore answer Mr. Robinson's question by saying that, if the links became demonstrably looser, in proportion to the looseness we should not gain as much capital in the future as we have in the past.

PROFESSOR CREIGHTON: May I ask a question, intended to pursue this matter of the economic functions which it is desirable a central government should possess if the necessary economic unity is to be preserved. For example, would you feel that it was essential for the Federation to retain transport—railways and civil aviation —communications and price control, to mention three?

A. The abandonment of transport and communications would immediately postulate a very difficult question about sharing of the public debt. The debt incurred by the railways and to a much lesser degree by Central African Airways is, at the moment, a Federal responsibility. They are statutory commissions and they operate separately, but nevertheless the debt incurred, certainly so far as the railways is concerned, is in the name of the Federal Government. There would be a fairly unpleasant piece of disentanglement there on the sharing of the public debt which brought all that about.

Price control—as I say I am no constitutional expert and I am not a Civil Servant—is a matter I would not see lost with great agony. I would not mind if that went Territorial, but there may be problems of which I am not aware. I do see difficulties about transport. I was Chairman of the Apportionment Committee which had the job of dividing assests and liabilities of three Governments among four. It also involved very considerable shifting of the public debt to balance those functions. The Governments, I would testify here and now, accepted this very complicated business very well indeed, and by and large it has not worked badly. There have been some stresses and strains, but the thought that I should ever be the Chairman of a Disapportionment Committee fills me with horror.

MR. JUSTICE BEADLE: Would you agree that credit-worthiness in the ultimate must depend on political stability?

A. If you mean absolutely and completely, solely, I would have said that it is highly important. But I should have said economic stability, so far as a man who is lending money is concerned, is also extremely important. I happen to think economic stability should come first.

Q. Can you have economic stability without political stability?

A. Not too well. I also do not think you can have the reverse.

Q. You have to have both together?

A. Yes.

Q. So it is essential in any scheme that may be put forward that the political aspects must receive the most careful consideration?

A. Most certainly.

Q. Mere economic stability alone is by no means sufficient?

A. I entirely agree.

LORD CRATHORNE: To go back to the original question again, it has been put to us by some people that you could have the economic link up without any of the corresponding political association at all on the lines of the six in Europe, they are developing. Do you think that is viable or not?

A. No.

SIR LIONEL HEALD: You do feel that some Federal legislature is essential from your point of view?

A. Yes, I do; and, I would have thought, from the foreign investor's point of view as well. I think one can say that the economic side and the political side too have been a considerable success. We may be victims of our own success, but whether we like it or not we have had an economic union which has now existed for a number of years and has really proved to be quite successful. I am not rying to sound complacent but it has been successful. I think anybody who invested in the past and wished to invest in the future would be very sorry to see that particular form of stability disappear.

MR. ELLMAN-BROWN: We have had a considerable amount of evidence on the effect, particularly in the Northern Territories, of the general policy of protection of industry. Bearing in mind that there are always stresses and strains in the economy, but that the general concept of the central government is that it is trying to encourage that economy, would you say that should be maintained and the protection, customs, excise and so on, should be a central function?

A. Yes. I think one would get in the most tremendous difficulties if you territorialise customs for that very reason.

MR. ROBINSON: I would like Sir Anthony to comment on the availability of funds outside the United Kingdom and Washington sources. It has been put to us by some witnesses, particularly in Nyasaland, that might be available from other sources, Swiss, German, Japanese and so on and so forth. Could you say what your experience has been in that field?

A. My experience with the Swiss is fairly considerable. The Swiss would be, I think I would be right in saying, the very last people who would lend in any circumstances to any smaller union than we have got now. They are probably the most difficult lenders in the world. They want 25 conditions, including a guarantee of their own currency, before they lend you anything. I would not say they are very comfortable people from whom to borrow money. We have got on occasions fairly near to a loan but by the time all the conditions were put down, including every form of gold clause, it did not become particularly attractive.

The Germans have also been spoken to and I do not see in the long run that Germany as a creditor nation might not lend money here. There again, as I know them, they are rather impressed by the big unit. What has really prevented any further approach to the Germans in recent months is, of course, their extremely high interest rate. A domestic loan in Germany floated by the German Government is, in fact, at a higher yield than even our own in this country, so it is not very attractive to go to them at present. I have never had anything to do with the Japanese. I should think that would be a loan to industry. I should think a straight Japanese loan would be extremely unlikely. Apart from a very small approach to Canada I do not think I know of any other likely creditor nation who would wish to lend to us.

MR. TAYLOR: Sir Anthony, you told us of the value that "bigness" has in borrowing money, and indeed I believe since the Federation came into being, in public issues abroad and in public issues at home, something like £135,000,000 has been borrowed on the strength of a Federal prospectus. What views have you got on the morality, and what sort of attitude do you think people would take who had lent money on the strength of that prospectus, if the security on which that money had been borrowed vanished?

A. I should think we should get just about as bad a name in the world as could be imagined. I personally, if I had been a lender, would regard it as a considerable piece of bad faith.

Q. And most of those loans have a long time to run.?

A. They have indeed.

MR. CRAWLEY: But if the alternative was to maintain Federation by force with prolonged civil disturbance, would you consider that a good economic security?

A. Prolonged civil disturbance, of course, is a considerable phrase. If the alternative were to be found to be civil disturbance, then obviously some other means would have to be sought; but not, I would have thought, what would amount in many ways to a general default on debt.

MR. CHIRWA: I think that you appreciate that there are at present great difficulties in maintaining what you suggest, that in Northern Rhodesia and Nyasaland the Africans do not want Federation, they want to see it broken up. If Southern Rhodesia adopted the same attitude, if they laid down certain conditions which must be fulfilled before they remained in the Federation and one of these was that the Territories in the North must not have African Nationalist Governments: on the other hand, if, those people in

the Northern Territories wanted those Governments, how can you reconcile these two elements, at the same time retain Federation without disruption?

A. I imagine that is one reason why the Commission is sitting. I am sure you know, Mr. Chirwa, if I could give you the answer to that everybody would be very happy.

Q. Those are difficulties.

A. I do perfectly well admit that. I did not go on the political side, I am not in politics. But I perfectly well recognise there are political difficulties. I think it was my job to talk about the economic side about which I know something. The reconciliation of these opposite views is indeed extremely difficult but if no reconciliation or amicable reconciliation can be reached it would be a pity to see the destruction of something which I think has been a very considerable success in the eyes of the world so far as an entity was concerned. It has borrowed money; a great deal of the money has gone into the Territories which want to see it broken up. One obviously would deplore for that reason and for many other reasons any form of disruption. As Governor of the Bank of Rhodesia and Nyasaland I must be the last one who would admit it possibly could happen.

Q. I want to raise the question contained in the last paragraph but one. You say that a change in certain directions is necessary. What did you have in mind?

A. We have touched on that in many ways. I meant that there were various frictions on things that are at the moment on the Federal list but not on the Territorial list. They should be moved. There are also frictions about percentages now paid to the three governments, and so forth. There may be room for manoeuvre there.

Q. Then you go on to say that progress towards true economic partnership between the territories should be speeded up.

A. That again is quite general. I merely think, as I hope most well-thinking people do, that greater financial benefits, as it were, must accrue to the African—which one can already see coming, from certain straws in the wind. You happen to come from the poorest territory, and therefore, if Federation persists, in order to satisfy in some degree what must be the demands of the poorest territory, it may be that a greater allocation of funds should go in your direction. I am not saying I have worked that out, but that is the sort of thing I mean.

MR. MOLSON: Going back to the question of the loans—because we want to make sure in every possible way that the economic unit is kept together, whatever political concessions have to be made—could you tell me something about the actual mechanism of the way the service of the loan is ensured, and what could be done in that way? There would continue to be the Federal sources of income: income tax and customs and excise. That is at present paid into the central bank. The service of the debt could be made a first charge upon that, so that if anything went wrong politically and too much money was being spent, at any rate the service of the loan would be made first. In England, for example, the consolidated fund is not voted each year.

A. Every Federal prospectus sets out general revenues as an indication of what they were then receiving. I do not know quite whether you are talking about past loans, or service for future ones.

Q. There is not much doubt about the present Federal Government meeting its liabilities. I am anxious to try and find a means by which existing lenders and future lenders may feel they are guaranteed against any possible political folly or a weakening of things. Looking at the central bank, which is the bank responsible, would it not be possible for the future and for the past to ensure that all government revenue paid into the central bank was earmarked solely, first and foremost, for the service of that debt and that anything else which was voted—for example, the Air Force or education, etc.—would only come afterwards? If the Federal revenue was sufficient to cover that, the lenders would be covered in that way.

A. I do not really like the sound of that. Why could it not still be possible for it to be merely an item in the budget at the time, which would demonstrate to the world that sufficient in the first place had been voted by the Government to service all this outstanding debt? Once you try earmarking particular revenues, you get into difficulty. Frankly, I think the Federal Treasury would have a very difficult time. I would have thought it would have been sufficient for that money to have been voted in the budget—though, of course, I am not aware of the background against which your question is framed. I have a fund of £9m., and when their debts fall due in London, New York or anywhere else, I am instructed by the Federal Government to provide so much for interest, sinking fund and redemption. I would rather leave it like that. I see your point that you want the investors to know they are quite safe; but I would not be particularly convinced if I were an investor, because if the government really went wrong the only place they could get the money would be me: I would have to lend it to them. It might please the investor, but it would not please me. Of course, I am not a Treasury expert.

CHAIRMAN: Is there anything you would like to add?

A. I do not think so, except perhaps I should say that I am fairly biased about this, as you can see. I am a Federal citizen. It is my intention to live and settle here and I have bought myself a piece of land for that purpose; so I am not going back to England at the drop of a hat. I say that only in order to make my position clear.

Memorandum

FEDERAL POWER BOARD

The Federal Power Board was set up under the Electricity Act of 1956. Its general functions and duties are the supply of electrictiy in bulk to undertakings within the Federation. It succeeded the Federal Hydro-Electric Board which had been set up in 1954 as a construction authority to build either the Kariba or the Kafue project.

The Board is required under the Act to establish undertakings for the supply of electricity as the Governor General may direct. So far the only direction received by the Board has been to establish the Kariba Undertaking. The Board is also required to investigate new or additional facilities for the bulk supply of electricity as the Minister may direct. In that connection the Board is continuing the investigations into the Kafue project and was recently instructed to investigate and report on the Nkula Falls Project on the Shire river in Nyasaland.

The Board has powers to interconnect its main transmission system with other generating stations and on that being done to control and direct their output of electricity so as to achieve the most efficient co-ordination of bulk supplies. The Board's system is to be interconnected to the generating stations owned by the Municipalities at Lusaka, Salisbury and Bulawayo, also to the Electricity Supply Commission generating station at Umniati. When these inter-connections have been effected the Board will have powers to direct the output of these stations. In return the Board is obliged to purchase the output by defraying all expenses properly chargeable to the generating stations. In effect the Board purchases the output at cost, mixes it with the output of Kariba and resells the combined power in bulk to the authorities as distributors. An exception to this is the supply being given to the Copperbelt which is based on a simple commercial agreement with the Rhodesia Congo Border Power Corporation.

There are a number of advantages in having an integrated power system rather than depending on isolated power stations. Some of these are:—

1. Isolated stations each must carry spare plant to cover the loss of the largest generating unit whereas with an integrated system a single spare unit is usually sufficient to cover the breakdown risk on the whole system. The amount involved is considerable and in the case of the Federation the extra capital which would be required if power stations were isolated is of the order of £5 million today and this sum would double in a few years' time.
2. The cost of producing power is less when the power requirements of a country are supplied from an integrated power system rather than from isolated power stations because with an integrated system production of electricity can be concentrated in the most efficient and cheapest power stations. The saving involved is considerable and at present in the case of the Federation for instance a 10% reduction in fuel cost of power would save about half a million pounds per annum.
3. There are serious staffing problems in the power production industry at present and not only in this country. There is a shortage of specialised staff which it is difficult to attract and this difficulty is increased if their promotion is limited to prospects at individual thermal stations. The unification of the power industry eases this problem both by reduction in the number of specialised staff required and the provision of increased opportunity of promotion.
4. The raising of capital is made easier by having one large system as security for loans is enhanced. Bankers generally prefer to lend to a large and flourishing industry rather than to small units whose profitability in the case of some local thermal stations in the Federation has not been very good.
5. To have built additional thermal stations might have cost about 10% less than building Kariba but the first 10 years of Kariba's operation will save the electricity consumers about £32 million in fuel costs alone and thereafter there will be a saving of about 10 million pounds annually.
6. The supply tariffs which were set up by the Board in November, 1959, were designed:—
   (*a*) to stimulate industrial and other development;
   (*b*) to provide equality of opportunity to all undertakings connected to the Kariba grid;

(c) progressively to eliminate differences in bulk supply costs, and

(d) progressively to reduce the general level of these costs.

Therefore the Board decided—

1. to charge for a supply up to that provided by each undertaking for the year 1959/60 an amount equal to the average production costs of that undertaking. These costs vary considerably and average 0·8d. per unit;
2. to charge for all increased supply £7 per Kilowatt of annual maximum demand plus 0·1d. per unit. This charge is expected to average about 0·45d. per unit which is little more than half the present figure.

None the less the tariffs which the Board is charging will enable half the total cost of the second phase of Kariba, estimated at about £45 million, to be financed from revenue.

Oral Evidence

FEDERAL POWER BOARD—Represented by Sir Duncan Anderson, Chairman.

CHAIRMAN: From the paper you have so kindly provided, it looks as if you are aiming to get some of the advantages we get from the grid in U.K.?

A. That is so.

Q. And you are still looking at the Kafue project in addition to Kariba?

A. Yes. If the rate of growth and demand continues as it has done in the past five years, it will have to be started about 1965/6 to pick up the deficiency of supply when Kariba is fully extended in 1971/2.

Q. The Kariba venture resulted in having to move some people, and questions of compensation arose. Have they been resolved yet?

A. I think a memorandum has been submitted to you on that. The actual cost so far incurred has been resolved and paid. There is some disagreement as to what should be paid in the future towards the development of these people who have been moved. That is only in the case of N. Rhodesia. The problem has been completely solved in respect of S. Rhodesia and we have agreed to make a final payment which is acceptable to the Southern Rhodesian Government. We have met all the disbursements of Northern Rhodesia to date, but they have a very laudable scheme for the development of the people who have been moved, going on till 1978/9—another 20 years. We in the Power Board and the Federal Government feel that is not properly a charge against the electricity consumer in this country.

SIR VICTOR ROBINSON: You operate under the Electricity Supply Act—a Federal Act, I think?

A. That is so.

Q. And the Power Board are the bulk suppliers of electricity?

A. Yes.

Q. Is the price at which you sell to the retailer fixed by the Government?

A. No, we are wholesalers: we fix our own tariffs.

Q. Under that Act I think there is provision for the formation of Electricity Supply Commissions?

A. Yes.

Q. There is an Electricity Supply Commission in Southern Rhodesia, for instance, and it will buy from you?

A. Yes, it will buy in bulk. We start supplying them next week in Southern Rhodesia.

Q. And what happens after that is not the concern of the Power Board at all—what they sell electricity for is their business?

A. Entirely.

Q. Does the Electricity Supply Commission in S. Rhodesia fix its own price, or is it controlled by the Federal Government?

A. I do not think I am the proper person to answer that. It was subject to advice by an Electricity Council to the Minister; but the Minister has power, and in fact recently has decided to support an increase in the tariffs of the Electricity Supply Commission in S. Rhodesia. That is nothing to do with the Power Board at all.

Q. Will you sell electricity to any retailer, or are you tied to the Electricity Supply Commission in S. Rhodesia?

A. We are wholesalers, and we sell to five customers—the municipalities of Bulawayo, Salisbury, Lusaka, the Electricity Supply Commission of S. Rhodesia and the Rhodesia Congo Border Power Corporation in N. Rhodesia, who are the agents for the Copper Companies. Those are our only customers.

Q. Are you tied by law, or can you accept anyone else? Assuming the S. Rhodesia Government were to sponsor some scheme for the supply of electricity, would you sell to them?

A. I do not know if we could, physically. We supply them, in all cases but one, at one point. We transmit at 330,000 volts, and that has to be stepped down to what the present distributors can handle. Therefore we are tied to them.

Q. Is there any practical reason why the retailers of electricity should be controlled by Federal legislation? Other things being equal, it would be quite simple for S. Rhodesia to establish its own Electricity Supply Commission, if it were permissible to do so?

A. And if it were physically practicable.

Q. Yes, and as far as you are concerned, you would supply them if the law permitted?

A. If they had a supply system by which they could have it, yes; but at present they have not.

Q. But you cannot see any reason why the Electricity Supply Commission should be converted to a Territorial body—it would make no difference to you?

A. I do not think the ownership of the Electricity Supply Commission affects us.

MR. TAYLOR: What hopes do you entertain of being able to do anything in Nyasaland?

A. We have been asked by the Minister, within the last month or so, to undertake the examination of the Nkula Falls scheme in Nyasaland. We have done that, and are now awaiting an all-clear to instruct our consulting engineers to prepare detailed drawings and contract documents. That depends on finance being forthcoming.

Q. And if the Federal Power Board are commissioned to go ahead and raise the finance, I take it the Board will, among other things, pledge its existing assets at Kariba?

A. Yes, it is a condition of the Electricity Act that money borrowed must be secured on our own assets.

Q. So that a large and viable scheme at Kariba might be of direct benefit to Nyasaland?

A. It would, yes.

MR. JUSTICE BEADLE: Who determines matters of high policy of the Power Board?

A. The Power Board.

Q. You are free from any form of Government control?

A. The Minister could, in a case of national importance and after consultation, direct us.

Q. What are the sorts of matters in which you might require direction from the Government?

A. I do not think in fact we require direction. We have not come across any need. The Minister can also determine the amount we put to reserve.

Q. How long do the members of the Power Board hold office?

A. That is variable, and at the discretion of the Minister. Appointment is by him.

Q. So he controls that: is he able to re-appoint the members of the Board?

A. I do not know if he would agree with that: I daresay he could do it.

Q. I wondered what the tie-up was between the Power Board and the Government. The power is really exercised by the Minister in the power of appointment?

A. Yes, except in the two matters I mentioned.

Q. So you operate as an entirely self-supporting service, free from Government control?

A. We are autonomous, yes.

MR. HABANYAMA: Would you give us a rough breakdown of the Federal offer, because in your paper you have given the breakdown of S. Rhodesia and N. Rhodesia. I happen to have seen the first offer you made. The Federal Government did definitely omit two or three major items which would affect the progress of the people in N. Rhodesia, one of which was the maintenance of water supplies. I think your Government felt it was not their responsibility to give some money under that heading—and also for the cooperative societies. It may be very difficult for us really to see how those two things could be omitted, because they were very important in the lives of those people in the Gwenbe area.

A. I do not think I can answer your question, because they are the responsibilities of the Government and not of the Power Board. As regards the question of resettlement at Gwembe, which I presume you are referring to, it has been negotiated by the Federal Government on our behalf.

Q. But you have not got the breakdown of the Federal offer, just as you did it for the N. Rhodesia submission, so that we could have the comparison? As it is here, it is difficult to see what things were omitted, which is the reason why the N. Rhodesia Government is reluctant to accept the offer of the Federal Government.

A. I think you will have to talk to the Federal Government about that one.

MR. ROBINSON: It has been suggested to the Commission that it might be desirable to have a purely economic association between the Territories. What would happen from the point of view of the loans you have received for Kariba if any such development took place? To what extent, in your opinion, is the money borrowed for Kariba directly linked with the present association of the Territories?

A. The loans by the International Bank for Reconstruction and Development, the Colonial Development Corporation, and the Commonwealth Development Finance Company are all guaranteed by the Federal Government. So to that extent these lenders are depending on that guarantee. The remainder of the loans are technically loans by the Government to the Power Board, so in all but one respect they are the residual £6 m. loans made directly to the Government and passed directly to us without amendment in any way: they are all either direct Federal Government liabilities or Federal Government liabilities in the sense that they have guaranteed them.

Q. With your considerable experience of negotiation in Washington for these purposes, can you tell us whether it really makes any difference what form of association there might be between the Territories for the purpose of raising future money for schemes like the Kafue and the Shire?

A. I was a lender before I became a borrower, and I would say it would be very much more difficult for the lender to accept a disjointed guarantee than the one they have today from one entity such as the Federal Government.

PROFESSOR CREIGHTON: I gather from your memorandum that you are selling entirely in bulk to a very small number of purchasers, and that the distribution which these purchasers make of the power so acquired is in their own discretion, or probably under the regulation of the Territorial Governments. I suppose ultimately what is desired is a general programme throughout the entire Federation of rural electrification. Do you consider this should be left either to the individual purchasers or to the Territorial Governments, or do you feel that your Board ought to have a general supervision over the programme as a whole?

A. There is one thing not quite right in what you have said—that these distributors operate under the regulation of the Territorial Governments: they are quite independent of the Governments. The N. Rhodesia Congo Border Power Corporation is controlled completely by the copper companies: the Lusaka Municipality controls its own distribution, but it is owned by the N. Rhodesia Government; the municipalities of Bulawayo and Salisbury are independent of any Government, except that they need their sanction. The Electricity Supply Commission is owned by the Federal Government. I do not think that the Federal Power Board, as a generating authority, should interest itself in distribution. It is very much a local matter. In England area boards have been set up, concerned with distribution. I think there should be one generating authority in the country, owning the main high-voltage transmission.

MR. CRAWLEY: Leaving aside the loans question, would a loose association greatly complicate the work of the Power Board?

A. I do not know that I could answer your question very easily, except that I believe there should be one generating authority, in the interests of the progress of the country, the exploitation of its natural resources and power: recruitment of staff is also extremely important. If you were to try to break up the generating authority there would be a most serious staffing difficulty. It is extremely difficult to recruit the highly-qualified professional engineer. We have tried, and in fact we are now so much in difficulty that we are trying to borrow people from the Central Electricity Board in England. There are no educational facilities in this country: I think there should be. If you break it up into three it means you have no means of choosing the highest priority of schemes. For instance the next one is Kafue, which will fit into the Kariba grid, and so on. I would deprecate any idea of breaking up the generation side of the power industry. It would lead to trouble.

MR. TAYLOR: Over the next 7–8 years, I believe the copper companies in N. Rhodesia have agreed to accept a power surcharge on the supplies of power sent to them, sufficient to yield in all £10 m. That money is regarded legitimately as a business expense and is therefore allowed as a deduction from taxable income, under the Federal income tax code. If, as Mr. Crawley has just put to you, the unit was divided into three, can you imagine the N. Rhodesia Government being prepared to agree that the £10 m. should be a charge purely on N. Rhodesia?

A. I cannot, but I do not know whether I am really in a position to say. We are in the position of tax gatherers.

Q. I am suggesting that you would be unlikely to gather that particular tax.

A. My thoughts have not taken me as far as that. I think we are in a fairly strong position. Either they pay or they get no electricity.

SIR VICTOR ROBINSON: You said the Federal Government had guaranteed the repayment of the loan to the International Bank. I believe the British Government has too.

A. Yes.

Q. And there is a clause that if any state secedes from the Federation, or Federation is broken up, or if anything happens here which, in the opinion of the National Bank, weakens the structure of the Federation, they call up the loan—and that means they would call up the loan tomorrow?

A. I imagine so.

MR. CHIRWA: I do not understand what is meant by "disjointed control". Supposing you had an economic union and you had a commission to work out the economics of the country, to which the Federal Government surrenders its present loans, and so on, with the agreement of the British Government, I do not see that would be disjointed control because of the loans now being Federal Government.

A. I was using the word "disjointed" in the sense of physical control of the supply industry, not in the context of security of loans.

Q. That would not diminish the strength of the guarantee of the British Government.

A. If the British Government would agree to continue the guarantee, it would not. But I would deprecate the physical breaking up of the industry into three parts.

Q. Supposing the industry remained one, and the Federal Power Board remained as an authority for Central Africa, I do not think you are breaking it up, because after all you are in the form of a Commission, although you are autonomous. If there was to be an economic commission—or whatever name it would be—it would still be under the umbrella of that Commission.

A. I could not answer that hypothetical question because I do not know what the powers of the Commission might be.

CHAIRMAN: Would you like to add anything, Sir Duncan?

A. I spoke a little earlier about the need for education. This will become frightfully urgent. There should be a Faculty of Engineering at our University here, and there should be technical colleges set up so that we can train to a much greater degree than we do today the technicians and engineers we are going to require in the future. With a shortage of these throughout the world today, I do not think we can rely on recruitment abroad; and this is becoming more and more acute. The present political situation is accentuating it quite a bit. Even by offering high salaries—higher than those obtainable in U.K.—it is extremely difficult to get people out here. In my view this Territory must become much more self-reliant than it is in the training of technicians. There is a good paper being written for the University by Professor Griffen, who occupies the Chair of Engineering in London. I am told by the Principal that for a relatively small sum—£300,000, with £600,000 recurrent expenditure—they could set up a Chair in Civil, Mechanical and Electrical Engineering. I would commend that to your Commission most seriously.

MR. TAYLOR: Would the electrical engineering industry contribute to the cost of the faculty?

A. They have not yet been asked, but I should imagine they would be unwise if they did not; and they would also be under an obligation of taking apprentices for practical training, which they say they would be glad to do. We have set up a technical consultative committee within the industry, and have urged that very strongly.

SALISBURY

6TH MAY 1960

Memorandum

K. C. ACUTT

1. This memorandum is presented by me in my personal capacity and not as deputy chairman of Anglo-American Corporation nor as chairman or a member of the various other boards on which I serve.

2. I have, however, drawn on my experience and my knowledge of the mining industry, commerce and banking in the Federation gained by active participation in these and other fields.

3. As much of the statistical information which could be used by me to give weight to particular views is already in the hands of the Commission, I do not intend to include more than a few statistics for illustrative purposes where required.

4. I have known both Northern and Southern Rhodesia since 1925 when I first visited these territories. I have since then spent considerable time in various parts of the country, and in 1954 I came to live in the Federation permanently. In the interests of brevity I do not propose to elaborate on what I have personally seen of the transformation of the territory, which until a few years ago seemed to offer little opportunity for a few, to a land which is equipping itself to be able to offer equal opportunities for all.

Southern Rhodesia

5. The European settlement of Southern Rhodesia which started in 1890 was very slow. The early hopes of rich returns from mining were not realised. By 1907 there were less than 2,000 farms surveyed and occupied by Europeans. There was little stimulus for economic development and the Colony's revenue only reached £1,000,000 in 1920. There followed a period of slow growth checked by the depression, but later stimulated by an expansion of the tobacco trade and chrome and asbestos mining. The outbreak of war brought development to a halt. It is therefore fair to say that the Southern Rhodesian Government was in no way able to begin to think in terms of the progress of its people until about 1947 when the encouragement of immigration and the expansion of agriculture and industry started a phenomenal rate of growth of the economy.

6. When Southern Rhodesia joined the other territories in Federation in 1953 its net income was estimated to be about £135,000,000 of a total Federal figure of £235,000,000 and all the indications were that this was rising. This figure and the buoyant economy at the time effectively dispose of the misconception held by some that Southern Rhodesia was bankrupt when it joined the Federation. It is however true that the solidarity brought to the economy by Federation stimulated the capital inflow and accelerated development of both industry and agriculture. Today, for example, the annual slaughter of cattle is producing as much as tobacco. All agricultural produce has increased and mining is maintaining its position so that the primary products of Southern Rhodesia alone make it a small economic unit providing gainful employment for a large proportion of its own inhabitants and many from the other territories in the Federation. In 1958 the net domestic output was nearly £223,000,000.

7. The country has been opened up to a remarkable degree. Before 1947 there was little employment for the African population which eked out a precarious existence on the land. Disease and malnutrition were beyond control. This state of affairs was caused by a shortage of money and not by a lack of realisation that as things stood the land seemed to offer the best hope of providing a living for the people. As progressive a course as possible was followed and in 1944 the value of agricultural output at about £10,000 superseded that of minerals. Life was hard for all in Southern Rhodesia.

8. In the desperate struggle to prevent a wastage of good soil the African had to be disciplined and forced to give up a seminomadic existence. As a result legislation, much of which today might appear to be unnecessarily restrictive, had to be passed. Some should perhaps be relaxed today but the rural African is still concerned with numbers rather than quality and severe overstocking could easily become uncontrollable. Southern Rhodesia has a land and mineral economy and much of its secondary industry has been built up to process the primary products so that industrialisation has been geographically more widespread but not greater than in Northern Rhodesia.

Northern Rhodesia

9. There are records of prospecting in the Fort Jameson district in 1890, but it was not until 1895 that prospecting parties began real operations in the territory. The first real hope of mineral discoveries came at the beginning of this century when the deposits at Broken Hill (lead and zinc) Bwana Mkubwa and Roan Antelope (copper) were discovered.

10. A large number of discoveries were made but few of them attained any prominence and the mineral production of the territory was small when the railway line reached Broken Hill in 1906. Prospecting activities declined until the discovery of the copper deposits in the Katanga stimulated a fresh interest and led to the discovery and the extension of the Copperbelt. Copper production started at Kansanshi in 1908 in which year the copper produced was valued at £32,000 of a total of £39,000 of mineral production. Mineral production in 1915 was valued at only £30,000 but lead was produced at Broken Hill the next year which inflated the figure to £108,000 in 1916. In 1927 the first increase in copper production occurred and only in 1931 did the value of minerals produced reach £1,000,000. From then copper alone has controlled the fortunes of Northern Rhodesia. While, as in Southern Rhodesia, the first steps could then be taken to improve the lot of the inhabitants, very little could be done with the money available by a handful of civil servants in this vast untamed country.

11. The expansion of the copper industry was slow but steady and the value of mineral production increased by about £1,000,000 a year until the war. Then it remained static as a result of a fixed price being imposed by the British Government at between £12,000,000 and £14,000,000. It was not until 1947, when the Ministry of Supply increased the price paid for copper, that a sharp increase in the revenue occurred and copper sales brought in £20,000,000, almost double the average of the war years. Therefore in both Southern and Northern Rhodesia the money to provide much needed social services began to come in at about the same time.

12. In 1953 the London Metal Exchange reopened and most copper sales are now based on this quoted price.

13. The value of copper produced in 1950 was £43,500,000 of a total mineral production of £49,000,000. The following figures show the fluctuation in the value of copper exports from then to date:—

	£m
1951	55·3
1952	74·1
1953	86·7
1954	86·5
1955	110·6
1956	113·8
1957	82·5
1958	67·5
1959	107·5

The effects of fluctuation in the production and price on fiscal revenue is illustrated by the following:—

	1956	1958	1959
	000	000	000
Income Tax and Territorial surcharge on companies' profits ...	22.466	12.578	8.524
Income Tax—employees	1.000	600	600
N.R. Mineral Tax on Royalties ...	2.762	1.327	2.565
Tax on Royalties (B.S.A. Co.) ...	4	2.968	2.180
Sundry Duties and Licences ...	273	136	111
	30.501	17.609	13.980
The percentage contribution of the copper industry to Fiscal Revenue raised in Federation ...	37·5%	19·6%	15·2%

14. In order to maintain output or to expand production to keep pace with rising costs a large sum of capital has to be provided each year by the copper mining companies either by "ploughing back" profits or raising new capital.

15. To illustrate the magnitude of this I quote figures for the

three mines administered by the Anglo American Corporation as these are readily available: From 1954 to 1959 the total new capital employed by Rhokana Corporation, Nchanga Consolidated Copper Mines and Bancroft Mines for mining, smelting and refining amounted to £73,000,000 and there is every reason to believe that the mines administered by Rhodesian Selection Trust have required similar amounts. These figures alone show that the investment in industry in Northern Rhodesia since Federation has been considerable. Unless, as is often the case, the mining industry is ignored, statistics show that a large share of the capital investment in industry in the Federation has been in Northern Rhodesia.

16. When the mining companies began operations in Northern Rhodesia they had to start from grass roots not only to open the mines but to build houses and amenities. They had to control malaria and provide facilities for the treatment of other tropical diseases. They also had to attract skilled employees to an area with no communications and where initially only rough accommodation and amenities could be provided. The copper companies were forced to adopt a paternalistic attitude to their employees and at the time to pay higher wages than elsewhere. There was no alternative then nor has it been possible up to now to place the burden of hospitalisation, education and other essential social services on Government where it belongs. The companies are often criticised for their paternalistic attitude to employees but this they must accept until it is possible to replace company paternalism by State paternalism which appears to be more palatable.

17. There are nearly 250,000 people living in the seven towns which lie in the Copperbelt; of these 31,000 are Europeans and the balance mainly Africans. There is little likelihood of these figures altering materially as a result of operations by the existing mining companies in the next few years. The provision of added employment for the Africans who are increasingly drifting from the rural areas to the Copperbelt towns is a major problem. Its solution will depend on the opening up of new mines unless more of them are diverted, as they have been in Southern Rhodesia, to the development of the land. The Government has utilised a loan of £2,000,000 made by Rhodesian Selection Trust largely for rural development in the Northern areas and this has shown what can be done. About 94% of the land in Northern Rhodesia is reserved for African occupation and its economic potential has still to be exploited. African agricultural methods in most areas in Northern Rhodesia are still primitive and communal; there is no individual security of tenure.

18. In Northern Rhodesia industrial progress has been immense over the past ten years but it has largely been concentrated and is likely to continue to be in the Copperbelt so long as the main industrial enterprises in Northern Rhodesia are either to do with copper fabrication or to supply the copper mines.

19. Industry in Northern Rhodesia, as is the economy of the territory, is at present largely dependent on copper. This itself could be a deterrent to industrial development of a wider nature if Northern Rhodesia was a separate economic unit. The salaries, wages and benefits which are available to employees of the mining industry naturally affect the cost structure of other industries, although at the Rhodesia Broken Hill mine, with present prices for lead and zinc, the whole scale of emoluments is lower than the Copperbelt and the pattern of wages further south is not far from that in Southern Rhodesia.

20. The mining industry throughout the world generally has to pay higher rates than other enterprises. Underground rates are higher than those paid for surface work. These higher rates are more often than not necessary to attract skilled labour for hazardous work in remote places where climatic conditions are often unpleasant. In due course perhaps if highly skilled technical people are abundantly available and the supply exceeds the demand in Northern Rhodesia, wages might find their own level at lower rates than at present.

21. Emoluments are high on the Copperbelt. This is in some measure a result of the introduction in 1937 of a bonus scheme designed to reduce the frequency of wage demands and generally to allow employees to share in the prosperity of the industry. It is of interest that at the time the scheme was introduced the price of copper was not expected to go very much higher than £40 a ton. During the war years the price of copper was controlled and in 1947 the bonus scheme was reviewed as, despite the upper limits imposed, it turned out as a result of wartime inflation to be quite unrealistic in its generosity to employees in relation to profits earned. A new scheme was introduced but insufficient attention was paid to the danger of the bonus increasing disproportionately to profits as a result of increases in basic pay. The scheme was again revised in 1955 on a basis of surplus of revenue over expenditure and this is in force today. It has been suggested from time to time that the copper bonus which is paid to all employees should, in the interest of wider territorial development, be abolished. Any move to prevent employees sharing in the prosperity would probably set off a series of crippling strikes which would result in a higher basic wage structure.

22. The bonus is not an obstacle to African advancement. It is hoped that with the co-operation of the Europeans the African will be able to advance and the companies are at present negotiating with the European Mineworkers Union an extension of the first advancement agreement concluded about four years ago. It is hoped that a formula will be agreed which will not only provide more advanced jobs for Africans but will also allow, probably theoretically at first, no colour obstacle to advancement into what is now considered to be the European sphere.

23. It has been difficult to find suitable people to fill the advanced jobs available and of a total of about 1,100 jobs already in the advanced category some 266 remain to be filled.

24. During negotiations on African advancement European employees expressed concern that, while considerable training of Africans was being undertaken, no facilities existed for European youths born and brought up on the Copperbelt. It was implied that much of the European resistance to advancement stemmed from a fear that, there being no training facilities, the children of employees would have to go outside the territory for training if the European was to be able to maintain his competitive position in the industry. To dispose of this the companies agreed to provide technical schools through the Copperbelt Technical Foundation. The companies and the employees nominated the Trustees. There has been no pressure on the Foundation to admit Africans but in anticipation of this discussions were held some time ago with both Federal and Territorial Governments on the question of either of them taking over the Foundation so that the companies should not become involved in any conflict which might arise from the different governmental policies. As a result of this a survey is to be conducted jointly by the Governments and the companies into the present need for technical education in Northern Rhodesia.

25. The mining companies have recently announced a plan which will provide primary school education for all the African children on the Copperbelt and this will supplement Government expenditure. The problem in Northern Rhodesia is the same as elsewhere in the Federation. Food and work must be provided for all yet many are ill-equipped to earn a living. Too much time has been taken up with political rather than economic aspirations and the Africans there have been left to believe that Federation is the cause of his present state. There is no cause to apportion blame but if there is any blame it does not lie with Federation. On the contrary the capital investment and the development which has followed is to a large measure attributable to the confidence and stability brought about in 1953.

26. Money for social services has been plentiful in Northern Rhodesia in recent years. It has not been deemed expedient or necessary to apply a territorial surcharge to the Federal Income Tax on individuals but none the less most of the economic expansion has been in one industry and one area. It is difficult therefore to understand how many people in Northern Rhodesia, while professing a benevolent attitude towards those in the rural areas, many of whom are still starving, can on so called economic grounds advocate breaking up the Federation. Other than in Nyasaland, poverty and ignorance exists nowhere else as abundantly as it does in Northern Rhodesia and if the capital is to be found to make it possible to eradicate this a sound and stable government must be maintained and the accent diverted from political to economic advancement.

27. In Northern Rhodesia a buoyant copper industry has perhaps distracted attention from the need to stimulate agriculture and industries to process the other primary products. If, however, the political future of the country is uncertain and there is no assurance of the continuance of a stable responsible Government, Northern Rhodesia is unlikely to attract capital and it will remain almost entirely dependent on the copper industry, an industry which is very vulnerable to world conditions.

Nyasaland

28. There is little that I can usefully say about Nyasaland where to date no economic discoveries of minerals have resulted from a series of prospecting operations.

29. Many large companies including those with which I am concerned have carried out intensive and extensive work and, to assist Nyasaland, De Beers Consolidated Mines have started a thorough exploration of areas available. An ilmenite/rutile deposit is also being examined. Work is continuing but it would, however, be wrong to include mining in any assessment of Nyasaland's economic future. The country is likely to continue to have an economy based only on agriculture and the export of labour. Nyasaland is however fertile but the inhabitants are backward and untrained. Money to develop the land must be found and it will only come from the private sector if there is some guarantee that Government is to remain in competent hands and that European investment is welcome. The migratory labour force returns home with some awareness of the necessity for good husbandry of the land but any ideas he may have of applying what he has

learned are soon stultified by the unco-operative attitude of his kinsmen. He therefore relaxes until his turn comes again to go out to earn to keep his family at home.

30. Nyasaland Africans are employed in the mines in South Africa and Northern Rhodesia and on farms in Southern Rhodesia but Africans in other territories of the Federation do not look upon this with favour but are persuaded to accept it as *quid pro quo* for free movement for themselves. This would be unlikely to continue if Nyasaland left the Federation.

31. The economic benefits of remaining in the Federation are too clear to need elaboration but politics has become good business for some in Nyasaland.

The Federation

32. It will be seen that in both Southern and Northern Rhodesia it was only in 1947 that sufficient money was available to the Governments for them to be able to tackle the whole question of public social services and I therefore submit that only an examination of the progress and achievements of both these Territories since then is of any value. Seven of the thirteen years are since Federation during which period development probably unparalleled anywhere else has taken place. The speed of development however has been geared to the capital investment and to European skills which have made it possible to provide employment for so many. Mines have been opened up, agriculture and industries developed.

33. In Northern Rhodesia the large increase in revenue from the copper industry appears to have created a more lethargic attitude to the need for diversification. Agriculture has certainly not received the encouragement or attention that it has in the South nor has much been done to create home industries or cottage industries in the rural areas.

34. In 1954 the impetus of Federation which at its inception attracted industrialists and investors, because of the greater economic stability of the whole, allowed the individual Governments to turn their attention to equipping the population to play its full part so that gainful employment could in due course be provided for all.

35. It is popular today to accept that African nationalism is motivated by a new consciousness of subjection. In the Federation I believe that the demands for political freedom are motivated by an erroneous belief that this is the road to release from poverty. The African has always been subjected to tribal chiefs and courts and does not object to restrictions which can be shown to be necessary for the wellbeing of all.

36. Political advancement is of course important but it can only come with economic advancement. The less privileged people of this country have a naive faith that "political independence" will automatically produce an international bank loan or adequate funds from some welfare organisation to provide education and full social services for everyone.

37. It is very natural that the African should want a place in the sun and freedom from want but it is sad that for purely political purposes in some Territories they have been led to believe that "Federation" denies them an opportunity to compete and that all frustration and poverty will be removed by self Government. A look at the map alone shows how necessary it is for the Territories to remain closely associated; copper and other minerals in the north, coal only in the south: one steel industry capable of supplying all the needs; Kariba, the main source of power lies in between and everyone has free access to seek employment in this variety in industry. It is unrealistic therefore to take a parochial view that industry in one Territory is not beneficial to the others.

38. Experience may indicate in due course that the responsibilities of the Federal and Territorial Governments should be reallocated in the interests of good administration but I do not believe that less financial control in the hands of central government should ever be contemplated. A form of loose economic alliance has been suggested by some but surely it was because a closer alliance was advised by the Central African Council which studied the question that Federation was acceptable to those responsible. If a form of loose economic alliance is contemplated, such as the East African High Commission, it is as well to note the position there. The Territories instead of growing closer together have built up an individual nationalism and there are I believe strong pressures on individual Governments to take over responsibility for communications, posts and telegraphs and customs. A loose economic alliance cannot give the stability and assurance of good housekeeping which is so vital if capital is to be attracted.

39. A good stable Government is one of the greatest incentives to investment. The concept of a permanent Federation led to considerable overseas investment. Again because of easy reference and because these figures are not available from any other source, I would mention that companies administered by Anglo-American Corporation have invested over £100,000,000 in the Federation since 1953. This is almost a 200% increase by one organisation in its investment in the Federation in the short space of a few years. £70,000,000 of this amount was invested in Northern Rhodesia, £7,000,000 in Southern Rhodesia and £22,000,000 in Government stocks and enterprises serving the Federal Territories as a whole. These amounts are only a small part of the total investment since 1953 in enterprise but they indicate the upsurge of money for industrialisation which followed the decision to federate. A central bank has been established; commercial and merchant banks have come to operate in the Federation and an effective and important internal money market is being developed.

40. Industrialisation, and the towns it nurtures of course, creates in itself a problem. The Africans, content in the past to exist on the land, are attracted to the towns not by economic pressure but according to some authorities by the novelty. Professor W. M. Macmillan of St. Andrews University says:—

> "There was reason to ascribe the town drift to economic pressure on overcrowded reserves. Here and there economic pressure is still a factor but by and large the movement is voluntary. Africans themselves love novelty fully more than most of us and it is novelty they are after—the new things and the new life they hope to share. It is not oppression that drives them, nor repression that keeps them there.
>
> "But as the African economies are on such foundations they are in general 'out of balance' and this, naturally, in varying degree. The impression left by his latest, very wide-ranging tour suggests one generalization: whatever the motive or the objective of the Africans flocking to the towns—and I'm quite sure it's not political!—the degree of satisfaction attained (and I don't say contentment) is greatest in the more developed parts, in South Africa (Yes! and in spite of all) and in Southern Rhodesia, in the Copperbelt and even the Kenya Highlands. Dissatisfaction or actual discontent, on the other hand, was distinctly greater or more vocal in what are also the less strictly or stringently ruled colonies—Nyasaland and the almost equally all-African Uganda."

41. Whatever the reason, the drift to the towns and, as a corollary of this, the demands of the Africans on the land also, for education and health services has thrown a great obligation on the Governments, an obligation I submit they are attempting to discharge and have been doing from the time that the economic state of the territories, and subsequently the Federation, made it possible.

42. The population is increasing rapidly and there is no way back to the primitive tribal state that some political self-seekers would have. There is only one course open today. Federation has shown that in close economic unity lies strength but economic unity is only effective with political unity. A great experiment has been started and in the short time available great progress has been made. It should be given time to overcome ignorance and poverty and time to prove itself.

43. In the three Territories, where not a tree would have been planted or a brick laid had not European skill and money been available in the past to guide the African to use his labour, the African is being taught to take his full place in building a country. These efforts have made it possible to attract large scale investment and to provide gainful employment for the African population. It was by European co-operation with the African that progress has been made and there is now real hope of eradicating poverty—the real problem of Africa. This hope, however, can only be realised if all the people of the Federation are allowed to go about their work free from distractions, talk of colour and race, and accepting that in economics more than in politics lies the solution of building up a non-racial community and attaining freedom for all.

Salisbury

12th April 1960

Oral Evidence

K. C. ACUTT

CHAIRMAN: You have made it very plain in this memorandum that you are giving your evidence based on your experience, but in a personal capacity. You are not speaking for your Company or any of your Companies. You have known Northern and Southern Rhodesia for some 35 years, done business here, and now live here permanently?

A. Yes.

Q. We need not trouble you with the figures but in paragraph 6 of your memorandum you are dealing with Southern Rhodesia and you show how the revenue and net income has jumped up even in the years 1953/1958 from £135m. to £223m.?

A. Yes.

Q. Then you point out that in the struggle to prevent a wastage of good soil the African had to be disciplined and forced to give up a semi-nomadic existence. As a result legislation, much of which today might appear to be unnecessarily restrictive, had to be passed. Some should perhaps be relaxed today but the rural African is more concerned with numbers rather than quality and severe overstocking could easily become uncontrollable. What

had you in mind as legislation which might appear now to be unnecessarily restrictive?

A. Largely, I think, the various land tenure acts, certain portions of them, and possibly the Land Apportionment Act. I believe that there is an opportunity to examine all that legislation to try and bring it a bit up to date. I would not like to point to anything specific because I am not really an expert on it, but I think there are perhaps undesirable features now which could be relaxed or changed.

Q. Then the passage on Northern Rhodesia which you know from your experience in the Copperbelt?

A. Yes.

Q. The figures struck me, in paragraph 15, as illustrating the magnitude of the business: you quote figures from three mines administered by the Anglo-American Corporation and from 1954 to 1959 the total new capital employed by Rhokana, Nchanga and Bancroft Mines for mining, smelting and refining amounted to £73m. That is in some five to six years?

A. Yes.

Q. You think Rhodesian Selection Trust probably had figures to a similar order?

A. Yes, I would not like to say exactly what their figures are because I have not calculated it but I know they are a very similar pattern.

Q. In paragraph 16 you say about the copper companies having been forced to adopt a paternalistic attitude and at the time to pay higher wages than elsewhere. Would you like to expand a little on that?

A. Yes, I think I can. As you know, I think I pointed out in the memorandum, the discovery of copper up there was at a time when the communications were very bad and the health conditions were appalling. Malaria killed off people right away and right from the start health services had to be put in, schools had to be built, there was nobody else to do it and the mining companies therefore adopted what is today considered to be a paternalistic attitude. At the time it was commercially a purely necessary attitude. They could not open up the mines without doing so.

Q. You point out that that is an obligation you had to undertake yourselves; there was no one else who could.

A. Quite.

Q. You said in paragraph 30, Nyasaland Africans are employed in the mines in South Africa and Northern Rhodesia and on farms in Southern Rhodesia, but Africans in the other Territories of the Federation do not look upon this with favour but are persuaded to accept it as *quid pro quo* for free movement for themselves. This would be unlikely to continue if Nyasaland left the Federation. You mean they would not be welcomed or permitted into the other territories?

A. I do not know. I should not say permitted because that would depend on the legislation but they certainly would not be welcomed.

Q. In paragraph 38, you are saying: "Experience may indicate in due course that the responsibilities of the Federal and Territorial Governments should be re-allocated in the interests of good administration but I do not believe that less financial control in the hands of central government should ever be contemplated. A form of loose economic alliance has been suggested by some but surely it was because a closer alliance was advised by the Central African Council which studied the question that Federation was acceptable to those responsible. If a form of loose economic alliance is contemplated, such as the East African High Commission, it is as well to note the position there. The territories instead of growing closer together have built up an individual nationalism and there are I believe strong pressures on individual Governments to take over responsibility for communications, posts and telegraphs and customs. A loose economic alliance cannot give the stability and assurance of good housekeeping which is so vital if capital is to be attracted."

You, therefore, for the reasons you give there, are prepared to present the position that it must be not a loose but a tight alliance?

A. Yes.

Q. You say in paragraph 39 that companies administered by Anglo-American Corporation have invested over £100 m. in the Federation since 1953. This is almost a 200 per cent. increase by one organisation in its investment in the Federation in a few years. I suppose several companies have done something—Rhodesian Selection Trust, for instance?

A. Yes. There are very many other companies too which, of course, have increased their investment.

Q. You are drawing attention to the size of the investment which has been made and can be made if we get the answer to this sum right?

A. The capital was available in the circumstances.

CHAIRMAN: Quite.

MR. CRAWLEY: In paragraph 21, you say: "Any move to prevent employees sharing in the prosperity would probably set off a series of crippling strikes which would result in a higher basic wage structure."

Not referring to the strikes but would not higher basic wage structure, in fact, be a good thing?

A. I should have thought that the basic wage structure on the Copperbelt is pretty comparable with other mining structures and the copper bonus allows the employees a share in the prosperity and so far as experience has indicated, we have not had any trouble when the price has come down. In other words, they have become partners in the industry to some extent and we feel that in some way is preferable to having a permanent rather than a high structure.

Q. Do you extend that to industries outside the Copperbelt? Do you feel that the wage structure is right in industry as a whole or would you like to see it raised?

A. I think it is probably rather difficult to generalise. I think in certain industries there is probably a case for higher wage structures but you have to relate it, I think, to the productivity of the individual and what has happened very often is that wages have gone up yet people have expected still more from the employer.

Q. Is it not the case of the hen and the egg; you will not get greater productivity unless you have higher wages?

A. You might.

PROFESSOR CREIGHTON: Might I come back to paragraph 38 to which the Chairman has already referred. At the end of that paragraph you say "A loose economic alliance cannot give the stability and assurance of good housekeeping which is so vital if capital is to be attracted". In response to a question by the Chairman you said that you preferred a tight to a loose union. Do the economic powers at present possessed by the Federal Government seem adequate to you for the type of union which you would prefer?

A. I think, by and large, they are adequate. I think there might be room for some examination again as to various aspects, but the present concept of Federation gives a fairly tight unit, I think, from the financial point of view.

Q. You have no economic powers in mind which you would like to add to those already possessed?

A. No. All I would like to see is none taken away.

Q. On the other hand you think that your broad concept of a fairly tight economic union could be maintained and other powers might be surrendered, for example, African education?

A. Retaining European education in the Federal control?

Q. I am sorry—European education to the Territorial Governments?

A. Yes, I think that could be done.

Q. You think that Health might be surrendered to the Territorial Governments?

A. No. Can I put it this way: I think it is very difficult to be specific about which particular functions could be separated between Territorial and Federal. I think in principle it is a mistake to divide these things on an artificial basis. I am sure that if some system could be devised whereby you do not have African education in the hands of one set of people and European in others, it would clearly make for harmony. It would, I should think, be easier to operate. As things were divided that clearly was not possible. Whether in any sphere that would be acceptable to the various Territories I do not know. I think I must seek guidance from you gentlemen on that.

Q. But some reallocation of social services such as education or health would be perfectly feasible and your concept of a tight economic union could still be maintained?

A. I should think so, yes.

LORD CRATHORNE: It has been suggested from some quarters that you can have your economic union with really no political union at all. What would your view be about that? Take it specifically on the lines of the European Free Trade Areas?

A. I should not have thought you could maintain it for long.

Q. If you are going to have an economic union you more or less must have what I call a Federal Chancellor of the Exchequer?

A. Yes, I think you must have political unity as well to maintain economic unity.

MR. ROBINSON: It has been suggested to the Commission that the high wage structure on the Copperbelt inclusive of the bonus is one of the factors that prevents the development of industry in Northern Rhodesia because industrialists are afraid to establish industries in competition with that position. I wonder if you would comment on that evidence and give us some idea of how you see the picture in the future, if there is a continuation of the present

relationship in so far as industrial development in Northern Rhodesia is concerned outside the mining industry?

A. I think I mentioned in my memorandum that the high wage structure does not really appertain to the whole of Northern Rhodesia. You have the comparatively isolated area on the Copperbelt where the wages and the living conditions are totally dissimilar from any other part of Northern Rhodesia and even so near south as Broken Hill which is about 100 miles away you have a totally different wage structure and totally different way of life. When you get further south it is really not very dissimilar from Southern Rhodesia. I think on the Copperbelt it is true to say that as things stand only industrial development which is there to serve or is related to the copper industry can really be economically viable and I think that will go on, that the Copperbelt will continue so long as these wages are there to provide industrial development of a similar nature, smelting and refining, anything to do with the actual industry and to some extent industries which are there to serve the mines can possibly afford to do it.

But the industrial development in Northern Rhodesia should not necessarily be restricted to the Copperbelt. I think everybody has looked upon it as being the highly industrialised area but there is no reason why industry should not start somewhere else if the raw materials are available.

Q. Would Mr. Acutt give us some idea of the possibility of an integration of the wage structures between African and European employees in the mining industry.

A. At the present moment I think it is true to say that there is not any real integration but the African wages have increased, the gap is narrowing all the time, and I think the gap will narrow and I would say at the present moment there is no theoretical barrier, but that in due course there will be a common curve from the lowest paid to the highest paid and it will not be on any racial basis.

MR. CHIRWA: Would you not say that in view of the action begun by the Rhodesia Railways you would get greater pressure from the African Mineworkers' Union for admission of Africans to the Technical Foundation?

A. I should think you would probably get a better answer from Mr. Katilungu. He is not with us today, I notice.

Q. Do you not think it is desirable that the mining companies should take immediate steps to bring the African wage structure and European wage structure into the same scale?

A. Discussions have been going on for some time. I agree with you, they do seem to be fairly protracted but I am afraid that is the nature of this type of discussion and I do not think the companies are to blame. The Union organisations are not very easy organisations with which to treat. They have always got elections and they have always something else happening which defers the discussions for the time being but I think you can take it quite definitely that the mining companies are in constant discussion on this and trying to achieve just what you say.

Q. Is there any specific reason why Africans are not allowed to enter the Foundation College?

A. I do not think there is any reason at all. At the present moment there has been no demand for this entry. The Technical College perhaps is not an institute. It really is much wider than a technical college. They run a course for such things as dressmaking and various other activities. In addition to that it is not quite clear whether the Technical College falls under the Federal or Territorial Government. We have been trying to sort that out too because clearly it is not the job of private enterprise to set the way for Government. I think one must follow on within the law.

MR. GONDWE: Does the Government give any grant towards the running of the College at all and if so, which Government?

A. Both of them. I am not quite sure of that answer but both of them do give some grant.

MR. MCCLELAND: Mr. Acutt, there is fairly strong opinion on the siting of the Federal capital. In the first place it is maintained that it should not have been sited here and, secondly, that it is not too late to move it and, in fact, it should be moved. Have you any views on this matter yourself?

A. On the advisibility of moving the Federal capital?

Q. Yes, and the consequences thereto and the possible economic cost as well?

A. I suppose movement of a capital is always fairly expensive. The creation of a capital for a Government is expensive and I should think that there would obviously be a large capital cost involved in the movement of any capital.

Q. Which they would have in any case if they moved to Warren Hills?

A. Quite, which no doubt is why they have deferred the movement.

Q. Do you agree perhaps it was a mistake to put it here and if there is a possibility it should perhaps be moved?

A. I suppose, perhaps in the light of experience, one might have said that it was a political error, but no one was to forseee that. From the point of view of convenience and communications—I believe this was gone into very carefully by quite a number of people—a decision to site it at Salisbury was very carefully taken. I would not like to say whether it was an error or not. I think it does not really matter where your capital is as long as it is accepted by everybody.

SIR LIONEL HEALD: May I ask Mr. Acutt to refer for a moment to paragraph 38, where he says a form of loose economic alliance has been suggested by some but surely this was because a closer alliance was advised by the Central African Council which studied the question that Federation was acceptable to those responsible. I am bound to say that information we have had did not quite agree with that. Could you tell us what you are referring to when you say "closer alliance was advised"? It was not in any published document, was it?

A. I thought it was generally understood that the Central African Council which was the forerunner of the Federation found that it really was on just these particular things that Federation was advisable because in the past the pattern of the three Territories, or particularly the two Territories with separate customs tariffs, totally separate economic units, was extremely difficult for anybody operating here on a wider and purely territorial form.

Q. It was not on the merits of it. It was on the statement that it was advised by the Central African Council. I think there is no publication in which any such statement is made.

A. I do not know. This was purely on my knowledge of discussions which were held at the time.

Q. You were not on it yourself?

A. No, but while it might not have been published, I think it was generally accepted at the time as one of the reasons.

Q. We have sources of information on it and they did not seem quite to agree with what you say there.

A. They did not think so?

MR. ELLMAN-BROWN: During the years and particularly during the last seven years of Federation your Company and indeed Rhodesian Selection Trust have considerably helped, particularly the Northern Rhodesian Government, in the general development of the African people in various ways. Would you say with your knowledge of the position, particularly the rural Africans in Nyasaland and Northern Rhodesia, particularly the north western side of Northern Rhodesia, that there is a tremendous amount of development necessary to bring the African up from a subsistence to a cash economy? Would you say that frankly it is a responsibility of the British Government to develop that as fast as possible? It meant considerable finance, this building up, you have put in tremendous funds there. Would you say in your knowledge that this is still not enough to build up a harmonious African rural population?

A. Your question was would I say that a tremendous amount of money is required to do that?

Q. And urgently?

A. I think there is no doubt about it that money is required for that and a tremendous number of other things in the Federation.

Q. As far as the two Northern Territories are concerned whose economy, outside the Copperbelt, is mainly based on what I call rural subsistence agriculture is it vitally necessary we should try and develop the standard of living of those people?

A. Yes.

Q. Would you say too that to break through the customs of the African, particularly on land tenure and the matrilineal system of succession, the only way to put on an efficient basis is to encourage the African to advance those development schemes as far as possible himself?

A. I would not say it was the only way but I should think it would be conducive to getting the thing accepted if one could encourage the African to play some part in it himself. But it would mean one has to accept, in the first place, discipline which has not been very clearly shown in the past when one tries to tamper with what are the existing rights of the African.

Q. Is it your view with your knowledge of the country, particularly Northern Rhodesia, that it is essential to assist the power of the Chief and Native Councils in that north western Territory?

A. I do not quite know in what way you feel that one should assist.

Q. In Nyasaland they are breaking down the powers of Chiefs. In Northern Rhodesia they are trying to build them up and there seems to be a conflict of policy. Have you any views on that, knowing the backwardness of these people, in trying to encourage what I call local government in those areas?

A. I do believe the Chiefs have played a very important part in Southern Rhodesia in maintaining some form of discipline in the area. I do not mean discipline in the unpleasant sense, but in trying to assist and I think they still have a very important part to play in the Northern Territories.

Q. Finally, one other question: the system of law and order in the rural areas of Northern Rhodesia and Nyasaland is totally different from that in Southern Rhodesia. You know the police in Southern Rhodesia have for years been in amongst the tribes and so on. You have the boma system in the other Territories which conflicts with the police. Would you say to a very large extent the enmity to the police in the two Northern Territories is due mainly to the system?

A. I think it might well be.

SIR CHARLES ARDEN CLARKE: May I revert to the question of technical schools? If my memory serves me aright we did have some evidence on the Copperbelt that there was a demand for technical education on the part of the Africans. You referred to the fact that a survey is to be conducted jointly by the Governments and the Companies into the present need for technical education in Northern Rhodesia. Has that survey started or could you tell us anything more about it?

A. No. It is just about to start under the chairmanship of Sir David Kerr who is the Master of Balliol, and he has agreed to accept the chairmanship of that. When you say demand for it, there is, of course, some demand for it, but it is in a negative sense. There have been very few applications for entry to the Technical College and those that have been received have been received from Africans who are not resident in the area. There have been applications from Africans in South Africa who are not eligible and they have very often been for courses which are not available and I think when I last checked on this there was only one case where one could have said that perhaps the African was eligible for a course and he applied for a dressmaking course, which we felt was the worst one with which to start off.

Q. I think it is fairly well known among the Africans, or at least there is an impression, that they are not eligible so you would not be likely to get applications to go into the existing technical school.

A. There is no ruling on that at all that they are not eligible. The accommodation would have to be increased because it is not there at the moment, and the idea of a survey is to see what is needed and where the various Governments might come in. It might have to be split so that these extraneous classes which are not really part of the technical school should be removed.

Q. Is it possible to give us a date when that survey will be likely to report?

A. It has just started the job and should get on very rapidly.

MR. TAYLOR: You say that your company has invested £22 million in government stocks—has it subscribed mostly to stock supported by Federal prospectuses or Territorial prospectuses?

A. They are mixed. As you know, largely since Federation it has gone through the process of being a Federal loan; but these are not the only loans I referred to. For example, railway trucks for the Rhodesian Railways is one which can be considered to be both Territorial and Federal.

Q. It is clear from your paper, but I would like it to be categoric—you would regard security for those loans and other forms of assistance as being gravely impaired if there was any loosening of the ties of the Federation?

A. It is true to say that. I do not know how gravely, but it would certainly be impaired.

MR. CRAWLEY: In paragraph 25 you say that too much time has been taken up with political rather than economic aspirations, and that action should be diverted from political to economic advancement. If people have political aspirations how can you in fact limit the time you devote to it, and how do you divert them from political aspirations?

A. I think the accent has been really on political rather than economic things because people here have not perhaps realised that political advancement can only follow and go along with economic advancement.

Q. But if people prefer political advancement, even at the expense of economic advancement, how can you cope with that?

A. I do not believe they do. If these facts were made clear to them they would not think so.

Q. And in the last sentence of your memorandum you say that this hope can only be realised if all the people of the Federation are allowed to go about their work free from distractions and talk of colour and race. Do you really feel, in the climate of Africa as it is today, that is likely to happen and that people can cease to talk of colour and race?

A. I believe that can be minimised and that distractions can be reduced by the production in some way of definite benefits. The real point is that in Southern Rhodesia, where there have been considerable economic advances and where the Africans have gone along towards a much rosier economic future as they see it, the whole position has been very much easier. In Northern Rhodesia, which is admittedly a much vaster country, the rural Africans have really seen no advantages from the economic point of view and are therefore distracted entirely over to the political side.

Q. But if you are to maintain the Federation, do you not feel you must face the extraordinarily difficult situation up north and not evade it?

A. Yes.

MR. CHIRWA: How can you reconcile a strong belief in Federation with the fact that Africans in the Northern Territories want their own control of their own governments, and on the other hand the S. Rhodesians do not want them to control their own government?

A. You say the Southern Rhodesians do not want them to control their own government?

Q. Yes: the Africans in the Northern Territories demand that they must have those governments under their own control.

A. But do you not think this is really a case of wanting the government to be in the hands of responsible people? I do not think this is a question of saying the government should be in the hands of either Africans or Europeans but that it is essential, if this country is not going to go backwards, that government should be in the hands of responsible people so that law and order are maintained and that it is able to attract capital. Do you not think that is perhaps the root of the argument?

Q. But would you not say that if you persist in that idea you still get disruptive elements?

A. Irresponsible elements.

Q. Well, disruptive elements. It happened last year. The emergency was declared in the two Territories in the north and the leaders were arrested and taken to Southern Rhodesia. If the aspirations of the Africans are not satisfied we are bound to get into that situation again.

A. I think there is the point that it is only the reasonable and logical aspirations of anybody which should be satisfied, One cannot just bow down to lawlessness: one must not just give up straight away in the interests of the community as a whole.

Q. You feel you would rather say that if the people do not like Federation it can still be maintained by force?

A. No, that does not come into it at all.

Q. How do you maintain it then when the people in the Northern Territories do not want it and you still say you can go on with it?

A. I am not satisfied that the majority of people in the north do not want it. They do not want something they do not understand. I believe they have not really had a chance to understand the benefits of Federation. I would like there to be an opportunity for the governments in each of the Territories to put it to the Africans what they are giving up and what they are in fact discussing. I think a large number of them are not in practice aware of what they are discussing.

LORD CRATHORNE: Do you think that Europeans or governments can put it across? We all accept that it has not been put across by anybody. Have you any ideas on how it might be done? Do you think that Africans must put it across?

A. I think it can be done by co-operation between African and European: it is a tough job.

Q. And it must be done on a very much wider scale than has ever been attempted before.

A. Yes. Unfortunately the seven years have gone by very quickly and people did not realise what was going on; they were so busy getting their house in order. After all there were in practice no Federal Acts in any form for several years. The Legislature was fully occupied in trying to federalise all the time, and very little attention was probably paid to these things. It was only when they became aware that the seven years was nearly over that the Government came to realise what it has in front of it. I cannot help believing that with good will on both sides that could be put across during a further period.

Q. And it would cost money to do it.

A. In the end it might not be acceptable, but at least you would have had a fair try.

Q. It is right that the relationship between the Europeans and Africans in the Copperbelt is now as good as it has ever been?

A. That is correct. Those Africans are closely in contact with Europeans and they have seen the benefit brought by the European. The largest and most vociferous opposition to Federation is in the rural areas.

Q. But to get that relationship established has cost a considerable amount of money?

A. Yes, indeed.

Q. And if you are going to do that sort of thing on a wide scale the Government must spend a great deal of money?

A. I think they must spend money.

SIR LIONEL HEALD: Would you say the United Federal Party is or could be accepted as representing African opinion?

A. It certainly has a larger number of members, I understand,

and it has African representatives in the House. It is perhaps the only party which at the present time represents both elements.

Q. But is it accepted by Africans on a very wide scale as representing their point of view?

A. When one talks of the African on a very wide scale, I think that is probably where one goes wrong because the African on a very wide scale does not understand that at all.

MR. MOLSON: Does it really make much difference whether the African understands or not, if he is almost unanimously opposed to Federation in the Northern Territories? Where do you think you are going to find the Africans on whose goodwill and co-operation you wish to rely in persuading the masses to accept Federation?

A. My problem is that I feel they are against Federation merely because they do not know what it means. That is the point I made previously. I believe that if there is a chance to explain the whole position to them they will not be anti-Federationists. Possibly the African believes that something miraculous would happen if Federation were broken up, whereas something disastrous would happen. That is why I think something must be put across to them.

MR. GONDWE: You keep saying that the African does not understand what is meant by Federation. I do not agree with that: I think the African does understand what is meant by Federation, but at the beginning he did not understand. Obviously the majority of the African people, in the Northern Territories at least, do understand and of course they have their fears about what is going to happen to them if Federation continues. They are now thinking in terms of running their own show in their own Territories and are asking whether Federation is going to interfere with that. The answer they come to is, "Yes, it is going to interfere with it." You may well ask why—it is because in this territory Europeans are different. Some Europeans would like to see Federation continue and an appreciable number would like to see it disrupted, for their own reasons. They are afraid of the very thing that the Africans are afraid of, but from opposite points of view. The Africans fear that if Federation continues they can say goodbye to self-government. Some Europeans here fear that if Federation continues they will eventually be ruled by Africans: hence the cry of "Government in responsible hands." Have you come across these views at all from Europeans that their fear is based on this question of being ruled by Africans in the future?

A. Not from the majority. I think everybody who lives here accepts the fact that this is a multi-racial state and I think everybody hopes it can be made to work in that way. I was a little disappointed to hear that in your opinion responsible government could not be in the hands of Africans. By "responsible government" I do not mean a colour-blind government at all. I have no colour prejudice at all: all I would like to see is that government is in the hands of people who understand what government means and not in the hands of people who purely look upon it as trying to run their own show. If they run their own show it must be well run and in a sound and responsible manner.

MR. GONDWE: You understand that because people like you are responsible, but there are irresponsible Europeans here.

MR. ROBINSON: Apart from living for some time in the Federation you also lived for some years in South Africa. It has been suggested that the attitude, of Europeans particularly, in Southern Rhodesia, and the general state of affairs here, is akin to that in the Union. This has been suggested to us in the Northern Territories. In your experience would you say the approaches of the Europeans to the question of race relationship here and in the Union are in any way similar and, if indeed it is possible to find some sort of general solution to the current difficulties in the Federation, do you believe there is a possibility of quite considerable company investment coming from South Africa to here and, in that way, effecting a sort of transfer of liberal opinion from the Union to assist in its development?

A. I think there is total dissimilarity between the policies and opinions here on this matter and those in South Africa. I know that there is a very small number of people, at least, in South Africa who think in the same way as Rhodesians and there is a measure of goodwill from them. On the other hand there is absolutely no doubt that even the most violent nationalist in South Africa has obviously looked upon the Federation as being a good risk because a great many of them have a lot of money invested here, and they look upon it from a purely economic point of view. While they may not subscribe in their own country to this policy it is a little odd that they should be prepared to invest in this country as they have done if they feel it is a bad thing.

Q. Do you think there is any chance of Europeans in Southern Rhodesia, if there was a break-up of Federation, wishing to link up with South Africa?

A. Certainly, but not at the present moment. One never knows how people will change, but there is no possible chance on present Rhodesian opinion.

MR. CHIRWA: Could we have your views on the franchise, as regards the question of government being in responsible hands? There is a general feeling amongst Africans that this is said by Europeans because they want to keep Africans out of government. Do you think the present franchise qualifications should be changed or not as between Territorial and Federal?

A. I believe that in Southern Rhodesia there are—I may be wrong in my figures—something like 15,000 Africans entitled to be voters in Southern Rhodesia. If that figure is correct, or whatever the figure is, some have not registered. There are several reasons for that: one of them is a fear of income tax, which is quite a reasonable fear. They fear that immediate registration is going to draw attention to them from that point of view. It is essential to keep a qualitative franchise as things are. Just how high or low it is made is something for the different Territories to consider—to allow in enough responsible people so that one can get a gradual extension on that. What I would like to see to some extent is perhaps an extension of the right to be registered without necessarily having the qualifications which are laid down. At the present time I believe teachers and religious people and chiefs have the right to vote. It might be possible to extend that in some way so that anybody who had been in service for a considerable number of years and had demonstrated that he was a responsible individual would also be entitled to vote, without necessarily having the qualifications laid down. It should be possible to extend it without in any way just throwing it open.

MR. CROSS: May I ask you to define the word "responsible"?

A. I believe that government must be in the hands of people who understand the responsibility of government, who have responsibility towards the individual in the country and, to simplify it, to really behave in what is accepted as being a civilised and reasonable manner. I heard a story the other day which is apparently perfectly true: a minister in a northern country who was due to take over the portfolio of Minister of Finance in a short while asked for the keys of the safe. He complained that the keys were being withheld from him and asked how he could take over the finances of the country when he could not see what was in the safe. I do not really think that he could be regarded, perhaps, as a responsible individual to carry out the duties of Minister of Finance. You must have people who are trained and educated.

SIR DONALD MACGILLIVRAY: You spoke about the ignorance in the rural areas, a point you also made in your memorandum. You say ". . . the demands for political freedom are motivated by an erroneous belief that this is the road to release from poverty" and, further still on page 7, "The less privileged people of this country have a naive faith that 'political independence' will automatically produce an international bank loan or adequate funds from some welfare organisation to provide education and full social services for everyone." At the end you say that Federation should be given time to overcome ignorance. It was ignorance of this kind, I believe, you were referring to?

A. Yes.

Q. Can that be left to the normal processes of education of children in school? I have no doubt it could be got over in the schools that economic benefits will not just flow from political freedom, but time is in rather short supply in this matter and it would seem that something must be done with the adults because one has not time to wait for the children to come out and take part in the political life of the country. Do you think sufficient is being done at the moment to put it over to adults in the rural areas? Is it sufficient just to issue a pamphlet explaining the benefits of Federation?

A. No.

Q. How would you tackle it?

A. It is an omnibus question. Not enough has been done for adult education because, as you will know, the process of increasing the education in primary schools is only going on now and you clearly have a large number of more elderly or more mature Africans who really have had neither education nor opportunity to share in any part of community life. I have always been very keen on adult education. As you probably saw, on the Copperbelt we carry out quite a lot of that very thing. The question of explaining that to the rural areas is again one of cost, and the Government, placed as it was with education generally, probably took the right line with limited money of starting at primary levels in the hope that they would catch up; but I agree there is not much time and something should be done to get it on the adult level. It is available here in the urban areas but not in the rural areas.

Q. And what about a series of courses using visual aids?

A. Civil courses, social courses.

Q. Would you give it high priority?

A. Yes, you must if you are going to do anything of this sort: but the problem here is that if one tries to give anything high priority it means that something else has to have lower priority. Unfortunately everything we need seems to be of high priority here.

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