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VERBATIM RECORD OF THE EIGHT HUNDRED AND SEVENTY-SIXTH MEETING

Held at Headquarters, New York,
on Wednesday, 5 March 1958, at 2 p.m.

President: Mr. ARENALES CATALAN (Guatemala)
Later: Mr. CLAEYS BOUUAERT (Vice-President) (Belgium)

Examination of conditions in the Trust Territory of Tangaynika
[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.876 and will be subject to representatives' corrections. It will appear in final form in a printed volume.

AGENDA ITEMS 4a, 5 and 6a

EXAMINATION OF CONDITIONS IN THE TRUST TERRITORY OF TANGANYIKA: (continued)

- (a) ANNUAL REPORT OF THE ADMINISTERING AUTHORITY FOR 1956 (T/1339, 1349 and Corr.1, 1355, 1364, 1365, 1366; 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.

Political advancement (continued)

Polit par
Mr. ZADOTTI (Italy): I have one or two questions of a very general character. Being one of the last speakers on the list, most of the questions I had in mind have been covered by those who preceded me. My first question refers to the two major parties in the Territory, namely, TANU and the UTP. From the information before us, we understand that the membership of TANU, according to the statement made by its President last year, is about 150,000 to 200,000 members, and that the UTP membership is about 10,000. Of course, I would not ask the special representative to comment on these figures, but I would simply ask if there is any sign that, in the meanwhile, the membership of these two parties have been increasing?

Mr. FLETCHER-COOKE (Special Representative): I think that both parties put out constant claims to the effect that their membership is increasing. As I indicated yesterday, they sometimes claim an increase of membership when the new members have paid one subscription only, although in many cases it is unlikely that the members will pay a second subscription which would really qualify them as regular members. More particularly, I think that

(Mr. Fletcher-Cooke,
Special Representative)

the Tanganyika African National Union would claim that there had been an increase in its membership over and above the figures quoted in the Visiting Mission's report (T/1345), which of course refers to a period of some seven or eight months ago.

Might I just take this opportunity of correcting one very small error which I made yesterday in reply to a question by the representative of Haiti. When he was asking me about political campaigning, I said that nomination day would be 8 June. In point of fact it will be 8 July.

Mr. ZADOTTI (Italy): I wish to thank the special representative for his reply and I would like in this connexion to pursue the point a little further. Is it correct to assume that there is evidence that the influence of these two parties, through their branches or directly, is to a great extent confined to the urban areas rather than the rural areas of the Territory?

Mr. FLETCHER-COOKE (Special Representative): Although both parties are probably stronger in the urban areas, I think it would be incorrect to say that their influence does not extend to the rural areas. More particularly the Tanganyika African National Union has been opening a number of branches and sub-branches in the rural areas.

*Dist Councils
sources of income*
Mr. ZADOTTI (Italy): I have one final question which is of minor importance but I would like to get some clarification on this point from the special representative. In his introductory statement he referred to the establishment of District Councils, and reference was made in general terms that these District Councils will take over some functions now within the competence of Native Authorities. Further on he said that these Councils, "will have, as sources of income, those now enjoyed by Native Authorities in addition to some at present accruing to general territorial revenue" (T/PV.872, p. 28).

Am I correct in assuming that all the sources of income of the Native Authorities are passed on to the District Council? In any case what will be the sources of revenue for the Native Authorities which we understand will have some functions to perform in spite of the establishment of these District Council?

Mr. FLETCHER-COOKE (Special Representative): The representative of Italy has asked a specific question which I regret I am not able to answer except in very general terms. He is quite right in assuming that all the statutory sources of revenue which at present accrue to Native Authorities, as organs of local government, will pass to the District Councils. But as I indicated in reply to a similar question yesterday, the Native Authorities will have certain residual powers as regards the administration and interpretation of native law and custom, and they will obviously need a small amount of revenue to carry out those particular functions. I regret that I cannot give details of how they will be provided with that revenue, but I can assure the representative that arrangements will be made to ensure that they do have the resources with which to carry out these residual functions.

Mr. JAIPAL (India): I have one or two very minor questions concerning the local government bodies in this Territory. We understand that the initiative for the establishment of District Councils will come primarily from the people of the Districts. I should like to know how this demand will be expressed by the people of the Territory? Will it be expressed through the Native Authority District Councils or through local political organizations? What will be the mechanics of this?

Mr. FLETCHER-COOKE (Special Representative): The procedure would be as follows: The Native Authorities, who are of course the existing organs of local government, will, in those areas in which they wish to see District Councils established, approach the Minister concerned through the normal channels and indicate that they, representing public opinion in that District, wish a District Council to be established. It will then be for the Minister to satisfy himself that the views put forward by the Native Authorities do in fact reflect the views of the people of the District; in other words through the District Commissioner, and otherwise he will have to satisfy himself that there is no major opposition to this proposal.

When he has reached the stage of deciding in his own mind, as he is indeed enjoined to do by law, that to set up a District Council would be in accordance with the wishes of the people of the District, he then has to appear in the Legislative Council with the relevant instrument which refers specifically to the District in question, and that instrument may be the subject matter of debate. So that if by any chance he has reached a conclusion which is not in accordance with the facts -- a highly unlikely probability -- but supposing he had, it would still be open to the representatives from that particular area in the Legislative Council to draw his attention to the fact that there was, let us say, opposition to this proposal.

So, there are, as it were, at least three stages: the initiative from the Native Authority; then, the Minister satisfying himself that that initiative represents local public opinion; and then, the actual debate on each separate District Council in the legislature.

Mr. JAIPAL (India): When I was in the Territory some three or four years ago, the Administration was experimenting with what used to be called then "District Advisory Bodies" which assisted each District Commissioner. I presume that those Advisory Bodies have been found to be quite useful because the present attempt to establish District Councils seems to flow directly from that earlier experiment. I should like the special representative to comment on that and also to tell us whether, until these District Councils are established by an instrument of the Legislative Council, these District Advisory Bodies will continue to function as they have been for some time.

Mr. FLETCHER-COCKE (Special Representative): The position is not quite as described by the representative of India in this sense: the District Commissioner is the representative in the district of the central Government and his obligations, duties, influence, powers and so on flow to him from the Government, as it were, and through the Provincial Commissioner in the normal way. The District Advisory Councils were set up to advise the District Commissioner for the most part on matters connected with central Government policy. For example, the District Commissioner, if he is asked by the Government in Dar-es-Salaam to sound local opinion on a particular piece of central Government policy or in connexion with any of the activities of the central Government departments, would consult the District Advisory Council. The District Advisory Council is not primarily concerned with local government matters at all, though of necessity there is a certain amount of overlapping. It may well be that the District Council, as and when it is set up, will concern itself with more purely local government matters. But I still think there may be a place for the District Advisory Council to advise the District Commissioner. He can turn to it to seek its views on matters more directly concerned with central Government policy.

I can perhaps add that the success of the District Advisory Council system, which Council is, of course, composed of representatives of all interests with a strong native authority representation, has been one of the factors which suggests that this sort of mechanism might be an appropriate one for local government.

Mr. Claeys Bouuaert (Belgium) Vice-President, took the Chair.

Mr. JAIPAL (India): I have one other question on this local government machinery. We find that at the moment there is a considerable variety of local government bodies. In the native administration field, there are said to be some 2,500 local bodies. We should like to have some idea as to the future development of these local bodies, particularly with regard to their development along democratic lines. I presume the Administration has given this matter some thought. I would be grateful to know how they will be developed in the future. For example, we have native authority district councils and at a lower level we have a number of native authority councils. Is it the intention gradually to democratize them by introducing suffrage, as has been done in West Africa?

Mr. FLETCHER-COCKE (Special Representative): I believe there is a reference somewhere in the observations on the Visiting Mission's report or it may even be a quotation from a Government statement in the Visiting Mission's report itself to the effect that these various councils at different levels are very largely the subject of elections now, not perhaps in the normal sense of the word as used in this Council. For example, I refer the representative of India to paragraph 39 of the observations, which reads in part as follows:

"As recorded in paragraph 97 of the report, there has been a progressive development of the traditional system of local government 'which has been taking place at an increasing rate since the Second World War'. There are, in fact, some 2,500 of these Councils in existence, in all of which there is an elected element. The Administering Authority welcomes the emphasis placed by the Mission on the need for effective local government units as a basis for stability and good government." (T/1362, page 10)

It is the view of the Government of Tanganyika that our normal unit for local government affairs should now be the District Council. Obviously there will be a devolution of some of the powers to smaller local government organs below the District Council level. In other words, they will have to undertake some of the duties at what we may call the parochial level. I can give the representative of India an assurance that it is the intention -- and always I must underline with the support and co-operation of the people concerned -- to extend the elected elements in these lower-grade local authority bodies.

Economic Advancement

budget Mr. ZADOTTI (Italy): My first question deals with the budget of the Territory. I notice from the documentation before us and from the statement of the special representative that during the fiscal year 1956-57 a decrease of £1.2 million in revenue was recorded and that the deficit in the budget of the Territory resulting from this decrease was about £665,000. I should like some clarification on this matter from the special representative.

(Mr. Zadotti, Italy)

In this connexion, I should like to draw his attention to page 102 of the annual report. We find in Table A, at the bottom of the page, a comparison between revenues from direct and indirect taxation in the years 1955-56 and 1956-57. We note that there has been a decrease in income tax revenue which up to a certain extent has been compensated for by an increase in personal tax. But reverting to indirect taxation, we find that import duties have risen from 5,527,000 to 6,400,000. If we compare these data with the corresponding data on foreign trade, we find that imports have decreased in the same year from 43,531,000 to 35,885,000. As these import duties are levied, I assume, on imports, how do you account for the fact that in spite of this very important decrease of about ten million pounds in the imports of the Territory, there has been a corresponding increase in the receipts covered by import duties of the Territory?

Mr. FLETCHER-COOKE (Special Representative): As the representative of Italy will perhaps appreciate, the import duties are not fixed at a flat rate on every form of import, and it may well therefore be that the value of the goods which came in decreased in respect of those which pay no or low duties, while the amounts paying higher duties in fact remain the same or even increased. We do not have a flat rate for every single item imported into Tanganyika. It would be necessary in order to give the full details on that to analyse the figures in greater detail. I should like to give one example of that. Most capital goods, that is, goods required for, let us say, mining or agricultural development, are not subject to duty; when they are subject to duty, they are subject to low duties. Now it is quite possible for the value of such goods to diminish quite considerably without affecting adversely the amount of duty paid. Similarly, if there is a reduction in the import of such goods and, nevertheless, an increase in the amount of what I might generally refer to as luxury consumer goods, then the import duty figures would nevertheless increase.

Mr. ZADOTTI (Italy): I am very grateful for that explanation because it was in fact the one I expected since the other alternative would have been that there was a general increase in the import duty rates -- but I understand this was not the case.

Company
Mr. ZADOTTI (Italy): My second question deals with the permission granted to the Western Rift Exploration Company for mineral exploration in the Territory. What I would like to know from the special representative is this: Does this permit cover all minerals or is it restricted to certain kinds of minerals?

Mr. FLETCHER-COOKE (Special Representative): As far as I am aware, it covers all minerals in that area. Certainly I do know, having visited the area, that the company has found and is duly recording traces of a wide variety of minerals.

crops
Mr. ZADOTTI (Italy): My next question deals with the cash crop production of the Territory. I think that we had evidence the other day from the film shown through the courtesy of the Government of Tanganyika that pyrethrum is also grown in the Territory. As I do not see it in the breakdown of commodities exported, I should like to ask the special representative if this commodity is included in the miscellaneous items and if it is an important one. I invite the attention of the special representative to page 120 of the annual report.

Mr. FLETCHER-COOKE (Special Representative): Yes, that is so. This report refers of course -- and it is always one of the disadvantages of dealing with figures -- to the year 1956. We are now in the first quarter of 1958, and during 1957 there was a fairly substantial increase. I could perhaps, if necessary, produce the figures at some later stage in not only pyrethrum exports, but also of others which are not specifically referred to here; For example, tea is another export cash crop which has been progressively increasing during the past eighteen months.

Mr. ZADOTTI (Italy): My last question deals with the Advisory Committee on Development which was appointed some time ago and to which there is reference in the Working Paper, which recalls the supplementary information furnished by the Administering Authority. This is contained in document T/1349, page 4. In this connexion, I should like to ask a simple question. Of course, I want some general information about it. First of all, has the study so far of this Committee been completed and results obtained? Secondly, if these studies have been completed, is there any major recommendation which would in turn produce some major changes in the development plan now under way? *an answer.*

Mr. FLETCHER-COOKE (Special Representative): The Development Committee to which the representative of Italy refers has been meeting at fairly frequent intervals during 1957, and indeed during the earlier part of this year. Its immediate objective, of course, is to lay down the outline of that portion of the Development Plan which will have to be financed in the forthcoming financial year 1958-1959 which will start on 1 July. I could at a later stage indicate to the representative of Italy the findings in broad outline of the Development Committee. But, generally speaking, they have found that it has been necessary to restrict, by means of spreading over a longer period of time, the development plans relating to the various fields of development; that is to say, medical, education, health, natural resources, and so on; in other words, as we knew last year, and as I indicated to the Council in the June session, we have had to take account of the fact that we do not have at our disposal all the money required to meet the expenses of the various plans which were approved in principle in 1956.

(Mr. Fletcher-Cooke, Special Representative)

These were for the most part five-year plans -- from 1956 to 1961. The result of the deliberations of this Advisory Committee has been to spread the plans over seven years in some cases. In other cases, non-essentials have been cut out and the plans have been generally trimmed to the amount of money which it can be foreseen will become available during the five-year period.

Speaking again without the exact figures, I would say that my recollection is that even with this reduction there is a short-fall of some £2 to 3 million, which we are hoping we shall find from some source or another.

However, as the representative of Italy will I am sure appreciate, when one starts development plans of this nature there are certain things that cannot be stopped. For example, when the plans were started in 1956, various people were put into training as teachers, for work in the medical services, and so on. If we do not build the schools, the hospitals and the other institutions in which these people can work, when they -- as it were -- come off the belt, having passed through their training course, the whole thing will have been a complete waste of money. Irrespective, therefore, of the financial position -- which, as members of the Trusteeship Council are aware, is not an easy one in Tanganyika at the present time -- we have perforce had to go through with a number of these highly desirable developments, even though we are not quite sure where the money will come from.

Mr. ZADOTTI (Italy): I should like to reserve my delegation's right to put further questions in the economic field at a later stage.

See
minutes
Mr. LALL (India): In December 1956, the African members of the Legislative Council proposed that a commission should be appointed to draw up plans for agricultural and other economic development. Does the Administering Authority intend to accede to this request, which has been welcomed by the Visiting Mission?

Mr. FLETCHER-COOKE (Special Representative): We not only have acceded to the request, but have completed the plans and submitted them to the Secretary of State for consideration. Some details on these plans are given in paragraph 95 of the Administering Authority's observations (T/1362) on the Visiting Mission's report.

(Mr. Fletcher-Cooke, Special Representative)

In direct response to a request by, and as a result of consultation with, the African members of the Legislative Council who put forward these proposals, a special grant of some £700,000 has been made from Colonial Development and Welfare funds to meet, as we hope, 80 per cent of the cost of the various schemes, the remaining 20 per cent to be found from local resources; I think that this grant has already been announced in the Trusteeship Council.

Mr. LALL (India): Are these the 140 schemes which are referred to at various points in the documentation?

Mr. FLETCHER-COOKE (Special Representative): I think that I am right in saying that the 140 schemes which were originally submitted to and considered by the Advisory Committee on Development were reduced to about forty. The list at the top of page 31 of the Administering Authority's observations (T/1362) covers those forty or so schemes which have in fact gone forward from Tanganyika to the Secretary of State. Of course, some of the schemes were found to be quite impracticable. We wished to consider any suggestions, but the total number of schemes -- including the twenty-nine agricultural schemes, and so forth -- is now I think about forty.

Sir Andrew COMEN (United Kingdom): Speaking on behalf of the Administering Authority, I would say that I am very glad that the representative of India has raised this matter. It seems to me that, although the matter is important in itself, it has an even wider importance in view of the way in which the question has developed. It is, I think, very satisfactory -- as has been pointed out by the Governor of Tanganyika and others, including the Visiting Mission -- that the initiative for this particular kind of development should have come forward, as it did, through the African representative members of the Legislative Council and that the initiative should have been acted upon in a way which, I believe, will bring home not only the value of the schemes but also the value of the Legislative Council to the Territory. The fact that the schemes have been coming from all over the Territory is particularly valuable in a Territory as large and diverse as Tanganyika.

(Sir Andrew Cohen, United Kingdom)

I would add just one point. As I understand the position, an allocation of £700,000 has been made by the United Kingdom Government from Colonial Development and Welfare funds. This means that a decision in principle to help these schemes in this way has already been taken. Constitutionally, however, the act under which Colonial Development and Welfare grants are made requires the submission of schemes for the approval of the Secretary of State and, I believe, the Treasury. That is what is meant by the submission to London of the schemes under this allocation. In a sense, this is a follow-up action to the decision of principle.

Mr. Arenales Catalan resumed the Chair.

✓ Mr. LALL (India): I should like to follow up this matter somewhat. Is £700,000 the total cost of these forty schemes? If so, for a five-year period that is rather a modest outlay -- a very welcome outlay, but a modest one. It might be thought that a more intensified programme could be drawn up. This leads me to ask this question: Why was it necessary to reduce the list from 140 right down to forty -- which is about 30 per cent of the original list?

Mr. FLETCHER-COOKE (Special Representative): In the first place, I would say that there seems to be some confusion here. In 1956, a general development plan covering a whole series of fields -- medical, educational, water, natural resources, and so forth -- was drawn up; this plan was on a very large scale and involved considerable sums of money. During the various debates on the development plan, it became clear that it was going to be very difficult to pay for the schemes; that, unless there was some substantial increase in the Territory's revenue, Tanganyika would find itself saddled with various development schemes for which it could not pay.

(Mr. Fletcher-Cooke,
Special Representative)

It was at that stage that the African representative members said, "We believe that it might be possible, by the application of a comparatively small amount of money, so to improve African productivity" -- which at the present time, of course, is the basis of the country's economy -- "that within a matter of a few years" -- that is, before we get to the end of the main development plan period -- "additional revenue will be forthcoming to help pay for these schemes."

It was therefore against that background that these additional -- and they are additional -- African productivity schemes, as they are called, were put in hand and considered.

It was quite obvious that, as we were finding difficulty in meeting the cost of the original development plans, the cost of financing these specific African productivity plans would have to come from some other source, and it was in those circumstances that an approach was made to the Secretary of State to know whether an additional allocation could be made from Colonial Development and Welfare funds specifically for these African productivity schemes. If no such allocation had been forthcoming, then, of course, we would have been hard put to it to introduce these schemes at all. But, fortunately, it was forthcoming. We were, in fact, given an additional grant of £750,000, and it was agreed in principle that £700,000 should go toward the cost of these African productivity schemes.

The representative of India asked whether that represented the whole cost of these particular schemes. As I think I indicated, we hope it will represent -- subject to the approval of the Secretary of State -- some 80 per cent of the cost, and that local funds will have to find the additional 20 per cent.

Most of these schemes are based on the principle that with comparatively little additional capital -- and, in many cases, with comparatively little additional labour, but by using improved methods -- the average African farmer can increase his product very considerably. That is a point of view which has been held by the Agricultural Department in Tanganyika for many years. Indeed, I have heard it said that in some of the African coffee estates -- I am not so much referring now to the coffee estates in the Kilimanjaro area, where they do tend to adopt the most modern techniques and apply their labour very

(Mr. Fletcher-Cooke,
Special Representative)

wisely to these estates, but I am referring rather to other parts of the Territory -- with exactly the same application of labour, and with no additional application of capital, but by using improved methods, the crop might be increased by as much as 50 per cent.

All these schemes are small but what I might call focal point schemes. They are intended to show what can be done if you apply your labour in a certain way. A great deal of the money is to be spent, of course, on additional staff that will be conducting agricultural extension work in the fields and in the estates to show the Africans how, by doing it this way rather than that way, they can get a better return for their labour.

Mr. IALL (India): That is very enlightening. However, one question does arise in my mind. These schemes are African productivity schemes -- and that is excellent. Is it, however, simultaneously the intention to develop African economic activity in fields other than the purely agricultural field? Is any encouragement being given to the development of secondary industry by Africans, for example?

Mr. FLETCHER-COOKE (Special Representative): Yes. As the representative of India points out, all that we have been talking about hitherto has been the specific African productivity schemes which form the subject matter of this passage in the observations on the Visiting Mission's report. But we have already had a reference in these discussions to the report, not yet published, of another senior government officer who has been investigating the possibilities of encouraging Africans in other fields -- that is, more specifically, in industrial and commercial fields. Although the report has not been published, I have seen parts of it and I know that it includes a number of very helpful suggestions in that particular field.

Similarly, as I mentioned in my opening address, there has been this very impressive development -- although admittedly it refers to agriculture, it is specifically large-scale or commercial agriculture, rather than improving the African peasant's own holding, which is what this is for the most part -- namely, the formation of the Tanganyika Sugar Company, with a multi-racial

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Special Representative)

board of three Africans, three Europeans and, I think, two Asians, which is intended to develop the growing of sugar in a particular area of the Territory, in the Kilombero Valley, as a multi-racial venture with which Africans will be associated at all stages, including representation on the board of directors.

Sir Andrew COHEN (United Kingdom): If I may say so, the last question of the representative of India raises a very important issue. There is, of course, also the co-operative movement, and I think that both among the Sukuma and, of course, among the Chagga the co-operative movement has itself led to the entry of African organizations into industrial processes, namely, cotton and coffee processing, which are very important to the economy of the Territory. Then we heard also from the special representative about the prospecting licences which I think have been granted to certain native Authorities. No doubt, there are many other examples.

May I make a brief comment on the last point, about these schemes for agricultural productivity. I have noticed in my own experience how relatively little agricultural development costs when compared with health or particularly with educational development. I remember that in Uganda we set up a productivity committee and more or less said: "You have absolute priority, because this is vital to the whole progress of all the services and of the country". And, although they produced very considerable recommendations, the costs were relatively modest as compared with the corresponding costs of developing the education system. I am sure that all countries have had the same experience in this respect.

Mr. FLETCHER-COOKE (Special Representative): Might I just add, to be more specific, that even at the present time -- as I think the representative of India will perhaps be aware from references at the last session of the Council -- we have an African Productivity Loan Fund, which has issued loans to Africans who can satisfy those who administer the loans that they have a reasonable chance of making good use of them for a variety of undertakings which might be regarded as secondary industries -- for carpentry and woodworking, for coffee factories, to establish themselves as contractors, for home industries, to acquire industrial machinery of one sort or another -- milling machinery, and so on.

Verification
Mr. LALL
Mr. LALL (India): I have the impression that the economy of Tanganyika suffers from a lack of diversification, but the basis of a considerable amount of diversification is present. There is a considerable cotton crop, but there are no textile mills. Tanganyika produces some two-fifths of the world's sisal, but apparently none of it is made into ropes, bags -- if indeed sisal is used for bags -- carpets, and so on. There do not seem to be any industries to work these considerable productions of raw material. Could not some encouragement be given too for the manufacture in Tanganyika of cotton textiles, of sisal products and so on?

Mr. FLETCHER-COOKE (Special Representative): There have been approaches to the Government in this connexion. More specifically I have in mind an approach which was made by an undertaking which contemplated setting up a textile factory, but this particular undertaking, at any rate, required such a very large measure of subsidization from the Government -- including, in addition to all sorts of concessions in terms of customs, land facilities and so on, a direct cash subsidy of a fairly substantial magnitude for a fairly large number of years -- that in our present financial position we felt that it would inevitably mean additional taxation and also putting up the cost of living because it would have required the imposition of additional import duties on imports of textile goods which would, in fact, have increased the price of textiles to Africans. I mention that only as one example of a suggestion which it has not been possible to follow through, but the representative of India may rest assured that we are, as he is himself, acutely conscious of the fact that, although we have now succeeded in diversifying our agricultural productivity very much more widely than we had in the past, when we were almost entirely dependent on sisal -- whereas we now have a healthy coffee industry, cotton, tea, pyrethrum and cashew nuts all coming along, and the mining developments I have already referred to -- we do realize that there is considerable scope for the introduction of manufacturing industries.

(Mr. Fletcher-Cooke,
Special Representative)

The picture is not, perhaps, as gray as might appear to be suggested because, if I may refer the representative of India to the last paragraph of my opening address, it will be seen that I mentioned six or seven new factories of various kinds which, it is hoped, will start either this year or next year. Indeed, most of the negotiations have already gone through. The list I gave included a tobacco factory, a shoe factory, a new sugar factory, a tannin extraction plant, a cement works, a new flour mill, and so on.

Mr. LALL (India): May I ask whether it has been possible to encourage some of the African co-operative societies to grow sisal?

Mr. FLETCHER-COOKE (Special Representative): So far as I am aware, no African co-operative society has indicated a desire to grow sisal, since at the present time where an agricultural co-operative -- and there are many of them -- is satisfactorily established it finds that is a much more paying proposition to deal either with cotton or with coffee.

Mr. LALL (India): The special representative mentioned mining and the working of the mineral resources of this Territory. I think I am right in saying that an important company, known as the Western Rift Exploration Company Ltd., has recently established itself and that it has a considerable programme ahead of it. As Tanganyika is on the threshold, in a sense, of this era of the exploitation -- and I do not use this word in any derogatory sense -- of its mineral resources, it does seem to me that it might be very timely if the Administration, while encouraging this development which certainly should be encouraged, were to try to explore the possibilities of a counterpart development of the finished product. or, more properly speaking, the minerals which are won as the result of this mining. My suggestion is that a study should be made of the possibility of processing these in Tanganyika. There is a metal -- with which I am unfamiliar -- called niobium, which apparently will be smelted in Tanganyika. It would be excellent if some of the other metals which are being won could be processed in Tanganyika, and as we are now, as I say, on the threshold of this mineral era of Tanganyika, as it were, would it not be possible for the Administration to see that some of the processing is done in the Territory rather than allow

*Car
mineral*

(Mr. Lall, India)

it to become just an exporter of ores to more developed parts of the world.

Mr. FLETCHER-COOKE (Special Representative): I do not think that I would dissent for one moment from the remarks made by the representative of India. If he will turn to the passage in my statement, beginning on page 36 of T/PV.872, which deals with mining, he will find that most of the references which I made related to exploration or prospecting. In other words, it has not yet been established -- although we sincerely hope that it will be -- that these various minerals do exist in Tanganyika in economically workable quantities. There are one or two minerals which we know are there and which are being worked, and in one case -- that of the Mbeya Exploration Company -- as the representative of India pointed out it is the intention that the niobium shall be smelted in the Territory at the place where it is found and put onto the market. The other references, of course, are largely to minerals which we hope are there but which have not yet been found. In the case of diamonds, such processing as is required is already done on the spot and the diamonds are exported merely for the final cutting.

I think that I can assure the representative of India that we are extremely conscious of the need not merely to extract the material from the earth as and when we find it and send it out and let somebody else derive the benefit of working it. One of the difficulties is that it so happens that many of the minerals which we believe to exist in Tanganyika are very remote from the normal existing communication channels. A lot of them are in the south and, indeed, in the south-west, which could hardly be farther from the Central Line or the Southern Province Line railways. They are also all somewhat remote from the sea, all of which, of course, merely underlines the point of view of the Indian representative that if we can work them on the spot then we shall be exporting a more valuable product which will itself be better able to bear the freight charges.

Sir Andrew COHEN (United Kingdom): I should like to add a general comment to this. I, of course, also agree with the general proposition inherent in the question of the representative of India, but I think it is also perhaps necessary to say that it really seems to me to depend on the economics. I would have thought that any mining company of whatever character would want to take the minerals on the spot to the greatest extent of refinement for smelting as the economics of the circumstances would justify. They would not want to export a lot of useless material which eventually has to be separated off and which may not be used for any purpose at all. They would only do that if it did not pay to smelt it and refine it locally. I think that it must be guided by the economics, because whereas one would give every encouragement one could to any company to do its processing locally, one would not want to spend a lot of public money on this from the limited resources of the Territory if it did not pay to do it. Whereas I think it is absolutely up to the Government to take all reasonable measures, I do not think it is desirable for the Government to involve itself permanently in uneconomic processing. I think that the economics of the case must determine the degree to which refinement is done locally. As the Territory develops, it will become more and more profitable to do it locally.

Mr. FLETCHER-COOKE (Special Representative): In the statement which I made primarily about land alienation, in which I included a passage at the end about mining operations, I mentioned two mining leases covering 87,000 acres which were granted to African co-operative societies -- they are in fact two mica co-operative societies. These comparatively small mica deposits are worked by Africans who bring mica in co-operatively. They are then cut -- that is the technical term -- which is to say that the mica is reduced on the spot locally to the most valuable part of the mica, which is then exported in the appropriate shapes and sizes. That again, although it is a small example, is an example of an almost wholly African undertaking where as much of the processing as possible is done on the spot.

Mr. LAIL (India): I am again grateful to our colleagues for giving us some very valuable information. With the President's permission, I should like to clarify my stand on the theory of some of these matters, because Sir Andrew Cohen has been good enough to elaborate a bit on the theory of these matters, namely the economics of the situation.

I entirely agree with him, of course, but often in practice it is a little more complicated. If a mining concession is given to company X, which already has a processing plant in country Y, then the chances of that company setting up a processing plant in Tanganyika are remote. On the other hand, if the concession is given to Company A, which does not have a processing plant in another country, then they might well consider setting up a processing plant in Tanganyika. It is that type of discretion which I have no doubt the Administering Authority will wisely exercise in connexion with these matters. If exercised in a particular way, it could encourage the building up of processing plants in the Territory, and that would be of great value to the Territory, to its general economics, to its tax capacity, to its employment potential and so on.

Before leaving the subject of minerals and going on to land, may I ask a series of inter-related questions.

In countries which are independent it is more and more the common practice when foreign capital settles in one of those countries that capital submits itself to quite understandable regulations regarding the training of indigenous personnel. Is it the practice in Tanganyika, where there is now this Western Rift Exploration Company and other mineral companies coming into the picture, or has the Government considered establishing regulations which would enjoin upon these foreign firms the necessity of training indigenous technical personnel?

Mr. FLETCHER-COOKE (Special Representative): So far as I am aware, there are no specific regulations to that effect. But there is no doubt that there are growing signs in Tanganyika that foreign firms, to use the expression of the representative of India, are acutely conscious of the desirability of acquiring and training Africans in the work of those undertakings. We had a fairly lengthy discussion about one of those firms yesterday. Not only are they

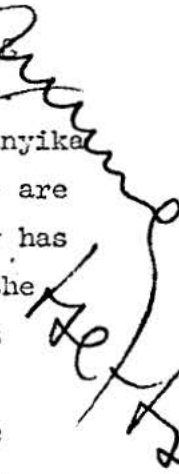
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disposed to take trainees whenever they can find them but they are also disposed -- and I think this is quoted again in the observations on the Visiting Mission's report in connexion with the Mbeya Company -- to issue for local subscription a proportion of their capital. I refer the representative of India to the last part of paragraph 121 of the observations of the Administering Authority:

"The Mbeya Exploration Company has, however, agreed that when a mining company is formed for full-scale production, 10 per cent of the share capital of that company shall be offered for subscription in Tanganyika. There will, therefore, be an opportunity for the inhabitants of the Territory, including local Africans, to subscribe." (T/1362, page 37)

I can assure the representative of India that almost all these undertakings realize that it is very much in their own interests to acquire the services of suitably qualified Africans and train them. I am not sure whether the representative was here yesterday when we had the discussion which turned on the question of the extent to which that attracted otherwise suitably qualified Africans from the Government service.

Mr. LALL (India): I am so glad to hear that these steps are being taken in Tanganyika. I have one final question on this matter of resources. It does seem from such evidence as we have in this documentation that Tanganyika fortunately is not altogether devoid of mineral resources and perhaps there are more resources available which can be located and later worked when the fly has receded into, I do not want to say Ruanda-Urundi, but I do not know where the fly will be sent from Tanganyika -- I gather that the fly is not killed but merely told to go farther into the country. However, as there are mineral resources in Tanganyika, it seems to me that it might be worthwhile for the Administering Authority to consider establishing a geological survey of the area -- a geological survey service, to train Africans as geologists so that the Africans of Tanganyika will become aware of the various resources of the Territory. Once they are aware of those resources, I think it might make



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the process of the development of those resources more acceptable to the indigenous population. I hope that the Administering Authority might regard this as a question for elucidation and perhaps for an answer to the effect that they will establish such a service.

Mr. FLETCHER COOKE (Special Representative): I am happy to be able to say that we already have such a service. We have a Geological Survey Department in which a number of Africans are employed. I have seen them at work. Naturally, as they acquire experience in the work which they are doing, they will be given more and more responsibilities. The headquarters of the Geological Survey is at Dodoma in the Central Province. The list of staff which is given in the current estimates on page 136 contains a large number of Africans who already have some technical qualifications. I do not think any of them have as yet qualified fully as geologists, but I have seen them at work in the geological laboratory. The representative of India can rest assured that the ladder for their progress in the development of their geological interests is certainly in existence, even though they may not as yet be very far up that ladder.

Sir Andrew COHEN (United Kingdom): The tsetse fly dies when development comes. If the trees which it requires as shade for its life are cut down, it dies.

Mr. LALL (India): That is very reassuring; I did not realize that. Are any of the African co-operatives or District Councils or Native Authorities embarking on the clearing of these areas of the fly?

Mr. FLETCHER-COOKE (Special Representative): There are a number of schemes, many of which require the migration of settlements from one area to another. For example, I can recall one which I visited where four generations of Africans have been settled on the tops of some hills and, as a result of indiscriminate grazing and agriculture, the hills are becoming very seriously eroded. Indeed, I think that two members of the Visiting Mission -- I am not sure whether U Tin Maung of Burma was one of them -- went with me to this site. They are being moved, with the full concurrence of the local authorities, to an area which has hitherto been wholly infested with the tsetse fly but which, of course, has been completely cleared of it before they have been moved, and it has been cleared with their co-operation and assistance. There are two sets of advantages which flow from that particular operation. One is the preservation of the higher levels of the hills which, if agriculture and other activities are not removed therefrom, will become even more seriously eroded than they are at the present time; and the second is the development of land hitherto infested with the tsetse fly and, therefore, unsuitable for human habitation.

Mr. LALL (India): I do not see, in these agricultural productivity schemes, any mention of terracing which, in the hill areas, is really the best answer to erosion. In India we have very effective terracing, generally speaking. Is something being done to encourage terracing?

Mr. FLETCHER-COOKE (Special Representative): The reason why the representative of India does not see it in the list on page 31 is, of course, that it is a normal part of the activities of both the Administration and the

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Department of Agriculture and is being carried out very widely throughout the Territory. It would have gone on irrespective of this particular proposal for increasing productivity as such.

Mr. LALL (India): I wonder whether the special representative could give us figures showing the total acreage of agricultural land in the Territory and tell us how much of that agricultural land has been alienated. What I mean is this. There must be a figure showing X million acres under agriculture. How many millions of that have been alienated and are now being worked by persons to whom grants have been given?

Mr. FLETCHER-COOKE (Special Representative): I have already, of course, given the second figure, with some fairly detailed explanations as to how it is made up. It sticks in my mind that it is 2,448,000 acres and, of course, it consists of the various categories to which I referred. One quarter of that area is alienated -- if that is the right word -- to public or semi-public bodies; and individual Africans and African institutions and bodies of one sort and another occupy, as will be found in the detailed statement which I made the other day, other parts of it.

As regards the total land under agriculture in the Territory -- within which, of course, that figure would be included -- I cannot lay my hands on that information immediately, but I will do my best to find it for the representative of India.

Mr. LALL (India): Could the special representative indicate the order of the proportion? I mean, would the alienated area be, say, a quarter?

Mr. FLETCHER-COOKE (Special Representative): As is indicated on the map, the little red square, having relation to the boundaries of Tanganyika which are set out in red, indicates the total amount of alienated land, including, of course, that which is alienated for public or semi-public purposes, and is less than 1.1 per cent of the whole land area. Admittedly, the whole land area

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is not under agriculture. Parts of it are not under anything; parts of it are under forest, and so on. But I would be extremely surprised if the amount of alienated land was anything like as much as a quarter. I would have guessed -- and it is a pure guess, although I shall endeavour to find the figures -- that, at most, it would be about 5 per cent of the total land under agriculture. After all, the vast portion of agricultural activities in Tanganyika are carried out by peasant farmers, by Africans working on their own account or in accordance with tribal law and custom, and they cover a very, very large area of land indeed; and the total amount of land alienated, either for commercial agricultural undertakings or for individual non-African farmers, the exact figure of which I quoted in my statement, must be a very small proportion.

Sir Andrew COHEN (United Kingdom): I should only like to add that I think that the real comparison must be not with the actual land under agriculture, but with the potential agricultural land which is available for agriculture. If I may make a rash prophecy of what the figures will show, I would say that it would be less than 2 per cent if it is compared on that basis -- the basis of potential agricultural land. There is, of course, a certain amount of land which will never be suitable for agriculture which has to be kept under forest for public purposes, and so on.

Mr. LALL (India): Of course, the forests have to be preserved. I would be grateful if the Administering Authority could succeed in finding a figure of that kind -- both the relationship between the amount of land alienated and the amount presently under agriculture, and cultivable land, taking into account, of course, that there are large areas in any country which one does not want to bring under agriculture. I mean that in an agricultural country such as Tanganyika the forests have to be preserved. There is also a certain amount of desert area there which is probably not cultivable in present conditions. Therefore, it would be interesting to have this figure. If Sir Andrew Cohen is right, then, of course, it would mean that over 50 per cent of Tanganyika was cultivable agriculturally,

That is a rather high percentage in my opinion, but still, I would be grateful if this matter could be looked into from the point of view of statistics..

A remark which was made by the special representative leads naturally to my next question. He pointed out that the vast bulk of agriculture in Tanganyika is undertaken through peasant farming.

(Mr. Lall, India)

That is a very important point with reference to land alienations. Does the Administering Authority not consider that it might perhaps be unwise, in a largely peasant community, to create the latifundia which are being created by these large-scale alienations? Such alienations, to outside interests, will undoubtedly and inevitably accentuate agrarian problems and increase the demand for agrarian reform in the long run. Therefore, apart from the economics of this matter, which I was trying to get at in terms of the percentages of agricultural land in this area, would the Administering Authority be willing to consider the general agrarian wisdom of creating latifundia in Tanganyika in the light of the fact that this is a largely peasant community?

Sir Andrew COHEN (United Kingdom): I only want to clear away the start of this question. Of course, I believe that it was the Gracchi who first ~~xxxxxx~~ inveighed against latifundia, and I am delighted to find the representative of India following in their footsteps. I do not think that it is a question of latifundia, which I think were enormous areas worked with slaves. But I must leave it to the special representative to deal with the basic content of this question. I would point out that if you are going to have plantation agriculture at all -- and it has its value -- the kind of alienations which has been made and are still being made in Tanganyika is probably the only kind that you could have. I do not think the character of these plantations being created can really be called in question. Of course, where you have ranching, you must have much larger areas. Indeed the Council has shown a certain disposition, I think, at its last session, to suggest that there is possibly some safeguard in rather wider alienations for plantation purposes than the creation of small farms under alienation.

That is the impression I got from the recommendations of the last sessions; I may be wrong. I think that the special representative can deal more effectively with this than I can.

Mr. FLETCHER-COOKE (Special Representative): Leaving out of account for the moment alienations to public and semi-public concerns, with which I think the representative of India would have no quarrel at all because they are all to undertakings in which there is at least a majority, in many cases a totality, of public funds, for it is convenient that they should have some specific title to the land in order to work them, leaving that out of account, we are left with something well under 2 million acres which, as I said, is of the order of well under 1 per cent -- the total amount being alienated, including that of public and semi-public concerns is 1.1 per cent -- of the total, admittedly, land area of the Territory.

There is no doubt whatever that the land so alienated, whether it be to commercial agricultural undertakings, such as sisal, tea, and so on, or whether it be, as the smaller part of it is -- I gave the exact figure in my earlier statement -- one-fifth of the total to small farmers, which is about half a million acres, is in fact producing for the revenues of Tanganyika infinitely more than the corresponding areas, as worked by this peasant subsistence agricultural scheme. Without the revenue which comes from those sources, of course the Government of Tanganyika would be in an even worse position in facing the problem of paying for its social services: education, medicine, health and so on.

It does seem to me that the major issue as regards land in Tanganyika is perhaps rather a different one, though it is one to which the Visiting Mission has, in our view, devoted an appropriate amount of emphasis, and that is, as we are agreed, that the majority of agriculture in Tanganyika is carried on on a peasant subsistence and, I might add, in many cases, a shifting system of cultivation, which is extremely wasteful. This is done because the vast majority of land which is occupied and worked by Africans is held under native law and custom, without any individual title or tenure which would enable the African to raise money on the land in order to put capital into it, to develop it and thus make it more productive.

As I stated at the last session of the Council, the Government of Tanganyika has followed up the recommendations and suggestions of the report of the East Africa Commission on Land and Population. We have it in preparation, but I regret to say that it has still not seen the light of day merely because, as the Visiting

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Mission quite rightly said, land is a highly explosive subject in Tanganyika, and we wish to be quite certain that when we do make public our pronouncements about the possibility of individual African tenure of land, that we will carry the vast majority of the African people with us and that they will not misrepresent or suspect our motives.

At the present time, as I indicated at the last session -- and I think it is repeated in the observations of the Visiting Mission's report -- there are many areas of Tanganyika in which there is a vocal and, I might say, insistent demand for the early introduction of some such system. That is particularly so among the Chagga people on the slopes of Kilimanjaro who in fact have virtually introduced a similar system of their own now which they themselves recognize. They recognize, as regards an individual who works a particular piece of land there, that it is his land and that he is not likely to be shifted from it.

In other parts of the Territory, where the Africans are less sophisticated, they are always a little suspicious about anything which purports to make any change in native law and custom. This would of course -- we must face it -- make a fairly substantial change in native law and custom. We do contemplate in general terms a scheme, the details of which are still being worked out, whereby Africans will be able to obtain individual tenure over the area of land which they have been accustomed to work. That would be, no doubt, of a freehold nature, and the advantages which would flow from that would I think be many and also obvious. But I do myself feel, and certainly I think it is true to say in terms of local opinion in Tanganyika, that that is a much more burning land question than the alienation of something under 1 per cent of the agricultural land of the Territory.

Mr. LALL (India): I realize that the question of land in Tanganyika is an explosive one, that it does require careful handling and undoubtedly this question of individual ownership is very important. At the same time I should like to add that in our own country, a part from plantation estates and so on, we have found it necessary in view of the peasant character of our agriculture to abolish large land holdings and to restrict, by legislation, the maximum size of an agricultural holding. I am offering these remarks in the light of our own experience, because I am sure it is not the intention of the Administering Authority, even by accident, to accentuate agrarian problems in the Territory.

This leads me to my specific question which is this: There is, as the special representative has said, no quarrel at all about alienations for public or semi-public purposes. But when an alienation, whether for plantation purposes or otherwise -- and one might hope that they would be restricted broadly to plantation purposes -- is under consideration, could it not become the practice at this juncture for the Administering Authority to give a first refusal, as it were, to local or adjoining African co-operative societies, or to a native authority, or some such general organization of local enterprise before it alienates the land, and only alienate the land to others if the offer is not taken up by local enterprise?

Mr. FLETCHER-COOKE (Special Representative): I should like to make one comment on that observation by the representative of India, and that is this: when any land is alienated in Tanganyika, and I will confine myself to the moment, as he has done, to plantation land, the Government of Tanganyika feels that it has a definite duty to ensure that those to whom the land is going to be alienated are going to develop it properly, adequately and in such a way that it will bring the maximum benefit in the shape of revenue, employment and so on, to the Territory.

Now, there are many crops which are grown in Tanganyika which do require considerable amounts of capital and considerable expert knowledge which can only be acquired by having done the same thing somewhere else. Therefore, for example, if it was a question of, let us say a tea estate, land on which tea was

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going to be grown, it is a regrettable fact that at the moment there is no body of Africans, whether in a co-operative capacity or in some other association, who could in fact develop, who would have sufficient capital to develop or sufficient skill to develop a particular area of land such as a successful tea estate. I believe that that is another point which is referred to in the observations on the Visiting Mission's report. And as there are, I believe, some useful comments made on that, I should like to find the passage and refer the representative of India to it, if he will bear with me a minute. I do not wish to hold up the proceedings. I know that this is in here and I hope that in the course of further questions to find it and draw attention to it.

Mr. LALL (India): I do not for a moment deny the relevancy of the considerations to which the special representative has drawn attention. Those are very valid considerations. But subject to those considerations being fulfilled, would the Administering Authority not consider this possible practical formula regarding tea estates, of which I do have some knowledge myself. I would tend to doubt, if I may with great respect, the view that one cannot do this unless one has done it somewhere else. So far as African co-operative societies are concerned, they have been able to set up a number, I believe, of coffee estates, and although there is not an exact similarity between the working of a tea estate and a coffee estate, they have shown that they can adapt themselves to new forms of crops. That is the point of principle involved. I am suggesting that subject to these provisions, after all there is nothing wrong, it does not seem to me at all impossible for an African co-operative society to employ someone, who is an expert in setting up a tea garden, to help them in this matter; and provided that the Administering Authority is satisfied that these steps are being taken, and other appropriate steps are being taken, could it not be the practice that before an alienation is made, a first option would be given to the local African farmers, either through their co-operative society or through some other form of organization?

Mr. FLETCHER-COOKE (Special Representative): In answer to the specific point just raised by the representative of India: Of course, when there is any question of any land being alienated, it is open to any African or to any association of African co-operative society to apply for it. Indeed, as I indicated in my opening remarks, I think I said 8,000 acres -- admittedly a small amount, but it is an indication of the tendency -- of land was alienated -- if that is the right word in the circumstances -- to Africans in 1957, because in those particular cases the Africans satisfied the authorities that they were as capable, if not more capable, of developing the land as anyone else; and the land was therefore alienated to them. There is, therefore, no disagreement in principle. Obviously, if a co-operative society can satisfy the authorities, which in the last resort means the Governor, as regards land alienation that they can operate and work a particular piece of land as well as, if not better than, another possible applicant, they will certainly get the land on ordinary alienation terms.

Sir Andrew COHEN (United Kingdom): I should like to say something about this because a point of considerable importance, I think, has been raised by the representative of India. The process of consultation with local opinion which invariably occurs in the case of new alienations of land would, I think, certainly bring to light whether there were any local people who were interested in this particular land. And clearly if the alienation of some land was just going to be used where a particular crop was concerned, and the consultation showed that there were people who could do this, that is local people who could do this, I think the conclusion to be drawn would be fairly clear. I do not myself, in these high quality crops, see that happening very much, because I imagine that most of the coffee land is, apart from that which has already been alienated, already in occupation or is tribal land available to Africans. They certainly can work coffee land. But I must join issue a little with my friend about the question of coffee and tea. Coffee and tea are entirely two different cups of tea. It seems to me that coffee is a fairly easy crop to grow and it can be grown either on a peasant basis or on a plantation basis. It may not be easy to grow efficiently but it is easy to grow, and the cost of processing coffee, at any rate, to a certain stage is relatively low.

(Sir Andrew Cohen,
United Kingdom)

With regard to tea, on the other hand, I have had close dealings in recent years with attempts to start tea growing in new areas in Uganda under a partnership scheme. I will come to that in a moment.

Tea growing is a highly difficult and specialized thing. The cost of setting up a tea factory is very considerable, and I do not see a co-operative society doing it unless it is a very large one with a great deal of resources.

I believe that there is considerable scope in a Territory like Tanganyika, as in neighbouring Territories, for partnership schemes in which you have the know-how and the financing perhaps of some outside company and people coming in to help. But if I know anything of tea experts, they will insist that the scheme start off on an ordinary plantation basis and go on to some kind of co-operative growing, a matter not without difficulty, but one which we hope to see solved eventually. I believe that it is likely that the sugar scheme which the special representative mentioned is a more profitable line of development.

I do not think the representative of India need fear that there will be substantial new alienations of land where, in fact, the resources of the Territory could develop this land in the same manner. I do not think there is much difference of principle between us; there may be a little difference of practice.

Mr. LALL (India): I am most grateful for this clarification. I am glad to find that there is not a substantial difference in our points of view.

I would like to ask whether a little more precision could not be given to bring these points closer together. Perhaps the Administering Authority would be good enough to consider, when an alienation is under consideration, asking the specific question as to whether local enterprise is willing and able to take up this land. It is one thing for this capacity of local enterprise to take up the land to come out in the course of consultation. It might well come out. But if it became part of the practice to ask this pointed question, it might mobilize local enterprise in a most helpful manner. Therefore, I ask whether it is not possible to make this the practice.

Sir Andrew COHEN (United Kingdom): I wonder what would happen where, as frequently happens, the people have actually asked for outside enterprises to come in because they believe that these enterprises will be useful to the development of that area? I am not sure that local opinion will be so keen on having too rigid a practice in this matter. I believe that most local opinion would recognize that our present practice is something which offers the necessary safeguards to local interests, and I agree entirely that it is most important that every necessary safeguard should be offered to local interests. However, I am sure the special representative is ready to see to it that this suggestion is taken into account.

Mr. FLETCHER-COOKE (Special Representative): I cannot, of course, commit the Government of Tanganyika, but I can give the representative an assurance that I will bring his observations to the Government's notice and that they will be given the most careful consideration.

I have now found the particular reference that I was looking for. I invite the attention of the representative of India to pages 18 and 19 of the observations on the Visiting Mission's report on which there are seven comments on the Visiting Mission's statement that it found that economic development -- here we are talking in terms of areas and races -- was somewhat uneven in the Territory. More specifically, comment (vii) at the bottom of page 19 begins as follows:

"Furthermore, there are various considerations to be borne in mind in regard to African participation in the culture of such plantation crops as tea." (T/1362)

Overseas Food Corp
Mr. LALL (India): That is a very interesting paragraph, and I shall look at it closely.

May I ask just one more question regarding alienation? It appears from the Visiting Mission's report that large alienations have been made in the past in favour of the Overseas Food Corporation and Colonial Development Corporation. Would the Administering Authority kindly tell us who owns these corporations and for what purposes the alienated lands are being utilized now?

Mr. FLETCHER-COOKE (Special Representative): As regards the Overseas Food Corporation, all its assets and land were taken over by the Tanganyika Agricultural Corporation. This is a statutory body which has among its aims and objects, as set out in the law, the development of agriculture in the interests of the African population. Indeed, as is quoted in many parts of the Visiting Mission's report, there are a variety of African tenant farmer schemes which they are operating, the details of which will be found in the report and in the observations thereon.

As regards the Colonial Development Corporation, my understanding is that this is public money subscribed in the United Kingdom, Government money. In fact, in Tanganyika, the land is held for the development of the wattle bark scheme, which again is described in some detail in the Visiting Mission's report and in the observations thereon.

Sir Andrew COLEMAN (United Kingdom): The Overseas Food Corporation, when it existed, was owned by the United Kingdom Government and was quite an expensive undertaking. But I would also note that the wattle scheme, which was operated by the CDC, has attached to it an African tenant wattle-growing scheme, as I understand it, which is part of the project and is described in detail.

Mr. LALL (India): Am I right in drawing the conclusion that none of the land which is held by the successors or by these two corporations is now being worked by outsiders?

Mr. FLETCHER-COOKE (Special Representative): There is a certain number of salaried staff in the Tanganyika Agricultural Corporation who, in some places, in experimental farms, act as farm managers and so on, but they have no direct interest. Of course, the Tanganyika Agricultural Corporation is a non-profit making body, a statutory body.

Assoc. of Africans with the Territory's development

Mr. KIANG (China): May I take this opportunity to tell my colleague from the United Kingdom what I failed to tell him the other day when he asked me in private how I had been profiting from the reading of his opening statement over the week-end. I must tell him today that the only disappointment I have over his statement was with regard to his treatment in his very good and lengthy statement of the subject in which I am sure he and I share great interest. Actually last year that subject gave rise to a very useful exchange of views. I am referring to the land tenure problem, and I understand that the special representative said that it is still a ~~burning problem~~. I understand of course why he was conspicuously reticent on this point because I am sure the representative of the United Kingdom was very much overwhelmed by various disappointments at which he would like to express his own disappointment. Before I put my few questions on the land tenure question, may I first of all put a general question to the special representative. May I, first of all, have some information from the special representative about the projected studies on economic development and the ways and means of increasing the association of Africans with the Territory's development. Now I am not talking about the projected studies. What I would like to know is whether these projected studies are in the hands of ad hoc committees of the Legislative Council.

Mr. FLETCHER-COOKE (Special Representative): I am not quite sure which of the many investigations which are being undertaken in this and in related subjects the representative of China has in mind; one in particular is the study being undertaken by an officer of the Administration into what has generally been called ways and means of giving the African a greater share in the equity of the Territory; that is to say, associating him more directly as a shareholder with particular undertakings in the Territory. That report, as I said in reply to a question which I was asked a day or two previously, has not yet been published. But I have had an opportunity of seeing it in advance or parts of it, and I am sure that when it is published it will be of considerable interest both in Tanganyika and to this Council. I am not quite sure whether the representative of China has any other particular investigations in mind, but at any rate I think I can answer his question by saying that there is no specific

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committee of the Legislative Council investigating that particular problem. The General Development Committee, which is a committee of the Legislative Council, has been concerned with the development plans, which you might call the Governmental plans, and with these African productivity schemes.

Mr. KIANG (China): May I ask the special representative whether there is any other body outside of the Legislative Council to assist the Advisory Council Committee in investigating those projected studies?

Mr. FLETCHER-COOKE (Special Representative): These studies have been entrusted to various people, and these people of course consult all sorts of other people. They consult Government sources, they consult non-Government sources, they consult African co-operatives, chambers of commerce, native authorities; they consult all possible sources in order to acquire information and acquire a knowledge of possible suggestions from these various sources, and of course they also consult members of the Legislative Council.

Mr. KIANG (China): I understand that results of these studies will be made available in due course of time, but do I understand -- that was the impression I gained by reading the Visiting Mission's report -- that the results will be made available about the same time as the Constitutional Committee is going to publish its findings?

Mr. FLETCHER-COOKE (Special Representative): Did I understand the representative of China to say the same time as the Constitutional Committee is going to publish its findings?

Mr. KIANG (China): My question is: the impression I gathered from the Visiting Mission's report was that the result of those projected studies on the association of Africans with the Territory's development would be made available about the time when the Constitutional Committee had completed its investigations.

Mr. FLETCHER-COOKE (Special Representative): I do not think there is any basis for that assumption. They are wholly unrelated matters, and indeed the reports and investigations to which the representative of China refers will in fact be published just as soon as they are finished. Indeed, I have just enquired whether by any chance they have been published since I left Tanganyika, which indicates that I expect them to appear at almost any moment. I would certainly hope that they would appear within the next few months.

Mr. KIANG (China): I am very glad to have this clarification, and we certainly will look forward to the early publication of the results of the investigations or projected studies.

laure I now come to the land question. Before I ask a question, I think I would like very much to make clear the position of my delegation on this question. We know very well the strong resistance offered by the deeply-rooted customary tenure in African society to any drastic change can scarcely be under-rated, but I think it would be very costly, at least in time, to leave the breaking down of the tribal barriers to the process of evolution under ordinary economic pressure. I think the Administration has no choice but to provide a lead by taking positive action to induce those conservative communities, may I say, to put the land to full and effective use, certainly not only by themselves, but by others as well.

I also believe that the policy of leaving African land tenure to continue under customary influences and without proper guidance from the Administration would lead, on the contrary, to individual insecurity against modern economic conditions.

With this introductory remark, I proceed to ask some questions on land tenure. According to my reading of the Visiting Mission's report, the approach to the land tenure problems in Tanganyika would be first to effect changes in the attitude of many Africans and, second, to start the application of the new land tenure laws in those areas where resistance is likely to be the least.

I think that such an approach, which I would call pragmatic -- and this word has been used very usefully in our discussion of the political development in Tanganyika -- is a practical one. I do not think the Administering Authority has any different view on this. I should like to hear from the special representative whether I am correct in assuming that this is also the approach shared by the Administering Authority.

Mr. FLETCHER-COOKE (Special Representative): I should like to draw the attention of the representative of China to the following statement in the Administering Authority's observations on the Visiting Mission's report:

"... the Administering Authority has examined the recommendations of the East African Royal Commission on this subject with the greatest care. As indicated by the Government of Tanganyika to the Mission, the whole question of the Territory's land tenure policy, including such matters as individual title and registration of holdings, is under consideration. When this policy has been settled -- and it is hoped to publish a policy statement during the course of 1958 -- the Administering Authority is hopeful not only that that policy will be generally acceptable to all concerned in the interests of increasing productivity, but also that it will be capable of gradual application in selected areas, in accordance with the degree of support forthcoming from those whom it will principally affect". (T/1362, para. 82)

The programme, in so far as I am in a position to disclose it, is roughly the following. As soon as it has been agreed, this policy statement will be published and will then be the subject of a debate in the Legislative Council. In the light of the policy statement and the debate in the Legislative Council -- in which the African representative members and the Africans on the Government side will no doubt have a great deal to say -- it is proposed to proceed to draft and subsequently introduce in the Legislative Council an enabling bill, which will enable the agreed practice to be initiated in a particular area.

Obviously -- for the reasons indicated in paragraph 83 of the Administering Authority's observations -- this is not something that can be done overnight. We must make a start in individual areas. I have little doubt myself that the Chagga area will be one of those areas in which there will be requests for the early introduction and implementation of the practice. When, however, one looks at the list of things that will have to be done, as mentioned in paragraph 83 of the Administering Authority's observations -- the investigation of title, the surveying of individual plots, the marking of the boundaries and, thereafter, the registration of the new titles -- one understands that these procedures will take some considerable time in a country the size of Tanganyika, and even in any

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particular area of the country. Of course, the land for the most part is not surveyed at all. All of the land must be surveyed -- although we hope to find a rather simpler and therefore less expensive method of surveying than the one normally used.

Hence, I may say that, generally speaking, the outline of the procedure given by the representative of China is in line with what it is proposed to do.

Mr. KIANG (China): I am very grateful to the special representative for drawing my attention to paragraphs 82 and 83 of the Administering Authority's observations. As a matter of fact, these paragraphs will be the subject of a question which I shall put to him at a later stage. The special representative, indeed, has already referred to the paragraphs in answering a question on a related matter put by the representative of India.

My next question is the following. In its report, the Visiting Mission refers to Iringa in speaking of the different attitudes of the progressive, younger elements and the conservative, older elements with regard to individual title to land. Could the special representative throw some light on that observation by the Visiting Mission?

Mr. FLETCHER-COOKE (Special Representative): I would certainly not dissent in any way from the Visiting Mission's conclusion that in a number of areas there is a difference in outlook on these matters between the older generation and the younger generation. I do not, however, think that this will in fact give rise to any very great difficulties so far as this process is concerned, for the following reason. There are enough areas in the Territory where such a process would be acceptable to both the older and the younger generations, so that, by the time we get round to the other areas, the older generation will probably have died off. It is going to take quite a long time to carry out this process. It would be wrong to assume that this can be done in a few years; it is much more likely to take twenty-five years.

Mr. KIANG (China): In what other areas can one find the kind of differences that are evident in Iringa?

Mr. FLETCHER-COOKE (Special Representative): I should not like to be specific. This tendency is probably found in all the areas, with the exception of two or three. I should say that the tendency is not likely to be found to any great extent in Chaggaland; nor would I expect to find it in the area round Tukuyu, where a stage of development has been reached which is more or less comparable with that of Chaggaland. I have no doubt that there are also areas in the Lake Province where the stage of development suggests that the people are more acquainted with modern trends of thought. However, in other areas less affected by modern developments I would expect to find this same difference of opinion between the young and the old.

Mr. KIANG (China): In a previous question, I said that, as I understood the Visiting Mission's report, the approach to this matter of individual title to land would be, first, to effect changes in the attitude of many Africans. I remember that, last year, Mr. Fletcher-Cooke was kind enough to inform me that Mr. Makwaia, the only African member of the Royal Commission on Land and Population, had accepted an appointment as Assistant Minister in the Lands Ministry. At that time, the special representative said:

"With his experience of what is necessary, he will be able to use his great influence to remove any doubts which may still exist in the minds of certain Africans as to the desirability of proceeding in this way".

Could the special representative tell us how successful Mr. Makwaia has been?

Mr. FLETCHER-COOKE (Special Representative): Mr. Makwaia, who is the Assistant Minister of Lands, has in fact been touring the Territory extensively during the past six or eight months and has been discussing this problem in, I think I can say, almost all parts of the Territory. Not only has he removed a number of the doubts which may have existed in the minds of some people in the outlying parts of the Territory, but he has also done something which is perhaps even more important, namely, he has come back to the Government in Dar es Salaam and said: "I would suggest that your statement of policy should be, in certain respects, turned round a little because, if you turn it round in this way, it will be better understood and more generally acceptable."

It is indeed an extremely good example of the value of having, if I may say so, a highly intelligent and well-qualified African as an Assistant Minister, who is in a position to conduct, as it were, a two-way traffic, interpreting what Government has in mind to the people who are likely to be concerned and then bringing back to Government the reactions of those people and saying "I agree with this particular principle or approach -- but, if you turn it this way round, it will become much more intelligible and will remove any doubts."

It is indeed as a result of Mr. Makwaia's appointment and the careful study he has made of this problem that this delay has occurred. We were virtually ready with a draft policy statement when I last addressed the Council, and it was because of that that I thought -- and indeed said -- that it would be presented to the Legislative Council. But when we asked Mr. Makwaia to undertake this task, which he did, it was found that we could improve considerably on our original proposals, and that is the main reason for the delay which has occurred.

Mr. KIANG (China): That is a most informative reply by the special representative. I listened very carefully to his reply to a question put at the very beginning of the meeting, and therefore I am not going to press the question as to why the policy statement will not be able to come out, as was promised last year, in the course of 1958. In any event, I now know one of the reasons for the delay. But has the delay also been due to the discussions that took place at the Land Tenure Conference of representatives of British East and Central African Governments? Did the discussion at the Conference have anything to do with the delay of the policy statement, which we expected would come out in the course of 1958?

Mr. FLETCHER-COOKE (Special Representative): I would say that it did not, because the Conference to which the representative of China has referred was held in the early part of 1956, and indeed it was following upon the discussions and deliberations at that Conference that the Government of Tanganyika prepared its first draft of this policy, which, as I have said, has since been subject to a very careful scrutiny by Mr. Makwaia and his explanation to the people and back from the people to the Government.

Sir Andrew COHEN (United Kingdom): I want to take this opportunity of saying that there was no special reason why I did not deal at length with the question of land in my original speech -- except, of course, that I knew it would be dealt with at length in our discussions. I also have to bear in mind an incident which once occurred in Uganda, where I made such a long speech that the interpreter fainted and had to be carried out. I certainly do not want this to happen in the United Nations.

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

Mr. KIANG (China): Before the recess we were discussing the policy statement, and I should now like to ask the special representative whether such a policy statement will be very similar to what was contained in the paper which he himself told us last year he saw before he left for New York to attend the twentieth session of this Council. I understand that it was in this paper that the Administering Authority had recorded its preliminary conclusions on the question of registering individual ownership of land in African hands.

Mr. FLETCHER-COOKE (Special Representative): I am not quite sure that I follow the question of the representative of China. I can say that there has been no basic change whatever in the proposals which were in the mind of the Government of Tanganyika before this Council met last time. There have been no basic changes whatever. It has merely been a question of timing. That is to say, we wished that Mr. Makwaia should discuss this problem with the leaders of the Africans who were likely to be affected -- which, indeed, means any Africans for that matter -- but, as I say, there have been no basic changes, although this document has been drafted and redrafted a number of times. I hope that that answers the question.

Mr. KIANG (China): I understand that the paper which we have just referred to actually contained those proposals which were laid before the Legislative Council. Am I right in that understanding?

Mr. FLETCHER-COOKE (Special Representative): Yes, there is no distinction between describing this document as "the proposals" or as "a draft policy statement". It is one and the same document but, as I indicated earlier, it is the present intention that the Government's proposals which will form the draft policy statement shall be laid before the Legislative Council and debated there before any law is drafted so that account may be taken of views expressed during that debate.

Mr. KIANG (China): Since these proposals were debated in public in the Legislative Council, could the special representative tell us what the reaction was and throw some light on the discussions that took place there?

Mr. FLETCHER-COOKE (Special Representative): I am afraid I have not made myself clear. The proposals have not yet been laid before the Legislative Council. The paper to which I referred -- which was the first draft, if you like, of the policy statement which we are discussing -- has been in course of preparation now for the last eighteen months. It has been drafted and redrafted and discussed with various people. The views of Mr. Makwaia and, through him, the views of various Africans have been obtained. It was the hope that it would have been possible to lay this document before the Legislative Council last September, but the appointment of Mr. Makwaia as Assistant Minister in Charge of Mines and the fact that he indicated that he should -- as indeed the Government wished -- travel the country, seek the views of the people and explain it to them, have caused the delay in laying the document before the Legislative Council.

Mr. KIANG (China): Then could the special representative throw some light on the last draft which appeared before the Legislative Council?

Mr. FLETCHER-COOKE (Special Representative): In the first place, I have not seen this paper for a considerable time. In the second place, it would not be appropriate for me to disclose here in the Trusteeship Council Government's intentions before they have been disclosed in the Legislative Council of Tanganyika.

Mr. KIANG (China): I understand that the proceedings of the Legislative Council are published.

Mr. FLETCHER-COOKE (Special Representative): They are published, but the paper has not yet been presented. The draft paper has not yet been made public and it has not been laid before the Legislative Council.

Mr. KIANG (China): But there were discussions.

Mr. FLETCHER-COOKE (Special Representative): There have been no discussions as yet.

Land register
Mr. KIANG (China): Has the land registration question or general land tenure ever been discussed at the meeting of the Chiefs' Convention?

Mr. FLETCHER-COOKE (Special Representative): I am not in a position to give a positive answer to that because, as I indicated before, apart from the opening and the closing meetings of the Chiefs' Convention, they conducted their own deliberations and I am not fully aware of what was discussed there. However, I would imagine -- I cannot do more than that -- that this subject probably was raised there.

Mr. KIANG (China): I come now to one or two specific questions relating to land tenure. My first question concerns the sale of land. Could the special representative tell us the places in the Territory in addition to Chagga where the sale of land is practised.

Mr. FLETCHER-COCKE (Special Representative): I presume that the representative of China is referring to land held by Africans under native law and custom, as we describe it. I would not like to be quite as positive as to say that land in Chaggaland is sold in the ordinary accepted sense of the word as between one African and another. What I would say is that Africans there have a right, which is recognized by their own interpretation of native law and custom, to own -- perhaps that would be an exaggeration of the word -- land, but they have certain rights in the land and they would not be disturbed from using that land without very good reason, whereas the land arrangements in other parts of the Territory, more specifically where there is shifting cultivation -- which of course there is not in Chaggaland -- would be rather different. I cannot give any details, because I do not know them, as to the way in which the Chagga Council administers native law and custom for land held by Africans in Chaggaland beyond saying that I have heard from Chief Marealle himself that individual Chagga Africans are regarded as having individual rights in particular plots of land. If they want to dispose of that land -- which, incidentally, I would doubt because the rich land on the slopes of Kilimanjaro is such that the only likely way to dispose of it would be to pass it on to sons -- I am afraid I cannot give details as to how that would be done.

Mr. KIANG (China): The sale of land to which I have referred is exactly in the nature of what the special representative has described. My question was in agreement with his answer. I should like to know whether there are any other places in addition to Chagga where that kind of sale of land is practised.

Mr. FLETCHER-COCKE (Special Representative): I do not think there are any other places where it has reached that level.

Mr. KJANG (China): How about in places like Arusha, Sambaa and Haya?

Mr. FLETCHER-COOKE (Special Representative): I think again we are possibly getting into a misunderstanding on this reference to the sale of land. The position is that native authorities -- in the case of Chaggaland, the Chagga Council -- have the right to allocate land in the Chagga area to members of the Chagga tribe on whatever terms and conditions they like. But it is an arrangement of which the Government has no direct cognizance, and if there are any disputes about the land and who has the right to it, it is settled by the native authority, in this case the Chagga Council. I am afraid I cannot give details of the way in which that is done. It is entirely a matter for the Chagga Council and its own interpretation of native law and custom. As far as the Government is concerned, all we do is recognize that the land is in the occupation of the Chaggas under native law and custom. But its actual allocation, its disposal, the laws of inheritance and so on, are a matter for the Chagga Council, and I have no details.

Mr. KIANG (China): Am I to understand that it requires the consent of a kinsman or any other superior?

Mr. FLETCHER-COOKE (Special Representative): It is my understanding that any transaction in land, as between one Chagga and another, requires the consent of the Chagga Council. Referring to an earlier question by the representative of China, I would say that there is a similar sort of system, but again, I do not know how similar because I do not know the details of either system, operating in the Bukoba area.

Mr. KIANG (China): Do such sales as the special representative has described to us recognize the land relationship of ~~landlord and tenant?~~

Mr. FLETCHER-COOKE (Special Representative): I would be inclined to say no, because I think that the Native Authority as such would regard itself as the landlord -- the Native Authority holding all the land for the use of the tribe -- and that whoever was actually on the spot occupying the land would really be a very long-term tenant.

Mr. KIANG (China): In the light of the previous answer given by the special representative, can we draw the conclusion that such transaction does not require any registration in so far as the Chagga Council is concerned?

Mr. FLETCHER-COOKE (Special Representative): That is a question which, again, I regret that I am unable to answer. It certainly does not need any registration by the Government. I must make this position quite clear. The representative of China has referred to sales. I do not think that I originally referred to sales, and I am not aware that land is sold by one Chagga to another. If it is, I am not aware of it. All I am saying is that in Chagga and in Bukoba a practice has grown up which is recognized by the Native Authority, whereby individuals have much greater interests in particular pieces of land than in rights recognized by other Native Authorities in other areas.

Mr. KIANG (China): As I do not wish to detain the Council too long, I think that I will show to the special representative, outside the Council room, the evidence indicating that there are such sales of land. I think that such a reference is made in the report of the East Africa Royal Commission, and that was the impression which I had after reading the report, not only concerning Chagga, but also the places to which I have referred.

Mr. FLETCHER-COOKE (Special Representative): I do not dispute for one minute the suggestions made by the representative of China. What I am saying is that, apart from, as it were, an anthropological exercise, the Government has no direct knowledge, and certainly no direct concern, as to the way in which the Chagga Council arranges its own land transactions. I would not dispute for a moment that there may well be land sales; I am merely saying that I have no information on which to answer the representative of China's questions.

Mr. KIANG (China): I now come to a general question. If the freehold is given recognition, what, in the opinion of the special representative, would be the dangers at the present time?

Mr. FLETCHER-COOKE (Special Representative): I think that there are two dangers -- if that is indeed the right word. The first is a general one, which is that if and when a policy statement is made to the effect that it is the Government's intention to introduce legislation which will provide for the registration of individual tenures by Africans, so that they may hold freehold what was previously land held under native law and custom, as I indicated previously, there is a possibility that such a general statement, unless it is carefully explained and patiently pointed out to African public opinion generally, which, while acceptable in, let us say, Chaggaland, and possibly the other areas to which the special representative has referred, might give rise to great suspicions and doubts in other less sophisticated areas which would feel that this was some way in which they were going to be deprived of their land. That is the first danger.

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There is a second and more specific danger which is very much in the mind of the Government, and to which, so far as I am aware, no solution has at present been found. It is this. The whole purpose -- or the major purpose perhaps -- of granting individual freehold title to land to an African is to enable him to develop his land in the full knowledge that it will be his and anyone's to whom he may bequeath it or dispose of it; but, in order to do that, he may well wish to raise money on the land, to mortgage it, to give it as security for capital with which to develop his land. If he elects to mortgage the land to another African, well and good because, if by any chance, he is unable to pay off the money which he owes, the land will merely pass into the hands of another African -- and I strongly suspect that, in fact, in areas in which there is a very strong tribal consciousness, public opinion would probably preclude an African from attempting to pledge his land to anybody but a member of his tribe. I should think that that might well be the case, in say, Chagga.

On the other hand, in many areas the source of money which the African might borrow on the security of his land might well not be in African hands, and we are, therefore, faced with this great problem of: can one devise a system which, while enabling the African to raise money on his land by pledging it, by accepting a mortgage on it, will nevertheless ensure that it does not pass out of African hands? That, incidentally, is one of the doubts in the minds of the Africans.

Various suggestions have been put forward. For example, if the Government had the funds, it would be highly desirable perhaps, if the Government was the only person from whom an African could borrow money, to pledge the land to the Government, and then if the Government had to foreclose, it would make the land available for another African. That would be one way of doing it.

Possibly it could be done by the tribe or the Native Authority finding the capital to lend money so that, if the mortgage were foreclosed, the land would revert or be freehold to the tribe or somebody else to sell it and try to get the money back.

At any rate, at the moment it is an obligation on the part of the Government to protect the interests of the Africans on their land, and I am sure that the representative of China will see that this is one of the very thorny problems which we have to consider; and I do not myself know what answer the Government of Tanganyika is going to propose to this problem.

Mr. KIANG (China): I am sure that the special representative can understand very well why I have raised this question, because information in this respect will give us a very balanced picture of the situation regarding the land question. I understand very well the dangers and, in fact, I had in mind the mortgaging of land. But I understand that there are places in other parts of Africa where certain restrictions can be placed on the land other than those alluded to by the special representative. I do not know whether the special representative will be able to tell us of any restrictive practices which have been adopted in other parts of Africa and could be adopted in Tanganyika if freehold is to be recognized in the Territory.

Mr. FLETCHER-COOKE (Special Representative): I can only answer that in general terms, in the sense of saying that, as the representative of China will appreciate, the more restrictions you put on the pledging of land, the giving of land as a security, the less opportunity the African freeholder will have of raising capital, and he realizes that. In other words, the only land which will afford an excellent security for any money that you wish to borrow is a freehold land unencumbered with any restrictions at all, because then if the mortgage is foreclosed the man or institution who has issued the loan knows that they will be able to get the land and either sell it or use it.

Mr. KIANG (China): We have been assured by the special representative that there will be a policy statement on the land tenure question, and the special representative even went so far as to say that when that policy statement comes it will command the support of a great majority of Africans. That is very reassuring. But I would like to know whether the Administering Authority has already made studies in Tanganyika of indigenous land holdings. I am very ignorant as regards this point. I would very much like to be enlightened by the special representative.

Mr. FLETCHER-COOKE (Special Representative): I would, first of all, like to correct one statement. I cannot guarantee that the land policy statement will command the support of all or even a majority of Africans. What I say is that the Government of Tanganyika is endeavouring to prepare a statement which will do just that thing. Secondly, of course, although I am in no sense an expert on land tenure in Tanganyika or other parts of Africa, there are those in the service of the Government of Tanganyika who are acquainted with the various forms of land tenure, that is, the various ways in which native authorities interpret their administration of native law and custom in respect of land tenure, and as the representative of China himself pointed out, much evidence on that point was given to the Royal Commission.

Mr. KIANG (China): I do not know whether mere acquaintanceship with this indigenous landholding will be enough, because I think that the special representative knows very well some of the consequences as a result of the negligence in certain parts of Africa, reportedly Nigeria and Kenya, of careful studies of the indigenous landholdings before this introduction of changes.

I heard that such negligence had led to some mistakes. I think it shows how important is the careful study of African landholding, particularly for a Territory which has to effect a change by official policy. I think it is all the more important that the Administration should have complete knowledge of the existing indigenous practices in order to secure such changes. I know that that change will be evolutionary and command the acceptance of the people most closely affected.

Sir Andrew COHEN (United Kingdom): I think I heard the representative of China referring to Kenya and Nigeria and to some mistakes which he said had been made there in connexion with land tenure. I do not want to say much about that except that I am not aware of exactly what he was referring to. I would say that in various parts of Africa, and I think including both these Territories, a great deal of extremely valuable work, including extremely interesting studies, have been made on the question of land tenure. I only mention these two Territories in order to say that I hope that my delegation will not be thought in any way to be accepting sub silentio that these observations on these Territories are correct.

May I go on to say that I entirely agree with the representative of China as to the importance of studies. It must not be forgotten, I should think, that every administrative officer and many agricultural officers and other officers have in fact acquired a great deal of information on the subject of land tenure; and almost every anthropological study -- and there are increasing numbers of these which have been made -- on any tribe will include a great deal of information on its land tenure custom. The Tanganyika Government, as I understand it, employs some anthropologists who are permanently occupied in studying the habits and customs of different tribes. It is for this very reason, of the need

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of careful study, that it has taken so long to produce this particular set of proposals, and I am sure that the utmost caution has to be exercised in dealing with this whole subject. I know this from personal experience.

Mr. KIANG (China): I do not know whether I should ask some of the British authorities to come to my rescue, because I do understand that some of the British authorities on African affairs do say -- and I think Sir Andrew Cohen must have also read it -- that in Nigeria and Kenya the consequences of the failure to study the existing land tenure in the early days had led to grave mistakes. That is one point which I want to make. The second point I want to make is the following. In the light of the fact that there will be a statement of policy on this land question, if any change is introduced without full knowledge of the existing rights over the land, it will certainly very seriously prejudice future improvement.

Sir Andrew COHEN (United Kingdom): I have no desire to stand on rules of procedure, but it is awkward when references are made to alleged failure in Territories which are not within the responsibility of the Trusteeship Council, because I am not in a position to defend our policy in this matter, since, if I did so, I think I might be ruled out of order.

Mr. KIANG (China): I merely wanted to cite this instance to prove how important such a study should be. I now come to the last question. If the Territory, as a result of a policy statement which will be forthcoming, is going to introduce a new land tenure policy, will it be necessary to revise the present land ordinance?

Mr. FLETCHER-COOKE (Special Representative): I would suppose that you could hardly introduce a system of freehold for Africans without revising or reviewing, at any rate, the land ordinance.

Mr. KIANG (China): I am not very clear as regards that answer. Is the special representative telling me that there is no need to revise the land ordinance even if a change, which was discussed this afternoon, is introduced in the Territory?

Mr. FLETCHER-COOKE (Special Representative): Perhaps I phrased my reply badly. But what I said was that I cannot imagine that it would be possible to introduce such a change as this, that is to say to give statutory recognition to freehold land held by Africans, without amending or, at any rate, reviewing and adding to the land ordinance

Mr. KIANG (China): I have no further questions. I merely want to thank the special representative for the very informative replies which have led me to know more about the thinking of the Administering Authority on the land tenure question.

The PRESIDENT (interpretation from Spanish): Before I call on the next speaker, I would like to say for the record that on this occasion, as on past occasions, references have been made to non-trust territories, and these references have been made both by the Administering Authorities and the non-administering countries. I think that our discussions are very flexible. This very frequently renders our work more efficient. The President is therefore glad to see that no point of order was raised on this particular matter.

U TIN MAUNG (Burma): My first question in the economic field relates to the national income of the Territory. May I in this connexion refer to paragraph 103 of the annual report wherein it is stated:

"... a study of national income has been completed by two economists from the London School of Economics and Sheffield University, respectively, and publication is expected by the middle of 1957."

The Visiting Mission in its report also makes mention in paragraph 122 of the survey of the national income of the Territory but at the time of its arrival in 1958, the Mission was informed that the details were not yet available for publication. The Administering Authority in its observations in paragraph 59 states that the final figures will shortly appear in the published report.

These are my questions: first of all, if the Administering Authority could not definitely determine the time when the report would be ready for publication, I wonder why there is any indication of the time given in the report that it will be published in the annual report? Secondly, when will the final figures be made available to the Council? Thirdly, will there be a great measure of disparity between figures quoted by the Visiting Mission in its report and those that would be accepted as final by the Administering Authority?

Mr. FLETCHER-COOKE (Special Representative): In reply to the first part of the question, the words in the report were that, "... publication is expected by the middle of 1957." Well, no doubt, when that was written, that was the hope and expectation. But in this world many expectations are disappointed, and this was one of them. The work, of course, has been undertaken by two eminent economists who are not in the Government service and it must be at their discretion, that is to say when they feel they have fully compiled their report, subject to the inevitable delays that accompany the publication of any work these days, as to the date upon which it appears. We are as anxious as the Council that the report should be published without delay. Since I would not like to have my words on this occasion cast back at me at a subsequent time, I would say now that I do not know when the report will be published. But when the report is published, of course it will be published, that report and its contents will be available for the Trusteeship Council. This answers the second part of the question.

national income

(Mr. Fletcher-Cooke,
Special Representative)

As regards the third part of the question, I cannot add to the last phrase in paragraph 59 of the observations of the Administering Authority which says that the figures will be different, "... although the differences are not such as to affect the Mission's argument." What magnitude they will be, I cannot say.

Mr. WALKER (Australia): I would just like to say for the information of my friend from Burma that this long-awaited publication apparently came out while the special representative was on his way here. Through the courtesy of the library which, I think, must have received it in the last day or so, there is at least one copy in New York. I have had an opportunity to look at it. I am sure our colleagues will take the opportunity of studying this document. I thoroughly appreciate the delays that take place in the publication of studies by academic economists and the delays entailed in the general business of getting publications out under modern conditions.

Mr. FLETCHER-COOKE (Special Representative): I have only two comments. I am glad that I did not have to prophesy when it would appear. Secondly, I hope that I shall not be asked any questions about it, as I have not yet seen it.

U TIN MAUNG (Burma): I thank the representative of Australia for informing me that he has the report. I would ask him to kindly pursue the matter on my behalf.

balance of payments
My next question relates to the need to compile balance-of-payments statistics. The Visiting Mission's observation in regard to this question in paragraph 133 is commented upon by the Administering Authority which in its observations in paragraph 61 states that at present there are practical difficulties because the organization of banking and commerce in the area is on an East African rather than on a territorial basis. This, of course, is no deviation from the general pattern of activities and operations of foreign commercial enterprises in Africa.

I should like to know whether the Administering Authority could not seek or obtain from the banks operating in East Africa co-operation and assistance in the compilation of such vital statistics. Equally important is the compilation of improved statistics of subsistence agricultural production and information regarding the pattern and movement of trade within Tanganyika. But to say that production of balance-of-payments figures is less urgent, which I hasten to add is not the opinion held by the Visiting Mission, is to ignore the mounting needs of the expanding economy of the Territory which is, as we all know, progressing towards self-government. In view of the importance of studying the internal and external trade of the Territory and with a view to enabling the Council to study and determine even at an early date the economic viability of Tanganyika, could the Administering Authority give an undertaking that the balance-of-payments statistics would be made available for the Council's consideration when the economic conditions of Tanganyika are discussed at subsequent sessions?

Mr. FLETCHER-COOKE (Special Representative): There is, of course, no difference of principle between the representative of Burma and the Government of Tanganyika in the sense that such figures will be useful. An undertaking has been given that the possibility of compiling them will be considered. I do not think that the representative of Burma would expect me to commit myself to a statement since the matter is not within my control whether any such figures would be available before this Council next discusses the economic affairs of the Territory. I will, however, give him an assurance that I will take steps to see that his remarks on this matter are brought to the notice of those concerned in Tanganyika, without delay.

*Private
written notes*

U TIN MAUNG (Burma): I thank the special representative for the assurances he has given to me.

My next question relates to private indebtedness which the Administering Authority, in paragraph 125 of the annual report, says is not a serious problem in Tanganyika. Usury is not practised on any appreciable scale. I suppose this is due to the influence of Moslem law. It is stated that indigenous inhabitants are protected against usury and the giving to them of credit by non-indigenous persons is restricted and controlled by law.

I should like to know whether the special representative could tell me what is the maximum rate of interest permissible to be charged by non-indigenous persons when they give credit to indigenous persons? What other provisions of the law are there to safeguard the interests of indigenous persons? To what category of immigrant communities do moneylenders belong?

Mr. FLETCHER-COOKE (Special Representative): This particular provision has an interesting history. At the request of a number of Africans, it was proposed to repeal these provisions because they were deemed to be discriminatory. But Government, in response to this request to repeal the provisions, and after having published a bill to that effect, was bombarded with requests from various quarters that it should not proceed with this course of action. Therefore, with this conflict of opinion, which came solely from the Africans -- some saying it should be repealed immediately and others saying it should not be repealed -- my understanding is that the matter is still in abeyance, although Government believes that it should be repealed.

More specifically, so far as I am aware, there is no maximum rate of interest. The provision is that if an African borrows money or otherwise obtains credit from a non-African, the non-African can seek recovery of the debt only in a court of law if the particular agreement is presented to, approved by and witnessed by a District Commissioner. In those circumstances, the District Commissioner would be entitled to and certainly would satisfy himself that the terms of the agreement, including the rate of interest, were reasonable.

I would also say that one of the other reasons why private indebtedness is not a serious problem in Tanganyika, though I do not think it is mentioned here, is the very lively and active co-operative movement, which does mean that a very large number of Africans have ready access to credit. I hope I have answered the various parts of the representative's question.

U TIN MAUNG (Burma): I want to thank the special representative for his very informative reply to my questions.

My next question, which bears very closely, I think, on the same subject, concerns pawnbrokers. I presume that these pawnbrokers are non-indigenous persons and that they establish pawnshops which provide facilities for individuals, mainly townsfolk, to obtain temporary accommodation on a small scale. I would like to know in whose hands are these pawnshops and who operates them under licence. Has the Administering Authority given thought to establishing in the near future Government pawnshops which will not only be a public benefit but yield a handsome revenue? *pawnbroker*

Mr. FLETCHER-COOKE (Special Representative): In paragraph 212 of the rather fuller 1955 report, it is indicated that pawnbrokers are required to be licensed and that their activities are regulated by law.

As regards the question as to who are pawnbrokers in Tanganyika, my understanding is that anybody can be a pawnbroker. In point of fact, there are some African pawnbrokers.

As regards the third part of the question, I can say that as Government does not regard pawabroking as a particular problem or as a very large industry no consideration has been given to the suggestion that we should nationalize it, and I doubt very much whether we would find it an economic proposition to do so.

U TIN MAUNG (Burma): I thank the special representative for his reply.

My next question relates to the manufacturing industry. The Visiting Mission's report, in paragraphs 291 and 292, gives a fairly exhaustive list of the manufacturing industries, and the annual report, in paragraph 180, and the Visiting Mission's report, in paragraph 293, mention the appointment of a Commissioner of Commerce and Industry in 1956 with the special responsibility of furthering the establishment of industry. I should like to know, first of all, the nationality of the Commissioner of Commerce and Industry, his academic qualifications, professional experience and the terms and conditions of his appointment. Secondly, has the Administering Authority formulated Government's policy in regard to industrial development in the Territory? Thirdly, are there on the staff of the Commissioner qualified Africans both on the administrative and on the technical side? If so, how many? If the answer is in the negative, *industry*

has the Administering Authority formulated plans to train promising Africans so that they can assume responsible posts in the Department and assist the Commissioner in the formulation of policy?

Mr. FLETCHER-COOKE (Special Representative): The Commission of Commerce and Industry is a graduate and a European Government officer who has been a member of the Government service of at least two other Territories besides Tanganyika. His work is supervised. Indeed, he is answerable to the Assistant Minister for Commerce and Industry, who is the Asian Assistant Minister.

So far as I am aware, there are no qualified Africans --by that, I take it that the representative means Africans holding what we generally describe as posts of responsibility -- in the Department of the Commissioner of Commerce and Industry.

As regards the last part of the question, the Government would indeed welcome with open arms a suitably qualified African for work in this department if he could be found.

participation of Africans in the life of the country
U TIN MAUNG (Burma): I thank the special representative for the reply he has given to my questions.

participation of Africans in the life of the country
My last question relates to the general feeling prevailing in the Territory that the Administering Authority has not been very keen to assist Africans to secure a greater participation in the commercial life of the country. In particular, the views of the Tanganyika African Traders' Union (TATU), which was registered in November 1956 with headquarters in Dar Es Salaam, were rather strongly expressed in this regard. They felt that Africans had been exploited by the middlemen. They had apprised the Visiting Mission of the aims and objects of their organization, which are listed in paragraph 141 of the Visiting Mission's report. They also complained to the Mission that the Union had great difficulty in obtaining registration of their branches in the various districts because the Registrar had told them that they should register their branches as companies.

(U Tin Maung, Burma)

They could not understand why the non-African Chambers of Commerce were allowed to be registered as societies and not as companies. Could the special representative tell me whether there are reasons other than purely technical ones which prevented the Tanganyika African Traders Union from having their branches registered and from entering into legitimate commercial activities?

Mr. FLETCHER-COOKE (Special Representative): The distinction here is between societies and companies. An organization such as a Chamber of Commerce, which does not enter into any trading activities at all but is merely an association of businessmen who are themselves in business but which does not itself trade, can, within the terms of the Societies Ordinance, be registered as and operate as a society. On the other hand, possibly due to ignorance, a number of branches of TATU in fact have been themselves operating as trading organizations, and it was pointed out to them that so long as they continued to do this -- and indeed if they wished to do it -- they would have to register under the Companies Law because it was not possible for them to register under the Societies Law which does not provide for the registration of any trading organization. It is my understanding that a large number of the branches and of the officers of this union now appreciate the difficulties and now appreciate the differences. But, so far as I am aware, many of these branches have not yet made up their mind whether they wish to trade -- in which case they must register as companies -- or whether they are prepared to give up trading in which case they can register as societies.

Mr. Fletcher-Cooke withdrew.

AGENDA ITEM 4e

TOGOLAND UNDER FRENCH ADMINISTRATION

The PRESIDENT (interpretation from Spanish): The representative of France, Mr. Kosciusko-Morizet, has addressed a letter to me regarding the Territory of Togoland under French administration. It was agreed that perhaps the most adequate procedure to follow would be for the President to read out this letter so that the letter may be properly recorded, without of course precluding the members of the Council and the Council itself from debating the question and taking a decision thereon. With the permission of the Council I shall now read out this letter in the French original since it is the only text I have before me. This letter is dated 3 March 1958 and it is on the letterhead of the Permanent French Mission to the United Nations. The letter reads as follows:

"Mr. President,

"I have the honour to inform the Trusteeship Council that elections are to take place in Togoland before the beginning of the month of May for the election of the Togolese Legislative Assembly.

"The Togolese Government and the Administering Authority intend therefore in a very short time to initiate the procedure provided for under resolution 1182 (XII) of the General Assembly.

"Mr. Dorsinville and his team of United Nations observers are in the Territory to discharge their mission.

"It would be difficult for us under these circumstances to ask Togoland to send us a special representative.

"The Council will be aware that discussions on Togoland might directly or indirectly affect the electoral campaign under way and might be construed as interference in domestic affairs in Togoland.

"We hope that the Trusteeship Council will share our view that at the present time it would be inadvisable to hold a debate on Togoland and that the Council would agree to defer until the June session the consideration of this item on its agenda".

The letter is signed by Mr. Kosciusko-Morizet.

As I said earlier, this matter can be discussed and decided by the Council at a subsequent meeting.

(The President, continued) .

The Council will hold two meetings tomorrow, one at 10.30 a.m. and the other at 2.30 p.m.

The meeting rose at 5.50 p.m.