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Chairman: Mr. Rodolfo MUNOZ (Argentina).

Report of the Trusteeship Council (A/2150) (continued)

[Item 12]*

HEARING OF THE REPRESENTATIVES OF THE MERU CITIZENS UNION (A/C.4/221) (continued)

At the invitation of the Chairman, Mr. Japhet and Mr. Seaton, representatives of the Meru Citizens Union, took places at the Committee table.

- 1. Mr. SCOTT (New Zealand) asked what was the exact relationship between the 3,000 members of the Meru tribe who had petitioned and the other members of the tribe, approximately 35,000 in number, and whether the 3,000 petitioners had a special organization of their own.
2. Mr. JAPHET (Meru Citizens Union) replied that the 3,000 Wa-Meru who were affected had no separate organization of their own.
3. Mr. SCOTT (New Zealand) asked what was the approximate total number of the whole tribe.
4. Mr. JAPHET (Meru Citizens Union) said that the tribe numbered approximately 38,000.
5. Mr. SCOTT (New Zealand) asked on what basis the petitioners had made their appraisal of the new land allocated to them.
6. Mr. JAPHET (Meru Citizens Union) said that the Wa-Meru knew the areas of Ngare-Nanyuki and Kingori very well; they knew that the former was a good area because it possessed a river which gave water for drinking and irrigation purposes. In Kingori there was no river and the only source of water was rain, which was scarce and sometimes non-existent. Mosquitoes and the tsetse fly were very prevalent in the Kingori area, whereas there were none in the Ngare-Nanyuki area. Moreover, the grass in the Kingori area was not suitable for cattle, like that in the Ngare-Nanyuki area.

7. Mr. SCOTT (New Zealand) asked how it was, in view of the fact that the Kingori area was only from nine to twenty miles from the Ngare-Nanyuki area, that there was such a marked difference in the rainfall and the soil.

8. Mr. JAPHET (Meru Citizens Union) explained that the land sloped steeply; Ngare-Nanyuki was on the higher slopes and Kingori on the lower slopes. Moreover, in the higher areas there were forests which attracted rainfall, whereas the lower areas were mostly grassland.

9. Mr. SCOTT (New Zealand) asked whether the petitioners would say that there was congestion on the two farms from which they had been moved.

10. Mr. JAPHET (Meru Citizens Union) replied that the two farms were within the general area from which the Meru tribe had been moved; neither of them was as congested as the main Meru area. One of the farms—farm No. 328—had very good rainfall and lay higher on the mountain than farm No. 31, and in the area there was quite a large population which grew coffee and bananas.

11. Mr. SCOTT (New Zealand) asked whether as a result of the move the Meru tribe would have less land than they had had formerly, and, if so, what the exact figures were.

12. Mr. JAPHET (Meru Citizens Union) thought that there appeared to be some misunderstanding. The Meru tribe had not been removed from only two farms; they had been removed from an area known as the Northern Meru Reserve, in which the two farms were situated. The Meru tribe had repurchased those farms from the Germans. The whole area from which they had been removed was, however, much larger than the small area of the two farms. Clearly, they would have much less land than formerly because they would be deprived of the Northern Meru Reserve and left with Kingori, which they had always kept in reserve for future use.

13. Mr. SCOTT (New Zealand) asked how many of the Meru people had actually occupied and worked the two farms.

* Indicates the item number on the agenda of the General Assembly.

14. Mr. JAPHET (Meru Citizens Union) said that it was difficult to give an exact number, but estimated that it was approximately one quarter of the 3,000 who had been removed.

15. Mr. SCOTT (New Zealand) recalled that in reply to a question at the 286th meeting the petitioner had said that the resolution (468 (XI)) adopted by the Trusteeship Council had been translated into Swahili and was well known to the members of the Meru tribe. He asked whether there had been any recent tribal councils on the matter and in what way the action of the Trusteeship Council had been communicated to the members of the tribe.

16. Mr. JAPHET (Meru Citizens Union) replied that the resolution had been explained to the tribe at a general tribal council, in accordance with custom. Whenever there was anything of importance to be explained to the tribe, the various sections were called together and a tribal meeting was held.

17. Mr. SCOTT (New Zealand) asked what had been done by the Administering Authority to rehabilitate the Kingori lands and to make them suitable for settlement by the Meru tribe.

18. Mr. JAPHET (Meru Citizens Union) said that soon after the United Nations Visiting Mission to Trust Territories in East Africa, 1951, had left Tanganyika, in September 1951, the Government had sent officials into the Meru area to inform the people that they should provide labour to prepare the Kingori area. The people had refused to do so because they had known the Government's intention to take away their Ngare-Nanyuki land after the area had been prepared. However, the District Commissioner had arrived accompanied by a police force and had arrested many of the leaders of the tribe, including officials of the Meru Citizens Union, alleging that they were preventing the remainder of the tribe from going to work in the area. About 5,000 of the Wa-Meru had then gone to the District Commissioner's office in Arusha to explain that it was their tradition to respect their leaders and that they had objected to such a method of obtaining labour. Despite their unwillingness to be moved, they had agreed to provide young men to carry out the work on condition that their leaders should be released. The Administration had thereupon released the leaders and the younger men had been taken to Kingori, where they had been made to carry out the preparations described in the White Paper.¹

19. Mr. SCOTT (New Zealand) asked whether those events had taken place before or after the Trusteeship Council had adopted its resolution, and at what stage the Administering Authority had made it clear to the Meru people that compensation would be paid them for the move to the Kingori area.

20. Mr. JAPHET (Meru Citizens Union) replied that it had been on 6 July 1951, at a very large meeting held in the area, presided over by Mr. Hall, a government official. At that meeting the Wa-Meru had been told that it was useless to discuss the matter further as it was considered closed.

¹ See *The Meru Land Problem*, White Paper, Legislative Council of Tanganyika, Government Printer, Dar-es-Salaam, 1952.

21. Mr. YURANS (Union of Soviet Socialist Republics) asked what was the situation of the Meru tribe in consequence of the unjust treatment meted out to them, and whether they had adequate housing, food supplies, etc.

22. Mr. JAPHET (Meru Citizens Union) said that the food seized by the Government during the evictions had been sold, and much of their livestock had also been taken and sold. The Wa-Meru who had been evicted had gone to other areas; some had built houses there, but many had merely gone to live with relatives and friends. Practically all the land in the territory had already been taken by Europeans, and now the small portion that remained was being divided and part of it was being taken by Europeans.

23. Mr. YURANS (Union of Soviet Socialist Republics) asked how many settlers were to be settled on the land from which the Meru families had been expelled.

24. Mr. JAPHET (Meru Citizens Union) said that on 19 March 1952 the Government had announced in the *Tanganyika Standard* that the country of Ngare-Nanyuki, consisting of approximately 78,000 acres, would be sold to thirteen Europeans.

25. Mr. YURANS (Union of Soviet Socialist Republics) asked whether agriculture or cattle-breeding had been started on the lands now being settled by Europeans.

26. Mr. JAPHET (Meru Citizens Union) replied that of the thirteen Europeans in question none had so far begun to cultivate the land. Two of them had, however, sent their cattle into the area.

27. Mr. YURANS (Union of Soviet Socialist Republics) observed that the White Paper again and again stressed that the eviction of the Meru families from their lands was in the public interest. He wondered whether the representative of the tribe knew what public interests were implied.

28. Mr. JAPHET (Meru Citizens Union) replied that the move had been made exclusively in the interests of the Europeans. If East Africa was regarded as a whole, it was clear that its wealth was in the hands of European settlers. Generally speaking, one European occupied an area of land which would be large enough to support about 2,000 Africans.

29. Mr. YURANS (Union of Soviet Socialist Republics) pointed out the statement in paragraph 14 of the White Paper that the tribesmen had been informed that those who proceeded voluntarily would receive free transport to wherever they wished to go, but that the Commission Lands must be vacated. He would like to have Mr. Japhet's comments on that statement.

30. Mr. JAPHET (Meru Citizens Union) said that at the meetings at which government officials had told the Meru tribe that they could go wherever they wished but that they were obliged to leave Ngare-Nanyuki, the tribesmen had on each occasion replied that they did not wish to move. They had then been informed that if they did not go willingly, they would be moved by force, and in fact force had been used.

31. Mr. YURANS (Union of Soviet Socialist Republics) thanked Mr. Japhet for his replies and reserved the right to ask further questions if necessary later in the debate.

32. Mr. GAJEWSKI (Poland) asked what had been done by the United Kingdom authorities since they took over the Territory for the economic, social and educational advancement of Tanganyika. He wished to know whether the standard of living had risen and whether schools and medical services had been improved. He also wished to know whether the Meru tribe considered that it had participated in the economic progress of Tanganyika.

33. Mr. JAPHET (Meru Citizens Union) said that there was no hospital in the Meru country; the nearest was at Arusha, forty to sixty miles away. There was only one small Native Authority clinic in the area, and it was very poorly supplied. There were no maternity clinics, and often no motor transport was available to take mothers to the nearest regular hospital. There were three mission schools, two of which had been built by the Native Authority. No schools for higher education had been built in the Meru country since the Administering Authority took over Tanganyika, and the position with regard to higher education for Africans was much the same throughout the Territory. It was hoped that the Trusteeship Council would promote the establishment of a university in Tanganyika so that Africans would be able to participate in the development of their country. Tanganyika possessed important deposits of minerals and coal and held out many opportunities for economic progress, but without higher education the Africans could play no part in developing those resources.

34. Mr. GAJEWSKI (Poland) asked the representative of the Meru Citizens Union to comment on the statement in the White Paper that the low level of development of the Meru tribe made their political advancement impossible.

35. Mr. JAPHET (Meru Citizens Union) said that there was hardship in the Meru country because very little progress was being made. The Meru tribe had therefore started the Meru Citizens Union to work for the establishment of schools, improved medical services, etc. The Government, however, alleged that the leaders of the Union were agitators.

36. Mr. GAJEWSKI (Poland) said that the White Paper strove to give the impression that the resistance to the eviction had been engineered by a very small group and asked whether that impression was correct.

37. Mr. JAPHET (Meru Citizens Union) said that the eviction was opposed by the whole tribe.

38. Mr. TARCICI (Yemen) asked whether the Meru people agreed with the interpretation of the history of the land question given in the first paragraph of the Government White Paper.

39. Mr. JAPHET (Meru Citizens Union) said that when the Germans had first come to the area they had in fact found most of it occupied by the Meru tribe. However, houses had been built only on the upper slopes of the Meru Mountain, for purposes of defence, the lower slopes being used for cattle-grazing. The

Germans had appropriated what they wished of the lower, unsettled land. Their repressive policy had made it impossible to explain the true position and the tribe had been unable to oppose the expropriation.

40. Mr. TARCICI (Yemen) asked whether the Wilson report² made adequate provision for the land needs of the Meru tribe in the foreseeable future.

41. Mr. JAPHET (Meru Citizens Union) said that in so far as the Wilson report recommended that some European farms should be handed back to the Meru tribe, it did provide some small relief. However, it did not make adequate provision for the future.

42. Mr. TARCICI (Yemen) asked whether the Administering Authority's preparations, including the installation of a pipeline for water, cattle-dips, a veterinary station, etc., had made the Kingori land as good or better than the land from which the tribe had been evicted.

43. Mr. JAPHET (Meru Citizens Union) said that even with those changes, the Kingori land was not as good as Ngare-Nanyuki.

44. Mr. TARCICI (Yemen) asked whether it was true, as the White Paper said, that the houses and buildings destroyed by the authorities had been poorly built, easily replaceable, and unfit for human habitation.

45. Mr. JAPHET (Meru Citizens Union) said that the White Paper made that statement in an attempt to justify action that had already been taken. In fact some good houses and buildings had been destroyed, including a church that had cost 18,000 shillings to build.

46. Mr. DJERDA (Yugoslavia) said that the representative of the petitioners had said that there was no law in Tanganyika to permit the removal of the Meru tribe from the land which was their property. He asked whether there was no organ in Tanganyika, which was a Trust Territory, capable of guaranteeing respect for the law and the rights of the indigenous inhabitants in such cases.

47. Mr. JAPHET (Meru Citizens Union) said that there were courts in Tanganyika, and also the Legislative Council, but that with regard to land questions, the Government had arranged the law so severely that it was impossible to get any redress from the courts. In October 1951, the Government had prepared a bill, later adopted by the Legislative Council, to empower the Government to remove the Meru tribe from their lands. Therefore, even if an appeal had been made to the courts, they would have been unable to intervene.

48. Mr. DJERDA (Yugoslavia) asked whether there was any representative indigenous body in Tanganyika in which the interests of the indigenous inhabitants could be defended.

49. Mr. JAPHET (Meru Citizens Union) said that there was no official council to which Africans could take such matters. There was an unofficial association, the Tanganyika African Association, but it was not yet completely organized or fully representative of all tribes.

² *Report of the Arusha-Moshi Lands Commission, Tanganyika Territory, Government Printer, Dar-es-Salaam, 1947.*

50. Mr. DJERDA (Yugoslavia) said that mention had been made of land which had been alienated to Europeans being returned to the Africans. He asked what the reaction of the Europeans had been, whether the Government had removed them forcibly, whether they had been awarded compensation and if so, how it had been assessed.
51. Mr. JAPHET (Meru Citizens Union) said that most of the European farms returned to the Meru tribe had not been occupied by their owners. Some German owners had left the land during the First World War and it had remained unoccupied since then. In other cases, the German owners had been removed in 1939 and not allowed to return; the land had been placed in the hands of the Custodian of Enemy Property and had remained unoccupied since the war. Only one European owner, Mrs. Thomasius, had been actually occupying her farm when it had been returned to the Africans. She had been awarded compensation by the Dar-es-Salaam High Court.
52. Mr. DJERDA (Yugoslavia) asked whether the Meru people felt themselves to be citizens of a Territory which was due to attain independence in the relatively near future, under the provisions of the United Nations Charter, and if so, on what grounds.
53. Mr. JAPHET (Meru Citizens Union) said that the indigenous inhabitants of Tanganyika felt that if they were given the necessary schools and training, they would be capable of self-government in the relatively near future.
54. Mr. KHATTAK (Pakistan) asked under what law the members of the Meru tribe had been required to move, and whether there was legal provision in Tanganyika for the owners of land to be dispossessed.
55. Mr. JAPHET (Meru Citizens Union) said that the Government of Tanganyika had prepared a special bill for the eviction of the Meru tribe from Ngare-Nanyuki. The position with regard to land held by Africans was that the Governor was legal trustee, and thus owner, of all African lands.
56. Mr. KHATTAK (Pakistan) asked whether the Governor was trustee of European land also.
57. Mr. JAPHET (Meru Citizens Union) said that all that the Africans knew was that the Governor was in fact the owner of their land and that it could simply be taken away.
58. Mr. TAJIBNAPIS (Indonesia) said that the Indonesian delegation, together with other delegations, was considering a draft resolution on the question under discussion, although the terms of the draft had not been agreed upon. In the meantime another group of delegations was also considering a draft resolution. In view of the importance of the question, he felt that the Committee should reserve time for the consideration of draft resolutions. He wished to postpone his statement until the following meeting.
59. Mr. MATHIESON (United Kingdom) expressed his appreciation of the careful and thoughtful way in which the Meru representatives had answered the questions asked. Their answers had been largely accurate; any inaccuracies would become apparent in the course of his statement.
60. The United Kingdom Government's views on the situation in Tanganyika as a whole had been fully stated in the general debate (279th meeting) on the Council's report, so he would not attempt to answer or comment on any of the very general questions that had been raised.
61. He was surprised that certain delegations, such as Indonesia, had begun to draft resolutions on the basis of the petitioners' statement and the questions and answers without waiting to hear the other side. He was glad that he had an opportunity to speak before any draft resolution was submitted.
62. It was important that the question should be put in its true perspective. Tanganyika was the largest Trust Territory. Under the Charter and the Trusteeship Agreement, the Administering Authority had assumed responsibility for promoting the advancement of the Territory as a whole, having regard to the interests and wishes of all its inhabitants. The African population of the Territory was estimated at approximately eight million. The largest tribe numbered just under one million. The whole Meru tribe were about 38,000 and the number affected by the move were estimated by the Government as 330 taxpayers, or 1,500 persons. Even if the petitioners' estimate of 3,000 people were accepted, the number involved were only a small percentage of the tribe and a very small percentage of the total African population. While his Government did not believe in the immediate abolition of the tribal system, advocated by some representatives, the stubborn conservatism of a limited group of people who were defying progress by their exclusive attachment to a not very productive area to which they were linked by sentiment and a short history would not further the best interests of the Trusteeship System. The United Kingdom Government was attempting to develop Tanganyika as a whole and to build a nation. It was the duty of the United Nations to help his Government to promote evolution rather than to help those who desired the petrification of social organisms which had outlived their usefulness.
63. It was an oft-repeated falsehood that when the Europeans had arrived in East Africa, they had driven the Africans off the best land and seized it for themselves. Even the petitioners had conceded that when the Germans had arrived, the Wa-Meru had been fewer in number and had lived in clearings in the forests on the hillsides, only occasionally descending to the plains to grow crops or graze their cattle. There had been vast uninhabited areas crossed by nomadic tribes engaged in shifting cultivation or pastoralism. It was illustrative of the changes that had taken place that the Arusha and Meru tribes had almost doubled in the last quarter of a century, from 33,000 in 1921 to 56,000 in 1946, as a result of the medical services, abolition of the slave trade, improved agricultural methods and other benefits of civilization brought by the European administration. The net result, however, was the greatly increased pressure of population on the land. That was a general problem throughout East Africa. It was not confined to the Meru tribe or even, perhaps, particularly acute among them. Sporadic settlement by Europeans—often outside the control of

the Administration—at a time when little was known of African customs with regard to land ownership and tenure had left a patchwork of conditions that must be straightened out. Arrangements had to be made to give the people more and better land. There was a limit to the total land area of the Territory and new land must therefore be brought under control and better agricultural methods applied to both it and previously cultivated land in order to increase their yield. Such was the Administering Authority's land policy. It had been explained by Sir Alan Burns in his statement at the 279th meeting. It was set out at length in the annual report³ and it had been approved by the Trusteeship Council. The Meru problem was only one fractional aspect of the major problem of improving land utilization so that the land could make the biggest possible contribution to the prosperity of the population as a whole. The petition from the Meru tribe (T/Pet.2/99 and Add.1 to 7) must be considered against that general background.

64. A number of representatives had tried to inject the issue of racial discrimination into the debate by emphasizing the small number of Europeans who would move into the contested area compared with the large number of Africans who had been moved out. The Ngare-Nanyuki area was comparatively unfertile land, and, in the larger context of land utilization, the Tanganyika Government had concluded that it could make the biggest contribution if it were devoted to large-scale ranching. That decision had involved a number of adjustments: Europeans had had to relinquish land for African settlement; Africans had had to give up land—but less land—for European settlement. The discrepancy in the number of people involved was not a valid argument; the land would be more extensively utilized, and for that the essential elements were money and skill, not numbers. Mr. Japhet had referred to the spirit of *apartheid* and by quoting the names of three farmers who had moved onto the land previously occupied by the Wa-Meru, he had implied that the Administering Authority was allowing farmers to come from South Africa to take Meru land. Mr. Mathieson pointed out that many persons of European descent born in South Africa had moved to East Africa at one time or another. For example, the ancestors of Mr. Du Toit, one of the farmers mentioned, had moved to the area after the Boer War and had contributed largely to its advancement by their good farming. Mr. Japhet had failed to name the farmer who had taken over the greater part of the Meru land because that would not have supported his argument. Mr. Mathieson hoped that the members of the Committee would not allow their judgment to be clouded by racial prejudice or any other prejudices.

65. The true facts were set out in the White Paper that the Government had presented to the Legislative Council in Tanganyika in order to allay the disquiet voiced in the Territory when news had been received of what the petitioners were saying in the Trusteeship Council. The White Paper covered most of the petitioners' allegations. It was a supreme illustration

³ See Report by Her Majesty's Government in the United Kingdom of Great Britain and Northern Ireland to the General Assembly of the United Nations on the Administration of Tanganyika for the year 1951.

of the patience and perseverance of the Tanganyikan Government in attempting to induce a small sector of the population to agree to a scheme for the general betterment of the country.

66. Mr. Japhet had quoted the terms of reference of the Arusha-Moshi Lands Commission. In paragraph 13 of the Commission's report, Judge Wilson himself had recognized the limitation imposed on the extent and nature of the Commission's proposals by the Government's policy in respect of the paramountcy of Native interests. He had said that that principle had been recognized in the Commission's terms of reference, where priority in the redistribution of land was given to relieving the congestion existing in Native tribal lands; and that the matter of advising on the availability of further land for non-Native settlement was put second and made dependent on the prior adequate provision of land for the present and foreseeable future needs of the local Native peoples. A number of questions had been asked about the term "homogeneity" in the Commission's terms of reference. The principle of homogeneity was not a racial principle; it was purely agricultural and economic. Large-scale ranching could be undertaken only in controlled conditions which would ensure the purity of the stock and their freedom from disease. Without such conditions, the whole enterprise might founder. Judge Wilson had stated, in paragraph 79 of the Commission's report, that in certain areas no real improvement of the homogeneity of the blocks had been possible without such an amount of social, economic and political disturbance as would have been unreasonable. In the case of the Meru land, however, he had felt that the disturbance would be outweighed by the resulting economic and social benefits.

67. Some representatives had suggested that, even if the Government's policy was sound in principle, the way in which it had been carried out was distasteful. Brutality and the wanton destruction of property had been alleged. Such allegations were not sustained by the facts. In that connexion, he drew attention to paragraphs 15 to 21 of the White Paper, where the true facts were set out.

68. The petitioners contended that the land to which it was suggested that they should move was not as good as the land from which they had been evicted. That contention should be considered against the petitioners' assertion that their one desire was to remain on the land where they had previously lived. It was only natural that they should contend that it was better land. A careful agronomic survey had shown that the Kingori land with the piped water-supply, the veterinary station and the agricultural officer provided by the Government would be much more productive land and would form the basis for further expansion of the Meru tribe. The tribe would have lost nothing if it had accepted the Government's offer to move it and to help it to establish itself in the new land. The latter offer still held good.

69. It must be remembered that more land had been removed from European occupancy than from African occupancy. That fact illustrated the benefits of the scheme as a whole, though temporary hardship might have been caused to a small group. He doubted whether any member of the Committee would wish to suggest

that the Trusteeship Council resolution 481 (XI), rejecting the petition of a European farmer, should be reviewed.

70. The Government's action had been upheld by the representatives of Tanganyika in the Legislative and Executive Councils of the Territory after the facts had been explained to them in the White Paper. He quoted from the statements of a European, an Indian and an African member of the Legislative Council. The European had drawn attention to the fact that the land problem was acute in many other parts of Africa. He had been impressed by the pains taken and the efforts of the Government over a period of years to find a just solution. A compromise had been reached under which both Europeans and Africans had been uprooted from their homes. The operation had been carried out with the greatest patience and humanity and, after seventeen years in the Territory, he refused to believe allegations of government brutality or inhumanity in its dealings with the African population. The Indian representative emphasized that the facts contained in the White Paper were true and that irresponsible allegations made by the so-called delegation to the United Nations were a distortion of facts. He had been a member of the Planning Committee referred to in the White Paper and was in a position to affirm that the Commission had been appointed to

formulate a plan for the redistribution of alienated and tribal lands in order to ensure the better utilization of the land in that part of the country. The move of the Meru people had been a just and fair move and it had been justly and fairly carried out. The motion for approval of the White Paper had been introduced by an African chief who had welcomed the very clear and comprehensive information contained in it. He had regretted that there had been some distortions of facts which had been taken up by the world Press. In his opinion, the Government policy, as stated in the White Paper, was the right one.

71. In conclusion, Mr. Mathieson emphasized that his Government was satisfied that its policy was right and that the measures taken were in the long-term interests of all the inhabitants of Tanganyika, including the whole Meru tribe and the small number of tribesmen who had had to move. The Committee could assist the Administering Authority to carry out its obligations under the Charter, or it could place his Government in the very difficult position of going back on its policy in order to implement a General Assembly resolution or carrying on with what it felt to be the best policy despite that resolution. He hoped that no member of the Committee would place his Government in that position.

The meeting rose at 1 p.m.