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Committee on Administrative Unions

EXPRESSIONS OF PUBLIC OPINION ON ADMINISTRATIVE UNIONS
IN TRUST TERRITORIES

Working paper prepared by the Secretariat

I. INTRODUCTORY

1. At the request of the Committee, the Secretariat prepared this working paper on the basis of the limited available material at its disposal. This material may be supplemented at a future date by further information submitted by the Administering Authorities concerned in response to the specific question addressed to them by the Committee.

II. TANGANYIKA

A. AFRICAN OPINION

1. Colonial Paper 191

The Tanganyika African Association held two meetings in 1946 to discuss the proposals for Inter-Territorial Organization contained in Colonial Paper 191. The records of these meetings were transmitted to the United Nations Visiting Mission on 11 September 1948. The Association's letter to the Visiting Mission stated that the recorded views of the African Association had been transmitted to the Tanganyika Government.

The relevant portion of the minutes of the African Association meeting held in Dar-es-Salaam on 18 January 1946 with representatives of the Kenya African Study Union reads as follows:

"3. The outcome of the meeting briefly being:

(a) (i) We are not prepared to consider the White Paper Colonial Paper No. 191, at present, as Tanganyika has first to improve her own interests. "TUJENGE VIBANDA KABLA YA MAJUMBA MAKUBWA".*

(ii) When time comes the Paper would be considered or accepted on the following conditions:

1. Equal representation on the part of the Africans in our Legislative Council.
2. African representation in Advisory Boards.

* Literally "Let us build sheds before building large houses".

3. The Governor of Kenya should not be the sole Chairman. All East African Governors should have equal chances inasmuch as Chairmanship is concerned. It should be in rotation.
4. African seats of representation to be occupied by Africans only.
5. Of the four racially unspecified members, at least one should be an African (Ref. p. 8 of the Colonial Paper No. 191, line 15).
6. The powers of the proposed High Commissioner should be limited.
7. So far as Tanganyika is concerned the members of the Legislative Council should be elected by the Africans themselves - this should also apply to the territorial members of the Legislative Councils".

At a Territorial Conference held in Dar-es-Salaam in April 1946 the Tanganyika African Association adopted the following resolution:

"This Conference has rejected the economic unification of the East African Territories on the following grounds:

1. The Tanganyika Africans have always feared any contact that would lead to political closer union with Kenya. Although the proposed unification is only economic, this Conference believes that its ultimate result will be political closer union.

Although it is not stated in the Colonial Paper No. 191 that the suggested Central Legislative Assembly will legislate on immigration yet it is suggested by some communities in East Africa that the Central Assembly should be given this power; and if this happens it is quite obvious that in future this Central Legislative Assembly will also have power to apportion land to intending settlers. If our belief is justified, and there is no reason to believe otherwise it is not easy to see how political amalgamation can be avoided.

Important economic regulations are matters of Government Policy and cannot be formulated without recourse to administrative laws. There cannot be administrative success without economic prosperity nor can there be any economic prosperity without administrative intervention. The economic fusion must lead to political closer union.

History teaches us that the economic man always prepared the way for the administrator and in our present problem it is quite obvious that the intended economic policy is only the forerunner of the unified political policy of East Africa. This view is supported by the fact that the proposed high officials of the suggested Central Legislative Assembly are the same officials wielding great political powers in the three Territories.

/2. After the First

2. After the First Great War Tanganyika was put under the protection of the British Government by the League of Nations as a mandated Territory. The Africans of Tanganyika hope and believe that a day will come when they will get their independence or self-government as Tanganyika Africans and not as East Africans. Before this time comes the Tanganyika African will have nothing to do with any sort of economic or political fusion with any East African Territory which has a different status.

Furthermore, according to the Colonial Paper No. 191 paragraph 17, the suggested Legislative Assembly will be empowered to enact ordinances effective throughout Kenya, Uganda and Tanganyika. This power would in the first place lead to political policies and in the second place it would enable the Assembly to try and reconcile the conflicting principles underlying the status of Kenya as a Colony, Uganda as a Protectorate and Tanganyika as a Mandated or a Trusteeship Territory. This would definitely endanger the future of the Tanganyika African and thwart all the hopes that he now entertains.

As a mandated Territory and having a different future from the other East African Territories, the Tanganyika Legislative should have power to enact ordinances for Tanganyika independent of all the other East African Legislatures or the suggested Legislative Assembly and should be able to communicate with the Colonial Office quite directly."

At a meeting of the Tanganyika Legislative Council held on 15 December 1945, Chief Kidaha Makiwaia stated in his first speech to the Council:

"Yesterday we happened to be in touch with Sir Charles Lockhart of the Governors' Conference. He tried to explain to us what he knew about the amalgamation of some of the common services throughout East Africa. I feel it my duty to express the views as stated by other Africans in the country as well as in the towns, that generally speaking they are rather suspicious about this move. In the paper it is stated that there is no proposal regarding political union. That is all right, but if the economic services are amalgamated, then it is a common belief that it won't be very easy to separate politics from the economics of the country and therefore as the Government has been discharging its duties of trusteeship over the natives very well, we natives think that such amalgamation, if it might involve politics at all, would be drastic for the interests of
/Tanganyika.

Tanganyika. That is the view expressed by the natives, and I think it should be considered as well."

2. Colonial Paper 210

The revised proposals on Inter-Territorial Organization contained in Colonial Paper 210 were discussed in the extraordinary meeting of the Tanganyika Legislative Council on 15 and 16 April 1947. Statements were made on 15 April 1947 by each of the two African nominated members of the Council. The verbatim record of their statements reads:

"THE HON. CHIEF ABDIEL SHANGALI: Your Excellency, I am not opposing this Paper nor supporting it, but I understand that this Colonial Paper No. 210 has been translated into Swahili in order to enable Africans to understand and to study it, so that they may give their views. I was given a copy of this translation yesterday here in the Secretariat. Meanwhile, I tried to see the African Association in Dar es Salaam, that I may get their views, and they told me that they have not held any meeting to study the Paper, because they have seen it just recently.

"In my own opinion, I suggest that since the majority of Africans have not studied the Paper, therefore they should be given sufficient time to study it and they will be able to express their view before the final discussion in this Council.

"THE HON. CHIEF KIDAHU MAKWALA: Your Excellency, as the honourable member from Moshi has just stated, I think it would be a good thing if this Council would postpone this matter until the next meeting. It would give an opportunity for the Africans to study the proposals and it may be in the Chiefs' Councils and so on that valuable information might be obtained. We know that very few Africans will understand the proposals as translated into Kiswahili, but there is bound to be some valuable African contribution towards the proposals. We realize the problems involved in this affair, but I would like to support the views of the honourable member from Moshi."

The following day, on 16 April 1947, the Chief Secretary apologized to the African members for the delay in the publication of the Kiswahili text, but stated that it was not possible to grant the requested postponement. He urged the African members to express their views in a definite manner when the vote on Colonial Paper 210 was taken.

The vote was taken the same day (16 April, 1947). The African members expressed no further views and abstained from voting.

3. African Opinion

3. African Opinion as Expressed to the Visiting Mission

At a meeting between the members of the Visiting Mission and representatives of the Chagga Council at Moshi, on 10 September 1948, Chief Abdiel Shangali was questioned concerning his abstention in the Council. He replied that the two African members present during the extraordinary meeting of 15 and 16 April 1947 had not been given sufficient time to consult representative African opinion on the matter as the Kiswahili text of Colonial Paper No. 210 had been given to them only two days before it had been voted upon. Therefore they could not express any definite opinion and had abstained from voting. Now that there had been time to study the proposals it was still not an easy task to formulate a definite opinion as it was not known what economic benefits Tanganyika would gain since the scheme had not been working a sufficient time. African opinion generally, however, was against Inter-Territorial Organization as there was a strong fear that it would lead to the political amalgamation of the three Territories.

In the petition received by the Mission in Dar-es-Salaam from the African Association (T/PET.2/61), it is stated that:

"As regard the amalgamation of Tanganyika, Kenya and Uganda, there is not the slightest doubt that this matter of unification is causing a great anxiety among the indigenous inhabitants of Tanganyika in view of the fact that Tanganyika, being under the Trusteeship System it need remain a separate unit, and that is what we pleaded since before. It is a well known fact that the inhabitants of Tanganyika are given to understand that there is a potential amalgamation of those three Territories, but it is feared that all these things such as combination of departments, formation of High Commission for the three Territories which will have jurisdiction over them, etc. etc. will cause misfortune in the long run."

At a meeting of the members of the Visiting Mission with the President and members of the African Association on 1 September 1948, the African Association representatives explained in regard to this paragraph that during the period the Territory had been under mandate, there had been suggestions that the Territories of Tanganyika, Uganda and Kenya should be united. These suggestions had not been carried through. Now that Tanganyika was a Trust Territory, proposals for Inter-Territorial Organization had been put into operation. Generally, the African community was against the proposals. It had been stated that the present scheme involved only economic union and that political union was not envisaged,
/but it was feared

but it was feared that ultimately political union would result. With the establishment of a Central East African Legislature the political field was already being entered. It was realized that some benefits would accrue to Tanganyika from the economic union with Kenya and Uganda, but nevertheless, it was the opinion of the Association that the losses in the political field would not be compensated by the economic benefits. There were certain conditions in Kenya, especially in the matter of "race relations" and "press censorship", which the African Association and the Tanganyika Africans generally would not like to see introduced into Tanganyika.

At a meeting of members of the Visiting Mission with representatives of the African community including clerks, school-teachers, and social workers at Tabora, on 23 August 1943, the subject of Inter-Territorial Organization was briefly discussed. The Africans stated that they did not understand properly all the details of the present organization. As far as they could judge, they were in favour of the amalgamation of the research services of the three Territories but strongly object to and feared any kind of union with Kenya which might lead to political union with that country.

The Secretary of State for Colonies informed the Visiting Mission in London on 27 September 1948 that "His Majesty's Government is keenly aware that there has been strong opposition among the African inhabitants of Tanganyika against any form of 'closer union' especially with Kenya which might lead to political union".

B. INDIAN OPINION

1. Colonial Paper 210

In the debate in the Tanganyika Legislative Council on 15 April 1947 the two Indian members, Mr. I. C. Chopra and Mr. V. M. Nazerali, opposed the adoption of the proposals contained in Colonial Paper 210. (The third Indian member was absent).

Mr. Chopra opposed in principle any union or amalgamation of any of the Tanganyika services or departments with those of Kenya and was of the opinion that Tanganyika had sufficient resources to exist independently of Kenya. Examples quoted of these resources were the actual and potential mineral and agriculture wealth of the territory and the products of animal husbandry. He claimed that in past associations with Kenya, Kenya had benefited at the expense of Tanganyika and detailed as examples the common Cereals Pool, the East African Airways Corporation and the Posts and Telegraphs Services. He expressed the fear that the Tanganyika Railways,
/Ports and

Ports and Harbours would suffer under amalgamation. Furthermore, the influence wielded by the Kenya European community had had the effect of materially altering the proposed number of seats in the Central Legislative Assembly in order to give a majority to a "certain community". This had had the result of creating suspicion in the minds of the non-European communities.

Referring to Article 5 (b) of the Trusteeship Agreement, he stated:

"There is, of course, another aspect of this proposal which I feel has been lost sight of, and that is the fact that this is a Trust Territory. I know that in the agreement that has been negotiated at the United Nations Organization, the various countries who were present there have authorized this Government to have certain common services with the adjoining territory, but I am sure that those countries which agreed or sanctioned that clause never realized, that we are handing over practically all our services to the adjoining country. If you see the list of services to be amalgamated it covers about two to two-and-a-half pages. There will be nothing left for this Legislature to attend to. We will be more or less like a county council. We are undoubtedly handing over our sovereignty over all these services to this new body which is not under the control of the United Nations Organization, and I am positive that as soon as the United Nations Organization realizes that you are handing over sovereignty over these services, in a Trust country to this other body, over which they have no control whatsoever, you are going to have difficulty. We are in fact surrendering the sovereignty and that is not a very good thing indeed. In other words we are going to yield to Kenya rule".

Mr. Nazerali supported the arguments of Mr. Chopra and referred members to the Indian Association resolutions on Colonial Paper No. 210. Indian public opinion has decided on a categorical rejection of the proposals and moreover, was in favour of the existing systems being abolished and Tanganyika being allowed to progress on its own strength and resources.

The resolution of the Indian Association reads:

"Be it resolved that the Indian Community of Tanganyika categorically rejects the proposals of economic association of the East African Territories contained in Colonial Paper 210 and are convinced beyond any shadow of doubt that these plans are detrimental to the general interests of the people of this Trust Territory of Tanganyika.

"Further it is the considered opinion of the Indian Community that wartime and other working arrangements with Kenya have operated against the interests of this territory as instanced 1) by the loss of new industry, 2) by other economic losses; and has reduced this country to nothing more than the consuming market for Kenya industries.

/"It further

"It further expresses the view that all Inter-Territorial Boards and Committees have very meagre representation of non-Europeans from Tanganyika and Tanganyika Europeans work hand and glove with Kenya settlers who generally dominate; the net result of working on inter-territorial basis being complete sacrifice of Tanganyika interests tending to reduce this territory as nothing more than a province of Kenya. It further wishes to record that it had in the spirit of co-operation hoped that by affording equal status to the three major communities, interests of all people would have been safeguarded, but that principle having now been abrogated under pressure from Kenya settlers, there is not the least chance under any other method of the interests of this Trust Territory being protected by setting up of any inter-territorial economic organizations and therefore strongly urges that Tanganyika should be let alone to develop on its own lines and the existing working arrangements should be ended forthwith".

2. Indian Opinion as Expressed to the Visiting Mission

By letter received on 15 September 1948, the President and four members of the Indian Association in Dar-es-Salaam requested an interview with the members of the Visiting Mission. Attached to the letter was a memorandum containing notes on matters the members of the Association wished to raise with the Mission. The paragraph on Inter-Territorial Organization reads:

"3. Closer Union. Even though the Trusteeship Agreement provides for this Territory to join in with neighbouring territories for economic purposes, we are very apprehensive of the ultimate effect on Tanganyika (which is a Trust Territory) of this economic fusion. It will not be out of place to state here that with all the superior natural resources at the command of this Territory, interested parties are bound to keep Tanganyika a mere tail-piece or playing the part of a second fiddle in preference to the much vociferous and influential Kenya which may ultimately prove to be highly detrimental to this Trust Territory".

The members of the Visiting Mission met with representatives of the Indian Association on 17 September 1948. The Indian Association representatives stressed especially with regard to the above-quoted paragraph, that they opposed the scheme for Inter-Territorial Organization because they feared the extent to which the Kenya European settlers would be able to exercise their influence in Tanganyika both politically and economically. They claimed that the whole scheme had originated in the desire of these settlers for union with Tanganyika and Uganda and that the

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general economic political policies for East Africa were shaped in Kenya. It was pointed out that the Central Legislative Assembly, its offices and Secretariat were all to be located in Nairobi, Kenya.

Those in favour of the scheme for Inter-Territorial Organization said that the economic union would produce economy in the running of the economic services and Tanganyika would benefit thereby. But the Indian Association was of the opinion that Tanganyika would be kept as a market for Kenya produce. The sugar, flour, tea, bacon, ham and butter industries were located in Kenya and Tanganyika would be forced to buy these goods from that Territory.

On 6 September 1948, Mr. Chinnery and Mr. Woodbridge met with representatives of the Dodoma Indian Association. In a brief reference to the Inter-Territorial Organization the latter stated that they were opposed to the economic union of the three Territories as they feared that political union would ultimately result. They preferred that Tanganyika should remain independent of any kind of union with Kenya.

III. NEW GUINEA

The Secretariat has no information regarding public opinion among the indigenous inhabitants on the Bill proposing administrative union between New Guinea and Papua. The Eggleston Report (Report of Committee Appointed to Survey the Possibility of Establishing a Combined Administration of the Territories of Papua and New Guinea, and to make a Recommendation as to a Capital Site (1) For the Combined Administration if that is favoured, or (2) For the Territory of New Guinea if the Retention of Separate Administration is Recommended. Australia. Parliamentary Paper No. 230 (1937-38-39) Canberra, 1939) contains a few references to public opinion as revealed in 1939.

The pertinent excerpts of the Report are presented herewith:

Native Opinion

"Where in this report (i.e. the Eggleston Report) reference has been made to 'public opinion', we have had in mind the opinion of the European community only. We were very much concerned as to whether we should endeavour to obtain the evidence of the natives on the terms of reference, but we were informed by many authorities, including missionaries, that on a subject of this kind native opinion did not exist and it would be impossible to elicit any views from them. Two members of the Committee who have lived and worked for many years in the area agree with this view. The fact that the natives are unable to form an opinion places a heavy responsibility on the Government to safeguard their interests, to promote policy which those interests demand, and to prevent measures which would be contrary to them". (p. 19)

/Labour

Labour Supply in New Guinea

"...the native labour supply in New Guinea is becoming exhausted and, as there is a tendency for wages to rise in New Guinea, employers will have to pay a higher rate.

"At the present time, however, we think that employers in New Guinea would oppose closer union if it meant that they would be compelled to pay a higher minimum wage". (p. 14)

Possible Chinese Immigration into Papua

"The public in Papua ... are very much afraid that under a combined administration Chinese would be able to come into Papua from New Guinea and would indulge in unfair trading, and closer union is opposed on this ground". (p. 15)

Labour Supply in Papua

"Papuan employers fear that under a combined administration Papuan labour would be recruited for New Guinea employers and they would strongly oppose closer union if it has this result". (p. 15)

Tax Situation

"Opposition to a combined administration was expressed by witnesses in Papua who feared that the higher rates of taxation in New Guinea would be applied over the whole territory". (p. 16)

Patriotism in Papua

"In Papua, in particular, 60 years of life under the British Crown during which many vicissitudes have been experienced, have led to an intensely strong sentiment of local patriotism". (p. 19)

The Territory of Papua Compared with "A Mandate"

"While the principles of native administration in Papua include most of the beneficent intentions of the Mandate system ... nevertheless there would be some considerable opposition in Papua to coming into combined administration with a territory which is held under a mandate". (p. 19)

Public Opinion in General

"So far as the evidence given before us is concerned, we must conclude that there is little popular demand for any form of closer union in the territories. In Papua, evidence given before us showed strong opposition; this applies to independent witnesses and business men as well as representatives of the Public Service; only two members of the public and one officer of the Administration gave evidence in favour of combined administration. In New Guinea, some opinion was expressed in favour of combined administration; these witnesses laid stress on the unsatisfactory nature of the Mandate title and expressed fears that under

/the Mandate

the Mandate it was not possible to protect the territory from hostile attack; apart from these considerations, feeling in New Guinea was unfavourable to closer union". (p. 20)

3. Other Trust Territories

The Secretariat has at present no information regarding public opinion among the indigenous inhabitants of other Trust Territories in respect of the existing or proposed administrative, customs or fiscal unions or federations with adjacent territories of the Administering Authorities.
