



UNITED NATIONS  
TRUSTEESHIP  
COUNCIL



GENERAL

T/PET.2/136  
5 October 1951

ORIGINAL: ENGLISH

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PETITION FROM MESSRS. SEMVUA KAMWE AND SALIM LOSNDILO CONCERNING TANGANYIKA

Note by the Secretary-General: In accordance with rule 84 and supplementary rule F of the rules of procedure for the Trusteeship Council, the Secretary-General has the honour to transmit to the members of the Trusteeship Council and to the Government of Italy as the Administering Authority of the Trust Territory of Somaliland, a communication dated 11 September 1951 from Messrs. Semvua Kamwe and Salim Losnidilo concerning the Trust Territory of Tanganyika. This communication was transmitted to the Secretary-General by the United Nations Visiting Mission to Trust Territories in East Africa.

C C P Y

USANGI, PAKE DISTRICT,  
P.O. Lembeni.

11th September, 1951.

The Chairman,  
U.N.O. Visiting Mission

Sir,

We have received the U.N.O.'s reply to our petition<sup>1/</sup> on the chieftancy of Usangi and in it we note the U.N.O. Council had reached a conclusion that no action is called for by the Council, but that should we wish to interview your Mission on the subject, we are at liberty to do so. We accordingly take the liberty to see you on the same subject. In brief, we offer the following against the Administering Authority's observations on our petition.

- (1) The selection and appointment of the new chief was not properly conducted because all the villagers were not informed of this and there is no truth that he is liked by half of the people of the village.
- (2) It is true that on the day of the selection the District Commissioner was there with two other chiefs, but these chiefs were not given an opportunity to express their views on the selection, nor were they given a liberty of say on the matter by the District Commissioner.
- (3) The statement of the Administering Authority that we were given a chance to put forward our claim is not true, for we were not given the liberty to argue with the "Mmbagha". Instead, the District Commissioner stood as an advocate of the other clan. In fact that was not the day of selection for the chief had previously been secretly selected and this was a mere show.
- (4) These elders are the same who met secretly and chose the new chief and were the same to listen to our claim. The two chiefs mentioned by the Administering Authority were not present at the deliberations. Instead of listening to our claim they were away with the District Commissioner.

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1/ Note by the Secretariat: Document T/PET.2/96 and Resolution 329 (VIII).

- (5) In fact those 37 elders agreed and acknowledged the right of our claim of chieftaincy but they did not grant it to us.
- (6) Disagreement with the selection appeared not only from other clans as well but the District Commissioner did not listen to them, and in other ways, he was very acrimonious on them. This was the reason that led them to addressing petitions to His Excellency the Governor. Before writing these petitions we went on foot with them to the Provincial Commissioner, Tanga, and the latter visited Same. We all presented the whole matter to him in person but he did only follow his District Commissioner's steps.
- (7) The selection was not made according to traditional tribal rites, since the clan with such traditional rites are the Wasangi, who have the root of the important and major native ceremony and initiation known locally as "Ngasu ya Mshitu". The "Mmbagha" is a foreigner, having no such traditional ceremony within the village. Had Government intended to do all according to traditional rites, then this chief should be appointed in his village of origin - in South Pare - where his relatives hold ruling power and where the traditional rights differ from those of ours.
- (8) The Administering Authority's denial of having used armed force is not true. The wanted Msangi for arrest was taken unexpectedly and no neighbour knew that a police would come to the village and arrest him on that day. As none of the neighbours was aware of this, to say that clan members gathered armed with bows and arrows and machetes is not true. If it was known that a police would be there that day and if it was intended to resist arrest, surely the askari would have been waylaid and attacked before he could have fired a single shot and before he could have effected the arrest. No body threatened the police, but the police was specifically ordered to fire in order to show Government's determination to fulfil its challenged decision.
- (9) The Administering Authority is a witness that we have been victimised, because when we appeared before him, the District Commissioner found that we were unjustly treated and so approved our case to go to the Tribal Council. The Tribal Council found that we were unjustly treated and quashed the chief's conviction against us. The case of those who have been fined was not permitted to be sent to the Tribal Council, although

/these people

these people have applied for permission to do so. However, they are still in need of lodging appeals against the fines if they are given the liberty to do so.

- (10) The statement of the Administering Authority that we made the chief's work as hard as possible is not true, the fact being that we considered it unwise to co-operate with him and this fact was made clear to the Government.
- (11) Our argument against the selection is not only because the selection was improperly conducted, but because we have every root in the village, our ancestors being the first to live in it and giving it the name of "Usargi".
- (12) The statement that there is little to choose between the back history of the Sangi and the Mbagha is not correct. In fact there is a great difference. One, that we have "Ngasu ya mshitu" in village, and secondly that neither of the two clans can inherit ruling power from the other. After our ancestors rule for a long time in the past, the Mmbagha was brought in merely as rain maker. This, however, cannot be taken as being inter-hereditary. We have it on our records that in 1915 and 1918 Chief Bakari Sangiwa applied for permission to perform the traditional initiation ceremony in and within the village, but chief Sabuni had to ask permission to take his children to Mbagha, his country of origin.
- (13) The Government says that the question is one which cannot be decided solely on the basis of historical claims. May we know from what source has it accepted that the elders were the traditional elders who select a new chief. History and tradition go hand by hand. Within the limits of our country one time when a chief - one Selemani - of Mbagha was selected the chief now ruling there stood up and claimed his traditional ruling right. According to this, he was approved as the right ruler, and this was done under this same Government.
- (14) The Administering Authority's statement that we were left with no doubts about its decision is not true. We were left in much doubts and we are still in doubt because we have not been given our ruling power which we exercised before the advent of white rule. Our ancestors went to war with the neighbours for the cause of this village and those with whom we fought are still living.

(15) The statement

- (15) The statement that people like the new chief because they turn out for communal work of building school and roads is not correct. People do not work communally because they like the chief, but because they like the common progress of the tribe. Tribal communal work is not under the control of or directed by the chief, because to fail to do it entails a penalty in kind which falls in the hands of those who turned out on the day.
- (16) The question of relationship of the chief with the elders who chose the new chief would appear to have been misunderstood as stated by the Administering Authority. Connection by marriage is separate from friendly relationship. We argued that the chief's in-laws should be removed from the panel. This was not accepted.
- (17) The statement that we would fail had we been allowed to select one of us as a ruler is misleading. Since we have the local traditional initiation ceremony which all clans in the village, except the Wambagha, participate, it is hard to see how we could fail. All clans prefer to be ruled according to traditional ruling clan. Could Government say how we could fail or can it tell us of the political crime committed by our past ancestors, from Makoko, Sangiwa and Bakari and the latter ruled under British rule. Government statement shows clearly that it advocates for and stands on one side.
- (18) The statement of this Government that one elder's signature on a letter to the Governor was forged is not true. We have witness who saw this elder signing the letter. It may be the elder now fears reprisals from this Government.
- (19) Since Government admits that our supporters are those who are associated with us in the initiation native ceremony then we do not see how we could fail to gain our aim, because all in the village, except the Wambagha, participate in and our initiation ceremony is the same.
- (20) Finally we have requested the Government to allow our claim to be submitted and considered by the Local Tribal Council which is well versed in all district tribal traditional rights and which is recognised by all the people as our mothpiece. This request is not allowed although we have

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firmly assured the Government that should we loose our claim there, we shall have nowhere to go.

Sgd. SEMVUA KAMWE  
SALIM LOSNDILO  
for ULASANGI

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