



TRUSTEESHIP COUNCIL

Twentieth Session

OFFICIAL RECORDS

Tuesday, 18 June 1957,
at 10.40 a.m.

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CONTENTS

Page

Examination of the annual report of the Administering Authority on the administration of the Trust Territory of Tanganyika for 1955 (<i>continued</i>)	
Hearing of petitioners (<i>continued</i>)	145

President: Mr. John D. L. HOOD (Australia).

Present:

The representatives of the following States: Australia, Belgium, Burma, China, France, Guatemala, Haiti, India, Italy, New Zealand, Syria, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America.

The representatives of the following specialized Agencies: International Labour Organisation; Food and Agriculture Organization of the United Nations; United Nations Educational, Scientific and Cultural Organization; World Health Organization.

Examination of the annual report of the Administering Authority on the administration of the Trust Territory of Tanganyika for 1955 (T/1286, T/1304, T/1317, T/1318, T/L.772) (*continued*)

[Agenda item 4 (a)]

HEARING OF PETITIONERS (*continued*)

At the invitation of the President, Mr. Fletcher-Cooke, special representative of the Administering Authority for the Trust Territory of Tanganyika, Marealle II, Paramount Chief of the Chaggas, and Mr. Nyerere, President of the Tanganyika African National Union, took places at the Council table.

1. Mr. NYERERE (Tanganyika African National Union) welcomed the fact that for the first time he was not alone in appearing before the United Nations to express the feelings of the people of Tanganyika. He commended to the Council's attention the statement made at the previous meeting by Chief Marealle II, who had expressed what everyone in Tanganyika would agree were the people's fears and hopes about the future.

2. The Tanganyika African National Union (TANU) had asked the Government of Tanganyika to make a statement to the effect that Tanganyika would be developed as a democratic State and primarily an African State, since 98 per cent of the population of the country was African. Such a statement was particularly important in view of the fact that in all the plural societies in Africa which had been or were under United Kingdom control the policy applied had resulted in a majority of indigenous people being controlled by a Government dominated by an immigrant minority. It was to be feared that the result might be the same in Tanganyika. The Constitution was at present weighted in favour of the immigrant minority and there was nothing to indicate that the country might one day become a democratic State.

3. His Party had not expected that either the Government of Tanganyika or the United Kingdom Government would find it difficult to make the proposed statement, which would be in keeping with the provisions of the Trusteeship Agreement. Nevertheless its request had been taken to mean that TANU wished to dominate, and indeed get rid of, the minorities and that it had no care for the interests of the Europeans and Asians living in the country, yet he and the other leaders of his party had repeatedly stated that they had no intention whatever of applying discrimination in reverse. The statement of policy his party had requested would remove the Africans' fears of being dominated by an immigrant minority, change the mood in which the country would discuss political problems, remove the false fears entertained by some of the European minority that they might be dominated and help Tanganyika to become an example of orderly development towards self-government.

4. Simultaneously with such a statement a symbolic change should be effected in the Constitution, which now provided that the representative side of the Legislative Council should consist of ten Africans, ten Europeans and ten Asians: in other words the Africans representing 98 per cent of the population had ten seats and the non-Africans twenty seats. That was symbolic not of development towards democracy but of domination. His party had therefore suggested that there should be an equal number of African and non-African representatives, each side having sixteen unofficial members in the Legislative Council. That had seemed a reasonable demand, but it had been denounced as undemocratic by the United Tanganyika Party. It was difficult to see how a demand by an African nationalist movement that 98 per cent of the population should have 50 per cent of the unofficial seats in the Council could be regarded as undemocratic. Such an attitude increased TANU's fears, particularly as it came from a party that claimed to support the Government's policy. It would be interesting to know whether the Government considered that a change in the Constitution giving the Africans half the seats in the Council was undemocratic. It might have been expected that the Government would at least have invited TANU to discuss the problem, but it was fixedly opposed to any idea of an increase in African representation.

5. A government pamphlet dealing with his statement to the Fourth Committee (579th and 582nd meetings) during the eleventh session of the General Assembly had described the proposal to have sixteen African and sixteen non-African representatives as moderate on the surface but paying only lip-service to the interests of the minorities by conceding minority representation only temporarily. It was difficult to understand the Government's attitude, for his party had never said that the form of representation for which it was asking was to be permanent, nor had it thought that the Government intended the present parity of representation to be permanent. The fact that his party might wish to change even the new form of parity did not mean that its interests were exclusively African.

6. His party attached great importance to knowing the Government's intentions and particularly to knowing whether the Government intended to change the present form of parity by increasing non-African representation. Unless such questions were answered satisfactorily the discussion would grow increasingly heated. The country must know where it was going and the Government was not helping it to find out.

7. His party had also asked that all members of the Legislative Council should be elected on a common roll with universal adult suffrage. The Government had at least accepted the principle of a common roll but it had insisted that the franchise should be restricted. In many countries not necessarily much more advanced than Tanganyika universal adult suffrage had been introduced. In plural societies the main reason usually advanced for the refusal to introduce adult suffrage was that the African majority might swamp the immigrant minorities. His party realized that very genuine fear and had therefore proposed certain safeguards against the kind of domination feared by the minorities. It had not, for instance, asked for a representative majority in the Legislative Council; in other words, the effective power in the country, and consequently the power to protect minority interests, would still remain with the Government, whose members on the Government's side of the Council would be nominated by the Governor. As an additional safeguard his party had not asked that the African representatives should have a total majority over the non-African members; it had asked only for equality of representation for the two groups. His party had thought that because of its clear recognition of minority interests the vote would be given to everybody. In fact, however, many Africans in Tanganyika were being deprived of the vote because of the presence in the country of a minority.

8. At the time he had addressed the Fourth Committee he had not been aware of the recommendations of the Franchise Committee. The age for eligibility to vote had been lowered from twenty-five to twenty-one years, the income qualification from £200 to £150 a year and the education qualification from standard XII to standard VIII; in addition, clan leadership had been added to the office-holder qualification. The Government claimed that those modifications would increase the electorate and the special representative had said that those who held the contrary view did not seem to appreciate that the various qualifications were alternatives and that there was a very long list of alternatives. In fact, however, the alternatives were not as impressive as they looked. Most of the office-holders, for example, would also satisfy the educational or income qualifications. The addition of the clan-head qualification might add a substantial number of voters but it remained to be seen how many of the clan heads would not otherwise have qualified. In brief, the real qualifications which would determine how many people could vote were the educational and income qualifications.

9. The Government had carried out an experimental survey in Dar es Salaam to ascertain wage scales there. The survey had revealed that the majority of workers were skilled workers and that the biggest single group received 90 shillings a month. There had been no mention of any group receiving 250 shillings a month, which was the income required to gain a vote; presumably the group earning that amount was very small. As for the educational qualification, there were undoubtedly thousands of people in Tanganyika who had reached standard VIII but they were scattered all over the country

and their vote would make little difference in any single constituency.

10. The special representative had made a point of the fact that in all the constituencies except one the African voters would be in a majority over all the non-African voters put together. It would be strange indeed if in a country where 98 per cent of the population was African the African voters were not in the majority. The crux of the matter was that the restricted franchise gave a vote to all European and Asian adults, except those who had resided in the country for less than three years, and to only a tiny fraction of the Africans. Even if there was not a single European or Asian in the country his party would be opposed to the idea of a restricted franchise, which it felt discriminated against the vast majority of the people, including people who accepted the obligation to pay taxes and to die for the country in the event of war.

11. It was argued that there was no precedent for holding the first elections in a country on the basis of universal adult suffrage. He hoped that the Government would be consistent in its reasoning about precedents. It was now proposing that when the elections were held every voter should be given three votes: he would be required to cast one vote for an Asian candidate, another for a European and another for an African and if he did not distribute his votes in that proportion his ballot paper would not be valid. That amounted in fact to compulsory voting and meant that if TANU decided to take part in the elections it might have to persuade its own sympathizers to vote for a candidate of the United Tanganyika Party in order not to render their ballot papers invalid. The Government should be consistent: if it insisted on precedents it should not enforce that provision, for which there was no precedent anywhere in the world.

12. The Government's original proposal had included a property qualification for voting. That provision had been abolished, for some reason which had not been clearly explained. Since there were undoubtedly more people in the country owning property worth £150 or more than those with an income of £150 a year, the new proposals were really narrower than the original ones, although they had been represented to the Trusteeship Council and the people of Tanganyika as broader.

13. In the original debate that had taken place in the Legislative Council the African members had objected to the Government's proposal that elections should be held in three or four constituencies only. The debate had been adjourned and later the Government had suggested a compromise: there would be elections in four or five areas in September 1958 and in the remaining areas in September 1959. The African members had agreed and the Legislative Council Elections Bill had passed. The Government would like people to believe that the African members had agreed to the other provisions of the Bill. That, however, was not the case; the African members had expected that during the second debate on the Bill they would have an opportunity to point out the provisions to which they objected, but there had been no full debate and the Africans had accepted the compromise because at least it set a time-limit for the completion of the elections.

14. After the Government had made that compromise the debate had become much calmer. He hoped that, since there was still time, the Government would find it possible to declare its intention of developing Tan-

ganyika as a democratic State and to give some sign, within the framework of the Constitution, that that was indeed its intention.

15. After making his statement to the Fourth Committee during the eleventh session of the General Assembly, he had returned to Tanganyika and shortly afterwards had held two public meetings, one at Dar es Salaam and one at Moshi. He had intended to hold another meeting, at Tanga, but had been informed that the Government had withdrawn its permission for that meeting because the speeches he had made at the two earlier meetings had been so inflammatory that it feared that they might, if repeated, lead to a breach of the peace. The meeting at Tanga had therefore been cancelled.

16. Later he had tried to find out from the Chief Secretary what had been the inflammatory statements of which the Government had complained. The Chief Secretary had thereupon recited a list of things, none of which he had actually said. He had offered to give the Government a tape recording of his speech and later a government official had accompanied him to hear the tape recording. The Council had been informed that after listening to it the official had pointed out some eleven passages which were inflammatory. In reality, however, none of the points mentioned by the Chief Secretary had appeared on the record. He had promised to hand over the tape recording provided he was given a list in writing of the statements he was alleged to have made and which the official in question knew he had not made. He had added that he was going to use that list against the Government, because at that time branches of TANU were being closed on reports of statements they were supposed to have made and if he could be misrepresented in Dar es Salaam by senior officials of the Government he doubted the truth of allegations made against his colleagues in remote villages where the reporter was an uneducated local headman who was probably jealous of the leadership of members of TANU.

17. In view of those facts he had been shocked to find that the special representative had repeated before the Trusteeship Council the allegations made by the Chief Secretary. The Chief Secretary had made those allegations before the official had listened to the speech and a mistake might have been possible. Now, three months later, there could be no mistake, since the official must have reported to the Government the actual contents of the speech. Later questions had been asked in Parliament and the answer had been given that it was not merely the context and contents of the speech that were undesirable but the tone and manner of its delivery.

18. According to the special representative, the Government was considering the conditions on which in future it would allow Mr. Nyerere and other leaders of TANU to make public speeches. If one of those conditions was that he should make a tape recording in advance of every speech for approval by the Chief Secretary or the Commissioner of Police, he was certainly not likely to fulfil it.

19. He had said repeatedly in Tanganyika that he did not want racial bitterness in the country. In his speech at Dar es Salaam he had explained to the Africans why they should not quarrel with the Asians and Europeans in the country. He had emphasized that they were the neighbours of the Africans and would be permanently

there; he had said that the issue was a colonial issue and that their opponents were not the Tanganyikan settlers or inhabitants but the Colonial Office and the senior civil service. He had urged his fellow Africans not to be bitter or to mistake the basis of argument. Now he found himself accused of stirring up racial bitterness in the country.

20. No doubt one of his faults was that he had criticized the Press. In Tanganyika there was a trinity of common interests: the Press, the Government and the United Tanganyika Party. He felt that he was entitled to criticize the Press, which had misrepresented him as saying that TANU wanted to get rid of the Europeans and Asians in Tanganyika.

21. His organization wanted a democracy in Tanganyika. He failed to understand why some members of the Asian minority in the Territory thought that democracy would be contrary to their interests. Even the Government acted as if it believed that democracy was not in the interests of the Asians and Europeans in the country. TANU was willing to agree that the minorities should continue to be represented, but it wanted racial representation for Tanganyika. If TANU were interested only in the 8 million Africans it could demand universal adult franchise with no representation of the racial minorities. Because, however, it realized that the Asians and Europeans were part of Tanganyika, it would like to move gradually, with a reservation of seats for those minorities, not for the Africans, who were the majority. Proof that, contrary to what had been asserted, TANU believed in gradual development lay in the fact that the most he had asked for was 50 per cent of the seats. Moreover, in reply to a question asked in the Fourth Committee (582nd meeting) he had said that ten to twelve years would be required for Tanganyika to become independent.

22. His party would like to participate in the elections and he was hoping that the Tanganyika Government would allow the elections to take place in conditions of freedom, though unfortunately that did not appear likely. The Government took a partisan attitude; it favoured the United Tanganyika Party and regarded TANU as the "dangerous" party. When the Government identified itself with one party and opposed another, the elections could not be really free. The special representative had stated in Tanganyika that the object of holding elections was to obtain the best possible representatives in the Legislative Council and had asked "Are we to have irresponsible demagogues or serious-minded politicians elected to our Council?" Such statements by government officials were tantamount to telling the people how to vote, since they had made it clear whom they regarded as "irresponsible demagogues". If, however, the elections took place on a basis of freedom, Tanganyika would become an example for the other multiracial societies in Africa.

23. Mr. LALL (India) moved the adjournment of the debate in order to give delegations time to consider the important statements made by the two petitioners.

24. Mr. RIFAI (Syria), U PAW HTIN (Burma) and Mr. KESTLER (Guatemala) supported the Indian representative's motion.

That motion was adopted.

The meeting rose at 11.50 a.m.