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Held at Headquarters, New York,
on Monday, 3 March 1958, at 2.30 p.m.

President: Mr. ARENALES CATALAN

(Guatemala)

Examination of conditions in the Trust Territory of Tanganyika

[4a, 5 and 6a] (continued)

Note: The Official Record of this meeting, i.e., the summary record, will appear in provisional mimeographed form under the symbol T/SR.873 and will be subject to representatives' corrections. It will appear in final form in a printed volume.

EXAMINATION OF CONDITIONS IN THE TRUST TERRITORY OF TANGANYIKA:

- (a) ANNUAL REPORT OF THE ADMINISTERING AUTHORITY FOR 1956 (T/1339, 1349 and Corr.1, 1355, 1364, 1365; T/L.815)
- (b) PETITIONS RAISING GENERAL QUESTIONS (T/L.815/Add.1; T/PET.2/L.9 and 10)
- (c) REPORT OF THE UNITED NATIONS VISITING MISSION (T/1345, 1362)

At the invitation of the President, Mr. Fletcher-Cooke, special representative for the Trust Territory of Tanganyika under British administration, took a place at the Trusteeship Council table.

Mr. FLETCHER-COOKE (Special Representative): Members of the Council will be aware that a resolution was passed at the last session in June/July on the subject of the alienation of land, in which a certain amount of detailed information was asked for, including particulars of the numbers, extent and types of holdings granted since 1946, distinguishing if possible between grants made for public or semi-public purposes, for plantations, mines or other commercial undertakings and for individual farms.

Although we are not this afternoon going to discuss land matters, I thought it might be desirable to circulate this table and to give the Council some explanations of it before we reach the question of land so that representatives may have an opportunity of studying the information in these documents.

I have circulated to all delegations a photostat copy of a table to which I shall have occasion to refer in the statement which I now propose to make.

In particular, the table sets out in some detail the alienation of agricultural and pastoral land under long-term rates of occupancy since 1 January 1946. But these figures call for some explanation, and I would like to draw the Council's attention to the following points.

In the first place, the table which I have circulated deals solely with agricultural and pastoral land alienated under long-term rights of occupancy. It does not include any freehold land. As members of this Council will be aware, the German administration of Tanganyika prior to World War I made grants of certain areas of land to be held "freehold". As the Council is also aware, the British administration has never granted freehold rights over land in Tanganyika except, in a very few cases, by way of exchange for freehold land surrendered to Government.

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Figures of the total amount of freehold land in existence when the British first assumed responsibility for the administration of Tanganyika at the end of World War I are not available. Some of this freehold land was, of course, held by Germans and during World War II a part of this German-held freehold land amounting to some 209,000 acres was ultimately transferred by the Custodian of Enemy Property to Government, thus extinguishing the freehold. Some of this land was subsequently alienated on long-term rights of occupancy. These subsequent alienations are, of course, included in the figures given in the table. And some of this surrendered freehold land was made available for African usage.

At the present time there are 400 registered holdings of freehold land in rural areas covering 482,307 acres. Three hundred seventeen of these holdings, totalling 168,320 acres, may be described as "small" in the sense that they cover areas of less than 1,500 acres, while the remaining 83 holdings totalling 314,047 cover larger areas.

The second point I would like to make is that the table which I have circulated does not purport to deal with land over which mining operations are being carried out. I propose, later in this statement, to give the Council figures relating to mining operations. But for the moment we are concerned solely with land alienated on long-term rights of occupancy for agricultural or pastoral purposes.

The resolution of the Council to which I have just referred asked for a breakdown of alienated land into three categories: (1) land alienated for public or semi-public purposes; (2) land alienated for commercial purposes, for example, plantations, mines and other commercial undertakings, and (3) land alienated for individual farms.

Now it is not possible to furnish the Council with figures exactly in accordance with these three categories because many individual farmers have in fact turned themselves into companies for taxation purposes, and therefore lists of land held on the one hand by companies and on the other by individuals would be misleading in the sense that they would not take proper account of the individual farmer who, although he was working his land on his own account, would in fact appear on the "companies" list.

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I was present in the Drafting Committee when the Council's resolution was originally drafted, and it is my understanding that what the Council is seeking is information which will distinguish between companies operating estates on a commercial basis and individual farmers who are occupying and working, for example, their own mixed or dairy farms, coffee estates, etc.

The only way this information can appropriately be conveyed to the Council is by reference to the size of the holdings alienated. For example, it may be assumed, as a general rule, that a holding alienated for agricultural purposes, if it does not exceed 1,500 acres, has been alienated to an individual farmer; similarly a holding alienated for pastoral purposes, if it does not exceed 2,500 acres, may also be assumed as a general rule, to have been alienated to an individual farmer. Per contra, agricultural holdings of over 1,500 acres and pastoral holdings of over 2,500 acres may be assumed to have been alienated to large-scale commercial undertakings for plantations, estates, ranches, etc.

I would, therefore, draw the attention of members of the Council to the first four sub-categories set out in the table which I have circulated. That covers in fact the first nine columns. From those figures it will be observed that since 1 January 1946, 818 "small" agricultural holdings -- that is the total of the bottom column too -- and twenty-eight "small" pastoral holdings (giving a total of 846 covering 471,000 acres) have been alienated to what may be assumed to be "small farmers". Similarly, 222 holdings, covering 1,305,000 acres, that is, the totals of columns 6-9, the large-scale ones, have been alienated for large-scale agricultural and pastoral purposes.

But even these figures do not give a true picture of the present position because they do not indicate what proportion of the 789,000 acres alienated under long-term rights of occupancy prior to 1 January 1946 (to which there is a reference in note (c) of the Table) were held by "small farmers" and what proportion were held by "large-scale commercial undertakings". Nor do the gross figures in columns (2) to (13) show the surrenders and revocations in the first four sub-categories, either before or after 1 January 1946.

I think that what the Council is interested in is the present position and that perhaps can best be explained as follows. As will be seen from the last figure in column 24 (together with footnote (d)), the total amount of alienated

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land, as of 31 December 1957, is 2,488,000 acres, and this total is held in 1,618 holdings. As will be seen from column 16, twenty-two of these holdings are held by public or semi-public bodies to which I will refer later. This means that 1,596 holdings are held either by "small farmers" or by "large-scale commercial undertakings". It is difficult to give accurate breakdown figures for this total of 1,596 holdings, but broadly speaking it may be said that 1,266 holdings covering some 500,000 acres are held by "small farmers", while 330 holdings covering some 1,375,000 acres are held by "large-scale commercial undertakings". It should be pointed out, however, that although the present total of "small" holdings is 1,266, a number of "small farmers" hold more than one holding, so that the total of "small farmers" is probably of the order of 1,000. Furthermore, it is worth noting that these "small farmers" contain representatives of some twenty nationalities.

I turn now to the position of public or semi-public bodies referred to in columns 16 and 17 of the Table. From these columns it will be seen that over 600,000 acres (amounting to approximately one-quarter of the total of alienated land) has been alienated to public or semi-public bodies. A breakdown of the total figure of 609,913 acres shows that some 10,000 acres are held by Native Authorities or African Co-operatives, Coffee Boards etc.; a further 70,000 acres are held by Tanganyika Packers in which, of course, the Government has a controlling interest; some 486,000 acres are held by the Tanganyika Agricultural Corporation, while the balance of some 44,000 acres is held by the Colonial Development Corporation; both of these corporations are, of course, publicly owned.

I must also point out that in addition to the 10,000 acres of land alienated to African public or semi-public bodies, individual Africans now hold more than 13,000 acres of alienated land. It is also worth noting that of this figure of over 13,000 acres, some 8,000 acres were alienated to Africans during 1957. This is indicative of the increasing tendency on the part of Africans to take up alienated land.

Against the background of the present position as indicated above, it may be of interest to consider some of the factors which have influenced the present structure of land alienation in Tanganyika. If members of the Council will look

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at the figures for 1946 they will note that while there were five alienations, there were six surrenders or revocations, so that the total amount of alienated land diminished from the previous total of 789,000 acres, subsisting prior to 1 January 1946, to 788,000 acres. This small number of alienations reflects a continuation of the war-time policy which was to refuse the alienation of land for agricultural and pastoral purposes on long-term rights of occupancy, save for very special reasons.

The same policy continued during 1947 and the first part of 1948, as is reflected in the small number of alienations in those two years. Moreover, and this is an important point, in 1948 there were 251 surrenders or revocations, and 250 of these represented the extinction of rights of occupancy over 148,000 acres by transfer from the Custodian of Enemy Property to Government. The increase in 1948 in column 19 was due to encouragement given to the production of food crops to assist in meeting the world shortage of food. Despite this increase, however, the large amount of rights extinguished by transfer to Government from the Custodian of Enemy Property resulted in the total area of alienated land decreasing to 663,000 acres at the end of 1948.

It is, therefore, necessary to give the Council some explanation of the steady increase in the total of alienated land since the end of 1948. It will be observed that during 1949 there was a net increase of land alienated of some 123,000 acres. Almost all of this represented the alienation of ex-enemy land -- alienated in accordance with the policy referred to above, whereby encouragement was given to the production of food crops to assist in meeting the world shortage of food.

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In 1950 the figures show a net increase of 336,000 acres and the reasons for this fairly substantial increase are as follows. Some 141,000 acres were granted to the Overseas Food Corporation -- the larger part of which holding, as the Council is aware, was subsequently taken over by the Tanganyika Agricultural Corporation -- some 44,000 acres to the Colonial Development Corporation for wattle production, and the granting of some 30,000 acres for tea growing. The balance of some 120,000 acres alienated during 1950 represented, in the main, grants over ex-enemy properties previously surrendered, and some conversions from short term to long term.

Turning now to 1951, I must point out that the figure of 234,000 acres in column 19 included one right of occupancy granted over some 24,000 acres in the Tanga District for sisal. About half the grants made in 1951 were re-grants of ex-enemy properties and indeed, by the end of 1951, practically all ex-enemy agricultural properties had been re-alienated.

In short, therefore, the position at the end of 1951 which shows a total of 1,341,000 acres alienated, can best be summed up by saying that this total included the 790,000 acres subsisting at the end of 1946, plus 215,000 acres alienated in 1950 to the Overseas Food Corporation, the Colonial Development Corporation, and for tea growing, together with something over 300,000 acres which had been alienated in the immediately preceding years by way of encouragement to the production of food crops.

In 1952 the net increase of alienated land was nearly 600,000 acres, as will be seen from column 23. By far the largest item in this total was the alienation of an area of some 335,000 acres to the Overseas Food Corporation. In addition, a right of occupancy for a large-scale pastoral undertaking was granted over 64,000 acres in the Pangani District which included a substantial area of tsetse-infested country calling for a very large capital investment to clear the bush. There was also a re-grant of 87,300 acres in the Iringa District over certain surrendered areas.

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In 1953 the net increase was just over 170,000 acres and in 1954 some 70,000 acres.

In 1955 the net increase was some 73,000 acres, but almost all of this, that is, 69,300 acres, was covered by two rights of occupancy granted to Tanganyika Packers Ltd.

In 1956 the net increase was 127,000 acres. Sixty-four thousand acres of this represented an addition to the large-scale pastoral undertaking in the Pangani District which, as I have indicated, started operations in 1952. Again this additional area called for considerable capital to clear the tsetse-infested bush. Grants of 10,000 acres in Ufipa District and nearly 5,000 acres in the Morogoro District for similar undertakings were also made in 1956.

In 1957 gross alienations amounted to 155,000 acres with surrenders of 43,000 acres, giving a net increase of just under 112,000 acres. The more important alienations during 1957 included a grant of 44,000 acres for commercial ranching; 14,000 acres at Moshi to Somalis for communal grazing; 3,300 acres in the Lower Sanya Corridor to the Meru Council for sub-division to members of the Meru tribe; another holding of 6,500 acres in the Singida District for mixed farming; 20,000 acres at Kimamba to a sisal company for ranching; and 21,300 acres in fifteen holdings, alienated as part of a tsetse reclamation scheme.

I must dwell for a moment on this latter scheme. The Council will be interested in the background to the alienation in 1957 of these fifteen holdings covering 21,300 acres. The Babati-Lake Manyara area has for many years been infested with tsetse and part of it was in fact a closed area under the Infectious Diseases Ordinance for over ten years. The local African population, lacking the capital and skill to clear the area, requested that European settlement should be encouraged in the area as the only means of effectively clearing it. As a result of these representations, a scheme was drawn up for the clearing of this area by European farmers and alienation started in 1955 and continued through 1956 and 1957. The whole scheme contemplates the clearing of some 90,000 acres, and there is still some land to be alienated in this

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area if anyone with the courage and capital required can be found. It is indeed only since a start was made with the clearing of this area that it has been possible to revoke the order which made it a closed area for over ten years. One of the Europeans who undertook this pioneering task has twice suffered from sleeping sickness. The holdings alienated under this scheme have been alienated under a strict condition that the whole area of each holding should be cleared within five years so as to ensure the eradication of the tsetse fly from this part of the Territory.

I have given the Council some details of the background to the alienations in this area because it emphasizes that in many parts of Tanganyika the local African population specifically requests that land should be alienated to immigrant farmers. In this case, as I have indicated, the purpose was to secure the clearing of the tsetse-infested bush. In other parts of the Territory different reasons exist which prompt the local population to request alienation to immigrant farmers. For example, in Handeni requests have been received from time to time that land should be alienated to encourage food production, and in Tunduru the request was that land should be alienated to improve the general economic condition of the district.

I may perhaps conclude this survey of the land alienation situation in Tanganyika with the following observations. In the first place, an increasing proportion of the land which was originally alienated to the Overseas Food Corporation, and which inflated the figures of land alienation in 1950 and 1952, has, since it was taken over by the Tanganyika Agricultural Corporation, been worked by Africans. Further, in accordance with the terms of the Wilson Report some alienated land has been bought in for African usage. Moreover, a number of Native Authorities are showing interest in acquiring estates: one Native Authority, for example, Usumbara Native Authority, has already bought one estate. Negotiations for the purchase of several others are in train. Moreover, only a short time ago, the Arusha Town Council bought an estate which is not included in these figures.

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Special Representative)

In general, therefore, it would be quite wrong to jump to any hasty conclusions from a cursory glance at the figures set out in the table. The final figure in column 24 indicates that at the present time there is a total of near two and one-half million acres of alienated land in Tanganyika, but it will not be out of place to repeat the following: first, that the total represents only 1.1 per cent of the land area of the Territory; secondly, nearly one-quarter of the total covers alienations to public or semi-public bodies; thirdly, more than half the total covers alienations to large-scale commercial undertakings; and fourthly, only about one-fifth of the total covers alienations to individual small farmers and of that a small but increasing proportion of those small farmers are, in fact, Africans.

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Special Representative)

I turn now to the question of land over which mining operations are carried out. Mining operations in Tanganyika are carried out on the grant of either mining leases or mining claims. However, in some cases mining enterprises have rights of occupancy, which would of course be included in the table circulated, covering certain portions of land in connexion with mining operations. It is, however, virtually impossible to indicate the number and extent of such rights of occupancy because in a number of cases the land has in fact been alienated for such purposes as a dam to provide a water supply or for land on which to grow food for mining employees. The rights of occupancy are as I have indicated included in the figures.

However, the amount of land held by mining enterprises under rights of occupancy is negligible compared with the amounts over which they have rights to conduct mining operations, whether under mining leases or mining claims, and for the purpose of giving a general appreciation of the area of land over which mining operations are carried out these rights of occupancy may be ignored.

According to the latest figures available -- and these are up to 31 December 1956 -- there are 54 mining leases in existence covering 172,229 acres of land, of which 21 leases covering 94,818 acres have been granted since 1 January 1946 -- the majority, therefore, were granted prior to 1946. Two of these 54 mining leases covering 87,040 acres -- which is more than half the total covered by mining leases -- have been granted to African co-operative societies -- the Uluguru Mica Mining Corporated Society Ltd. and the Kikeo Mica Mining Corporated Society Ltd. It will be seen, therefore, that the remaining 52 leases cover an area of 85,189 acres.

In addition, the latest figures available show that there existed 2,288 mining claims covering a total area of 24,664 acres. In short, therefore, mining rights cover an area of 196,893 acres of which, as I have already indicated, nearly 90,000 acres are held by two African co-operative societies. Moreover, mining operations in point of fact cover only a small portion of the area over which mining rights have been granted. I must emphasize that these rights, indeed all rights granted under the Mining Ordinance, do not include any right to occupy the land save for the purpose of winning minerals.

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Special Representative)

I apologize for the length of this statement, but in view of the interest which the Council showed in this question at our last session, I thought it would be desirable to give a picture which I hope has clarified the situation.

Political advancement

perd. Mr. LALL (India): I propose to ask the representative of the United Kingdom and the special representative a few questions on political conditions in Tanganyika. My first question is: the report of the Visiting Mission shows that there is a very widespread and strong feeling in Tanganyika in favour of a quite considerable acceleration of the pace of political development. This feeling is shared by such moderate and mixed parties as the United Tanganyika Party. In view of this very widespread feeling, which is shared by all communities in varying degrees, is it not possible for the administering Authority to make a response by arranging that the projected elections are completed in 1958 instead of being spread over 1958 and 1959, taking into account also that the electorate is not large and that the organization of these elections does not appear to be an insuperable task?

Mr. FLETCHER-COOKE (Special Representative): Mr. President, would the representative of India be kind enough to give the reference to the passage in the Visiting Mission's report?

Mr. LALL (India): The Visiting Mission's report points out in numerous places that there is this strong demand for acceleration of the pace of development; for example, in paragraph 43 it is stated that the UTP believes that "dynamic advances should be made from the present system ...". Now, that is just one remark, but all through this report there is reference to the feeling of the Africans, in particular, in Tanganyika, that an acceleration of political development is desirable.

Mr. FLETCHER-COOKE (Special Representative): I am obliged to the representative of India, but I would in fact point out that the quotation in the Visiting Mission's report suggests, and I quote, "the representatives of the UTP believed that, as soon as the elections had been held and the constitutional committee constituted, dynamic advances should be made from the present system of parity representation..." Of course, it is the intention of the Government that when the elections in 1958 and 1959 have been completed that the constitutional committee, to which there have been many references in the discussions in this Council, should be set up in the autumn of 1959. And I have no doubt whatever that following upon the deliberations of that Committee, there will be advances in various directions.

But as regards the specific question addressed to me by the representative of India, I would point out that when we first considered the question of introducing elections, we went into this question very carefully and came to the conclusion that although it might be possible to have elections throughout the Territory in September 1959, it would not have been possible to have had elections throughout the Territory in September 1958. Now, the representative of India has pointed out that the electorate is not large. That is perfectly true. But it is very widespread and it is very scattered. Indeed in many of the constituencies in which elections, for example, are going to be held in September 1958, that is this year, we find that it will be necessary for teams to go around to the polling stations over a period of anything up to a week to ten days in order to cover the various polling stations at which perhaps there may be only ten or twelve voting; but obviously polling facilities must be taken to every possible area. We cannot expect those who are qualified to vote to have to travel considerable distances in order to exercise the privilege of voting. The administrative problems involved in preparing for elections in a Territory the size of Tanganyika, which as the representative of India is aware is one and a half the size of Texas, with far fewer communications, is not an easy one. I can only, therefore, say that we have considered at a number of stages in our deliberations whether it would have been possible to have held all the elections, that is, throughout the Territory, at an earlier date; and I am quite certain that it would have been quite impossible then, and even more impossible, of course, now, to have held all the elections in 1958

Sir Andrew COHEN (United Kingdom): The representative of India, I am sure, will not misunderstand what I am going to say in view of my known attitude towards this whole subject of the advancement of Trust Territories.

In reference to his question, I should like to quote one passage of the Visiting Mission's report. I appreciate, of course, that quoting from the report in support of this or that thesis is almost in the nature of a well-known sport in this Council. Paragraph 38 reads in part as follows:

"...many Africans have seen, in the accelerated advances of recent years, a promise of rapid progress and have become desirous of assuming increasing responsibility for the management of their own affairs. This, coupled with the impact of events elsewhere in the world, notably in Africa, has given rise to an upsurge of African nationalism affecting a large segment of the population which tends to become easily impatient and frustrated if political change appears to it to be unduly slow. At the same time the very newness of this post-war development is liable to give rise to apprehension and doubts on the part of more conservative elements, whether they be non-Africans, so many of whom have a heavy economic commitment in Tanganyika and are naturally anxious that their interests should be adequately safeguarded, or whether they be Africans, whose political consciousness has not yet been fully awakened or whose interests may seem to be in jeopardy. The fact that tensions have been kept to a minimum may be attributed to a desire of most of the political leaders of all races to work together for the common good, even when they do not agree on the means of achieving it, and to the moderating influence exercised by the Administering Authority in this difficult and delicate situation." (T/1345, pages 13 and 14)

Mr. LALL (India): I am grateful to both of my colleagues for their remarks. So far as Sir Andrew Cohen's remarks are concerned, may I draw his attention to paragraph 54 of the report, in which the Mission says that "it was left in no doubt that a large body of opinion in the Territory desires a more rapid rate of political progress." It was to that basic feeling of the large body of opinion in this Territory that I was drawing attention as the take-off point for my previous question. I have had an answer to that question.

(Mr. Lall, India)

I respect that answer greatly, but I am not sure that I know yet why it is not possible to have these elections in 1958. May I proceed to my second question?

The Administering Authority, with a view to trying to encourage a feeling of political togetherness, or some such thing, between the various races, has thought of introducing a system which would make it essential that there be a compulsory vote for three candidates, one from each of the main racial groups in this area. There is a great deal in the report of the Visiting Mission to show that the very purpose that the Administering Authority has in view, namely, the lessening of racial feelings, will be defeated by this obligatory system. Therefore, would it not be wise for the Administering Authority to waive the obligatory character of this system?

In this connexion, may I draw the attention of the Council to paragraph 60 of the report, which indicates that the UTP has recommended that the tripartite vote should be made optional rather than obligatory. I am asking this question, may I repeat, in the light of the very purposes which the Administering Authority has in mind. It seems that those purposes are likely to be defeated by the system which has been invented.

Mr. FLETCHER-COOKE (Special Representative): It has been said on a number of occasions -- it was said in the original debate and repeated in a resolution of this Council passed at the last session -- that this particular method of voting is an experiment. So far as we are aware, it has never been tried anywhere else and we do not know, of course, what the results of trying it will be. I must say that we in Tanganyika try to avoid the words "compulsory vote" because no individual is required to vote at all. There are some countries where somebody who is eligible to vote is positively required by law to vote. That is not so in Tanganyika. But if an elector does exercise his vote, if he avails himself of the privilege of choosing representatives to represent him in the Legislative Council, we have taken the view that as the three representatives who represent each constituency do so jointly it is right and proper that all the electors irrespective of race should indicate their preference between them.

I am not unmindful of the fact, to which the representative of India has referred, that quite considerable doubts have been raised in the Territory about this particular system. But I should also say that when it was discussed and

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debated in the Legislative Council in May 1957 there were very few references to it and none of them were in particularly strong terms. At that time, these electoral arrangements were approved unanimously. As the Secretary of State himself has said in the speech which he made in Dar es Salaam, the whole of these electoral arrangements, as it were, hang together. They are, in many respects, experimental. They are all new. They are the first elections that we have ever had for our legislature in Tanganyika, and I do not suppose that anybody would claim that they have achieved perfection. But we do believe that they are at least well worth a try.

In the light of the elections to be held under this system, I have little doubt that the Constitutional Committee, which is to meet in the autumn of 1959, will, if it deems it desirable, perhaps suggest some alterations which would require alterations in the actual system of elections. We do feel that at this stage when all these arrangements have been subject to public comment and in fact agreement in the Legislative Council very nearly a year ago it would be impossible to start tinkering with the arrangements on the basis of which the electoral rolls and all the other arrangements for the holding of the polls have been completed.

Mr. LALL (India): Before I ask my next question, may I just say that I want to assure the special representative that in making this suggestion to which he has just replied what the delegation had in mind was to achieve the very purposes which the Administering Authority has in mind. What we doubt is the desirability of going ahead with a system which has received such widespread condemnation from African opinion in the Territory. We still hope that it will be possible for the Administering Authority to tinker with this system. As I shall point out in another question, the Administering Authority has been able to tinker with this whole system which was devised. In another case, they have divided a constituency into two. I think it was the Lake District constituency. Therefore some tinkering might not be a bad thing. We all tinker with mechanical and organizational devices. I would earnestly request the Administering Authority to take a second look at this matter of tinkering with this aspect of the electoral system.

Sir Andrew COHEN (United Kingdom): I would point out in this connexion while appreciating the spirit in which the representative of India puts this suggestion forward and presses it -- first of all, that the tinkering to which he refers -- that is, with regard to the lake province -- was something which was inherent in the scheme originally put through the Legislative Council. It was always made clear that this would be done.

Secondly, I would point out what I said the other day -- and which may not have escaped the attention of the representative of India -- namely, that when this Council itself considered this matter before -- and these criticisms were mentioned at that time and were taken into account by the Council -- it stated itself: "The Council is of the opinion that this novel system can only be tested by experience and awaits with interest the results of its practical operation."

We always listen, I would say, with both ears, to what the Council says, and we carry it out. But in this case the Council has told us that it thinks this should be tried. And it is going to be tried.

Mr. LALL (India): Mr. President, I do not know to what extent you want to encourage us to debate the matter at this moment, but I should like to add this point for the consideration of the Administering Authority.

It is quite true that we passed this resolution last year; that is perfectly correct. But this Council and the General Assembly sent out a Visiting Mission to this Territory since then, and are we now this year to ignore what this Visiting Mission has found in Tanganyika and say: no; we passed such and such a resolution before the Visiting Mission went out. Now that the Visiting Mission has brought us all this evidence, we are going to ignore it? That, I submit, would be an unfortunate use of previous resolutions of the Council. I leave the point there for the moment.

But now, with great trepidation -- because I think that it would be unwise for the delegation of India to say that it could support this system of voting -- in view of that fact, I would make another alternative suggestion to the Administering Authority, and that is this. All right the Council did once say:

(Mr. Lall, India)

try this system -- even though the Visiting Mission since then has given us evidence which, I think, should lead to a change of position -- but do not make it the only system which will operate at the next elections. It has been possible for the Administering Authority to tinker a little bit with one constituency and to split it into two. I would request the Administering Authority to consider a splitting of all the nine into two constituencies, and in each case let one of the constituencies created by the splitting be a constituency where there will be a single member to be elected without any racial considerations, so that there will be, side by side, nine constituencies returning three members, on this ingenious system -- which, with the best of intentions, I believe, has been thought out by the Administering Authority -- and there will be nine constituencies which will be single-member constituencies split off from these very large constituencies, from which one member will be returned -- and it is an open secret, of course, that the member returned will probably be an African in each case, and that is something which I have in view.

My question is, would not the Administering Authority consider this very pragmatic compromise which the delegation of India is suggesting for the forthcoming elections?

Mr. FLETCHER COOKE (Special Representative): Of course, this suggestion has already been made, together with a variety of other similar suggestions in Tanganyika and, indeed, in the Legislative Council; and it was considered, I think I am right in saying, at both the September and the December sessions of the Legislative Council in 1957. But the suggestion, to my mind -- and I am directly concerned with this -- proposes an inadequate realization of the administrative problems which are involved in introducing elections into a Territory like Tanganyika. It would be quite impossible at this stage -- quite impossible. We are only six months away from polling-date; we are only about four months away from nomination date, and various candidates are already letting themselves be known, although they are not yet formally nominated, and it would, as I see it -- and certainly as the Government of Tanganyika sees it -- be quite impossible at this stage to make any change in the arrangements for the elections which are to be held on 8 September of this year.

Mr. LALL (India): I sympathize with the special representative, who is the Minister in charge of Constitutional Affairs. His is a very responsible and difficult task at the moment and, if we are trying to make his task more difficult by making these suggestions, I would beg him to realize that we are also trying to make his task more fruitful and more responsible in the constitutional sense of the word, and I am sure that he will not misunderstand them.

Without yielding my position at all -- because I remain of my own view in this matter -- I am perfectly willing and would like to suggest a further compromise to the Administering Authority -- so, as can be seen, I am backing right into its Territory -- and this compromise is this. All right; the Administering Authority is unable now to make any changes in the system. Regrettable, we think, but that is how it is. Will it then not kindly consider, as a first step to a more balanced representation in the Legislative Council of this important Trust Territory, the suggestion that there should be four members returned from each of these nine constituencies where elections will be held, on the basis of two Africans, one Asian and one European? No change in the system is asked for; no tinkering, nothing to create any administrative difficulties. I appreciate perfectly the difficulties which have been mentioned to us -- I am not convinced entirely by all of them, so I make this final compromise suggestion which, I am sure, will appeal to the Administering Authority.

Sir Andrew COHEN (United Kingdom): I think that I should answer this question, which is really one addressed to the Administering Authority.

I appreciate, of course, the extremely helpful way in which the representative of India puts his questions, but, if I may venture to say so, I really think that these questions place us, as a liberal and forward looking Administering Authority, in some difficulty. What is the position? I think that one has got to look at this much more broadly than simply on the basis of administrative difficulties, great though they are. We are concerned with a living process, the process of political evolution in a Territory, a process which depends on discussion -- not always, unfortunately, agreement, but discussion and negotiations locally with the different interests concerned. What has

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happened? We have had a long process of constitutional discussion locally, which was fully discussed and debated and the subject of questions in this Council the last time we were here in the summer of 1957. I am perfectly aware that some representatives on the Council would have liked to see this or that detail of arrangements, which had been arrived at locally, different. We recognized that there were cases where differences of view were perfectly possible -- indeed, we could not have recognized otherwise -- but we said that that was the system which had been arrived at and which was going to be operated, and that it would have to be tested by experience. Now, the Council behaved in a very friendly and understanding way towards us, and it made recommendations which broadly accepted these changes as what they were, substantial steps forward in the political evolution of the Territory. I do not think that some members of the Council necessarily committed themselves to agreeing to the whole thing. That would not have been to be expected, but, broadly speaking, the Council accepted this as a substantial step forward in the realization that the whole position would be reviewed by a committee from the new Legislative Council after the elections had taken place, elections to be held in 1958 and 1959.

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United Kingdom)

The suggestion just made by the representative of India would involve a radical alteration in the composition of the present Legislative Council. We have made it clear -- and it was made very clear by the Governor of Tanganyika in his speech of 17 September 1957 -- that the composition of the Legislative Council will be one of the questions which will be considered in the 1959 review. Although we did not state this specifically last year in the Trusteeship Council, it was implicit in the discussions which then took place.

If effect were to be given to what the representative of India has proposed as a last compromise, a radical departure would be involved. If I may say so, even the Visiting Mission made no such suggestion. The Visiting Mission had only two suggestions to make: one, that the franchise should be liberalized, as the Mission put it -- and we have explained in our observations why we do not think that this is possible -- and the other, that compulsory voting should be abolished. Naturally, one would prefer to agree on all points with the Visiting Mission, but we have explained -- and I think that we have given respectable reasons, as I described them the other day -- why we do not agree with these particular points.

If it is now going to be suggested that, before this Constitutional Committee comes into being, further and much more radical changes should be made, this does place us in a real difficulty.

It is obvious, and I entirely understand, that everyone may express his own views. I have spoken at some length -- and I hope the President will forgive me for having done so -- because I think that we shall get into rather turbulent waters if we do not adhere to the general plan which was discussed for so long last year by the Trusteeship Council and which was broadly accepted as a working basis, on the understanding that there would be a further review in 1959. I am sure that the representative of India will understand my motives in making these rather extended remarks.

We stand for the steady political development of Tanganyika. I do not think that that steady political development would be promoted by sudden shifts from a policy which has been exhaustively discussed, locally, by all the people concerned.

Mr. LALL (India): I have only one comment to make on the very enlightening and useful statement of the United Kingdom representative. My proposals are not radical; they are, like the United Kingdom representative's reasons, respectable. I would request him to read "respectable" for "radical" in reference to my proposals. I am sure that if he did that he would find the proposals more acceptable.

I have a few more questions in the political field.

The Administering Authority has said that it is unable to set forth a precise programme of political advancement. However, the Governor of Tanganyika, in his statement of 17 September 1957 to the Legislative Council, said that the first step in achieving full self-government or independence would be the institution of responsible government. If the Administering Authority cannot now give us a comprehensive programme for political advancement leading to the achievement of independence or full self-government, can it not state at this juncture when it will be possible to introduce responsible government in Tanganyika, which the Governor has mentioned as the first step? We take it that the intention is to take the first step now. Unless the Administering Authority wishes to take a static position in the matter of political advancement in Tanganyika -- and I am sure it does not wish to do so -- it logically follows that what the Governor has described as the first step will be taken now.

We should be grateful for confirmation that the first step is to be taken now, so that there should be no stagnation of the situation.

Mr. FLETCHER-COOKE (Special Representative): I have before me a copy of the statement by the Governor to which the representative of India has referred. To start with, the Governor said:

"We have solemnly stated that the aim of the Administering Power is to grant Tanganyika self-government when she is ready for it. Indeed, this aim is written into the Trusteeship Agreement. We have every intention of fulfilling it. It is therefore our duty to prepare the Territory as quickly and as thoroughly as possible for self-government. But the intermediate target must be responsible government".

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Special Representative)

The Governor did not say that the first step must be responsible government; he said that the intermediate target must be responsible government. He then went on to define what he meant -- and I am sure this is quite clear to members of the Trusteeship Council -- namely, that the position is reached when all but perhaps one or two of the members of the Legislative Council are elected; there is a lively party system; one of the elected parties forms a government -- the Ministers being drawn, of course, from one of the elected parties -- and if it does not give satisfaction to the electorate the Governor may give the other party a chance to form a government and administer the Territory.

We are, indeed, still rather far from having reached that position. We do not yet have -- although I do not think it will be very long before we do have -- any unofficial Ministers in Tanganyika; we have, of course, six unofficial Assistant Ministers. Indeed, we have only had Ministers of any kind for a matter of six or seven months. I think that we still have some way to go before we reach the stage of responsible government to which the Governor referred as the intermediate target.

As members of the Trusteeship Council will recall, I quoted last year the Governor's speech of 17 April, where he indicated the subjects which would be considered by the Constitutional Committee in the autumn of 1959. The matters in question now will also be considered there, in the sense that the Committee will discuss whether there should be a Council of Ministers, whether any alterations should be made in the constitution of the Executive Council, and so forth.

Once again, I would say that the pattern of development towards responsible government will be much clearer after the Constitutional Committee, which will be composed almost entirely of elected representatives, has deliberated in the autumn of 1959.

Sir Andrew COHEN (United Kingdom): Since this is a general question of policy, I think I must say something.

Of course, the Governor said in his speech -- if one is just looking at his speech -- "Many conditions must be fulfilled before responsible government can be achieved on a lasting basis". And he then ~~proceeded to refer to some of them.~~

The Visiting Mission has said almost exactly the same thing in paragraph 45 of its report. That is referred to in my opening statement.

We would certainly not be able to give the Council an estimate now of when responsible government can be reached. I think our views on this subject are perhaps sufficiently well known to make it unnecessary for me to speak at length on the subject. But our general thesis is this: If we are to pursue the policy and practice, laid down in the Charter and the Trusteeship Agreement, of giving the representatives of the people larger and larger participation in all the organs of government, and consulting them as to the various steps of advance, that is not, in our view, compatible with prophecies about the rate of political advance or the fixing, considerably in advance, of dates for achieving political advance. If we are to consult with the people and to proceed on this progressive basis, we believe -- and I know that there are others who take a different view of this -- that the proper course is to proceed step by step, and we do not believe that it would be possible at this stage to say when the time will come for responsible government in Tanganyika.

Mr. LALL (India): In short, then, the position is that the Administering Authority is unable to foreshadow this. I might say parenthetically that we would agree with the Administering Authority that it is unwise to prophesy in these matters. We asked this question because we thought it was no longer in the domain of prophecy, but in the domain of foreshadowing. Although I have rather abbreviated the Governor's remarks by saying that this was the first step, he does refer to this as the intermediate target and then he says that "the next steps" shall be ... etc. I thought that that meant that this might happily be the first step. But apparently, whatever it is -- whether it is the first or second step -- the Administering Authority cannot yet foreshadow when it will take place.

(Mr. Lall, India)

My next question is this: I am wondering whether the Administering Authority could see its way to advancing the date of the second half of the election somewhat. If they cannot all be held in September 1958, could not ~~the~~ second half of the elections be held, say, in January 1959, so that the committee of the Legislature to look into the matter of further political development could be appointed, say, in February 1959, rather than at the end of that year? A year is a good deal of time -- and we should like to see that time saved, if possible.

Mr. FLETCHER-COOKE (Special Representative): Once again, this suggestion was made in the Legislative Council in Tanganyika and considered. But, having taken into account a wide variety of matters which must be taken into account in fixing elections at all, and, more specifically, climatic and agricultural conditions -- which, indeed, were one of the reasons why we had to abandon our original idea, which was to have the first elections in March of a particular year -- I do not think that there is any prospect of being able to accelerate, that is, to put forward earlier in 1959, the elections at present planned for September of that year.

Mr. LALL (India): I wonder whether the representative of the United Kingdom or the special representative could give us any indication of the probable composition of the next Constitutional Committee. In this connexion, we would offer the suggestion that, in the circumstances of Tanganyika, a properly balanced committee would be one in which there was a preponderant African representation.

Mr. FLETCHER-COOKE (Special Representative): So far as I am aware, no specific thought has as yet been given to the composition of the Constitutional Committee. But if the line is followed which has been followed in the past, I would suspect that it would take the form of all the representative members of the Legislative Council, with perhaps one or two officials who are obviously directly concerned -- possibly myself as Minister for Constitutional Affairs,

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possibly the Attorney General, and so on, in order to give official advice and to make quite sure that any proposals which are deliberated or debated fall within the possibilities of Orders in Council, and so on and so forth. But I think I can safely say that the vast majority of the committee will be unofficial. However, I should not like to prejudge what may not -- indeed, cannot -- happen until some eighteen months from now.

Q. Mr. LALL (India): Elections are to be held in five constituencies in September 1958, and the registration was completed in December of last year. We should like to know how many persons have registered and what relation this number bears to the total adult population of each constituency. Is it possible also to give us a racial breakdown of the registered voters in these five constituencies?

Mr. FLETCHER-COOKE (Special Representative): As regards the first part of the question, I should make it quite clear -- because there has been some misunderstanding about this -- that registration is a continuing process. The only significance of the date 31 December is that only those who have in fact registered by 31 December 1957 will be able to take part in the September 1958 elections, because only their names will appear on the Territorial roll which will be published some time, I think, in June, or possibly even earlier. However, registrations are, of course, proceeding, and should there be a by-election during the Autumn of 1958, let us say, these latecomers will have got on to the roll and will be entitled to vote.

The representative of India has asked me whether I could indicate the proportion, as it were, between the adult population of the constituencies and the numbers who have registered. I could do that -- but not immediately. However, it would perhaps be more helpful if I indicated, as indeed I did at the last session, the number of potential voters in so far as the Government was able to estimate them. We estimated that, for the total of the ten constituencies, the total electorate -- if everybody registered who was entitled to vote -- would be of the order of 150,000. That was admittedly very much of a guess, because we were unable to provide wholly for overlapping -- that is, for those persons who

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would qualify under more than one category as electors. It also leaves unanswered the question as to the income of a large number of Africans who hitherto have not, as it were, disclosed their income publicly, and have not therefore paid the appropriate tax on it. The figure of 150,000 can therefore be, at best, a guess.

Very roughly, that 150,000 was divided: as to the five constituencies for the September 1958 elections, 75,000 -- and, for the others, 75,000.

I announced in my opening address that, although the final figures of those who got their names on the books for the five constituencies are not yet known, because some who came in at the very end of the period are still being checked, the figures suggested that some 29,000 persons had registered to vote in the five constituencies in which the elections will take place in September 1958.

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I should point out that as soon as the 1958 constituencies were announced -- which was on 17 September 1957 -- the number of those registering in the other constituencies fell off and there was practically no registration because the people realized that they had plenty of time. They realized that they had anything up to a year or even more in which to register. All the 29,000 potential voters are, of course, recorded on a common roll, and there is no specific distinction made as between the voters of different races. I can, however, assure the representative of India that, as foreshadowed during the last session of this Council, the number of African voters who have registered is in excess of the number of Asians and Europeans -- that is the two other main communities -- combined. It is quite substantially in excess of the total of those two. If the representative of India would like the population figures by constituencies, I am not sure that they are broken down as to adults. I have the population figures by constituencies, but I think that they probably cover men, women and children.

Mr. LALL (India): I would just make this comment on that reply, for which we are grateful. We would like such statistical information as the special representative can give us about population, etc., for each constituency.

John Fletcher
I should like to preface my next question by saying that we share the view of the Visiting Mission that the present electoral qualifications result in far too restricted an electorate. I am not going to put any questions on that matter itself directly, but we will support any suggestions which emerge in the Council about widening the electorate. However, may I ask this? In the bill which has been passed about setting up district councils, what is the electoral qualification?

Mr. FLETCHER-COOKE (Special Representative): At the moment, although there is provision in the law -- as it now is -- for elections to district councils, it is not proposed at the present stage to have elections to district councils.

Mr. LALL (India): I wonder whether the special representative could kindly elucidate that. There is apparently provision in the Act for elections, but it is not proposed to have them. What, then, is the purpose of the provision, might I ask?

Mr. FLETCHER-COOKE (Special Representative): Perhaps I did not express myself very well. The position is this. As I indicated in my opening address, the instruments relating, I think, to nine district councils have already been approved by the Legislative Council, and the district councils concerned will be set up in the near future. They will be set up by a procedure of nomination such as at present still exists for the Legislative Council itself, but the law -- that is, the general law amending the Local Government Ordinance which deals with district councils -- provides that elections may be introduced into any area covered by a district council for the election of a district council. I do not recall the exact technical way in which this is done, but it is either by inclusion in the instrument or by some general notification or proclamation or order made by the Governor. Indeed, the procedure is exactly the same as is followed in the case of the town councils.

Members of this council will remember that from time to time I announce here -- as I did at the last session and as I have done on this occasion -- that a number of town councils have asked that elections should be introduced. As a result, an order is made, because there is power in the parent law to make such an order, saying that as from such a date the town councils of such and such places shall be elected. And that is being done. For example, elections have just been held in Arusha and Morogoro, and there are two or three other towns in which they are to be held this year. The same procedure will be followed in the case of district councils: namely, when there is a request from the people in an area covered by a district council that they should proceed to elections then there is power, without an amendment to the law, to introduce elections in that area.

Mr. LALL Councils
Mr. LALL (India): Perhaps the special representative could, in the circumstances, give us a brief run down of the provisions of this new Act so that we may be informed of what will be the position of the district councils and what functions they will have. They are, I take it, to be nominated. What sort of composition is in view. We trust that it is not a parity composition, but we would be grateful for information on that point. And are we to understand that the request for an election is to come from the nominated body? If so, is it not pushing human nature rather far to expect persons who get on to councils easily by nomination to say, "All right, we do not want this system to continue, and we would like now to seek to be elected by our people"? I should be grateful if these points could be clarified for us.

Mr. FLETCHER-COOKE (Special Representative): Human nature may be different in Tanganyika, but the fact remains that exactly that process is taking place in the case of the nominated town councils, and almost every six months we receive two or three requests from the town councils themselves that they should in future be elected. I have not a complete list before me now, but they are recorded in my opening address and in the remarks I made on the last occasion. It is a fact that the same procedure has been followed, for example, with regard to the Dar-es-Salaam municipality which, hitherto, has been nominated, but with a provision that whenever the municipal council was of the opinion that elections should be introduced and made a request to the Government in that sense they should be so introduced. The municipal council has made such a request to the Government, and elections will be held in the Dar-es-Salaam municipality either towards the end of this year or in January of next year, according to when they can be arranged.

I do not think, therefore, that the representative of India or any of the members of this Council need have any fear on this score. With regard to the first part of the question, which related to the composition of the district councils, to begin with there will, of course, be a certain number of nominated officials -- that is to say, ordinary officials in the districts who are responsible for departmental work. That is very largely so that they may be able to answer questions and explain matters to their fellow members. They will most

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certainly be in a small minority. Similarly, as regards racial representation, it is the intention that all these councils shall be predominantly African, and indeed, a number of them, where there are no substantial interests of immigrant races, are likely to be wholly African. In a number of districts where there are such immigrant interests there will be a small number of these nominated officials to represent European and/or Asian interests. I cannot say exactly how many there will be, because it will vary from district to district, but the number will be very small in comparison with the total number of Africans.

Mr. LALL (India): We are grateful to the special representative for that reply, and we note with pleasure and satisfaction that these district councils will be predominantly African, and sometimes wholly African, apart from the nominated official bloc.

Mr. FLETCHER-COOKE (Special Representative): There is just one point which I should add. There is no provision in the law for any specific parity or other representation. It is purely -- at this stage -- at the discretion of the nominating authority whether or not it is desirable to have one or two representatives of the minority communities on these district councils.

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Furthermore, as I mentioned in my opening statement and as underlined in the observations of the Administering Authority, no District Council can come into being unless the people of the district of the area concerned have requested it and require it, and the Minister concerned is satisfied that it is in response to a public demand. They would only demand it, of course, if they had an indication of the sort of composition of the Council which was likely to result from their request.

Mr. LALL (India): Our satisfaction is heightened because we see that the nominating authority, which is undoubtedly the Administering Authority, realizes that in the composition of these District Councils there should be a predominance of Africans, and undoubtedly they will feel the same way about the Legislative Council, which, after all, in time to come will be the apex of this system. There cannot be a base on one system and the apex on another. In that case it would fall apart. However, we are very grateful indeed for this reply.

I did ask also about the functions of the District Councils. Perhaps the special representative could circulate a brief paper about it if it would take up too much time now. At this juncture I would ask for one piece of clarification. We presume that when these District Councils are set up they will perform some of the tasks now being performed by the Native Authorities. If a paper is circulated, we would also like to be given some indication of how the local functions will be distributed between the local authorities, on the one hand, and these new District Councils, on the other.

Mr. FLETCHER-COOKE (Special Representative): I would welcome this opportunity of explaining the position perhaps a little further. The intention is that the District Council shall be the ordinary local government body for the district. It will in fact be concerned with all matters with which a local government body is normally concerned, and it will take over all those matters from the Native Authorities. The Native Authorities will, of course, be members of the District Councils. Indeed, it is quite possible, though this is not provided for in the law, that in a number of cases the Chief may be the Chairman

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of the District Council. That means that the only matters which will be left to the Native Authorities as such are the matters which fall specifically within native law and custom and with which a local government body such as the District Council would not be an appropriate body to deal at all. That is why we had the second ordinance, which was called the African Chief's Reservation of Powers, which provides that none of their powers in so far as they concern native law and custom shall pass to the District Councils, but their powers in so far as they relate purely to local government -- roads, bridges, health measures and so on -- shall pass to the District Council, which, although it will have a predominantly African majority, will have powers over everybody living in a district irrespective of race.

Mr. LALL (India): I should like to ask a question about the ten Town Councils which have been set up so far. In how many of these Town Councils have there been elections for membership to the Council? How many more Town Councils are planned and how soon will elections be organized in them? Don
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Mr. FLETCHER-COOKE (Special Representative): I believe I mentioned in my opening address last time the exact figure. Certainly I can look it up for the representative of India. At the moment, elections have been held, as I mentioned in my opening address, in Arusha and Morogoro. They will also be held in Dar-es-Salaam, which is a municipality, and in Lindi and Dodoma during this year. That will make five. There is to be a new Town Council not yet in being at Tabora on 1 July this year.

Mr. LALL (India): May I ask how soon it might be possible to proceed to elections in the remaining six, that is the five which exist and the new one which is coming into being.

Mr. FLETCHER-COOKE (Special Representative): That depends on human nature in Tanganyika. The other five have asked for it fairly rapidly, and I think that these five will feel obliged to follow suit. Of course, in Tabora, which is to be set up this year, they will probably want a year or so to settle

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down into their new functions and duties. However, I would suspect that within the next two years they will all ask for elections. Nobody, in fact, is hanging back.

Mr. LALL (India): I gather that the age qualification for the electorate in the Town Councils is a minimum of twenty-five years. It is not easy to understand why that ripe age should be required for a Town Council, while twenty-one years is required for the Legislative Council. Could the Administering Authority kindly enlighten us on that point?

Mr. FLETCHER-COOKE (Special Representative): I think this is covered to a certain extent in the observations of the Administering Authority. The point is that in order to qualify as an elector in a Town Council one must have certain qualifications other than merely being of a certain age. One must have some stake in the town, that is to be either the owner or the occupier of property of what is in fact a very small value. If one has no stake in the town in the shape of being either the owner or the occupier of property, one is not, any more than one is in the United Kingdom, a local government elector. If the representative of India desires the exact details, I can certainly ensure that they are given to him.

Mr. LALL (India): I appreciate the sense of the remarks made now, but surely a man of twenty-one can inherit property. I am not at this moment suggesting that he should not have the stakes which are laid down, though perhaps those should be examined also, but why the age of twenty-five? Why should he not, if he has the other qualifications, vote from the age of twenty-one?

Mr. FLETCHER-COOKE (Special Representative): Paragraph 38 of the observations of the Administering Authority corrects a misunderstanding or a misstatement in the Visiting Mission's report as follows:

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"The Local Government Elections (Urban Areas) Ordinance extends the franchise to all persons (who otherwise qualify) over the age of 21 years and not 25 as stated in paragraph 103 of the Report." (T/1362, page 10)

Mr. LALL (India): I am grateful for that clarification. There are just two or three more questions in this field with which I shall conclude. Are there any secretaries to the Government of Tanganyika who are African? If not, by when does the Administering Authority propose to fill at least some of these posts by Africans?

Mr. FLETCHER-COOKE (Special Representative): I presume that the representative of India is in fact referring to what we might call senior posts in the Ministries as they now are. At the moment there is only one African who is working as a civil servant in a senior post and he is in the Ministry of Finance and Economics. There are, of course, as the representative is aware, four Africans unofficals who are Assistant Ministers in four of the Ministries.

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As to the second part of the question, the Government of Tanganyika is always seeking to find Africans who are qualified to take higher posts in the Ministries. But as I mentioned on another occasion this morning in one of the Committees, one of our difficulties -- and although it is very much in the best interests of Tanganyika, it causes us a certain amount of difficulty -- is that a large number of the Makerere graduates are attracted away from Government service by the very good terms now offered to them for employment in large commercial undertakings operating on an East African scale. To give but one example, the Shell Company has a very attractive training scheme for graduates from Makerere, and they have attracted a large number of Africans that we would willingly have seen in Government service. They pay them more, I think, and there are various other commercial undertakings which do the same thing. However, we are certainly as a Government increasingly conscious of the need to bring as many Africans as possible in, and although one swallow does not make a summer it is at any rate a beginning.

Mr. LALL (India): I am not at all clear as to whether there are or are not any Africans from Tanganyika in the Colonial civil service where they could aspire -- that is to say, the administrative grade of the Colonial civil service -- to top posts like even that of the Governor. Are there any Africans in the Colonial civil service, and if not, is it not possible to select, say, half a dozen men each year at least -- perhaps a dozen men -- for advanced training, if necessary, at Cambridge? I notice that Tanganyika does not seem to send its men to Oxford, so I am perfectly willing to make this compromise suggestion: that they send them to Cambridge if they prefer that and recruit them to the Colonial civil service on the same footing as the British members of that service in order to develop a real team spirit. That seems to me to be essential. I would be grateful for some information on this point.

Mr. FLETCHER-COOKE (Special Representative): In my opening address I mentioned that by the end of this year there will be, I think it was, six or seven African District Officers who will be doing exactly the same work as their British counterparts, their counterparts from the United Kingdom. In fact, two of them are at the very moment completing a course at Cambridge, and two more have just been selected from Makerere to go to Cambridge during the academic year 1958-59 to take the ordinary colonial service course. There is nothing of which I am aware to prevent any of those Africans on their return to the Territory as members of the Provincial Administration from rising to the highest posts in the Territory.

Sir Andrew COHEN (United Kingdom): I was only going to say, taking a slightly wider view, that we have regarded it as sound policy to encourage the people of this or that Territory for which we are responsible to go back to that Territory and work there. It seemed to us to be the right thing to do in the period when every Territory is so desperately anxious to get people of the Territory in the higher ranks of its civil service. The fact that the training course to which the special representative has referred is the same as that for people recruited from the United Kingdom or from other parts of the world is, I think, a significant pointer of the importance which we attach to the esprit de corps, which the representative of India also mentioned, these people working with their colleagues from overseas.

Now I am told that the people from Tanganyika -- I am not sure whether this is absolutely correct -- could have gone to Oxford if they wanted to. I regard it as an encouraging matter, on this occasion at any rate, that they chose Cambridge.

Mr. LALL (India): I am very grateful to Sir Andrew Cohen and to the special representative for those comments, and now I wish to make this suggestion to them which is in the form of a question. In view of the fact that the Visiting Mission has expressed the opinion that it is important to pursue a more vigorous programme of technical training and general education in order to increase rapidly the number of Africans occupying senior posts and in view of the fact that the Mission believes that such action is an essential condition

(Mr. Lall, India)

for the orderly and rapid progress of the Territory towards self-government, could the Administering Authority set out before the close of this session of the Trusteeship Council the outlines, at any rate, of a programme in this field, that is to say, a positive detailed programme of training and recruitment to the administrative grade of posts in Tanganyika on the basis, may I suggest, of at least half those posts being filled at the recruitment level by Africans?

Mr. FLETCHER-COOKE (Special Representative): I do not think I could give any undertaking that such a scheme would be prepared and drawn up before the end of this session. There is a considerable amount of work going on in this matter, and I would invite the attention of the representative of India to the passages contained in paragraphs 45 and 46 of the Administering Authority's observations on this question of the advancement of Africans in the service of the Government of Tanganyika and also to the details given which dwelt more specifically on the administration, that is, administrative officers, which are referred to in my opening address, and also for that matter to another part of my opening address which deals with a very large programme of which I do have some details, of the forty-three courses for in-service and pre-service training which is expected to cover some 4,000 officers most of whom, but not all of whom, of course, will be Africans during the coming year 1958. I cannot avoid drawing attention to another passage in my address in which I said that for once this is not a question of money in the sense that we now have a bursaries fund, a fund for higher education which would include education for training suitable candidates to be administrative officers, but that the number of applications of those with the basic qualifications coming forward is very much of a limiting factor. There are, of course, a large number of competing forces at work; for example, in the King's African Rifles we have recently had a Selection Board for Africans from Tanganyika, as from other Territories, to be trained as officers and to go to Sandhurst. I think there were ten candidates -- who, incidentally, came from all the three races -- and two Africans and one Asian were, I think, selected. There again, that is another field for educated Africans which diminishes the numbers available for the administrative service, but it is a problem which is very much in our minds. I can assure the representative of India that his remarks on this subject will be very definitely and positively brought to the notice of the Government of Tanganyika.

Mr. LALL (India): I am most grateful to the special representative and to Sir Andrew Cohen for these replies. I do not propose to ask any more political questions because, although there are many more opening up in my mind, I do not think that that would be the best way to help you, Mr. President, to fulfil your programme of work in this Council. Therefore, I will stop asking political questions. But may I just add this with reference to the last question. I do see that the Administering Authority is making quite considerable efforts in this field. What I had in mind, however, was that in the sort of situation in which Tanganyika is politically, it is by no means radical -- I believe it is respectable -- to suggest that there should be a definite policy statement now that for all the administrative grade of posts, recruitment will include a definite provision that 50 per cent, at least to begin with, of these posts at the administrative level, that is to say at the grade at which normally the young British officer goes to Tanganyika, will be open to recruitment and will be filled by African or indigenous candidates.

That is the point really. I trust very much that it will be possible for the Administering Authority to work out that sort of policy statement and put it into effect.

Sir Andrew COHEN (United Kingdom): I would like to say that although answers to the questions put by the representative of India may on certain points have indicated differences of detail, I greatly appreciate the spirit in which these questions are put forward and I think that both Mr. Fletcher-Cooke and I have greatly enjoyed trying to answer the questions.

May I also say something in relation to the last point made by the representative of India. No one would be more happy than us or, I am sure, than the Tanganyika Government or the United Kingdom Government, if it were possible to make such a bold statement as the one which the representative of India suggests. I myself have a liking for bold statements. I am not sure that I like this distinction between radical and respectable. But I think I may have been responsible for that myself. But it is no use making a bold statement if the facts cannot support it.

(Sir Andrew Cohen,
United Kingdom)

The limitations on the recruitment of Africans are simply and solely these: the availability of educated Africans, given all the competing positions in which they are now being so actively sought, not only in the administration, but in the technical services and in commerce, about which we have heard. This is the limitation.

Therefore, it is also part of our task and part of our purpose to proceed rapidly and energetically with the expansion of the education system. Of course we have to consider the limitations of money, and in order to break down these limitations of money, we have to develop the resources of the Territory. And all these things are not things which can be done in a day. We could not, I am afraid, make a statement such as the representative of India has proposed at the present time, because what is absolutely of fundamental importance to the development of Tanganyika and to the advancement of Africans in all the fields in which we desire to see them advance is that the Government should be properly manned. I do not think that the numbers would make it possible to do precisely what the representative of India suggests.

I can only say this -- and it has been said by the Administering Authority in their observations, it has been said by the Secretary of State in his recent speech, it has been said by the Governor, and it has been said by us here: We will press on -- and I can assure the Council of this in the most earnest terms -- by every possible means, with the training and recruitment of local people for the civil service in all its forms. There is nothing in Tanganyika to which we attach greater importance than this. We will press on, by all possible means, with the various measures, both in educational development and in economic development, which are necessary for the success of this policy. We shall press on with this vigorously and imaginatively.

I cannot, I think, go further than that. I hope that we shall have the support of every member of the Council, not only in the educational measures which we have to take to this end, but also in the measures for the development

(Sir Andrew Cohen,
United Kingdom)

of the economic resources of the Territory. I hope in particular that no member of the Council will find any particular economic theory militating against this necessary process of economic development, without which this structure which we desire to see raised as rapidly as possible cannot be raised. All these things go together and we must pursue all aspects of our policy with equal vigour.

The meeting was suspended at 4.25 p.m. and resumed at 4.45 p.m.

Mr. FLETCHER-COOKE (Special Representative): The representative of India, who is not here at the moment, suggested that we should draw up a plan to ensure that 50 per cent of the vacancies for district officers should be filled by Africans. As I indicated, although this matter is very much in our minds, we have no specific plan in that direction. But it does happen that in the last twelve months we had ten or eleven overseas cadets from the United Kingdom, and as I indicated in my opening statement, during the same period some six or possibly seven African district officers will be appointed, so that at least we have reached the stage of about $33 \frac{1}{3}$ per cent of the total intake being Africans.

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Mr. KIANG (China): Mr. President, with your permission I should like to pursue the very first question asked by my colleague before me. I hope that what I am going to ask will not give any cause for misunderstanding on the part of the representative of the United Kingdom, particularly when he said, "we have the previous recommendation of the Council." As you know, in the light of new developments in the Territory, the previous recommendation of the Council does not deter us from pursuing a question of this kind.

Now, do I understand correctly that the registration of voters, completed in December 1957, was confined to the first few constituencies chosen for the first round of elections in September 1958?

Mr. FLETCHER-COOKE (Special Representative): No. The position is that the electoral registration rolls were opened on 1 August 1957. Between 1 August 1957 and 31 December 1957, and indeed subsequently, application forms have been received from persons residing in, and therefore eligible to vote in all the constituencies. But the figure which I gave to the Council in my opening statement, of 29,000, relates to those from the five constituencies in which elections will be held in September 1958 because, of course, the others, although they have registered by 31 December 1957 and whose names will appear on the first electoral roll which will be published I think in June, will not be voting during 1958 although their names will be on the roll. The answer, therefore, is that registration has been opened for voters from all

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Special Representative)

constituencies, from the very beginning, that is from 1 August. But I gave only the figures because that is the only one that the Council is likely to be interested in, particularly, when it was announced on 17 September which constituency elections would be held in September 1958, the flow of registrations from constituencies in which elections will not be held in September 1959 fell off very considerably. Many people said to themselves, "Well, I may be in a different constituency by then; there is no rush for me to register."

Mr. KIANG (China): Now, we understand very well that the Administering Authority could not accept the majority recommendation of the Visiting Mission for postponement of the elections. But the special representative did give me the impression, on my reading of his opening statement, that such a recommendation could not be accepted for fear that the elections to be held in September 1958 would have to be postponed. Now, would the Administering Authority take into account such a recommendation in respect of elections to be held in other constituencies in 1959? Of course, that will mean a partial postponement.

Mr. FLETCHER-COOKE (Special Representative): With the greatest respect I find it very difficult to follow how, once you have put on the Statute book an ordinance governing elections, and once you have opened your electoral rolls for the registration of voters to participate in those elections, you could in fact contemplate any changes either in the terms and qualifications of candidates or voters, or the timing of the elections until those two rounds of elections, all of which form part of the coherent whole, are over. I have no doubt that before Tanganyika has further elections, there will be changes following upon the deliberations of the Constitutional Committee in the autumn of 1959. But, I do not see how it would be possible to change, for example, the constituencies or anything else for the 1959 elections if you have it in a certain way for the 1958 elections.

Mr. KIANG (China): I thank the special representative for that clarification.

The special representative may still remember that last year, when we discussed the tripartite vote system, he said in reply to a question which I put to him at that time: "We have not, of course, made this -- that is, requiring the people of all electorates irrespective of race to vote for a candidate of each race -- obligatory by law." If that is so, why could not the Administering Authority consider making the vote optional for one candidate of each of the three races as proposed by the UTP?

Mr. FLETCHER-COOKE (Special Representative): I may perhaps have given the wrong impression. It really relates, I think, to the first question raised by the representative of India.

There is no part of the elections ordinance which says that every voter must vote for all three candidates if there are contested elections. What the law does say is: if you are a registered voter and if you wish to exercise your vote, it will be invalid unless you vote for each of three candidates in a contested election. There is a slight difference there. Nobody is compelled to vote for anybody, as is the case in some countries. But if he does vote, his vote is invalid unless he votes for a candidate of each of the three races. Therefore, any suggestion that the present arrangement should be altered would in fact require an amendment to the law because the law says that a valid paper which does not contain the three crosses, as it were, is an invalid ballot paper and is not counted.

Mr. KIANG (China): In the same connexion, the special representative told us last year that the tripartite voting system was actually a representative and not a racial system. If it is not a racial system, then why have the African votes been made so important? As you know, no Asian or European candidate can enter the Legislative Council without the African votes. I would like the special representative to comment on my observation.

Mr. FLETCHER-COOKE (Special Representative): I am very grateful to the representative of China for the opportunity to make this comment because, of course, it is the very essence of this proposition of the tripartite vote. If, let us say, there are two European candidates contesting a European seat, the one who is going to be elected is the one who receives the greatest number of African votes because in every constituency -- at any rate, for the September 1958 elections -- the African voters greatly outnumber the voters of other races. That being so, the European candidate who wishes to be elected must stand on a platform which is going to have some appeal to the Africans.

Mr. KIANG (China): We have learned from the Visiting Mission's report that the TANU has suggested a sixteen to sixteen formula as an interim arrangement for equal representation in the Legislative Council. I know very well the answer that will come from the special representative. However, I should still like to know what the Administering Authority thinks of such a suggestion.

Mr. FLETCHER-COOKE (Special Representative): Most of the criticisms which have been made of the system of parity -- which is the present system of representation in the Legislative Council -- are based on the fact that you cannot really dispose of these things equitably by a mathematical formula. And whether or not one accepts that particular point of view, there seems to be even less justification for taking another mathematical formula, which was a formula put forward by TANU. In point of fact, I think I am right in saying that the President of TANU himself said that he merely put it forward as a possible suggestion and that he did not hold any particular brief for it for the very good reason that it is merely juggling with figures. The justification for the original parity proposal, which was introduced in 1955, I think, on the basis of the original recommendations of the 1951 Constitutional Committee, was that very roughly the contributions of the three communities in terms of finance, capital, labour, man-power and so on to the present development of Tanganyika were equal and that therefore they should have equal representation.

constituencies
Mr. KIANG (China): I should like now to proceed to my next questions, which concern the suggestions of the United Tanganyika Party in the political field.

The UTP has advocated that further constituencies should be created.
Would the special representative care to comment on this suggestion?

Mr. FLETCHER-COCKE (Special Representative): I have no doubt that that and similar proposals, including possibly some of the proposals put forward by the representative of India, will all be considered by the Constitutional Committee, which will meet in the autumn of 1959. I was very interested in the proposals put forward by the representative of India because I am able to add them to my list. I have spent a considerable amount of time devising various possibilities for consideration by this Committee, and I am quite sure that single-member constituencies as suggested by the UTP will be one of the possibilities.

Mr. KIANG (China): In view of the answer given by the special representative, I do not know whether it will serve any useful purpose for me to ask another question relating to the suggestion of the UTP. However, I think that it will be useful to hear his answer. What is the merit of the suggestion of the UTP that there should be a second consultative chamber?

Mr. FLETCHER-COCKE (Special Representative): The Governor, in his address of 17 April 1957, indicated that the Constitutional Committee, in the autumn of 1959, would be asked, in all probability and among other things, to consider the possibilities of a Council of State. All sorts of interpretations can be put upon that phrase, "Council of State", and it is possible -- I can go no further than that -- that the Constitutional Committee may consider that there is some merit in having a second chamber.

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constituencies
Mr. KIANG (China): Before proceeding to the question of the District Councils, I should like to ask the special representative a question in connexion with the Constitutional Committee. I think that a question was

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raised previously with regard to the composition of the Legislative Council. I wonder whether the future composition of the Legislative Council could be on the lines suggested by TANU, namely, the sixteen-sixteen formula.

Mr. FLETCHER-COOKE (Special Representative): I am not quite sure that I follow the question. If the representative of China is asking me whether I think that that particular proposition -- that is the TANU proposition of the sixteen-sixteen formula -- is likely to be acceptable to the Constitutional Committee, I cannot answer him any more than I could about the UTP proposals. I can only say that there is sufficient political activity in Tanganyika to ensure that all these suggestions will one way or another find their way before the Constitutional Committee. They will all, I have no doubt, be considered because members of the Committee will put them forward. Perhaps I misunderstood the question.

Mr. KIANG (China): I am afraid that I have not made myself clear. I am not asking whether the suggestion which we made at the very beginning would be considered by the Constitutional Committee. What I am referring to is the composition of the Constitutional Committee. That is to say, could it be so constituted as it is on the basis of that kind of formula of sixteen-sixteen? Certainly, that Committee will become predominantly African.

Mr. FLETCHER-COOKE (Special Representative): I am sure that the representative of China will not expect me to say now -- because I am not in a position to do so -- how the Constitutional Committee will be composed. It will be a matter for settlement by the Governor of Tanganyika in consultation with the Secretary of State for the Colonies. It is a decision which will have to be taken some ~~eighteen~~ months from now ~~indeed~~ not until after the September 1959 elections. I cannot possibly predict what form the Constitutional Committee will take. I can only say that I am quite satisfied that there will be an unofficial majority on it.

Mr. KIANG (China): Now I shall proceed to ask some questions concerning District Councils. In the field of local government, we have heard with great interest that the Local Government Ordinance 1957, which was enacted in December 1957, enables District Councils to be established. Will the special representative tell us how the nine Districts, referred to in his opening statement, expressed their wish to have District Councils established? How did the Minister for Local Government and Administration become aware that there was a general wish among the local people for the establishment of such District Councils?

Mr. FLETCHER-COCKE (Special Representative): The procedure would certainly be that the Native Authorities, who are at the moment local government bodies in those areas, applied to the Minister for Local Government and Administration, requesting that District Councils should be introduced into their areas and that the Minister for Local Government and Administration then satisfied himself that the views put forward by the Native Affairs Authorities were in accordance with the wishes of the people of that area, and if there had been in any of those areas strong opposition to the introduction of such District Councils, irrespective of the initial approach by the Native Authorities, then no doubt the Minister would not have felt satisfied.

Mr. KIANG (China): Does the appreciation of such a new form of local government on the part of the local people also mean that non-Africans have already been co-opted to the so-called Native Authorities?

Mr. FLETCHER-COCKE (Special Representative): I believe that in thirty-two districts there are non-Africans invited by the Native Authorities to sit with the Native Authorities when they are discussing matters of local government concern. Needless to say, they would not be invited to sit if the Native Authority was discussing a matter which related solely to native law and custom. Indeed, it is in areas in which the Native Authorities have seen the value of having a few representatives, in the District, of the immigrant communities associated with them in their deliberations that they have asked that this should be now be put on a statutory basis.

Mr. KIANG (China): We have understood from the opening statement of the special representative that non-Africans have been invited by the Native Authorities to sit with them in thirty Districts. Could the special representative tell the Council what is the distribution of those thirty Districts in terms of provinces?

Mr. FLETCHER-COOKE (Special Representative): I could not do that offhand, but I think I am right in saying that they are widely distributed throughout the Territory -- that is, there is no one province in which they are, by and large, any more or less. In some areas, of course, where there are very few interests of the immigrant communities, it is probable that this particular procedure of inviting immigrant representatives to sit with Native Authorities does not exist because there has been no call for it. But it is certainly not restricted to any particular area of the Territory. I can think of examples almost all over the Territory, and indeed, in the list of those Districts which I mentioned in my opening address in which they have actually now asked for District Councils, they too are fairly widely distributed.

ref Mr. KIANG (China): We should be grateful if the special representative would on a later occasion give us more information on the distribution of the thirty districts in terms of Provinces.

In his opening statement, the special representative gave us a very interesting account of the second meeting of the Chiefs' Convention. Did the Administering Authority have any official present at that meeting?

Mr. FLETCHER-COOKE (Special Representative): The Minister for Local Government took the Chair at the opening meeting, and I believe at the closing meeting, as well. At some meetings, when the Chiefs wished to discuss their own affairs, no representative of the Government was present; certainly, no representative of the Government was in the Chair, and I do not think any such representative was even present, unless possibly by invitation.

Mr. KIANG (China): In connexion with this Convention, the special representative also said the following in his opening statement:

"... the Chiefs showed a most responsible and very realistic attitude to the various problems with which the Territory and its peoples are faced". (T/PV.872, page 29-30)

I should be very grateful if the special representative could elucidate on that remark.

Mr. FLETCHER-COOKE (Special Representative): I do not have before me a complete list of the topics which were discussed at the Convention; these topics were suggested by the Chiefs themselves. I do know -- and the representative of China may be interested in this -- that one of the subjects to which a very great deal of attention was paid was the possibility of a consultative second chamber. The other topics were largely administrative matters relating to the collection of taxes, and so on -- matters with which, as Native Authorities, the Chiefs are directly concerned.

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The general reports which I have had on the meeting, both from some Chiefs and from the Government officers who were there at the beginning and at the end, indicate that the Chiefs approached all these problems in a most responsible manner. In other words, they realized the various problems, particularly the economic ones, facing the Territory of Tanganyika, and they adopted a very realistic attitude to such matters as the desirability of ensuring an adequate flow of capital from outside in order to provide the social services so badly needed.

Mr. KIANG (China): Did the second meeting of the Chiefs' Convention discuss the matter covered by the Local Government (Amendment) Ordinance 1957?

Mr. FLETCHER-COOKE (Special Representative): It is my understanding that that was discussed. Of course, this meeting preceded the meeting of the Legislative Council at which the instruments for the nine District Councils were approved. In fact, that latter meeting took place after I had left Tanganyika.

Mr. KIANG (China): Could the special representative tell us a little more about the feelings expressed at the Convention with regard to the Local Government Ordinance?

Mr. FLETCHER-COOKE (Special Representative): At the December meeting of the Legislative Council, at which I was present, there was some suggestion from the representative side that the District Councils law would in fact impinge upon the power and position of the Chiefs. That was answered in no uncertain terms by two Chiefs from the Government bench -- Chief Thomas Marealle, who is well known to members of the Trusteeship Council; and Chief Lugusha, who is one of the Assistant Ministers and is now a member of the Executive Council. Both these Chiefs took the line, which they declared publicly, that they had discussed this matter with their fellow Chiefs and were quite satisfied that the proposal whereby ordinary local government functions would be transferred to District Councils, while native law and custom responsibilities would be reserved to the Chiefs and Native Authorities, was in the best interests not only of Tanganyika, but also of the

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Chiefs themselves. They said this at some length, and I was subsequently informed that they said the same thing at the Chiefs' Convention -- of course, this matter was dealt with at one of the closed meetings -- and that their fellow Chiefs agreed with them.

Mr. KIANG (China): I think that the special representative knows full well why I have asked this question. He must have in mind that it was in connexion with this matter that Mr. Nyerere resigned from the Legislative Council; of course, I shall revert to this subject later.

I should now like to ask one or two questions in connexion with the political parties in the Territory.

In the light of what has been said in the Visiting Mission's report, has the special representative anything to say about the competition between political parties for popular support in relation to any Government programmes? What is the effect of such competition?

Mr. FLETCHER-COOKE (Special Representative): I must confess that I do not altogether follow that question, and I am not quite sure that I ever followed the remark in the Visiting Mission's report concerning the attempts of political parties to gain support by taking up a particular attitude towards Government schemes. I might perhaps elaborate upon this in the following way:

As members of this Council are aware, there are in Tanganyika -- as there have been for some time past -- a number of schemes connected with agriculture, soil conservation, planting, cattle dipping, and so on, which I believe I am right in saying the Visiting Mission satisfied itself were by and large in the best interests of the Territory and of the people for whose benefit they were devised. On the other hand, it is undoubtedly a fact that in some cases these schemes require a certain amount of hard work; in other cases, cattle must be taken to the dips once a week and so on; and some of the people regard these as rather onerous duties. It has not been difficult for any political party wishing to gain political support to attempt to attack those schemes, saying: "If you increase our power and prestige, and more particularly if you vote us into a position of authority,

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we shall see that these schemes come to an end". I presume that that was what the Visiting Mission had in mind when it made the remark in question. I also presume that that is what the representative of China has in mind. If that is the case, it is certainly true that at least one of the political parties has adopted the attitude of attempting to secure popular support by attacking schemes which, I think every member of the Visiting Mission would agree, were designed for the sole purpose of benefiting the people of the areas in which they have been applied.

Mr. KIANG (China): I should like to ask the special representative whether he cares to comment on paragraph 77 of the report of the Visiting Mission, in reference to the banning of the TANU branch at Iringa.

Mr. FLETCHER-COOKE (Special Representative): If I were to give the Council a full account of the incidents which led up to the decision to close the Iringa branch of TANU, I think I would occupy a very great deal of the Council's time. I think that I can perhaps keep my reply as brief as possible by putting it in this way: The contention of the President of TANU in his letter to the Governor -- of which copies were sent, I believe, to the Trusteeship Council -- is to the effect that the central authority of TANU in Dar-es-Salaam themselves got rid of the offending member, who was the secretary of the Iringa branch, as soon as they could do so. The Government's contention -- and we have documents to support this -- is that, in fact, it was six or seven weeks after the first notification of the serious situation which was arising there came to the notice of the TANU authorities before they took any action in this matter at all; that, in fact, although they have tried to suggest that it was this single individual, the secretary, who was responsible for this anti-dipping campaign, he was supported throughout by all the members of the TANU local committee, although no disciplinary action was taken against any of them; and that, even after he had been formally removed from his office by the TANU headquarters, he was still in fact continuing as secretary there.

The whole episode, as it appeared to the Government, showed that the TANU headquarters in Dar-es-Salaam seemed to have very little control, if any, over the activities of the branches, and that such action as they did take was ineffective and was also taken far too late, in the sense that the damage had been done and was still being done.

I should not like to weary the Council with a detailed, day-by-day list of the various developments. But I can assure members of the Council that that was the reason that the Government felt constrained to close the Iringa branch.

Mr. KIANG (China): I find that answer of the special representative quite satisfactory, and it gives me quite a clear ~~picture of this episode.~~

I now come to the question in connexion with Mr. Nyerere's resignation. I am not going to ask for the reasons, because they are given very clearly in one of the communications that have been circulated, document T/COM.2/L.45. All I want to know is this: We understand that the elections are to take place in Tanganyika this year and next. Am I also to understand that TANU, the Tanganyika African National Union, will contest these elections?

Mr. FLETCHER-COOKE (Special Representative): TANU has made a public announcement -- through the mouth of its President, in one or more speeches -- that it does propose to contest the elections.

Mr. KIANG (China): Does the special representative think that Mr. Nyerere's resignation from the Legislative Council, to which he was nominated, will strengthen the position of TANU in those elections?

Mr. FLETCHER-COOKE (Special Representative): I should not like to be put in the position of attempting to prophesy what the result of the elections will be. I think I would confine myself to saying that I think the result of the elections would be likely to be the same whether or not Mr. Nyerere had resigned from the Legislative Council.

Mr. KIANG (China): Does the Administering Authority have the impression that Mr. Nyerere's resignation was also the general wish of the TANU party as a whole?

Mr. FLETCHER-COOKE (Special Representative): I am not privileged, I fear, to know what transpired between the TANU party and its President.

Mr. KIANG (China): Actually, I anticipated that answer by the special representative. My reason for asking was this: When Mr. Nyerere was nominated to the Legislative Council, I think he knew full well that he would enter the

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Legislative Council to play the role of minority, and I thought his agreement to join the Legislative Council might have the full approval of the party. That is why I asked about the party's wish in connexion with his resignation.

Mr. FLETCHER-COOKE (Special Representative): So far as I am aware, Mr. Nyerere's acceptance of nomination as a member of the Legislative Council did receive the support, at any rate, of the majority of his party.

Mr. KIANG (China): It would certainly not be very fair for me to ask the special representative his impression of whether the party wished that Mr. Nyerere should resign from the Legislative Council. It is simply that it is my understanding that the special representative is very much au courant in the Territory and therefore might have something to tell us. If he does not care to say any more, I will not press the point.

Mr. FLETCHER-COOKE (Special Representative): I do not think that the Government of Tanganyika has ever attempted to minimize Mr. Nyerere's influence over his party. If he accepted nomination, as he did, I am quite sure that he carried the majority of his party with him. Similarly, I have little doubt that when he resigned he carried the majority of his party with him.

Part 4
Mr. KIANG (China): I have no further questions to ask the special representative. All that I wish to do at the present juncture is to say that it would certainly be pointless for us to ask any questions in connexion with the parity representation system, because we understand that that is going to be reviewed by the future Constitutional Committee. All that I want to say is that I think that, before long, that parity formula will have to give way, and I think the change of circumstances around the Administration today may facilitate such a timely basic change. I still remember that the United Kingdom representative once said that the parity representation arrangement was temporary and not to be regarded as being in the category of the laws of the Medes and the Persians.

Mr. THORP (New Zealand): We have for this session extremely complex documentation on the questions before the Council. It is not always possible to be absolutely certain that the facts and figures given in any particular document are stable, and I shall not rely on them to any great extent. I should like to turn first to the arrangement for holding elections in 1958 and 1959. There is in the Visiting Mission's report a fairly detailed account of the strength of organized African opinion within the Territory in favour of amendments to the voting qualifications and the procedures which have been adopted. The report also noted that there was a minority which favoured a more conservative approach. I wonder if the special representative could give the Council a slightly more detailed indication of the strength of this minority view, both among the African and the non-African opinion. If he could possibly relate his reply to the assessment made by the Visiting Mission of these various strengths of opinion, that also would be of interest to my delegation.

Mr. FLETCHER-COOKE (Special Representative): It is always difficult to try to assess trends of opinion and to attribute weights or values to particular trends. Bearing in mind that the greater part of the Africans, in particular in Tanganyika, live out of the towns, away from areas in which there is lively political activity and in areas where they look traditionally to their native authorities and chiefs for guidance, I think it is fair to say that many of them are puzzled by this introduction of elections. On the other hand, I think it is fair to say that those Africans who have a glimmering of what it is all about are probably in favour of elections, possibly thinking that they will lead immediately to a great change. But I think that there are many Africans, in various parts of the world, who find that when they have achieved their final goal of independence many things seem to go on in much the same way as they did before.

I would not like to hazard a guess as to the extent to which elections are or are not acceptable to the non-African communities. I can only say that all the representative members in the Legislative Council, with two exceptions to whom I referred at the last session, voted for the election proposals. I think that the Territory needs a great deal of education in this matter of elections, and that is why it is still a difficult problem to make all the necessary

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administrative arrangements for them. I have no doubt that we shall have quite a number of genuinely spoiled ballot papers because this is something quite new -- the vote by means of a ballot paper -- and it will be only as the result of experience that we shall devise the best procedures to ensure that all those who wish to vote will fully understand what they are doing.

I am afraid that that is not altogether a satisfactory reply to the question, but it is extremely difficult to assess the welcome which has been given to the introduction of elections in Tanganyika -- and I take it that that is the main point of the question. There are, undoubtedly, many native authorities which doubt whether this will in fact lead to any great improvement in the Territory. There are many other Africans, as I have indicated, who think that it will lead to a very great deal of improvement.

Mr. THORP (New Zealand): I wish to assure the special representative that I am not at all unsatisfied with his reply. I recognize the difficulties in weighing opinion in these circumstances. Indeed, my second question relates in part to that point. If one relies on quotations from the Visiting Mission's report and turns particularly, as we did turn at an earlier stage of this questioning, to paragraph 68 and the two or three paragraphs which follow it, where reference is made to the almost unanimous opinion in opposition to the obligation to vote for representatives of each race, etc., and also to paragraph 58, where the details of this opposition are mentioned, it does seem that to some extent it is an expression of, as it were, the intellectual opposition at the executive level of these bodies which are political or conciliar bodies. There does not, however, seem to be any particular evidence of an individual resentment, or an individual bafflement even, among the Africans who will cast the votes. I should like to invite the special representative to comment on this aspect of the kind of opposition which is mentioned by the Visiting Mission, because to my delegation it does not seem that -- while there may be apathy and spoiled ballot papers in these elections -- there will be necessarily any creation of differences between the races or any feeling of resentment at the individual level.

Mr. FLETCHER-COOKE (Special Representative): I am grateful to the representative of New Zealand for that question because I think he has put his finger on a very important point. Some of the opposition to the tripartite vote is -- one might use the phrase perhaps -- not controversial. It really works in this way. As members of the Council will realize, all the constituencies in Tanganyika at the present time are fairly large. I have little doubt my self that after the 1959 committee they will be increased in number and reduced in size, and at the moment they are, as I say, fairly large. An African voter might, therefore, be faced with, let us say, a choice between two or three Asian candidates, none of whom was known to him. He was, therefore, be puzzled as to what he should do since he must vote for one of them in order to make his ballot paper valid. This was so until it was pointed out, as it has been pointed out to many of them, that if they do not know and, more specifically, if they do not like any of the, let us say, three Asians who are standing for an Asian seat, it is up to them and to those who feel as they do to try to persuade another Asian, whom they do know and for whose views they have respect, to stand. That, indeed, is something which has now been explained as part of the process of explaining the electoral system.

These questions have been raised and answers have been given to Africans who did not dismiss the tripartite vote as some monstrous device but, rather, were a little puzzled as to how it might work in practice. When it was pointed out to them that if they did not know a candidate -- and of course this applies to European candidates too -- they and their friends could get together and try to persuade someone in whom they did have confidence to stand, then they looked at this proposal from quite a different point of view.

Mr. THORP (New Zealand): I do not want to labour this question unduly because it has already been given prominence, but perhaps for that very reason I should ask a further question. We know that there has been a swing of opinion among some members of the Legislative Council who a few months ago supported the existing election procedures but have now spoken in favour of amending them. That, at least, is our interpretation of paragraph 58 of the Visiting Mission's report. On the assumption that the reason for this change had been given by those concerned, I should like to invite the special representative to explain what might have prompted this development in their thinking.

Mr. FLETCHER-COOKE (Special Representative): I think I can best answer that question as follows. The Elections Ordinance, like any elections ordinance, although we have kept it as simple as possible, is a fairly complicated and certainly lengthy document, and although it was given the due time of publication before it was debated in the Legislative Council in May of last year, all the implications of it had certainly not percolated throughout the Territory as they did subsequently.

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I think it is only fair to explain to the Council that in my view when this was debated in Legislative Council there was a general acceptance of the various proposals which are now law in the Legislative Council's Ordinance, but that as a result of subsequent discussion and the percolation of this into all parts of the Territory, there has undoubtedly grown up a body of opinion which disapproves of the tripartite vote. Part of this disapproval, as I indicated in reply to the previous question, is very definitely based on a misunderstanding of how those concerned, if they do not know the candidates, can get around the difficulty. After all, it is exactly the same when you have elections in the United Kingdom between two parties neither of which you care for. If you feel very strongly about it and can persuade other people, you can put up another candidate. You are therefore not required to vote for one of two candidates neither of whom you may agree with.

Mr. THORP (New Zealand): Paragraph 50 of the report of the Visiting Mission briefly outlines the qualifications required by candidates for election to the Legislative Council. I have one question of minor importance arising from this. Is it intended that beyond having the necessary qualifications of residence or education or income, candidates will be required to make some monetary deposit or to give some other guarantee?

Mr. FLETCHER-COOKE (Special Representative): A deposit of £25 is required.

Mr. THORP (New Zealand): I have a question which might well have been asked by the representative of India when seeking additional information about the make-up of the voters' registration to date. I wonder whether the special representative could now, or when he replies to the representative of India, give any indication what might be the proportion of women voters included in the figures of voters.

Mr. FLETCHER-COOKE (Special Representative): I regret that I do not have that information. Indeed, I doubt whether it would in fact be available until the voters' rolls are published. The voters' rolls will be published within the next few months, and that and related information will then all be public property. I cannot say offhand, but I would imagine a fairly small proportion.

note k. groups
Mr. THORP (New Zealand): I shall of course be prepared to await the emergence of these figures. One received a foreshadowing of this from the film which we were all privileged to see recently. The Council is well acquainted with the growth and background of the main political groups in the Territory, and the Visiting Mission has given a considerable amount of information regarding their policies and activities. The expanding network of local branches of these parties throughout the Territory would appear to make demands upon the resources of the party organization. I think the representative of China in his questions brought out in part the organizational difficulties. We wonder whether the parties have as yet a salaried administrative staff on whatever scale. We should also be interested to know whether they have begun to issue on a more or less regular basis political publications for circulation among their branches or among the general population.

Mr. FLETCHER-COOKE (Special Representative): Yes, both parties have salaried staffs, that is to say party officers and organizers. Indeed both of them also issue -- although one is a little more prolific than the other -- from time to time political broadsheets or manifestoes. I think the last one issued by the UTP followed upon their annual general meeting in which they issued a general statement of policy with an indication of the discussions which took place during the annual general meeting. There is no doubt that that document or something like it was presented to the Visiting Mission. The other leading party, the Tanganyika African National Union, issues broadsheets in both English and Swahili at fairly frequent if irregular intervals covering all sorts of questions.

Mr. THORP (New Zealand): I have a further question about the political parties which are most concerned with developments on the central government level. I wonder whether it is not perhaps premature, in view of the stage of development of the local government organization, to ask whether these political parties are beginning to have any significant influence or part in the local government sphere.

Mr. FLETCHER-COOKE (Special Representative): I would say yes. In some of the local government elections which have recently taken place, I think in particular in Arusha and Morogoro, the successful African candidates, although not standing as party candidates, did in fact belong to the Tanganyika African National Union. But they did not stand as party candidates. So far as I am aware, the party machinery did not come overtly into action in their support. They stood as candidates, not as TANU candidates.

Mr. THORP (New Zealand): In paragraph 48 of the Visiting Mission's report there is a discussion of the ministerial system and of the appointment of six Assistant Ministers. We also have received some observations of the Administering Authority in quite considerable detail on this section of the Mission's report. There are one or two minor questions arising from this. We note that the Visiting Mission referred to these appointed Assistant Ministers as private persons, and also that they are ex-officio members of the Legislative Council. I take it, first of all, that it would be constitutionally possible for a member of the Legislative Council to be appointed, but would he then have to resign his seat and take up this position ex officio? Secondly, are these appointments made for a fixed term for any term which is set in advance? Thirdly, are they salaried appointments or are they in receipt of allowances, since I take it that a number of them already hold some kind of public office as chiefs or Native Authorities?

Mr. FLETCHER-COOKE (Special Representative): If I may deal with those questions in the reverse order, because the first one will take the most answering. As regards salaries, all Assistant Ministers are paid salaries and are required to give up any ordinary commercial work or any other ordinary work which they were doing, because the whole of their time is regarded as being at the disposal of the Government.

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To the extent that they are Chiefs, arrangements have been made for them to continue, as it were, as titular chiefs to revisit their people at frequent intervals, but for the greater part of their work to be done by a deputy. They are paid salaries and they are expected to devote their whole time to public business.

Secondly, they are appointed at Her Majesty's pleasure, but in point of fact it is generally understood that they would continue in office for so long as the Legislative Council remained in being. If it was dissolved or if, for example, we have all the representative members elected or possibly even half the representative members elected, it is possible that they might feel it desirable to resign so as to put their posts at the disposal of the Governor in case he should wish to appoint one of the elected members as an Assistant Minister. It is in fact at Her Majesty's pleasure, and the procedure would be that if the Governor did wish to appoint an elected member as an Assistant Minister, it would be indicated to the Assistant Minister that his resignation would be welcomed so as to make a vacancy. That leads to the first part of the question. When these Assistant Ministers were originally appointed, one of them and one only, Chief Lugusha, was a representative member sitting on the non-government side of the House. None of the other Assistant Ministers were members of the Legislative Council although one or two of them had served temporarily in the past. It was decided that as they should become members of the Government they would obviously have to sit on the Government bench with their colleagues, the Ministers, and on that occasion Chief Lugusha, when he crossed the floor and as it was a question of nomination, his place as a representative of the Constituency was filled by a further nomination. We are now faced with the problem of what will occur if the Governor decides to appoint, either as an Assistant Minister or possibly in due course as a Minister, somebody who has been elected to the representative side of the House. At the moment, no firm decisions have been taken on this, but the thinking when I left Tanganyika was that if any elected member is prepared generally to support Government policy, to accept the Government Whip on the Government bench, he would cross the floor not as an ex officio member but as an elected member and would retain his status as an elected member while holding office in the Government. We believe that that is the best and quickest way of gradually getting elected members into the Government in a ministerial or assistant ministerial capacity.

Mr. THORP (New Zealand): I am very grateful to the special representative for that detailed reply. Indeed, he anticipated in the final part of it a supplementary question which I had considered putting.

I have a final question. It derives from paragraph 51 on page 15 of the Observations of the Administering Authority (T/1362), concerning certain advertisements calling for applications for posts. This is in response to comments of the Visiting Mission. I think probably that all administrations share the experience that any promising indigenous officer is encouraged in the normal way to take promotions and to move upwards in the administrative ranks. I wonder whether the special representative would care to comment on my assumption that one of the reasons for the lack of applications for these posts is that on the whole the people who have shown signs of capacity to move into posts have already been induced to take them. It is unusual for a man of experience or promise to be left behind. This is, I suggest, admittedly a leading question, but it is in line with my own experience and knowledge of this question, and I think it is probably in line with the experience of most members of this Council who have had anything to do with running or supervising a public service.

Mr. FLETCHER-COOKE (Special Representative): Yes, I would certainly agree with the representative of New Zealand that the comparative paucity of the replies to these advertisements from Africans would suggest that those who had qualifications for posts at this level were already employed, and presumably happily employed in such posts, and that therefore the only Africans who were likely to be available -- although they might well have applied but apparently did not -- would be Africans who were probably not qualified.

Mr. THORP (New Zealand): I have no further questions. I should like to thank most cordially the special representative for his replies to my numerous questions. I foresee that in the course of the subsequent discussion of political questions there may be other questions which my delegation would wish to address to the special representative. But in view of the hour, I should be glad if I could be allowed to cease at this point.

The PRESIDENT (interpretation from Spanish): The representative of New Zealand will have another opportunity to put further questions if he so wishes.

The meeting rose at 6 p.m.

UNITED NATIONS
Department of Public Information
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United Nations, N. Y.

(For use of information media--not an official record)

Trusteeship Council
21st Session
26th Meeting (PM)

Press Release TR/1361
3 March 1958

TRUSTEESHIP COUNCIL -- TAKE 1

The Trusteeship Council this afternoon began the questioning of John Fletcher-Cooke, the United Kingdom's special representative, on conditions in the trust territory of Tanganyika under United Kingdom administration. The Council is examining conditions in the territory.

Before beginning with the questioning, the special representative gave the Council a detailed statement on land alienation in the territory. He recalled that, at its last session, the Council had asked for particulars of the numbers, extent and types of land holdings granted since 1946, distinguishing if possible between grants made for public or ^{semi-public} purposes, for plantations, mines or other commercial undertakings, and for individual farms.

Mr. FLETCHER-COOKE submitted a table setting out in some detail the alienation of agricultural and pastoral land under long-term rights of occupancy since 1 January 1946. He then offered explanations of the figures given.

After giving a year-by-year breakdown of the figures of land holdings since 1946, the special representative stated that there was at the present time a total of nearly 2 1/2 million acres of alienated land in Tanganyika.

He emphasized, however, that this total represented only 1.1 per cent of the land area of the territory; that nearly one-quarter of the total covered alienations to "public or semi-public bodies"; that more than half the total covered alienations to "large-scale commercial undertakings"; and that only about one-fifth of the total covered alienations to "individual small farmers," and that a small but increasing proportion of these were, in fact, Africans.

Mr. FLETCHER-COOKE then gave an account, including figures, of the position of land over which mining operations were carried out. Mining rights covered an area of 196,893 acres, of which nearly 90,000 acres were held by two African Cooperative Societies. These rights granted under the Mining Ordinance, he emphasized, did not include any right to occupy the land save for the purpose of extracting minerals.

The Council then began the questioning of the special representative.

(more)

Answering a series of questions by ARTHUR S. LALL (India) concerning the voting arrangements for the elections to be held in September, 1958, and also in 1959 for representatives of the Legislative Council, Mr. FLETCHER-COOKE explained why it was not possible at this stage to make any changes in the arrangements.

The Trusteeship Council last year, he recalled, had stated that the arrangement, which required each constituency to vote for three candidates, each representing one race, was an experiment which had to be tested by experience. The matter, he said, had been fully debated in the territory and the arrangements were approved unanimously by the Legislative Council. The registration of voters, he continued, had already been completed and it was now less than six months before the actual polling would take place.

Furthermore, the special representative said, the administering authority had announced that a committee of the Legislative Council would be set up in 1959 to examine the further constitutional changes.

The representative of India then asked when it would be possible to set up responsible government in the territory, a point mentioned by the Governor of Tanganyika, as a first step, since the administering authority had stated that it was not possible to draw up a precise program for the territory's political advance.

The special representative quoted from the Governor's speech of 17 September, in which the Governor had stated that the aim of the administering authority was to grant Tanganyika self-government when it was ready for it and that their duty was to prepare the territory as quickly and as thoroughly as possible for self-government. The Governor had stated that responsible government was one of the intermediary targets.

Mr. FLETCHER-COOKE said Tanganyika was still some way from responsible government. The picture he thought would become clearer after the committee to be set up in 1959 had deliberated the question.

(END OF TAKE 1)

UNITED NATIONS
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United Nations, N. Y.

(For use of information media -- not an official record)

Trusteeship Council
21st Session
26th Meeting (PM)

Press Release TR/1361
3 March 1958

TRUSTEESHIP COUNCIL -- TAKE 2

Sir ANDREW COHEN (United Kingdom) said that it was not possible for the administering authority to give an estimate now of when responsible government could be reached. Their general thesis, he said, was to give the people closer and wider participation in government and to consult them at each stage of political advance. They believed in proceeding in this way, stage by stage. Such an approach, he added, was incompatible with the fixing of dates in advance of political advancement.

The special representative also replied to several other questions asked by the representative of India concerning the development of district and local government and the training of Africans for the civil service.

Sir ANDREW added that the United Kingdom regarded as "sound policy" the encouraging of students, after study in the United Kingdom, to go back to the territory and to work there. In every territory, he said, there was a great anxiety to see such people work in the government.

He said the administering authority would press on, by all means possible, with the training and recruitment of local people in the civil service. This, he assured the representative of India, was regarded as of the greatest importance in Tanganyika.

CHIPING H.C. KIANG (China) asked several questions concerning the system of parity representation, the voting arrangements for the forthcoming elections, development of local government, political parties and the resignation from the Legislative Council of Julius K. Nyerere, President of the Tanganyika African National Union (TANU).

The special representative explained that the parity system of representation and the tripartite formula for the forthcoming elections were based on the contribution of the three racial communities to the development of the territory.

(more)

While repeating that it was impossible for any change to be made in the electoral arrangements at this stage, he was certain that the various constitutional changes suggested, such as the suggestions of the territory's two principal parties -- TANU and the United Tanganyika Party -- would be placed before the constitutional committee to be set up in 1959 and would be discussed by that body.

In connection with Mr. Nyerere's resignation, the special representative was asked whether TANU intended to contest the forthcoming elections. Mr. FLETCHER-COOKE said TANU had announced that it proposed to contest the elections. While he did not wish to prophesy, he thought the results of the elections would be the same whether Mr. Nyerere had resigned or not.

The questioning of the special representative on Tanganyika will be continued by the Council at 10:30 a.m. tomorrow, 4 March.

(END OF TAKE 2 AND OF PRESS RELEASE TR/1361)