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ASIAN SOCIALIST CONFERENCE

# ANTI-COLONIAL BUREAU

I

NEWS LETTER

CABLES :  
SOCIALIST RANGOON

4, WINGABA ROAD  
RANGOON BURMA

EDITOR : JIM MARKHAM, JOINT-SECRETARY, ANTI-COLONIAL BUREAU

Bewysstuk No.....  
 Gekry by..... *W.M. Sealey*  
 Deur..... *Sami. Yentes*  
 Te..... *Mylo... 14 - Jaffe St - 114 - Jol' Army*  
 Datum..... *27 Sept 55* - May 1955  
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No. 9

TEXT OF STATEMENT BY U HLA AUNG IN THE COMMITTEE OF

INFORMATION U.N. SIX SESSION ON " RACE RELA-  
TIONS & SOCIAL CONDITIONS" IN NON-  
SELF-GOVERNING TERRITORIES

( U Hla Aung is Joint Secretary of the Asian Socialist Conference and representative of Burma on the U.N. Committee on Non-Self-Governing Territories. The speech was delivered on 26.4.55.)

Mr. Chairman,

This Committee is now considering one of the most vital questions on its agenda. The question is of great and growing importance. The deteriorating situation in Africa in Race Relations is none the better because of changes in South Africa. With the recent news reports from the New York Times on Saturday which reads "Strigdom Advocates White Supremacy ", I am worried, Sir that the ill winds from that part of the world could make worse the prevailing complicated situations in East and Central Africa. My delegation seriously considers that, on the contribution of this Committee that may be given to the solution of questions relating to race relations in Non-Self-Governing Territories, it may well depend the opinion of many people on the value not only of this Committee but of the United Nations procedures of cooperative discussions of questions effecting Non-Self-Governing Territories.

Sir, I believe that members of this Committee might have read an interesting book, written by Justice Willaim O. Douglas of the United States. It is entitled " North from Malaya ". I am sorry that I have to mention a passage of conversation referring to my country on page 218 of his book. It says " that we will administer the laws faithfully, showing no discrimination against any person or race". I hope that in reading the short passage I will not be thought to be over-praising my country. It is also in our Constitution that every citizen enjoys equal rights and privileges regardless of race, colour and religion. In fact it is the essence and philosophy of our religion, and our way of life. We know that in many countries, in different ways and in different forms the officers of the administration every day determine that they will administer the law faithfully and showing discrimination against any person or race

But I am not sure whether we can say that this is the case in all the Non-Self-Governing Territories. Can we say that this is a sacred trust obeyed throughout East, Central, and in North Africa and in Southeast Asia? I am afraid, Sir, that I do not think this is the case.

In 1952, the Committee last considered the question of race in Non-Self-Governing Territories. In the same year, the General Assembly approved this Committee's report on social conditions. General Assembly adopted also a resolution 644(VII).

Our work this year stands on the basis of the 1952 report and the 1952 resolution. Therefore, I have gone back to the records of 1952. I have been impressed much by what I read there. Perhaps nothing was done in 1952 by the General Assembly of such importance as its debate on race relations in Non-Self-Governing Territories. Perhaps nothing has been done since of such importance by the General Assembly. General Assembly which was so colonial-minded in 1954 has to go back to the spirit of 1952 and to the spirit of San Francisco if it is to regain the confidence of many of the Asians and Africans.

I notice from the records of 1952 that the Fourth Committee adopted resolution 644(VII) by 40 votes to none with 2 abstentions. I see that on 10 December 1952 the General Assembly adopted the resolution by 51 votes to none with 1 abstention. I am only sorry Belgium is not here. I am puzzled at this one abstention. When I visited Africa those in the Belgian Congo were proud of having better racial conditions than in Northern Rhodesia. They were proud of having African engine-drivers. I wondered how soon it would be before they would be proud at having an African Govern-General. And I wondered if perhaps they did not wish to stop at the African engine-driver.

So, I have read the debates in 1952. I have read the report of the Fourth Committee which was written by our Chairman. And I felt that 1952 was a good year in the United Nations.

I noticed one strange thing. Some delegates, who supported the resolution, did think, or did say, that it was not necessary. They said that race differences should be condemned everywhere in the world and not only in the Non-Self-Governing Territories.

Of course that is right. Justice Douglas kindly says my country prays that we will show "no discrimination against any person or race". But we are thinking here of Non-Self-Governing Territories.

And I read in this Committee's report of 1952 (A/2219) on page 19 as follows:-

"The vital importance of improving race relations among all peoples should be evident to all who wish for the maintenance of world peace. In most Non-Self-Governing Territories, the fact that the bulk of the inhabitants are of an ethnic origin and have a cultural heritage different from that of the peoples of the countries responsible for their administration and at present filling most of the senior offices in the Territories makes of even greater importance collaboration among the races in these Territories . . ."

Many of the honourable delegates in this room come from countries which have been under foreign rule not much more than 10 years ago. I would like to mention to you that a people can forget quickly its anger against a foreign army. But it takes much longer to forget its anger against a colonial administration. I can say this frankly, because my own country's friendship with England is well known. We have no bitterness, but good relations in every way.

But generally a foreign army is forgiven and forgotten, a colonial rule is remembered. I think why. If nine-tenths of colonial governors are good men, still we can remember. We remember too because colonial rule is a rule on the basis of race and domination apart from exploitation.

For this reason, I read from William O. Douglas again. On page 338, he says the following:-

" The Asian Socialist Conference that met at Rangoon in January 1953 came out not only against communism and colonialism but capitalism as well. Capitalism in Asia is mostly different from the capitalism we know". Mr. Douglas says, "Capitalism in Asia was foreign capital that sucked a country dry and sent the profits abroad. To Asians, capitalism is a system that pays labour a few cents a day. Capitalism in Asian eyes is one method the foreigner used to exploit the continent and to control it".

Members of the Committee may see from this how race domination when it existed in Asia made Europe a bad neighbour. Race domination, where it exists in Africa is losing Africa to Europe.

For these reasons, my delegation, which wants friendship, and which advocates peaceful relations among nations, hopes this resolution against race discrimination in Non-Self-Governing Territories will grow stronger every year.

It might be strengthened, as honourable delegate from Guatemala suggested. But we need more than that. We need its application. With it will be applied principles of self-determination and equality of human rights.

This must be the case now in many Non-Self-Governing Territories. We have little knowledge of Pacific Territories. But our Chairman has spoken of good relations in New Zealand Territories and information is good from American Territories. In Caribbean we hear that there there is a single society. In West Africa self-government is growing in British territories and I was very much amazed when I saw the friendly harmony among different communities at Accra in the Gold Coast but in East and Central Africa it was the reverse. In French territories of West Africa we see much good understanding of race relations.

But there are other places where difficulties are great. Their complaints ring throughout the world. I will not speak of political complaints. I do not speak of poverty or of many thousands of men and women in prisons and camps. I speak just of race relations of every week-day. My delegation would like to know how the families of these victims in Kenya are being treated and what measures are taken for them while families are separated without homes and employment.

In Kenya an African cannot own land when a white man can; he cannot live in the same street; or go to the same hotel and same school. Here also we would like to know how are those thousands of students of independent national schools which are closed after the emergency regulations are being taken care of by the authorities. In Rhodesia an African cannot do the same work in the mines, or earn the same pay. His Trade Union rights are curtailed. A recent workers strike to fight for their legitimate rights are frustrated by European Mine Workers Union. My delegation would like to suggest that these are the areas where specialized agencies such as the I.L.O. should take careful study and serious consideration taken into account the serious situation in race relations. Furthermore, he cannot stand at the same counter in the post office or he cannot ride in the same carriage. He cannot have the same privileges in the service of the administration for employment, while there are restrictions and discrimination being enforced by day and night passes for Africans.

The High Commissioner for Federation of Rhodesia and Nyasaland said in his address to celebrate the anniversary of the establishment of the Federation, that it would not be right to say that race relations had improved since its formation.

On 1 August 1954, in the Federal Assembly Dr. Scott, an European member, elected by Europeans said, " But if there is one thing to my mind which is preventing the smooth course of this Government, it is the deterioration in race relations and the fact that good will between black and white is lacking".

We are very much concerned over these statements and it is our sincere opinion that this Committee should take serious consideration over these unhappy situations, taken into account the unfavourable situation in surrounding area.

In the Belgium Congo, if he is elite he can do more; if not, he can do little. In Morocco, he has not the same trade union rights and he goes to worse schools or to no schools.

In some of these things, I may be wrong. Much may have changed this last year, or these last months. I should be very pleased if I am told I am wrong.

Where I am not wrong, It is important that I should become wrong soon. General Assembly resolution 644(VII) asks in paragraph 1 that discriminating laws and practices should be abolished.

My delegation would like to know whether this has been done in the Belgium Congo.

General Assembly resolution 644(VII) asks in paragraph 4 that public facilities should be open to all inhabitants of the Non-Self-Governing Territories.

I ask whether this has been done in Northern Rhodesia and East Africa.

I think that in our report we should say that has been done and what has not been done in these territories where the danger of race warfare is so very real.

My delegation will be only too glad to study any proposals to strengthen General Assembly's action of 1952.

Sir, in conclusion, I would like to add that the voice of millions in Asia and Africa, through their representatives at the Afro-Asian Conference at Bandung could in no way be discarded and this Committee could be worthy of its standing if only we can prove that the functions of the Committee are in accordance with the ideals and principles of the Charter which promises the Welfare and advancement of peoples in Non-Self-Governing Territories and the final achievement of self-determination.

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### The March to Goa

For some time the people of Goa had been left to themselves to carry out their struggle for freedom from alien rule.

Goa, a small Portuguese pocket in India has been struggling to enjoy independence and freedom with her mother India. The people of Goa have been yearning to merge with India. Their cries have not gone unheeded by the people of India. Volunteer Satyagrahists poured from all parts of India to support their suppressed brethren. The stage was all set for an all march journey of peaceful and unarmed Satyagrahists to Goa when the Government of India halted the march. All would have probably been over by now if the Government of India had not thought that the Portuguese Government was a reasonable one with which the former could negotiate. But it was a fatal mistake. The Portuguese Government backed by its co-imperialist NATO powers treated the India Government with retuff.

The Goa people nevertheless continue their non-violent struggle. Many of them are being deported by the scores to Portugal and their torture camps in Portuguese territories in Africa. Violence is being daily unleashed against the Goan fighters for demanding what the U.N. Charter supports and calls self-determination. The position has greatly deteriorated ever since Portugal has become convinced of the powers that stand behind it.

The various political parties in India have accepted the challenge of Dr. Salazar and have decided to show to the world in general and Portugal in particular the efficacy of satyagraha as a weapon of a liberation movement. Till now the satyagraha movement in Goa was mainly confined to the Goans themselves, though a few Indians did cross the border and offered satyagraha on the portuguese territory.

Now the organised parties are taking up the responsibility of providing satyagrahis to the National Congress (Goa) for their valiant struggle. The first batch was headed by Shri N.C. Goray, member of the National Executive of the P.S.P. and Chairman of the Maharashtra Praja Socialist Party. They entered Goa from Savantwadi some day in the third week of May.

Speaking at a reception held in his honour Shri Goray said, "My purpose to march into Goa is to reject the distinction made by our Government between Goans and non-Goans." Elaborating on this theme in an open letter to Governor-General of Goa, which is published elsewhere in this issue, he says "Our object is very clear. We want to help create circumstances in which it would be possible for the people of Goa, Daman and Diu to merge with India".

It is not known how the Portuguese Government would react to this new development. There are rumours that military strength is increased in the border area and Portuguese Government considers this peaceful satyagraha by a batch of volunteers from India as an invasion. If the Portuguese Government is planning any terrorising tactics it is bound to fail. Shri Goray and his batch of volunteers, which includes the valiant satyagrahis like Senapati Bapat, are experienced in the art of non-violent resistance. They know how to deal with the repressive tactics of the Government and much sooner than the Portuguese Government imagines, it will have to capitulate before the irresistible force of the peaceful satyagrahis.

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Shri Goray says in the last paragraph of his letter to the Governor-General, " We are not so presumptuous as to believe that our action will break your domination. But neither are we so modest as to underestimate the impact of our effort. Our participation in the liberation struggle of Goa will bind in eternal brotherhood the people residing on both sides of that artificial and untenable frontier between Goa and India. Moreover it will give added momentum to a process that will usher in the dawn of freedom to a long benighted people over whose destinies Portugal presided today. Above all it will bring new hope to the Goan resisters by assuring them that they have friends across the border and they will not have to tread alone the narrow path of freedom".

Shri Goray is modest about the impact of his heroic action. We are confident that he and his satyagrahis will return triumphant after achieving their purpose in a short time.

### Portuguese Atrocities

At present, grave news has come from across the Portuguese border. A batch of thirteen satyagrahis who were taken into custody by the Portuguese police but were later on brought to Goa border and released have given the first hand report of the treatment meted out by the Portuguese police to the unarmed satyagrahis.

The police opened fire on the batch of satyagrahis injuring four of them, and then began a systematic beating of the rest of them including Shri N.G.Goray and Senapati Bapat. According to the released satyagrahis, Shri Goray was beaten severely and he was in great pain. Senapati Bapat was also beaten severely and was bleeding in the head after the Portuguese police had pulled out a tuft of hair from his head. The beating continued throughout the day and towards the evening they were divided into various batches, one of which was at last released later on and has now arrived in India.

The people of India will not forget these brutal assaults on the respected citizens of India who are occupying a place of high esteem in the public mind. The satyagrahis were completely unarmed and were ready to be imprisoned or otherwise dealt with in a peaceful manner. Of course, they were also ready for the in-human atrocities because they were aware of the barbaric propensities of the authorities that claimed to act in the interest of the preservation of the Indo-Lusitanian culture which they claim is the unique contribution of the Portuguese rule in India.

The question now is what the Government of India which represents the people of this country is going to do in the matter. The people of India are surprised to see that their Government is still looking on quietly at all these happenings. Shri Goray has rightly expressed the concern of the people of this country in an interview just before his entry into Goa. He said that it was difficult to understand the Government's continued indifference towards Goa with all its high sounding claims of being the champion of the downtrodden throughout the world.

As a series of communique of the Government of India itself has pointed out the people of Goa are determined to end colonial rule and to liberate the colonial territories. There are only two courses open to the people of India under the circumstances. Either they may helplessly watch on the heroic struggle of their Goan brothers or should rush to the help, whatever the odds.

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The first course would hardly appeal to the people of a proud nation who are always anxious to help a just cause. They cannot forget that many organisations and even governments in the world had championed their cause during the freedom struggle in India and this championing had cheered them up in their fight for freedom. If nothing more than this warm sympathy was necessary for the Indian struggle, it was because of the fight for freedom under the able leadership of Mahatma Gandhi. Goa, on the other hand, is a small territory and their leaders are not in a position to guide and advise them in their day to day struggle. Under these circumstances, it becomes the sacred duty of the people of India to defy the Portuguese authorities and rush to the help of their brethren in Goa.

And the people of India expect their Government to actively help them in this humane cause and not to watch on helplessly the tragic happenings just across the border.

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Praja Socialist Party Chairman's  
message to satyagrahis on eve of March into Goa

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The Praja Socialist Party Chairman, Acharya Narendra Deva in a message of greetings to the Satyagrahis marching to join hands with the liberation forces in Goa said:

"The situation in Portuguese settlements has become very grave. Hundreds of satyagrahi prisoners are reported to be treated in most barbarous manner. Savage sentences have been passed against many. Most of the convicted persons have been deported to Africa. Police and Military personnel are freely indulging in most uncivilised conduct. Even women are reported to be molested or otherwise dishonoured. In short, lawless law and a reign of terror is the order of the day in Goa, Daman and Diu.

"I am surprised to see that the Government of India is still looking on helplessly at all these happenings.

"But Goa, Daman and Diu constitute a national problem and to free them from imperialist domination is a task and responsibility of all Indians. If the Government fails, people of India must act. I, therefore, welcome the efforts made by various sections of the Indian people to mobilise public opinion within the country and to arouse the conscience of the world outside in support of the liberation movement in Goa, Daman and Diu and against the brutalities of the Portuguese Government.

"Goan struggle is our own struggle and it is both our right and duty to join hands with our Goan comrades in their struggle for independence. I send my hearty greetings to other comrades on the eve of their noble adventure in discharge of a great national responsibility. I wish many more satyagrahis from India will follow them in this historic task till Goa, Daman and Diu are set free. I only hope that if the Government cannot help these fighters for national liberation they will at least not stand in their way."

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P.D.N. 115

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ASIAN SOCIALIST CONFERENCE

**ANTI-COLONIAL BUREAU**

NEWS LETTER

CABLES :  
SOCIALIST RANGOON4, WINGABA ROAD  
RANGOON BURMA

No. 22

June 1956

HARRY M. NKUMBULA IN LONDONLenox-Boyd Refused to See

Lenox-Boyd refused to see Nkumbula. The petition to Her Majesty the Queen of England and memoranda deal with the major issues that the President of African National Congress in N. Rhodesia had intended to discuss with the Secretary of State for the Colonies, but he on the advice of the Northern Rhodesia Government, Secretary of / refused to offer him an interview. / State This was a blessing in disguise because immediately after his refusal some Labour M.Ps who are quite conversant on colonial problems took up the case and finally sent an official delegation of the Labour Parliamentary Association to the Secretary of State for the Colonies. The delegation consisted of the two former Secretaries of State for the Colonies during the last two Labour Governments, namely the Rt. Hon. James Griffiths, the Rt. Hon. Arthur Creech-Jones and also Mrs. Eirene White - a lady M.P. who has given much thought to Colonial questions - and Mr. Fenner Brockway, M.P. - a Member of Parliament of no lesser degree on Colonial matters.

By the time he left London the delegation had not yet released the news and it may be sometime before he shall be in a position to let you know of the answers they got from Mr. Lenox-Boyd, the Secretary of State for the Colonies. But they all promised that they will press the matter forward until they could get some satisfactory results.

Apart from the Labour M.Ps he has the valuable assistance of the Fabian Colonial Bureau, the African Bureau, the Anti-Slavery Society and Mr. John Hatch, Commonwealth Officer of the Labour Party in Transport House.

With regard to the land question he had the assistance of several professors of the University of London who prepared an academic legal opinion which he presented to his solicitors and lawyers.

The points contained in the memoranda are the points that the African National Congress and various Provincial Councils have always demanded. They are given in a most sober and well-meaning spirit. They reveal a serious attempt to bring about Partnership into form and realisation. The reactionary elements in the Federation will sneer at them. The Northern Rhodesia Government will think it is madness. But what else? You know you cannot hold a person down without you yourself being held up.



## To-day in Rhodesia

Northern Rhodesia is to-day the darkest spot in the whole of the British Colonial Empire. Its social colour-bar, racial discrimination, intimidation and ostracism are worse than those being experienced in the Union of South Africa. Its educational policy and health services cannot be anything but deplorable. The discrepancies in the conditions of service between the European and African Civil Services, and between the European miner and the African miner are shocking.

## Government in responsible

He has spoken to many ordinary Europeans and asked them of their attitude towards the other races in this country. They all seemed not to mind about racial differences but almost everyone of them pointed to the Government. In cafes and restaurants where Africans are refused service the staff always point out to the Government - "It is not our fault", they tell me. "We are business men and what we want is money and we don't care who comes to buy from us. But the Government!" so they say. The volume of trade of the small business man has suffered contraction because of intimidation, social colour-bar and fear of ostracism. Not only are the Europeans who associate themselves with Africans suffer from ostracism but also Chiefs and African Civil Servants. The Chiefs have been ordered not to attend Congress meetings and also to ban Congress in their areas. Chiefs who saw no reason for banning Congress got threatened or deposed. The Chiefs who have accepted the Government advice to ban the Congress have suffered ostracism of the worst type. What is worse is that since these Chiefs have lost their popularity among their own people their efficient and progressive administration has changed into despotic rule backed by Government officers. An enquiry into the Gwembe Native Authority, Nkomeshya Native Court, Nsenga Native Authority, only to mention a few, will reveal some startling results.

Most of the prominent men in the African Civil Service have been intimidated and ordered not even to be seen with top-Congress officials.

## The Wrong Picture

International journalists, professors in political science and other experts on human affairs who frequent Congress offices in Lusaka leave our offices knowing they had been deceived or badly informed about the African National Congress. One of them said to me this, "I don't believe you are the person that I have been told about by a Government spokesman. I expected a man with a sword in his hand to jump at me." Another one said that he was told in Lusaka that Congress officials were animals with fangs.

## The Right Way

This kind of cheap and insidious propaganda would not help anybody. Come and discuss things with us. We will give you some advice and we are ready to take your advice if we are convinced that yours is the right one. But I must make it clear to all anti-Congress elements in this country that you cannot destroy Congress either by legislation or by physical force because Congress is the spiritual expression of the Africans of Northern Rhodesia and we will press forward for our legitimate demands until we secure them by every possible constitutional means.

It will not be the fault of the African National Congress. nor will it be the fault of the ordinary European who has decided to make his home here if things went wrong. The right to right the wrong lies in the hands of men and women who run the affairs of this country.

PETITION CONCERNING THE EVACUATION OF THE PEOPLE  
FROM THE ZAMBEZI VALLEY

May it please Your Majesty,

On behalf of the people of the Zambezi Valley who are being dispossessed on their land to make way for the Kariba Gorge Hydro-Electric Scheme on the Zambezi River of the Rhodesia, I, Harry Nkumbula, as President of the African National Congress of Northern Rhodesia, acting under the instructions of the Executive Council of Congress, and at the request of an assembly of several hundreds of people of the areas affected, humbly petition and pray that Your Majesty may be pleased to instruct your Secretary of State for the Colonies to take full regard for the security and well-being of these people who are British Protected Persons living under Your Majesty's protection, and that in so doing he shall consult the people and not rely upon the opinions of those Chiefs and Native Authorities on whom the Government of Northern Rhodesia can bring to bear great pressure to obtain their consent to its wishes.

The responsibility for the dispossession of these people of their land is that of Your Majesty's Secretary of State for the Colonies in that it will be necessary for the Governor of Northern Rhodesia to obtain his consent. In the case of Native Reserves which are vested in the Secretary of State this responsibility is laid down in Section 6 of Northern Rhodesia (Crown Lands and Native Reserves) Orders in Council, 1928 to 1951 and by definition in that Order, "in perpetuity for the sole and exclusive use and occupation of the Natives of Northern Rhodesia", by which section the approval of the Secretary of State must be obtained if more than 100 acres of land is to be set aside for public purposes, or any alterations made to the boundaries of a Native Reserve.

In the case of Native Trust Lands which are vested in the Secretary of State under Section 4(I) of the Northern Rhodesia (Native Trust Land) Order in Council 1947, and set apart by definition "for the sole use and benefit, direct and indirect, of the Natives of Northern Rhodesia," the Governor must receive the general or special directions of the Secretary of State before he shall acquire Native Trust land for public purposes (Section 5(I)(d)).

The whole of the land within 200 miles upstream of the Kariba Gorge on the Northern Rhodesian bank of the Zambezi River is either Native Reserve or Native Trust Land, as recorded in the Orders in Council quoted above.

In Article 33 of the Constitution of the Federation of Rhodesia and Nyasaland it is laid down that African land shall not be acquired by the Federal Government otherwise than in accordance with the Orders in Council quoted above. The responsibility of Your Majesty's Secretary of State therefore continues after the establishment of the Federation.

In view of the responsibilities of Your Majesty's Secretary of State, as set out above, the people of the lands that are to be flooded petition Your Majesty to instruct him:-

1. To determine whether it is just that the people should be dispossessed of their land and whether it is for the benefit of the "natives" of Northern Rhodesia. Also, in view of the anxiety and bitterness among Africans that this dispossession will engender, whether it is for the good of the Territory as a whole that they should be dispossessed.

2. To determine whether the power that is to be generated by the Kariba Hydro-Electric Scheme could not be better generated by nuclear energy and thereby make unnecessary the removal from their homes of more than 29,000 people of Northern Rhodesia and 14,000 of Southern Rhodesia.
3. To determine whether the compensation payable under Article 5(4) of the Order in Council of 1947 to Africans who are moved, is sufficient and that it has been agreed to by them, and if they have not agreed to it that arrangements have been made for Arbitration, as required in the Order in Council, to decide on the compensation.
4. To determine whether the lands to which the people are being moved are equal in value to those from which they are being moved, and that the soil is good enough to support the people and their stock and that they are free from tse-tse fly so that they may have their cattle with them, and that they shall not be put on land which shall cause the overcrowding of people already living there.
5. To appoint a Commission to examine and to determine the points already raised and to make sure that the land given to the people is above flood level after the construction of the dam. So that the people shall have confidence in this Commissioner, it is requested that there shall be among them a majority of Africans, either from Gold Coast or from Nigeria. The African members of the Commission should be men acceptable to the African Members of the Northern Rhodesia Legislative Council and to the Executive Council of the African National Congress. It is hoped that the Commission would include hydro-electrical engineers independent of those who have recommended the Scheme or those employed upon it and equal in professional status to those who have prepared that Scheme.
6. To ensure that all legal provisions for the safeguarding of African lands are complied with in every way and to ensure that if the Kariba Hydro-Electric Scheme is to be administered by a Corporation that this shall be controlled by the Northern Rhodesia Government as required by Section 6(1) of the Order in Council of 1928-51, for the alienation of African land.

In virtue of the treaties of protection into which our ancestors freely entered with Her Majesty Queen Victoria and in view of the loyal service of the African peoples of Northern Rhodesia this petition is submitted with confidence in Your Majesty's sympathetic consideration.

We pray that Your Majesty may be guided by Almighty God in your decision on our petition and that He may grant you health and a long reign over us.

GOD SAVE THE QUEEN.

Signed at LONDON this 17th day of November, 1955

Sd/-

HARRY NKUMBULA

THE PROBLEMS OF CENTRAL AFRICA TODAY

THE REPRESENTATION OF AFRICANS AND OTHER RACES  
IN THE FEDERATION OF RHODESIA AND NYASALAND  
AND IN NORTHERN RHODESIA

The African people will accept nothing short of full adult franchise, with no reserved seats or other special safeguards for minority groups, as the ultimate means of electing Legislative Assemblies and Councils with sovereign authority in the Federation and in Northern Rhodesia.

They agree to advance to this by steps that remain within the bounds of practice and constitutional politics, and progressively improve the representation of Africans.

Each step shall not be so long delayed that the adults of today cannot foresee the ultimate realisation of the ideal in their own life time. Steps foreseen as acceptable temporarily are :-

- (1) Communal rolls with a fixed number of seats for each racial group.
- (2) A Common roll with reservation of a fixed minimum number of seats for minority groups.

A balance of power in the hands of official members would be acceptable in the early stages so long as there were Africans among the officials.

The reform of the Territorial Constitution to be carried out in 1958 is dealt with first.

Territorial Constitution

The present distribution of seats in the Legislative Council is :

- 4 Africans (recommended to the Governor by the African Representative Council)
  - 2 Europeans representing African Interests (Nominated by the Governor)
  - 12 Elected members (Elected by a roll of 12,000 European voters and about 3 Africans)
  - 8 Official members (ex Officio or appointed by the Governor. All are Europeans)
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- 26 Total. (The Speaker is nominated)

Proposed redistribution of seats in 1958

- 12 Africans (elected on separate African adult franchise roll)
- 12 Elected by British subjects
- 4 Official members (nominated by the Governor)

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28 Total. (Speaker to be chosen by the Members from outside the Council).

### Transitional Voters Roll.

The first electoral roll for Africans can be the Native Tax register. Every male Taxpayer may obtain a vote to be cast by a female voter until a register of African adult females is drawn up.

Any British subject or British Protected person may stand for election by Africans. It is conceivable that corruption may so damage the reputation of Members that Africans may wish to elect members of another race. This should be allowed in the constitution.

The members elected by British subjects shall be elected on the present voters rolls. No African who is a British subject shall vote for a Candidate nominated as an African candidate.

### Territorial Executive Council

There are already 4 official members of the Executive Council as well as the Governor who are all pledged to act without discrimination against Africans and it is useless to nominate another European member to represent African interests who has not the confidence of the African people but gives to a thoroughly undemocratic Council a pretended African Representation. The only thing acceptable to Africans is the nomination to the Executive Council of the African members of the Legislative Council chosen by all African members of the Legislative Council. There shall be as many African members of the Executive Council as there are unofficials elected by British subjects.

Consideration should be given to nominating African official members to the Executive Council.

### British Protected Persons.

Africans strongly object to the necessity of becoming British subjects before they can become full citizens of their own country. They consider it to be ridiculous that this extra citizenship should be made obligatory before they are given full voting rights. While they realise the benefit of membership of the Commonwealth for their country, they believe that citizenship of Northern Rhodesia should carry Commonwealth citizen rights as it does in the Dominions and in Nigeria and the Gold Coast.

This conception of citizenship must be accepted by the Government and then put into action by the formation of a common voters roll based on adult franchise.

### Common voters roll and reserved seats for minorities

It is acceptable to Africans that a certain number of seats in the Legislative Council shall be reserved for minority groups during the first years of elections by a common voters roll. This will give the minority groups a feeling of security. It is foreseen that the political division of the people will not always be by race. As an African class of wealthy property owners and high salaried workers develops they will find their interests to be closer to those of the European and Asian moneyed classes, while European and Asian working men will see their interests allied to the African workers. When no race any longer has reason to fear domination by another race the policy of reserved seats for minorities can be ended and the Legislative Council will be a truly democratic expression of the will of the majority of all citizens.

### Reserved seats in the Legislative Council.

The system of reserved seats for minorities for a period during the transition to full democratic representation will be acceptable on the general principles laid down by W.J.M. Mackenzie in his recommendations for Tanganyika as they may be applied to a community with only two politically important racial divisions.

### Change from Communal roll to Common roll

It would be acceptable to Africans that the system of electing communal representatives on communal rolls should change to that of common representation on a common roll when the number of voters of each race are equal and the merging of the communal rolls into a common roll would give parity to the number of African voters and European (or British subject voters).

This might not be considered as providing sufficient safeguard for the minorities if it came very soon, and a system of reserved seats for minorities is put forward later to lessen their fears.

### Common roll with restricted franchise.

It has been strongly advocated by some who have the interests of the African people at heart, that communal rolls and communal representation are likely to hinder advance to a genuine democracy. It is claimed by them that a common roll should be established by the addition of Africans who have some income, property or education qualification.

If the franchise was extended to British Protected persons this would not be unacceptable to Africans if the qualifications were such that the number of Africans who could immediately become eligible should be equal to the European votes or enough to influence elections to a notable extent and that the administration of the tests should be in impartial hands.

### Educational tests

At present the educational test is that the voter wishing to register should correctly fill in a form written in English (Schedule I, Form A, of the Legislative Council Ordinance Cap 2 of the Laws of Northern Rhodesia and Section 12).

If this form was available in the most widely spoken vernacular languages of Northern Rhodesia this test would be acceptable to Africans for a transitional period.

### Means test

The number of Africans occupying houses valued at £250 or more is increasing rapidly. If this test was administered impartially it would be acceptable to Africans for a transitional period. (Cap 2 Laws of Northern Rhodesia Section 11(a).

The income required has been fixed at a point attained by very few Africans but with the allowance of £50 for rations or housing reducing the requirements to £150 a year or £12.10.0d a month the number is increasing. Africans are afraid that European employers may dismiss Africans before they have completed a year's work at this wage in order that they may be disenfranchised.

If it was sufficient to prove that £12.10.0d a month was earned in regular employment for three months in any year

and if all forms of bonuses and additional emoluments were taken into consideration this test, administered impartially, would not be unacceptable to Africans as a transitional measure. (Cap. 2 Laws of Northern Rhodesia Section 11 (c).)

#### Assessment and administration of tests.

A Board shall be established, if the formation of a common roll on these terms shall be decided on, which shall have as many Africans chosen by the African members of the Legislative Council on it as there are Europeans, whose duty it shall be to draw up and keep up to date the common electoral roll for the Territory. Appeals from this Board shall be heard in the same way as appeals from a Registering Office (Cap 2 Laws of Northern Rhodesia First Schedule Section 6.)

#### African Representatives in the Legislative Council

The representation of African interests by Europeans has been made unacceptable to Africans by the record of the Europeans nominated. They have not identified themselves with the people they are supposed to represent. As they are not responsible to the African people and do not depend on them for re-election, this is not surprising.

If African interests are to be represented by Europeans they should be Europeans elected by Africans.

This also refers to representation on the Executive Council.

#### The Federal Assembly

The African people wish to see the Federation which was imposed on them in spite of their unanimous opposition, dissolved as soon as possible. Until this has been accomplished they wish to see its Constitution develop progressively towards true democracy.

#### Representation in the Federal Assembly.

The present position is :-

	Africans chosen by Africans	Africans elected by Europeans	Europeans representing Africans	Elected by British Subjects	TOTAL
N. RHODESIA	2	-	1	8	11
Nyasaland	2	-	1	4	7
S. Rhodesia	-	2	1	14	17
				Grand Total	35

The total number of Africans eligible to vote as British subjects is under 500. The Europeans are over 50,000.

Recommendations are made for the number of seats allocated to Nyasaland and Southern Rhodesia representatives because the principles involved are common to all three Territories. They are not necessarily accepted by Africans of those Territories.

#### Proposed reallocation of seats in the Federal Assembly

The seats were allocated in the Constitution of 1953 on the basis of the importance of the European populations of the Territories and the financial influence of those Europeans.

This is unacceptable to Africans who can see no reason why the three Territories should not have equal representation. The influence of large European numbers in Southern Rhodesia

and their seizing and tenure of half the land area, is countered by the influence of the great Northern Rhodesia copper industry and by the greater African population accuracy. Parity of representation is the only fair system.

It is proposed that each Territory sends 12 members to the Federal Assembly.

Representation of Africans in the Federal Assembly

The common roll in Southern Rhodesia is an inoperative force that accords no proper representation to Africans. Until such time as the Southern Rhodesian Common roll and Common rolls in Northern Rhodesia and Nyasaland are political realities, there should be communal representation for Africans for the election of their own members.

Parity of Representation

As a transitional measure Africans would accept a Federal Assembly consisting of 6 Africans and 6 Europeans (or persons elected by the British subjects) for each territory.

Proposal

	Elected by African Roll	Elected by Europeans or British subjects	TOTAL
N. Rhodesia	6	6	12
Nyasaland	6	6	12
S. Rhodesia	6	6	12
	<u>18</u>	<u>18</u>	<u>36</u>

Reserved Seats in Southern Rhodesia

If it is thought inadvisable to split the common roll of Southern Rhodesia, the election could be carried on on the basis of six reserved seats for those African candidates who obtained most votes. It is realised that this system perpetuates the present indefensible system whereby representatives of Africans are elected by a roll on which are an overwhelming number of Europeans and that African candidates if they are to have any chance of success have to obtain the endorsement of a European political party. The alternative is put forward here because Southern Rhodesian African political organisations may prefer to fight for a fairer common roll than for a transitional period with communal rolls. This does not by any means suggest a separate communal roll system in Southern Rhodesia which does not now exist.

The African Affairs Board

The African Affairs Board has not been an effective check on discriminating legislation in the Federation. The Income Tax Act which made the Africans of Northern Rhodesia and Nyasaland liable for income tax for the first time without relieving them of Territorial Native Tax and the Cadet Corps Act which excluded Africans by implication from its scope, passed unopposed.

This was not unexpected as the numbers of Africans and Europeans on the Board was equal while the Chairman was and still is a European nominated by a Governor and not chosen by Africans.

The African Affairs Board should be altered so that Africans representing African interests alone remain on it and those chosen by Africans (and not as in Southern Rhodesia by a European



electorate) shall be in a majority. The Governor-General should be instructed to appoint a Secretary to the Board whose duty it would be to point out to the members any point in proposed legislation that might in any way come within the scope of its constitutional powers. It is suggested that the Secretary should be an African from outside the Board.

#### Democratic Government the Ultimate Aim

Any move towards Dominion status or Government independent of the United Kingdom is opposed without reserve by all Africans.

In putting forward this memorandum as a declaration of a policy acceptable to the African people of Northern Rhodesia it is necessary to repeat that each step proposed is acceptable only in that it leads towards the democratic Government of Northern Rhodesia as a Territory and, so long as the present Federal Constitution is effective, as part of the Federation.

Africans have no power to bring about the change they ask for by constitutional means, as they are excluded from the franchise and are inadequately represented in the Councils and Assemblies. The Secretary of State is reminded that he can use his official votes in the Executive and Legislative Councils of Northern Rhodesia to bring about the changes asked for by Africans. If he does not do so the responsibility of driving Africans, in their fear and despair, to take unconstitutional steps to amend the constitution will rest with him.

In Federal matters the constitution so strongly endorsed by a Conservative Government makes direct action by the Government of the United Kingdom almost impossible. The Government of the United Kingdom will be, under Article 99 of the Federal Constitution, a party to the conference to be convened between 1960 and 1962 to consider amendments to the Constitution. With the control of the Territorial delegations from Northern Rhodesia and Nyasaland the United Kingdom can exert very strong pressure at this conference. The Secretary of State is requested to show now that he will be prepared at the conference to use his influence to effect amendments to the constitution that will give more fair play to Africans.

In that way he may be able to lessen the great anxiety and bitterness of the African people and render unnecessary action beyond the scope of the constitution to which they might be driven if all hope of reassurance was lost.

The demands for a United Government, Dominion Status and Apartheid by European settlers are wholly unacceptable by Africans and any tendency by the United Kingdom Government to give way to any one of these demands will be met with opposition which may break into unpleasant happenings.

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#### THE FAILURE OF THE FEDERAL GOVERNMENT TO PROVIDE HIGHER EDUCATION FOR AFRICANS AND OF THE NORTHERN RHODESIA GOVERNMENT TO PROVIDE SECONDARY SCHOOLS.

#### Revision of Federal Constitution

Higher Education of Africans is now an item of Federal Legislation. It is the wish of Africans that in any revision of the Constitution it shall become a Territorial item.

This is demanded because the Federal Government has reduced the grants and scholarships provided in the past for overseas higher education of Africans although the Rhodesian University has not yet been opened.

While Uganda has more than 200 Africans doing University courses in the United Kingdom Northern Rhodesia has only about 10 receiving any education in the United Kingdom. This is particularly surprising when the revenues of the two countries are compared.

### Multi-Racial University

Already several South Africans have been appointed to the staff of the Rhodesian University but no African has been appointed. The multi-racial character of the University should be extended to the staff. This multi-racial character has also been departed from in planning to house European and African students in separate hostels.

### African University Candidates - Male and Female

The Government of Northern Rhodesia is not developing African Secondary schooling enough to provide candidates for the University. There are no African secondary schools for women and it appears that there will be no African women in the University for many years. The only junior secondary school for girls is at Chipemba Mission. It is so badly equipped that the students are handicapped in their studies. They work by candle and lantern light. They have no library and no science or domestic science accommodation. It cannot be foreseen that they will ever pass the entrance examination for the University under such conditions.

### African women at University

It will inevitably lead to trouble if European women students attend the University with the European male students while there are no African women students to associate with the African male students.

### African hospital nurses

The education of girls in Northern Rhodesia is so much neglected that nearly all the African hospital nurses and trainees are from Southern Rhodesia.

### Technical Education and Training

The advance of African technical education is so slow that Africans will find it difficult to take advantage of the agreed plan for African advancement in the mines or of advancement in any industry. If the Government of Northern Rhodesia has the principle of "Partnership" at all at heart it must give Africans the same opportunity and standard of technical education and training as the Europeans. There is no apprenticeship scheme for Africans in any industry in Northern Rhodesia. Africans are explicitly excluded from the terms of the Apprenticeship Ordinance. (Cap 187. Laws of Northern Rhodesia Section 3, 2(a).

### Mass Education

The mass education of adults that is of great importance to a community seeking a fuller franchise, has been allowed to die out for lack of Government support and enthusiasm.

THE NEED TO TRANSFER THE LEGISLATIVE AND  
ADMINISTRATIVE RESPONSIBILITY FOR THE PRISON  
SERVICE FROM THE FEDERAL GOVERNMENT TO THE  
TERRITORIAL GOVERNMENTS

Under the Constitution of the Federation of Rhodesia and Nyasaland the prisons are among the items in the Concurrent Legislative List (Part II, Item 60). The prison administration has been centralised under the Federal Government.

The majority of prisoners committed to prison are so committed by the Territorial Courts. It is wrong that the Courts should be part of an administration different to that which administers the prisons. This is true of the High Court, the Subordinate Courts and the Native Courts. The Native Courts, particularly, are growing reluctant to convict anyone to imprisonment in the Federal prisons. The impartial administration of justice can only suffer from such considerations.

It was stated that the matters generally concerning Africans have remained Territorial responsibilities. The African prisons are schools for thieves, breeding ground of homosexuality, overcrowded disease centres, factories for recidivists rendered unfit for a life of freedom, the core of the growing inter-racial hatred that every prisoner fosters inside his mind as a compensation for his miseries.

This prison system is being administered by settler politicians answerable only to their fellow Europeans who have not heard of modern penal reform and would not tolerate any system that tried to make re-education and not retribution the motive of the prison system.

Nothing can be of more importance than this to the African people. The laws of the country are such that every young person on his or her first visit to the settled areas is in grave danger through ignorance of arrest and conviction. Their poverty does not allow them to pay the fines that are the alternative to imprisonment. They go to prison in large numbers and are forced to consort with the people the system has corrupted.

The Federal prisons are no longer subject to inquiry by the Colonial Office Committee on the Treatment of Offenders and it can not be seen how any human influence can be brought to bear on the Federal Government to effect any reform.

When the Conference to be called under Article 99 of the Federal Constitution is convened the United Kingdom will have the right to send delegates. It is earnestly requested that they shall press for the return to Territorial and Colonial Office control of the prisons of Northern Rhodesia.

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THE SAFEGUARDS REQUIRED BY AFRICANS BEFORE  
NATIVE RESERVE AND NATIVE TRUST LANDS CAN BE  
ALIENATED AND GENERALLY ON MATTERS CONCERNING  
LANDS

Reserve and Trust Land

Africans feel insecure in their tenure of land because Section 5 of the Northern Rhodesia (Native Trust Land) Order in Council 1947 and Section 6 of the Northern Rhodesia (Crown Lands and Native Reserve) Order in Council 1948 to 1951 as amended, give "escape clauses" allowing the land to be alienated from them.

When there is a democratic legislature under full adult franchise Africans will be satisfied to leave all questions of land in their hands. Until that time comes Africans wish to see established a Board of Africans who shall be consulted by the Governor in all matters concerning Native Reserves or Native Trust Land. If the Governor acts against the wishes of this Board it shall be necessary for him to forward to the Secretary of State any memorandum or other expression of the views of this Board. The Board shall always sit as a whole.

#### Advisory Board of Africans

The Africans of Northern Rhodesia are not satisfied that the African Representative Council is a truly democratic body or that it can by its constitution contain those Africans best fitted to safeguard African interests. They are prepared however to accept during a transitional period the principle that the Board shall consist of two Africans chosen from each Province by the African Provincial Council if the Councils shall remain free to choose as members of the Board people who are not members of the African Provincial Councils as well as those who are, and that its choice is not limited by other considerations such as residence or previous convictions or education or means of a candidate.

#### Threats to African Land

Africans have particular reason to be anxious about land in the Kafue flats, in the Chirunda sugar growing areas and in the area round the newly opened mines in Fort Rosebery.

#### Other Threats to African Land Rights

The Board should have the right to consultation by the Governor and reference to the Secretary of State in matters concerning reservation of land as Forest Reserves, Protected Forest Areas and Game Reserves and Fishing Areas and also on questions of Timber concessions within the Reserves and Trust Lands. In all these matters the anxieties of the Africans are increasing as legislation is passed making the exploitation of the wealth of the Reserves and Trust Lands, possible by interests other than those of people who are their inhabitants. The Legislature has shown itself unfriendly to African interests and no longer has the confidence of the people.

#### Amendment of Order in Council

Africans wish to see Section 5 of the Northern Rhodesian (Native Trust Land) Order in Council of 1947 amended to prevent the alienation of Native Trust Land to individuals, companies or corporations that are not under the control of the Native Authorities of the area.

#### Freeholds and Leasehold Title for Africans

Africans are being kept back from the full development of their land by insufficient title which does not allow them to borrow money.

They wish to be able to hold their land under freehold or leasehold tenure. The danger that land will be lost to mortgagors is realised and loans should be made available through the Native Authorities who will have power to foreclose if loans are not repaid.

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**RECORDS RELATING TO THE 'TREASON TRIAL' (REGINA vs F. ADAMS AND OTHERS ON CHARGE OF HIGH TREASON, ETC.), 1956 1961**

**TREASON TRIAL, 1956 1961**

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