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ACCESSION No.

LOCATION No.

GOVERNMENT OF KENYA

THE NATIONAL ASSEMBLY
HOUSE OF
REPRESENTATIVES
OFFICIAL REPORT

FIRST PARLIAMENT INAUGURATED
7th JUNE 1963

VOLUME III
(PART I)

Second Session (Contd.)

Tuesday, 9th June 1964

to

Friday, 3rd July, 1964

NOTE

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CORRIGENDA

Column No.

- 29 The Kenya Meat Commission Bill should read "The Kenya Meat Commission (Amendment) Bill".
- 35 Middle of Column: NOTICE OF MOTION ON THE ADJOURNMENT, plus its title should be read after the Speaker says, "... but we will go on to the next one now", and before Mr. Ngei speaks.
- 42 Bottom of Page. The title of Question No. 144 is "Miners' Wages, Masara".
- 59 Top of Column: for Mr. Omar, read Mr. Kamau.
- 567 Under Question No. 165 for Minister for Works, Communications and Power, read Minister of State for Pan-African Affairs (Mr. Koinange):
- 761 & Top of both Columns: for Mr. Ngei, read Parliamentary Secretary for Finance
763 and Economic Planning.
- 800 Top of Column after Mr. Obok's speech, insert Personal Statement, Substantiation of Allegations.
- 856 Bottom of Column before Mr. Pandya speaks, should read Considered Ruling—Delayed Answer to Question No. 176.
- 907 Two-thirds of the way down, after Speaker says, "I do not think this can be separated from the debate on the main question, hon. Members may speak on both at once". New para. should read: "THE MINISTER FOR COMMERCE AND INDUSTRY (Dr. Kiano): Mr. Speaker, Sir, it is very fortunate . . . etc."

THE NATIONAL ASSEMBLY

KENYA HOUSE OF REPRESENTATIVES

LIST OF MEMBERS

Speaker:

THE HON. HUMPHREY SLADE

Deputy Speaker and Chairman of Committees:

THE HON. F. R. S. DE SOUZA, PH.D., M.P.

Ministers:

THE PRIME MINISTER (The Hon. J. Kenyatta, M.P.).
MINISTER FOR HOME AFFAIRS (The Hon. A. O. Odinga, M.P.).
MINISTER FOR JUSTICE AND CONSTITUTIONAL AFFAIRS (The Hon. T. J. Mboya, M.P.).
MINISTER FOR FINANCE AND ECONOMIC PLANNING (The Hon. J. S. Gichuru, M.P.).
MINISTER OF STATE (PRIME MINISTER'S OFFICE) (The Hon. J. A. Murumbi, M.P.).
MINISTER FOR EDUCATION (The Hon. J. D. Otiende, M.P.).
MINISTER FOR LOCAL GOVERNMENT (The Hon. S. O. Ayodo, M.P.).
MINISTER FOR COMMERCE AND INDUSTRY (The Hon. Dr. J. G. Kiano, M.P.).
MINISTER FOR WORKS, COMMUNICATIONS AND POWER (The Hon. D. Mwanyumba, M.P.).
MINISTER FOR LABOUR AND SOCIAL SERVICES (The Hon. E. N. Mwendwa, M.P.).
MINISTER FOR NATURAL RESOURCES (The Hon. L. G. Sagini, M.P.).
MINISTER FOR HEALTH AND HOUSING (The Hon. Dr. N. Mungai, M.P.).
MINISTER FOR INFORMATION, BROADCASTING AND TOURISM (The Hon. R. Achieng-Oneko, M.P.).
MINISTER OF STATE FOR PAN-AFRICAN AFFAIRS (The Hon. M. Koinange, M.P.).
MINISTER FOR AGRICULTURE AND ANIMAL HUSBANDRY (The Hon. B. R. McKenzie, D.S.O., D.F.C., M.P.).
MINISTER FOR LANDS AND SETTLEMENT (The Hon. J. H. Angaine, M.P.).

Ex Officio Member:

THE ATTORNEY-GENERAL (The Hon. C. Njonjo, M.P.).

Parliamentary Secretaries:

- (1) PRIME MINISTER'S OFFICE (The Hon. J. Nyamweya, M.P.).
MINISTRY OF INTERNAL SECURITY AND DEFENCE (The Hon. Dr. M. L. Waiyaki, M.P.).
MINISTRY OF HOME AFFAIRS (The Hon. D. C. N. Moss, M.P.).
- (2) MINISTRY OF JUSTICE AND CONSTITUTIONAL AFFAIRS (The Hon. S. Kamunde, M.P.).
MINISTRY OF FINANCE AND ECONOMIC PLANNING (The Hon. T. Okelo-Odongo, M.P.).

LIST OF MEMBERS—(Contd.)

Parliamentary Secretaries—(Contd.)

- THE TREASURY (The Hon. M. Kibaki, M.P.).
- (3) MINISTRY OF EDUCATION (The Hon. J. M. Gachago, M.P.).
MINISTRY OF LOCAL GOVERNMENT (The Hon. J. L. N. ole Konchellah, M.P.).
- (4) MINISTRY OF WORKS, COMMUNICATIONS AND POWER (The Hon. E. K. K. arap Bomett, M.P.).
MINISTRY OF LABOUR AND SOCIAL SERVICES (The Hon. J. Odero-Jowi, M.P., and The Hon. F. P. K. Kubai, M.P.).
MINISTRY OF NATURAL RESOURCES (The Hon. K. K. Njiiri, M.P.).
MINISTRY OF HEALTH AND HOUSING (The Hon. C. M. G. Argwings-Kodhek, M.P.).
MINISTRY OF INFORMATION, BROADCASTING AND TOURISM (The Hon. H. J. Onamu, M.P.).
MINISTRY OF AGRICULTURE AND ANIMAL HUSBANDRY (The Hon. J. C. N. Osogo, M.P.).
- (5) MINISTRY OF LANDS AND SETTLEMENT (The Hon. J. J. M. Nyagah, M.P.).
MINISTRY OF COMMERCE AND INDUSTRY (The Hon. J. Mohamed, M.P.).
-

LIST OF MEMBERS—(Contd.)

Constituency Members:

- ABDI-RAHMAN, O. M., Garissa North (KANU).
 § ACHIENG-ONEKO, R., Nakuru Town (KANU).
 AGAR, E. O., Karachuonyo (KANU).
 AMIN, S. M., Mandera (KANU).
 § ANGAINE, J. H., Meru West (KANU).
 ANYIENI, Z. M., Majoge-Bassi (KANU).
 AREMAN, P. A., Turkana North (KANU).
 || ARGWINGS-KODHEK, C. M. G., Gem (KANU).
 § AYODO, S. O., Kasipul-Kabondo (KANU).
 BABU, M., Mombasa Mainland (KADU).
 BALA, O., Nyando (KANU).
 BARASA, M., Elgon-East (KANU).
 BONAYA, A. W., Isiolo (KANU).
 CHOGE, S. K. ARAP, Nandi South (KADU).
 † DE SOUZA, F. R. S., Nairobi North-West (KANU).
 DINGIRIA, A. H., Taveta Voi (KANU).
 EKITELLA, G. K., Turkana South (KANU).
 (3) || GACHAGO, J. M., Kiharu (KANU).
 GACIATTA, A. L., Nyambene South (KANU).
 GATUGUTA, J. K., Kikuyu (KANU).
 GICHOYA, K. N., Gichugu (KANU).
 § GICHURU, J. S., Limuru (KANU).
 GODANA, E. D., Rendille (KANU).
 GODANA, G., Marsabit-Moyale (KANU).
 GODIA, C. S. I., Hamisi (KANU).
 ITHIRAI, S., Nyambene North (KANU).
 JAMAL, A. H., Kisumu Town (KANU).
 JUBAT, M., Garissa South (KANU).
 (3) KAGGIA, B. M., Kandara (KANU).
 KALI, J. D., Nairobi East (KANU).
 KAMAU, W., Githunguri (KANU).
 (2) || KAMUNDE, S., Meru Central (KANU).
 KAMUREN, W. R. ARAP, Baringo East (KADU).
 KARIUKI, G. G., Laikipia-Nanyuki (KANU).
 KARIUKI, J. M., Aberdares (KANU).
 KASE, J. Z., Tana River (KADU).
 * KENYATTA, J., Thika-Gathundu (KANU).
 KERICH, A. K. ARAP, Belgut (KADU).
 KERRE, G. H., Elgon-Central (KANU).
 KHALIF, A. S., Wajir North (KANU).
 KHASAKHALA, E. E., Emukhaya (KANU).
 KIAMBA, D. I., Machakos Central (KANU).
 § KIANO, DR. J. G., Kangema (KANU).
 || KIBAKI, M., Nairobi Doonholm (KANU).
 KIBUGA, J. N., Ndia (KANU).
 KIOKO, S. M., Machakos East (KANU).
 KIPROTICH, C., Kericho East (KANU).
 § KOINANGE, M., Kiambaa (KANU).
 || KONCHELLAH, J. L. N. OLE, Narok East (KANU).
 || KUBAI, F. P. K., Nakuru East (KANU).
 LOREMA, J. P., West Pokot (KANU).
 MAISORI-ITUMBO, B. C., Kuria (KANU).
 MAKOKHA, C. C., Elgon South-West (KANU).
 MAKONE, O., Kitutu East (KANU).
 (6) MALU, W. M. K., Machakos West (KANU).
 MASINDE, J. W., Lurambi (KADU).
 MATANO, R. S., Kwale West (KADU).

LIST OF MEMBERS—(Contd.)

Constituency Members—(Contd.)

- MATI, F. M. G., Kitui North (KANU).
 MBI, P. N., Kitui South (KANU).
 MBOGHO, G. J., Embu North (KANU).
 § MBOYA, T. J., Nairobi Central (KANU).
 MOI, D. T. ARAP, Baringo North (KADU).
 MONGARE, T. M., North Mugirango (KANU).
 || MOSS, D. C. N., Mount Elgon (KANU).
 MULAMA, A. O., Mumias (KANU).
 MULIRO, M., Trans Nzoia (KADU).
 § MUNGAI, DR. N., Nairobi West (KANU).
 MURGOR, W. C., Elgeyo (KANU).
 MURULI, J., Ikolomani (KADU).
 § MURUMBI, J. A., Nairobi South (KANU).
 MUTISO, G. M., Yatta (KANU).
 MWALWA, T. M., Kitui East (KANU).
 MWAMZANDI, K. B., Kwale East (KADU).
 § MWANYUMBA, D., Wundanyi (KANU).
 MWATSAMA, J. J., Kilifi North (KADU).
 § MWENDWA, E. N., Kitui Central (KANU).
 NDILE, J. K., Machakos South (KANU).
 ‡ NGALA, R. G., Kilifi South (KADU).
 NGALA-ABOK, C. B., Homa Bay (KANU).
 NGEI, P. J., Machakos North (KANU).
 NJERU, J., Tharaka (KANU).
 || NJIRI, K. K., Kigumo (KANU).
 (7) NYALICK, L. W. O., Winam (KANU).
 NYAGA, P., Meru South (KANU).
 (4) & (5) || NYAGAH, J. J. M., Embu South (KANU).
 (1) || NYAMWEYA, J., Nyaribari (KANU).
 OBOK, L. R., Alego (KANU).
 || ODERO-JOWI, J., Lambwe (KANU).
 ODERO-SAR, J., Ugenya (KANU).
 § ODINGA, A. O., Bondo (KANU).
 ODUYA, G. F., Elgon West (KANU).
 || OKELO-ODONGO, T., Kisumu Rural (KANU).
 OKWANYO, J. H., Migori (KANU).
 OLOITIPITIP, S. S. OLE, Kajiado (KADU).
 OMAR, S. T., Mombasa Island South (KADU).
 OMWERI, S. K., Wanjare-South Mugirango (KANU).
 || ONAMU, H. J., Nakuru West (KANU).
 || OSOGO, J. C. N., Ruwamba (KANU).
 § OTIENDE, J. D., Vihiga (KANU).
 PANDYA, A. J., Mombasa Island North (KADU).
 RURUMBAN, P. L., Korossi (KADU).
 § SAGINI, L. G., Kitutu West (KANU).
 SERONEY, M. J., Nandi North (KANU).
 SHIKUKU, J. M., Butere (KADU).
 SOI, A. K. ARAP, Bomet (KADU).
 SOMO, A., Lamu (KANU).
 TANUI, J. K. K. ARAP, Baringo South (KADU).
 THEURI, J. K., Nyeri (KANU).
 TIPIS, J. K. OLE, Narok East (KADU).
 TOO, V. K. ARAP, Marakwet (KADU).
 TOWETT, T., Buret (KANU).
 TUVA, F. B., Malindi (KADU).
 TUWEI, J. K., Uasin-Gishu (KADU).
 || WAIYAKI, DR. F. L. M., Nairobi North-East (KANU).
 WAMUTHENYA, A. K., Mathira (KANU).
 WARIITHI, H. C., Othaya-South Tetu (KANU).

LIST OF MEMBERS—(Contd.)

Constituency Seats Vacant = 1.

Wajir South (North-Eastern Region).

Specially Elected Members

- ALEXANDER, R. S. (KADU).
BALALA, S. M. (KANU).
(4) BOMETT, E. K. K. ARAP (KANU).
JHAZI, M. D. (KANU).
KOMORA, J. G. (KANU).
MALINDA, T. N. (KANU).
§ MCKENZIE, B. R. (KANU).
|| MOHAMED, J. (KANU).
SADALLA, S. K. ARAP KOECH (KANU).

Specially Elected Seats Vacant = 3.

<i>Ex officio</i>	=	1
Total KANU	=	102
Total KADU	=	23
Vacancies	=	4
		<hr/>
		130
		<hr/>

Clerk to the House of Representatives:

MR. H. THOMAS

Clerk Assistant:
MR. J. KIMANI

Clerk Assistant:
MR. G. OPUNDO

Serjeant-at-Arms:
MAJOR M. G. ELIOT

Assistant Serjeant-at-Arms:
MR. J. O. RAMBAYA

Speaker's Secretary:
MRS. J. FRYER (on leave)
MRS. O. OWLES

Hansard Editor:
MRS. J. D. RAW

Hansard Staff:

MISS S. M. L. MARKS

MISS M. M. CAUSON, MISS S. G. FROST, MISS M. Z. FONSECA, MISS I. HILL,
MISS R. A. KING, MISS D. M. KING

* The Prime Minister.

† The Deputy Speaker and Chairman of Committees.

‡ The Leader of the Opposition.

§ Already included in the list of Ministers.

|| Already included in the list of Parliamentary Secretaries.

(1) w.e.f. 19.6.64 *vice* the Hon. Chanan Singh resigned on becoming a Judge of the High Court.

(2) w.e.f. 19.6.64 *vice* the Hon. J. Nyamweya transferred to the Prime Minister's Office (*see* Note 1).

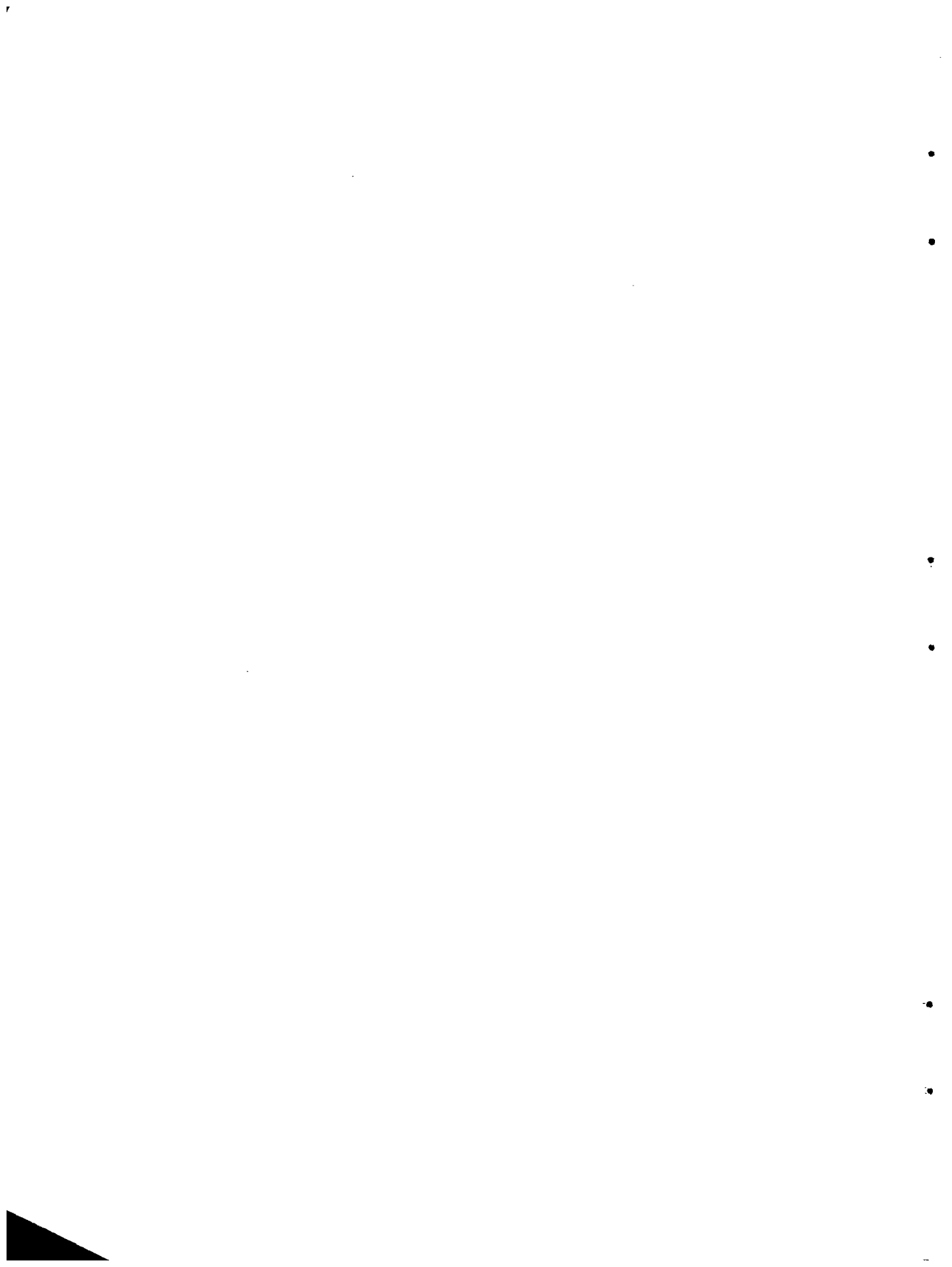
(3) w.e.f. 19.6.64 *vice* the Hon. B. M. Kaggia—resigned.

(4) w.e.f. 19.6.64 *vice* the Hon. J. J. M. Nyagah transferred to the Ministry of Lands and Settlement (*see* Note 5).

(5) w.e.f. 9.6.64 *vice* the Hon. P. D. Marrian—resigned.

(6) Returned unopposed to Machakos West on 15.6.64.

(7) Returned unopposed to Winam on 3.6.64.





GOVERNMENT OF KENYA

THE NATIONAL ASSEMBLY

HOUSE OF REPRESENTATIVES

Second Session—(Contd.)

Tuesday, 9th June 1964

The House met at thirty minutes past Two o'clock.

[*The Speaker (Mr. Slade) in the Chair*]

PRAYERS

ADMINISTRATION OF OATH

The Oath of Allegiance was administered to the following Member:—

Leonard Walter Oselu Nyalick.

COMMUNICATION FROM THE CHAIR

DEATH OF SHRI PANDIT JAWAHARLAL NEHRU

The Speaker (Mr. Slade): On this first day of our House sitting since the death of Pandit Jawaharlal Nehru, I know that you will wish to pay tribute to his memory.

His death has left yet another gap in the ranks of those great men who, desiring only to serve mankind, have been humble in their greatness and steadfast in their purpose. His goal, towards which he struggled consistently throughout a long life, transcended even the independence, wealth or power of his own country, it was no less than the Universal Brotherhood of Men.

The good that such men do dies not with the death of their bodies. It remains sown and flowering, and sown again, in the hearts of countless others, from generation to generation; and none can mark its end.

We thank India for having given to us this man of great heart and universal stature. We share the sorrow of India, and of all his own family, in his loss.

Let us show our respect and sympathy by standing in silence.

(*Hon. Members stood in silence for a short while as a mark of respect and sympathy.*)

RESIGNATION OF TWO SPECIALLY ELECTED MEMBERS

The Speaker (Mr. Slade): It is with regret that I have to inform you of the resignation from this House, since we last sat, of two Specially Elected Members: His Honour Mr. Justice Chanan Singh and Mr. Peter Marrian.

Mr. Chanan Singh was first elected as a Member of the former Legislative Council just 12 years ago, in the General Election which brought me also for the first time to the floor of that Council. Since then he has served with great distinction, both as a Member of the Opposition and as a Parliamentary Secretary; and even now he has left us only for further public service elsewhere, namely in the high office of Judge of the Supreme Court of Kenya.

Mr. Marrian was first elected as a Member of the Legislative Council in 1961, and has likewise rendered invaluable services in the Opposition, as a Minister, and as a Parliamentary Secretary. Though he does not at present contemplate seeking any further public office, he is registered as a citizen of Kenya and will remain with us to give us still the benefit of his talents in many fields.

Of both these former colleagues I am sure that all hon. Members agree that they were outstanding for their integrity, their courage and their lucidity of thought and expression: and for the fact that neither ever spoke unless he really had something to say.

[The Speaker]

We regret their departure from this House, but we thank them and shall remember them for their friendship and their services.

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, the Prime Minister has asked me to associate him with these sentiments, both himself and his Government. I am sure I am expressing the feelings of the whole House when I say that we associate ourselves with all that you have said this afternoon. There is no doubt about it, that these two men have worked and worked well for the whole of this country. It is true to say that they have never stood on the floor of this House unless they had something worth while to say. We could learn a lot from them. To Justice Chanan Singh, we wish him well. I am quite sure that the ranks of the judiciary will benefit greatly through our loss, through the loss of this House. We wish him every success. To Mr. Marrian we would say the same. It is because of reasons that are beyond his own control that he felt that he could not devote as much time as he would have liked to the service that he has rendered so ably, both in this Government and in the previous Coalition Government. We all admire him and wish him success in whatever work he takes up.

Mr. Muliro: Mr. Speaker, Sir, on behalf of the Opposition, we associate ourselves fully with the remarks which have been made about these two colleagues of ours, and the remarks which have been made by the Minister for Finance about his two friends. In these two men we have seen the wisdom in this House. They have been two of the very few in this House who got on their feet only when they had something to contribute to this House, and we are going to wish them every success in the new fields which they are going to work in.

The Speaker (Mr. Slade): Hon. Members, there is yet one more communication I have to make.

PROCEDURE IN DEALING WITH THE ESTIMATES

The Speaker (Mr. Slade): There is a matter of Order to which I must invite your attention.

Standing Order 125 provides that "The annual Estimates shall be laid on the Table of the House not later than the last day of May", and Standing Order 144 (6) provides that "Any Vote on Account shall be put down as the first business on . . . a day before 7th June." Clearly, for compliance with those Standing Orders, the House must sit during the month of May, if the Annual Estimates have not been laid previously;

but Standing Order 7 empowers me to convene the House only at the request of the Government, and not otherwise.

Though I pointed out to the Government the requirements of Standing Orders 135 and 144 (6), the only request which I received was for the House to sit on the 9th June. Thus the Government has disregarded the Standing Orders of this House.

It may be truly said that no practical damage has been done, and that the House will today amend Standing Orders so as to enable the Annual Estimates to be laid now, and a Vote on Account to be put down later this month; but that does not alter the fact that the Government has been out of order meanwhile.

Order, order! I have asked hon. Members not to comment during a Communication, though I do not mind exclamations of approval or otherwise afterwards.

There was no need for this. If, as I do not doubt to be the case, the Government had good reason to delay presentations of this year's Annual Estimates, the House could and should still have sat during the month of May, but for one day, to amend these Standing Orders, or to exempt this year's Estimates and Vote on Account therefrom, before the prescribed time expired.

We cannot afford to allow breaches of Order in anticipation of subsequent amendment of Standing Orders. That is altogether too dangerous a precedent. Moreover, any anticipation of the decisions of this House is, however unintentionally, a mark of disrespect for the House.

During the past year of this Parliament, I, as your Speaker and on your behalf, have been constantly grateful to hon. Members of the Government for the example which they have set to other hon. Members, by their scrupulous observance of Standing Orders and all their conduct in this House. Now, likewise on your behalf, I appeal to them not to permit any further incident to mar that example.

Mr. Muliro: Mr. Speaker—

The Speaker (Mr. Slade): Mr. Muliro, if you want to comment on this, you will have a further opportunity when the Motion to amend Standing Orders comes forward.

PAPERS LAID

The following Papers were laid on the Table:—
The Laws of Kenya (Revision) Order, 1963,
of 19th February 1963.

The Laws of Kenya (Revision) Order, 1963, of 24th December 1963.

The Laws of Kenya (Revision) (No. 2) Order, 1963, of 14th January 1964.

(By the Parliamentary Secretary for Justice and Constitutional Affairs (Mr. Nyamweya) on behalf of the Minister for Justice and Constitutional Affairs (Mr. Mboya))

The Land and Agricultural Bank of Kenya Annual Report, 1963.

1963/64 Supplementary Estimate No. 3 (Recurrent Expenditure).

1963/64 Development Supplementary Estimate No. 2.

1961/62 Statement of Excesses.

The Statistics (Quarterly Business Expectations Inquiry) Regulations, 1964.

(By the Minister for Finance and Economic Planning (Mr. Gichuru))

Sessional Paper No. 3 of 1963/64—Amendments to the Standing Orders of the House of Representatives, 1964.

The House of Representatives (Specially Elected Members) Rules, 1964.

East African Customs and Excise Annual Trade Report of Kenya, Tanganyika and Uganda for the year ended 31st December 1963.

East African Industrial Research Organization Annual Report, 1962/63.

(By the Parliamentary Secretary for Internal Security and Defence (Dr. Waiyaki) on behalf of the Minister of State, Prime Minister's Office (Mr. Murumbi) and the Minister for Commerce and Industry (Dr. Kiano))

Weights and Measures Department Annual Report, 1963.

(By the Minister for Finance and Economic Planning (Mr. Gichuru) on behalf of the Minister for Commerce and Industry (Dr. Kiano))

Labour Department Annual Report, 1962.

(By the Minister for Labour and Social Services (Mr. Mwendwa))

The Forests (Closing) (Amendment) Rules, 1963.

(By the Parliamentary Secretary for Natural Resources (Mr. Njiri) on behalf of the Minister for Natural Resources (Mr. Sagini))

Government Observations on the Report of the Lutta Commission of Inquiry into the

Financial Position and Administration of the Kenya Broadcasting Corporation.

The First Annual Report of the Kenya Broadcasting Corporation—July 1962 to June 1963.

(By the Minister for Information, Broadcasting and Tourism (Mr. Achieng-Oneko))

Coffee Research Fund—Accounts 1962/63.

The Central Province Marketing Board Fourth Annual Report, Balance Sheet and Accounts for the Financial Year ended 31st July 1963.

The Agriculture (Land Utilization) (Farm Employees) Rules, 1964.

(By the Minister for Agriculture and Animal Husbandry (Mr. McKenzie))

NOTICES OF MOTIONS

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, I beg to give notice of the following three Motions:—

STATEMENT OF EXCESSES

THAT a sum not exceeding £2 be issued from the Consolidated Fund to meet expenditure during the year ending 30th June 1962, in respect of Statement of Excesses, 1961/62.

SUPPLEMENTARY ESTIMATE NO. 3 OF 1963/64— RECURRENT

THAT a sum not exceeding £895,861 be issued from the Consolidated Fund to meet expenditure during the year ending 30th June 1964, in respect of Supplementary Estimate No. 3 of 1963/64 (Recurrent).

SUPPLEMENTARY ESTIMATE NO. 2 OF 1963/64— DEVELOPMENT

THAT a sum not exceeding £285,007 be issued from the Consolidated Fund to meet expenditure during the year ending 30th June 1964, in respect of Development Supplementary Estimate No. 2 of 1963/64.

The Governor-General's consent has been signified to these Motions being put.

The Speaker (Mr. Slade): Now, I think, Mr. Gichuru, you want to give notice of another Motion for the Amendments of Standing Orders?

SESSIONAL PAPER NO. 3 OF 1963/64— AMENDMENTS TO STANDING ORDERS

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, I also wish to give notice of the following Motion:—

[The Minister for Finance and Economic Planning]

THAT this House makes the amendments to the Standing Orders of the House of Representatives set out in Sessional Paper No. 3 of 1963/64.

APPROVAL OF LAND DEVELOPMENT LOANS

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT this House approves that the debts due to the Government for Land Development Loans and shown in the Land Development Loans Account as £630,557.17.54 at the 30th June 1963, together with interest accrued and accruing thereon and further capital sums totalling £100,000 provided under Head D8-D1 of the 1963/64 Development Estimates for Land Development Loans be, with effect from the 27th September 1963, assigned to the Agricultural Finance Corporation for the consideration of a perpetual annual payment by the Agricultural Finance Corporation to the Government of Kenya of an amount representing 5½ per cent on the capital sums with effect from the dates these were made available by the Government and that the Agricultural Finance Corporation shall account for these funds with effect from the 1st July 1963.

COMMITTEE OF INQUIRY INTO TRIBAL CUSTOMS

Mr. Odera-Sar: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT, in view of the fact that most of the African tribes in Kenya still suffer under the influence of some old customs and traditions which today are the hindrance of the rapid economic progress of the individuals and the nation, this House urges the Government to appoint a Committee of Inquiry to investigate and recommend to this House which old tribal customs should be declared unlawful practices.

ORAL ANSWERS TO QUESTIONS

Question No. 114

LONG-TERM LOANS TO EMBU

Mr. Mbogoh asked the Minister for Agriculture and Animal Husbandry how many people in Embu had received farming loans and of these how many were repaying these loans and how many defaulters there were. Also, was the Minister prepared to give long-term loans to help Embu people plant the following crops: (1) sisal, (2) cotton and (3) tea.

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): Mr. Speaker, Sir, on behalf of my Minister I beg to reply. 356 people in Embu have received farming loans. Of the 356 people, only 14 are repaying the loans regularly, while 100 are in default. The rest are not due for payment. The Ministry is already giving loans to help people to plant tea. Applications for loans to help Embu people to plant sisal and cotton could be considered by the Ministry.

Mr. Mbogoh: Mr. Speaker, Sir, will the Parliamentary Secretary tell this House why Sh. 100,000 was denied the Embu people, though it was their right and was given to another district?

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): Mr. Speaker, Sir, the statement by the hon. Member, I think, is not correct because the sum of money given to this district in the 1963/64 financial year was £9,000. Of this, £2,020 has already been drawn and £4,206 is in process of being considered for giving out to farmers who have applied.

Mr. Mbogoh: Mr. Speaker, Sir, the Parliamentary Secretary has now stated that there are only 14 people repaying these loans. Is he prepared to give this House a list to show these people who are not paying, so that we may know that his figures are correct?

The Speaker (Mr. Slade): He can do that, but not today, another time.

Mr. Gichoya: Mr. Speaker, Sir, arising from the reply of the Parliamentary Secretary, may I know if he means Embu or Embu and Kirinyaga? May I know exactly how much goes to Kirinyaga?

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): The question was directed to Embu and I meant Embu.

Mr. Lorema: Mr. Speaker, Sir, will the Parliamentary Secretary tell this House how many of these people received these farming loans during the Coalition Government and how many have received them during this Government?

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): Mr. Speaker, the figure I have is that by 1960, 290 farmers had been given loans. Subtract that from the number I gave and you get the number which have been given loans by this Government.

Mr. Mbogoh: Mr. Speaker, Sir, would the Parliamentary Secretary tell this House exactly what this Ministry is doing about the plantations of sisal, coffee and tea, because I did not hear what he said before?

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): Sir, small farmers planting tea are given a loan in the form of reduced price of tea stamps. That means at this time the price of one stamp is 30 cents and a small farmer in Embu buys it at 12 cents and this is a long-term loan. As far as cotton is concerned, the Cotton Lint and Seed Marketing Board is prepared to give loans, and if the hon. Member is prepared to wait for the Cotton Bill, section 9, he will find a proviso there. The Ministry, therefore, is doing all it can to help cotton growers. In any case, there are no substantial cotton growers in Embu District, and I would advise the hon. Member to advise his constituents to plant more cotton so that they may get more loans.

As far as sisal is concerned, Sir, as I have said, if the farmers are interested in getting loans, they should apply and the Ministry will consider them.

Mr. Muliro: Arising from the Parliamentary Secretary's reply, with regard to section (b) and 140, will he urge the hon. Members from Embu so that they assist the Government in urging defaulters to repay loans on time?

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): Hear, hear, Sir.

Question No. 125

DIPLOMATIC RELATIONS WITH SOMALIA REPUBLIC

Mr. Amin asked the Minister of State if he would tell the House whether the Government has any intention of opening diplomatic relations with Somalia Republic.

The Parliamentary Secretary for Internal Security and Defence (Dr. Waiyaki): Mr. Speaker, Sir, on behalf of the Minister of State I beg to reply.

The Government has every intention of opening either a diplomatic or consular mission in the Republic of Somalia at a mutually opportune time. It is hoped that such time would come soon and that Kenya will be enabled to establish diplomatic relations.

Mr. Amin: Mr. Speaker, Sir, in view of the fact that the Junior Minister agrees with me, what has the Kenya Government done about this?

The Parliamentary Secretary for Internal Security and Defence (Dr. Waiyaki): Mr. Speaker, Sir, we are waiting for the Government of Somalia to be properly constituted.

Mr. Ngei: In view of the elections which have taken place in Somalia and taking into account the election of a new Prime Minister who is said to be a reasonable person and one who works on moderate lines, will the Junior Minister from the Prime Minister's Office tell us what steps they are taking to speed up diplomatic relations with the Somalia Government?

The Parliamentary Secretary for Internal Security and Defence (Dr. Waiyaki): Mr. Speaker, we cannot speed up the establishment of diplomatic relations until there is a properly formed Government in Somalia.

Mr. ole Tipis: Mr. Speaker, Sir, can the Parliamentary Secretary tell us who, in view of the lack of diplomatic relations between Kenya and Somalia, who does represent Kenya in Somalia?

The Parliamentary Secretary for Internal Security and Defence (Dr. Waiyaki): I think it is at the American Embassy.

Mr. ole Tipis: Does he think or does he know?

The Parliamentary Secretary for Internal Security and Defence (Dr. Waiyaki): I said I thought so. I can find out.

Mr. Gachago: Mr. Speaker, could the Parliamentary Secretary explain very clearly to this House what he means by the Government of Somalia being properly constituted?

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, would the Parliamentary Secretary agree with me that our relationship with Somalia is such that it is not a question of our initiating discussions? It is a question of mutual understanding, agreeing as to whether we should stop the nonsense which is going on in the North-Eastern Region?

The Parliamentary Secretary for Internal Security and Defence (Dr. Waiyaki): Yes, Sir, but the question concerned intention only.

Mr. Mutiso: Mr. Speaker, Sir, do we understand from the Parliamentary Secretary that there has been a change of attitude from the Somalia Government since the last time when the Prime Minister told us that the Kenya Government no longer regarded this country as friendly?

The Parliamentary Secretary for Internal Security and Defence (Dr. Waiyaki): Mr. Speaker, Sir, we were talking about intention, whether or not they had made their attitude clear, that is irrelevant to this particular question.

The Speaker (Mr. Slade): Well no, it is not that actually. All the same, you are entitled to reserve what you have to say.

Mr. Anyieni: Mr. Speaker, Sir, in view of the fact that the Somalis are the ones who were training the *Shifita*, is it compatible with terms of peace that the Kenya Government should be attending defence talks?

The Parliamentary Secretary for Internal Security and Defence (Dr. Waiyaki): Mr. Speaker, Sir, I have nothing further to add.

The Speaker (Mr. Slade): If the Minister has nothing further to add, we will proceed to the next question.

Question No. 126

EUROPEANS BUYING FARMS

Mr. Ngei asked the Minister for Lands and Settlement how many European farmers who have sold land to the Land Board had bought farms again, and what was the acreage of the land bought.

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Speaker, Sir, on behalf of my Minister I beg to reply. The latest available figures show that 26 European farmers, who sold their land to the Central Land Board and to its predecessor the Land Development and Settlement Board, are notified as having purchased other farms in Kenya. The acreage of land involved is 66,571.

Mr. Mbogoh: Mr. Speaker, Sir, could the Parliamentary Secretary tell us whether these Europeans have been given some more loans to buy new farms by the Central Land Board?

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Speaker, Sir, I need notice of that question.

Mr. Ngei: Mr. Speaker, Sir, will the Parliamentary Secretary tell us what measures the Minister has taken to prevent any speculation by European settlers?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, Sir, would the Parliamentary Secretary—

The Speaker (Mr. Slade): Wait until he answers, he has not answered.

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Speaker, the question before the House asked for the number of farmers and I have given that.

Mr. Ngei: Mr. Speaker, I think that is a relevant question. My question was, what measures

has the Minister taken to prevent speculative Europeans and Asians buying?

The Speaker (Mr. Slade): Yes, it is relevant. It does not mean to say that the Ministry has to answer it. I do not know whether you want to add anything further, Mr. Nyagah?

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): No, Sir.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, would the Parliamentary Secretary agree with me that the new Government has laid down that they are not prepared to lend money to any people who have sold their farms and also that the Land Bank does not lend money to anybody excepting Kenya citizens?

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Yes, Sir.

Mr. De Souza: On a point of order, Mr. Speaker, is it in order for a Minister with Mr. McKenzie's responsibilities to ask a question of a Junior Minister or Parliamentary Secretary who is answering the question?

The Speaker (Mr. Slade): I think that is quite a good point of order. I have on other occasions pointed out that, when a question is asked, the answer lies with one Minister or Parliamentary Secretary alone, and he cannot be helped out by the other Ministers or Parliamentary Secretaries coming in to answer for him. This afternoon we have had two examples of ingenious assistance from other Ministers under the guise of questions. I do not think we can allow any more questions from others Members of the Government that give the answer so clearly.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Oneko): Mr. Speaker, is it not in order for a Minister to ask a leading or suggestive question in a case where the answer was not sufficient according to the full knowledge of other Members of the Cabinet?

The Speaker (Mr. Slade): No, I think strictly not. Otherwise, you get back to that position which I said we cannot have, where nearly half a dozen Ministers or Parliamentary Secretaries are answering the same question. These questions are directed to Government and a particular Ministry in Government and it is, therefore for that particular Ministry to answer. I do not really see that it is consistent with our practice or intention that other Ministries should be answering questions. I think in future we shall have to keep it to questions from those who do not share the responsibility of Government.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, Sir, I wonder whether you would be prepared to consider the difficulty that we as a Government find ourselves in. This question was put down as a question for the Minister of Lands and Settlement. Immediately you start delving into it, it then becomes, under the supplementaries, a matter not for that Ministry but for the Ministry of Agriculture, and it is very difficult then for the Ministry of Settlement to answer.

The Speaker (Mr. Slade): No, I think the solution of that is quite simple. If at any point a Minister or Parliamentary Secretary under question finds a supplementary going beyond the responsibilities of his Ministry, he can say so, and then that supplementary can be the subject of another question to the other Ministry at another time.

Mr. Ngei: Does the Parliamentary Secretary agree with me that there are some European farmers who have sold their land and they have come back in different areas in the disguise of co-operatives and yet they are the financiers of these farmers?

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Speaker, Sir, I am not aware of that.

Mr. Somo: Mr. Speaker, Sir, could we know from the Parliamentary Secretary what the Government's attitude is towards the selling of land with regard to the fact that nobody is allowed to buy land other than Kenya citizens. Are the twenty-six Europeans Kenya citizens?

The Speaker (Mr. Slade): The Parliamentary Secretary did not say that. He said that loans were not available to people other than Kenya citizens. Your question does not arise.

Mr. ole Tipis: Arising from the Parliamentary Secretary's reply, first, can he please give us the reasons as to why these twenty-six European farmers willingly sold their former farms and were allowed to purchase new farms somewhere else. Secondly—

The Speaker (Mr. Slade): One at a time, please.

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Speaker, I cannot accept that they willingly sold their farms. I never said that in my answer.

Mr. ole Tipis: Can he tell us, then, on what grounds these farms were bought.

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Speaker, Sir, I gave the answer to the question that was asked. If any hon. Member wishes to ask further questions he should put another question which would be answered appropriately.

The Speaker (Mr. Slade): Some of these supplementary questions are quite reasonable. Hon. Members must be prepared to answer supplementary questions following up the main question. But the Minister does not have to answer.

Mr. ole Tipis: The other question, Sir, is can the hon. Parliamentary Secretary please give us a breakdown of the districts in which these twenty-six European farmers sold their farms and the districts in which they were allowed to purchase new farms?

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Speaker, Sir, I have no breakdown on the districts of these farmers, but no doubt the information could be supplied to the Member later on if he wants it.

Mr. ole Tipis: Yes, please.

Mr. Malinda: Could the Parliamentary Secretary give the total acreage of the land sold to the Land Settlement Board by these twenty-six European farmers?

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): I did say, Mr. Speaker, that there were some 66,571 acres—

Mr. Malinda: I asked how many acres had been sold.

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): I am afraid I have no figures for that at the moment.

Mr. Jamal: On a point of order, is it in order for a Parliamentary Secretary to take over the responsibility of another Parliamentary Secretary when he does not know his facts?

The Speaker (Mr. Slade): It is quite in order for any Member of the Government to take over any duty that is assigned to him. Whether he discharges it well or not, it is a matter for this House to judge. It is not a point of order.

Mr. De Souza: On a point of order, is it not correct that Mr. Nyagah is the new Parliamentary Secretary for Lands and Settlement?

The Speaker (Mr. Slade): I believe so.

Mr. Maisori-Itumbo: Is it in order for the Parliamentary Secretary to change his Ministry privately and then—

The Speaker (Mr. Slade): Order, order, I cannot hear.

Mr. Maisori-Itumbo: I wonder if it is in order for a Parliamentary Secretary to change his Ministry privately and then come to the House to answer questions without us as Members knowing anything of the changes taking place.

The Speaker (Mr. Slade): I cannot hear. Hon. Members are making too much noise.

Mr. Maisori-Itumbo: I was wondering whether it is in order for a Minister or Parliamentary Secretary when changing his Ministry—

The Speaker (Mr. Slade): Speak towards me. I cannot hear.

Mr. Maisori-Itumbo: —privately to then pop up in the House to answer questions on his new Ministry.

The Speaker (Mr. Slade): It is quite in order.

Question No. 127

PERSONAL TAX RECEIPTS: UNEMPLOYED PEOPLE

Mr. Shikuku asked the Minister for Labour and Social Services whether he was aware that jobless people were being asked by their would-be employers to produce Personal Tax Receipts before they could be employed.

The Minister for Labour and Social Services (Mr. Mwendwa): Mr. Speaker, Sir, I beg to reply. No, Sir, I am not aware that jobless people are being asked by their would-be employers to produce Personal Tax Receipts before they can be employed. However, it is inevitable that employers will ask for current Graduated Personal Tax Cards, as opposed to receipts, since they are required, under the Graduated Personal Tax Act and Regional Graduated Personal Tax Enactments, to hold these cards and stamp them, each month, with the correct value of Graduated Personal Tax Stamps bought with money deducted from the employees' wages. It may be that there has been some confusion between these two documents.

Mr. Shikuku: Arising from the Minister's reply, would he not agree with me that the ordinary man in the street is refused employment when he is asked for this personal tax money when he has no money? How can he pay his personal tax when he has no money, no job?

The Minister for Labour and Social Services (Mr. Mwendwa): Mr. Speaker, I think it is a pity that an hon. Member should support any non-payment of poll tax from anybody. I think

it is right for the hon. Member to explain to the people that, whether they sell or borrow money from anybody, for paying poll tax.

The Speaker (Mr. Slade): I think here the hon. Member is questioning Government on what is happening. Let us limit it to that.

Mr. Shikuku: Is the Minister aware that he has not replied to my question? The question is, how does he expect someone without a job to pay his tax?

The Minister for Labour and Social Services (Mr. Mwendwa): Mr. Speaker, I have said that there is no provision at all that somebody must pay poll tax in order that he may be employed. I have said it in my reply.

Mr. Gichoya: Mr. Speaker, Sir, would the Minister agree that he has confused the answer to the question? He says one should borrow money and pay the tax, which means whether they are employed or not employed they have to pay.

The Speaker (Mr. Slade): This getting beyond the scope of the question, which is that the jobless people are being asked to produce receipts before being employed. Will you stay on that question?

Mr. Agar: Mr. Speaker, Sir, in view of what is going on, that an employer employs somebody in May, says the person must produce taxes for the past four months when he was not employed, and this arrangement being unsatisfactory—

The Speaker (Mr. Slade): You are asking a question, are you?

Mr. Agar: Yes, Sir. I am stating the facts on which he bases this, Mr. Speaker. The employer asks the person who he has employed in May to produce tax stamps for the last four months, and he has not been employed yet in Nairobi but he has got a labour card. Now, in view of the fact that this arrangement is unsatisfactory, and it prevents job-seekers from getting jobs, would the Minister assure this House that this is going to be changed, so that the person who is being newly employed should then be employed and start paying taxes from that date.

The Minister for Labour and Social Services (Mr. Mwendwa): Mr. Speaker, I said very clearly in my first reply that there is no provision whatsoever for anybody wishing to get a job to produce a receipt. There is no provision at all. Anybody can be employed whether he has paid poll tax or not, Mr. Speaker. I have said that. But if the hon. Members are aware of any case of that nature, I will be prepared to take it up, if only they will approach my Ministry.

The Speaker (Mr. Slade): That is as far as we will get on that question.

Question No. 128

SOUTH NYANZA LUOS IN THE FORCES

Mr. Okwanyo asked the Minister of State, Prime Minister's Office, if he would tell the House the number of Luos from South Nyanza who are at present serving in—

- (i) the Police Force;
- (ii) the Prisons Department;
- (iii) the Kenya Military Force.

The Parliamentary Secretary for Internal Security and Defence (Dr. Waiyaki): Mr. Speaker, Sir, on behalf of the Minister of State, Prime Minister's Office, I wish to reply.

May I, Mr. Speaker, refer in answer to this question to a report in this year's HANSARD, to Question 109 asked of the Minister of State by the hon. Mr. Mbogoh, which relates to the question from the Member for Migori in regard to the armed forces. The Member, the hon. Mr. Mbogoh, asked then whether the Minister could give the House numerically the tribal breakdown of the Kenya Military Forces. The Minister of State answered then, Mr. Speaker, that he was not prepared to give a numerical breakdown of the tribal composition of the armed forces in view of the national interest, because this would constitute a breach of security by disclosing the exact strength of the army, and further down, in answer to the hon. Mr. Ngala-Abok, with reference to the Kenya Army, he gave a similar answer. I have nothing further to add to this.

Mr. Okwanyo: Mr. Speaker, Sir, will the Junior Minister give an assurance to this House as to whether he is standing on the statement which he gave to this House earlier this year, that himself and his Ministry are doing all they can to cure the tribal imbalance which exists in the police, the prisons and the Kenya Military Forces?

Mr. Gichoya: Point of order.

The Speaker (Mr. Slade): No, but I do not think it is irrelevant.

The Parliamentary Secretary for Internal Security and Defence (Dr. Waiyaki): Mr. Speaker, Sir, I have given my answer to that question. I have nothing further to add.

Mr. Ngala-Abok: Mr. Speaker, Sir, could the junior Minister tell us that it is now a policy of that particular Ministry not to give answers to questions in the fear that tribalism will increase

or something else will happen? I thought that we were supposed to get information to whatever question we put.

Mr. Kamunde: Mr. Speaker, Sir—

Mr. Ngala-Abok: On a point of order, Mr. Speaker, I did not hear the answer from the junior Minister.

The Speaker (Mr. Slade): He said "No".

Mr. Ngala-Obok: Then I have another question.

The Speaker (Mr. Slade): I have called Mr. Kamunde.

Mr. Kamunde: Mr. Speaker, Sir, does the junior Minister agree with me that the sort of tactics of hiding information, which is naturally known to some of us, is causing more ill-feelings among the Members of this House?

The Parliamentary Secretary for Internal Security and Defence (Dr. Waiyaki): It is quite in order not to give information for security reasons.

Mr. Ngala-Abok: Mr. Speaker, Sir, what security reasons are there to prevent a Member from knowing something for his constituents? What security risks are involved there?

The Parliamentary Secretary for Internal Security and Defence (Dr. Waiyaki): Mr. Speaker, that is asking the question through the back door. I cannot disclose the figures, Sir.

The Speaker (Mr. Slade): That is as far as hon. Members will get on this one.

Question No. 135

AFRICAN CIVIL SERVANTS: STOPPAGE OF PENSIONS

Mr. Kali asked the Minister for Finance and Economic Planning if he would inform the House of the number of retired African civil servants who have had their pensions stopped because of political offences since 1950, giving separate figures for those formerly employed by the Kenya Government and the Services currently run by the East African Common Services Organization.

Would he also tell the House what he intended to do to rectify this injustice.

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, I beg to reply. As far as it has been possible to ascertain from the records maintained by the Pensions Division of the Treasury, three retired

[The Minister for Finance and Economic Planning] African civil servants had their pensions stopped since 1950 on conviction in terms of section 14 of the Pensions Act. Of these three, one has had service with the East African Posts and Telecommunications Administration and the other two served with the Kenya Government. Machinery already exists under section 14 of the Pensions Act (Cap. 189) for the restoration of a pension, with retrospective effect, in the event of the pensioner receiving a free pardon.

Question No. 137

KESSUP PLOT HOLDERS: CERTIFICATES

Mr. Murgor asked the Minister for Lands and Settlement why the plot holders of Kessup Adjudication area which started registration in 1961 had not received their certificates.

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Speaker, Sir, I beg to reply. The Kessup area in Elgeyo is a forest excision which was originally planned and set out by the Agricultural Department in 1961 when it was declared an Adjudication section. Owing to shortage of qualified staff, Government was unable to proceed with land registration, and it is now planned to post staff to Kessup in the near future to proceed with land registration and issue of title deeds. In fact, Mr. Speaker, all staff have been fetched to Elgeyo District and when the maps have been checked with the boundaries, it will be possible to start the issue of titles.

Mr. Murgor: Mr. Speaker, Sir, would the Parliamentary Secretary agree with me that at the pace which his Ministry is running the country, then this Ministry should be overhauled?

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Speaker, Sir, I do not agree, but if the hon. Member can give us the rate of what he calls the pace of running the country, we would be quite prepared to look into it.

Mr. Murgor: Mr. Speaker, Sir, would the Parliamentary Secretary agree with me that from 1961 to 1964 is a long time?

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Speaker, Sir, if the hon. Member regards three years as a long time, then I do not know what to say of him.

Mr. Murgor: Mr. Speaker, Sir, would the Parliamentary Secretary assure this House that the Ministry will do what it can to finish this work as soon as possible?

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Speaker, Sir, in the last part of my answer I said that more staff had been sent to this part in order to expedite the work.

Question No. 209

MR. J. A. R. KING'S INCOME TAX

Mr. De Souza asked the Minister for Agriculture and Animal Husbandry if he would please inform the House if it was correct that Mr. J. A. R. King, the ex-Chairman of the Kenya Meat Commission, left Kenya without personally paying his income tax, and if so, was it correct that the Kenya Meat Commission had to meet the liability, and if so, why.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, Sir, Mr. King, the former Chairman of the Kenya Meat Commission, left Kenya early in 1962 without paying his income tax, and the Kenya Meat Commission has had to meet the liability. The amount paid by the Commission in respect of 1961 tax year was Sh. 31,592. Mr. King went to the United Kingdom on compassionate leave from the Meat Commission in July 1962 and it was not at that time known that he did not intend to return to Kenya. The Commission in December 1961 entered into a security bond in respect of tax payable by Mr. King for the 1960/61 year of income in order that the Chairman, who was making frequent business trips abroad in the interests of the Commission, should not have to settle his tax affairs every time he left the country. There was, of course, no indication to the then Government at the time that Mr. King intended to leave Kenya permanently. The Commission is doing what it can to obtain repayment of the sum from Mr. King, but it has been found that he left nothing behind when he left Kenya.

Mr. De Souza: Mr. Speaker, Sir, would the Minister tell the House if the Ministry has heard from Mr. King, has received any letter from him in respect of tax payment loans?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): No, Sir, the Kenya Meat Commission have been dealing with this matter, and the income tax authorities.

Mr. arap Moi: Mr. Speaker, arising out of the Minister's reply, is it not a fact that Mr. King had some property around Athi River? Did he sell his property before he left?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Sir, a lot of goods which we thought belonged to Mr. King in fact were in his wife's name.

Mr. De Souza: Mr. Speaker, Sir, would the Kenya Meat Commission in future take more care about giving such sureties, and would they make sure that it is his wife who had signed for the bond?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, Sir, not only have we closed this gap with the Kenya Meat Commission but we have closed this type of gap with all statutory boards.

Mr. Gichoya: Mr. Speaker, Sir, Mr. King is not a citizen of Kenya, but a British subject. Would the Kenya Government try to get the amount so far due to them should Mr. King try to return to Kenya again?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): This was taken up with the British, but while we were taking it up, Mr. King left England and went to another country, and I now believe he is in South Africa.

Mr. arap Moi: Mr. Speaker, Sir, arising out of the Minister's reply, has his wife left the country too?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): She left the country before he did.

Mr. Gachago: Mr. Speaker, Sir, will the Minister tell the House whether it is as a result of his Ministry or as a result of the Income Tax Department that Mr. King had to leave without paying his income tax? Is it as a result of the carelessness of his Ministry or is it as a result of the negligence of the Income Tax Department?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, Sir, this took place some years ago. What I gather actually happened was that Mr. King, in his capacity as Chairman of the Meat Commission, was doing a lot of travelling both to the Congo and the Persian Gulf, and closing contracts with the Kenya Meat Commission and it was decided at that stage that the Kenya Meat Commission would sign a security bond. When he left to go on leave he was still Chairman of the Kenya Meat Commission, and to all intents and purposes both the Kenya Meat Commission and the Minister, at that time, fully expected Mr. King to come back. He just did not come back and I am afraid there is nothing we can do about it.

The Speaker (Mr. Slade): I think the House is now in possession of all the facts, however regrettable.

Question No. 210

MR. DICKINSON'S INCOME TAX

Mr. De Souza asked the Minister for Agriculture and Animal Husbandry if he would please inform the House if it was correct that the ex-Public Relations Officer for the Kenya Meat Commission, Mr. Dickinson, left Kenya without paying Income Tax? If so, did the Kenya Meat Commission have to meet this liability?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, Sir, Mr. Dickinson, the Ex-Public Relations Officer of the Kenya Meat Commission left the employment of the Commission at the end of 1962. After leaving the Commission's service he was employed for a short while in Kenya but he left the country in October 1963. He did not pay his income tax before leaving and the amount outstanding was Sh. 4,634. The Kenya Meat Commission has no liability in respect of this unpaid tax.

I am informed by the tax authorities that they are endeavouring to obtain payment of this sum but since this man is out of the jurisdiction of the Kenya courts it is impossible that anything will be recovered. The fact is that once a person has left Kenya and is outside the jurisdiction of the courts and has no assets in Kenya the chances of recovering unpaid income tax are virtually nil.

Mr. Shikuku: Arising from the Minister's reply, from these two questions it appears that there are people living in this country and leaving it without paying their taxes. Would the Minister assure the House that henceforth everyone in the country will have to pay tax regularly to ensure this does not happen again?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, Sir, I am aware from my own tax returns that the tax people are now very nearly up to date, and I am told that the loopholes which were available when the Act first came in are being tightened. However, I am led to believe that if people attempt to get to southern countries from here, that they have found a way of getting round the post at Tunduma—I think the name of the place is—but I gather the Tanganyika authorities have now closed that one.

Mr. De Souza: Mr. Speaker, Sir, would the Minister tell this House if his Ministry have made attempts to contact Mr. Dickinson and attempt to persuade him to pay his tax?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Sir, we in the Ministry,

[The Minister for Agriculture and Animal Husbandry]

and I personally, have had very threatening letters from Mr. Dickinson saying that if this matter was raised either in this House, or publicity given it in this country, certain threats against the Ministry, against the Government and against me personally would be taken. Since we got that letter we have had no further correspondence.

Mr. Shikuku: Mr. Speaker, Sir, arising from the Minister's reply, would he assure this House that he is going to change the policy in the Kenya Meat Commission, so that officers of the Kenya Meat Commission cannot run away again without paying their income tax in Kenya?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, as I answered to the other questions, we have now changed this policy completely, and nobody from any statutory board can leave Kenya without the permission of the Minister. Hence, the Chairman of the Maize Marketing Board has just asked my permission to go to Pakistan on a trip.

Mr. De Souza: I would like to ask the Minister if this particular letter that he is speaking about has been handed over to the police as it is a case of obvious blackmail, to ensure that no publicity is given to this lapse on the part of the Ex-Public Relations Officer?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, unfortunately, as this man is now living in South Africa there is nothing we can do.

The Speaker (Mr. Slade): I think that is all we can expect from this question.

NOTICE OF MOTION ON THE
ADJOURNMENT

UNSATISFACTORY REPLY TO QUESTION 128—
SOUTH NYANZA LUOS IN THE FORCES

Mr. Okwanyo: Mr. Speaker, Sir, In view of the unsatisfactory answer I have received to question No. 128 I would like to raise this matter on the adjournment.

The Speaker (Mr. Slade): If I can find time, Mr. Okwanyo, because there are one or two other matters of which notice has already been given and these take precedence over you. I would like notice of this in writing according to Standing Orders.

ORAL ANSWER TO QUESTION

Question No. 124

AFRICAN OFFICERS: CITY FIRE AND AMBULANCE SERVICES

Mr. Malinda, on behalf of the Specially Elected Member (Mr. Komora), asked the Minister for Local Government if the Minister would tell the House specifically why there were no African Fire Officers in the Nairobi City Council Fire and Ambulance Service.

The Minister for Local Government (Mr. Ayodo): Mr. Speaker, Sir, I beg to reply. The hon. Member must be misinformed when he suggests that there are no African Fire Officers in the Nairobi City Council's Fire and Ambulance Services. My information is that an African has been appointed as Fire Officer Grade I and was due to take up his duties on 1st of May 1964. In addition, there are two Africans holding appointments as trainee Fire Officers. In addition still there are seven Africans holding junior posts as follows:—

- 1 Sub-officer (Fire Prevention).
- 4 African Sub-officers (Fire Fighting).
- 2 Cadet Sub-officers.

Mr. Somo: Mr. Speaker, Sir, could the hon. Minister tell this House, where these men are being trained?

The Minister for Local Government (Mr. Ayodo): Mr. Speaker, Sir, they are receiving their training here in Nairobi.

Mr. Mutiso: Mr. Speaker, Sir, arising from the Minister's reply, could he give this House a breakdown as to how many European officers there are and how many Africans?

The Minister for Local Government (Mr. Ayodo): Mr. Speaker, Sir, this does not necessarily arise out of the question. The point is to find out whether something is being done to train African Fire Officers, and I think I have said enough to make it clear that everything possible is being done and plans for training are under way.

Mr. arap Moi: Mr. Speaker, Sir, arising out of the Minister's reply, we are entitled to know the breakdown of these officers.

The Minister for Local Government (Mr. Ayodo): Mr. Speaker, Sir, I cannot give the information right away.

Mr. arap Moi: Would the Minister, Mr. Speaker, give us a reply in writing?

The Minister for Local Government (Mr. Ayodo): Gladly I will do so.

The Speaker (Mr. Slade): I think that disposes of that. Have you another question which is worth while, Mr. ole Tipis?

Mr. ole Tipis: Mr. Speaker, the hon. Minister gave us the number of African trainees in the first service, but he cleverly avoided the Ambulance Service. Can he tell us?

The Minister for Local Government (Mr. Ayodo): The two go together, Mr. Speaker, even in the question.

Mr. Shikuku: Arising from the Minister's reply, could he tell us where these people are training and whether there is any training school here for the Fire Service?

The Minister for Local Government (Mr. Ayodo): Mr. Speaker, Sir, these people are trainee officers and they are receiving their training at the City Council Fire Service Station in the Industrial Area.

Mr. Shikuku: My other question is, is the Minister not aware that the training of such people should be carried out where there is fire and that they should go out in the bush and set it on fire so that they can have practical training?

Mr. Gachago: Arising from the answers from the Minister, does he imply that it is impossible completely to Africanize the Fire and Ambulance Services immediately?

The Minister for Local Government (Mr. Ayodo): No, Mr. Speaker.

Mr. Anyeni: Mr. Speaker, with regard to the fact that the first African officer was appointed on 18th April, and in view of the fact that the House has not been sitting for a long time, would the Minister agree that he was wrong in making his answer that the Member must be misinformed, when the question was asked when there was no African officer?

The Minister for Local Government (Mr. Ayodo): As I have said when this question was originally asked, the chap was going to be appointed on 1st May but that has been amended in accordance with your wishes.

Mr. Lorema: Mr. Speaker, Sir, will the Minister tell the House what qualifications these trainees possess, and secondly is he prepared to extend these fire services to other places, because it does not mean there are fires in Nairobi alone?

The Minister for Local Government (Mr. Ayodo): Mr. Speaker—

The Speaker (Mr. Slade): The question relates to Nairobi only.

The Minister for Local Government (Mr. Ayodo): Mr. Speaker, generally speaking in most of the officers' jobs the minimum requirement is School Certificate, but it is possible that when somebody has been in the service for a long time and has gained considerable experience he could be promoted to one of these officers' positions. I think the second part of the question should also be answered. We have made inquiries of various local authorities and it seems as if there are not enough men coming from them who are qualified to take up officers' jobs.

The Speaker (Mr. Slade): I think we have had enough of that question now.

CONSIDERED RULING

ORDER OF BUSINESS

The Speaker (Mr. Slade): There is a matter of procedure I would like to raise with hon. Members. Owing to the scarcity of Ministers of the Government benches through a number of Ministers having to attend the Emperor on his visit to the Coast, it may be found convenient not to proceed with the Motions that come towards the end of the Order Paper, that is Nos. 18, 19 and 20. On the other hand, we might avoid wasting too much time by a short sitting this afternoon if hon. Members are prepared to take this afternoon the question of amendments to Standing Orders although it is not on the Order Paper. I see that the House is here in fairly full strength, particularly the Opposition. The amendment to Standing Orders which is before you does involve only one principle, I think, and that is the date for Annual Estimates and the Vote on Account. So unless hon. Members object, I propose to take the amendment to Standing Orders of which we had notice today at the end of the First Readings, that will be after Order No. 17. If any hon. Member objects I should like to hear so.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, does that mean that my very short matter on pyrethrum will come up today?

The Speaker (Mr. Slade): If you wish to, we can go on with that.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): I would be most grateful if it could, Mr. Speaker. It is important that we get this Board in being.

The Speaker (Mr. Slade): The more we can deal with today the better.

Mr. Muliro: Mr. Speaker, I think the House should have the full list of Ministers here in debating the Motion to amend Standing Orders, because the Communication from the Chair affects the Government as a government. The bulk of the Government today is in Mombasa, and I would like the whole Government here to tell us the truth, the real truth behind the delay in the sitting of the House and bringing this amendment in order to get the Budget through.

The Speaker (Mr. Slade): I am afraid, Mr. Muliro, you will not gain anything in that way by delaying this matter until tomorrow, which you are quite entitled to do; because having had notice only today, it would normally come on the Order Paper tomorrow. I am afraid we shall suffer tomorrow from no less absence of Ministers than we suffer today. You are not left too badly off with Ministers today, and in fact there is no occasion when one can be sure that the Government benches will be entirely full. I was wondering whether we would not do better really to go on with this at a later stage today, rather than leave it till tomorrow, but if any hon. Member objects we shall leave it till tomorrow.

The Parliamentary Secretary for Health and Housing (Mr. Argwings-Kodhek): Mr. Speaker, Sir, I object most strongly to the insinuation by the Deputy Leader of the Opposition that the Government benches are not full. The Government is here. While our Prime Minister and others are attending—

The Speaker (Mr. Slade): Well, now, Mr. Kodhek, I am not wanting speeches in favour of carrying on today. I only want to hear whether any hon. Member really objects to it.

The Parliamentary Secretary for Health and Housing (Mr. Argwings-Kodhek): We want to get on with the amendment to Standing Orders.

The Speaker (Mr. Slade): You would prefer to take it tomorrow?

Mr. Muliro: Yes, Sir.

The Speaker (Mr. Slade): Very well. We will proceed with what we can on the Order Paper today. When we come to the end of the First Readings, having dealt with Order No. 7, I shall suggest that the House rises.

BILL

The Pyrethrum Bill

CONSIDERATION OF SENATE AMENDMENT

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, Sir, I beg

to move that the Senate amendment to the Pyrethrum Bill be now considered.

The Senate considered the Pyrethrum Bill and accepted the Bill as did this House with the exception that in clause 25 Sh. 100 be deleted and the words Sh. 20 placed therein. We in Government are prepared to accept this, and as I am board-less at the moment as far as pyrethrum is concerned, I would be most grateful if the House would agree with this amendment as recommended by the Senate so that we can order the Clerk to carry the said Bill to the Senate and acquaint them with the decision of this House, that we have accepted the amendment therefore in accepting the amendment thereto.

This is just a straightforward matter of procedure.

The Speaker (Mr. Slade): Col. McKenzie, you are actually moving that the Senate amendment to the Pyrethrum Bill be now considered?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Yes, Sir.

The Speaker (Mr. Slade): I must explain to hon. Members that the question raised by this Motion is whether we consider the Senate amendment or not, and having resolved to consider it we then take the amendments, if necessary clause by clause, and decide whether or not we agree with them. The present question is whether you are prepared to consider the amendment at all today.

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, we did in this House consider this Bill and pass it. I do not think we have had enough evidence to show that there was reason to refer it back to us, and I would support the Minister in saying that we should pass it as it stands.

(Question proposed)

An hon. Member: Mr. Speaker, Sir, I would like to know from the Minister who is replying why the figure was reduced from Sh. 100 to Sh. 20?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, Sir, it was felt that Sh. 100 was asking too much of some of the small peasant farmers to pay under this clause. I discussed this with the Senator who takes care of agricultural affairs in the Senate and we have agreed that perhaps there is a case and that it was too much. We are now prepared to accept Sh. 20.

[The Minister for Agriculture and Animal Husbandry]

Therefore, Mr. Speaker, Sir, I would like to propose that the Senate amendment to the Pyrethrum Bill be now considered and agreed.

(The question was put and carried)

Amendment read:

THAT clause 25, subsection (3), be amended by the deletion of the words "one hundred shillings" therein and by the insertion of the words "twenty shillings" in place thereof.

(Question proposed)

(The question was put and carried)

(Ordered that the Clerk carry the said Bill to the Senate and acquaint them with the decision of the House on their amendment thereto)

BILLS*First Readings***THE ANIMAL DISEASES BILL**

(Order for First Reading read—Read the First Time—Ordered to be read the Second Time tomorrow)

THE COTTON LINT AND SEED MARKETING (AMENDMENT) BILL

(Order for First Reading read—Read the First Time—Ordered to be read the Second Time tomorrow)

THE CENTRAL ROAD AUTHORITY BILL

(Order for First Reading read—Read the First Time—Ordered to be read the Second Time tomorrow)

THE KENYA MEAT COMMISSION BILL

(Order for First Reading read—Read the First Time—Ordered to be read the Second Time tomorrow)

THE BANKRUPTCY PROCEEDINGS (VALIDATION) BILL

(Order for First Reading read—Read the First Time—Ordered to be read the Second Time tomorrow)

THE TRADE UNIONS (AMENDMENT) BILL

(Order for First Reading read—Read the First Time—Ordered to be read the Second Time tomorrow)

THE EXPORT DUTY BILL

(Order for First Reading read—Read the First Time—Ordered to be read the Second Time tomorrow)

THE WIDOWS' AND ORPHANS' PENSIONS (AMENDMENT) BILL

(Order for First Reading read—Read the First Time—Ordered to be read the Second Time tomorrow)

THE KENYA BROADCASTING CORPORATION (NATIONALIZATION) BILL

(Order for First Reading read—Read the First Time—Ordered to be read the Second Time tomorrow)

THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) BILL

(Order for First Reading read—Read the First Time—Ordered to be read the Second Time tomorrow)

ADJOURNMENT

The Speaker (Mr. Slade): Hon. Members, for reasons that I have already given I think it will be for the convenience of Members if we adjourn the House early today. The House is therefore adjourned until tomorrow, Wednesday, 10th June 1964, at 2.30 p.m.

The House rose at ten minutes past Four o'clock.

Wednesday, 10th June 1964

The House met at thirty minutes past Two o'clock.

[*The Speaker (Mr. Slade) in the Chair*]

PRAYERS**PAPERS LAID**

The following Papers were laid on the Table:—

Government of Kenya Economic Survey, 1964.
Government of Kenya Development Plan, 1964-1970.

(*By the Minister for Finance and Economic Planning (Mr. Gichuru)*)

The Speaker (Mr. Slade): I think, Mr. Gichuru, you are also wanting to lay the Annual Estimates today, but they cannot be laid until the Standing Orders have been amended. If that Motion for amendment is carried, it will be in order to lay them at a later stage today.

NOTICES OF MOTIONS**TEACHER TRAINING COLLEGES FOR MASAI**

Mr. ole Oloitipitip: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT, in view of the fact that the Colonial Government deliberately neglected the Masai tribe, especially in the sphere of education, this House urges the Government to provide one teacher training college in every district in Masailand so that the present shortage of qualified teachers can be overcome.

The Speaker (Mr. Slade): I would remind hon. Members again that the purpose of giving notice of Motion is to give notice of something that is coming for discussion and it is important that it should be heard. So, I would ask hon. Members not to applaud or to make any other noises when a Member is giving notice. I have no objection to such noises being made afterwards.

RULES FOR ELECTION OF SPECIALLY ELECTED MEMBERS

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT, in exercise of the power conferred by paragraph 2 of Schedule 6 of the Constitution, this House makes Rules for the election of its Specially Elected Members in accordance with the Draft of the House of Representatives (Specially Elected Members) Rules, 1964, laid on the Table on Tuesday, 9th June 1964.

MORALITY BILL

Mr. Odero-Sar: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT, in order to build up a future stronger and healthier Kenya nation, this House calls upon the Government to introduce a Bill designed to protect our young unmarried girls, particularly school girls, from being involved in immorality.

GOVERNMENT AID TO AFRICAN TRADERS

Mr. Ngei: Mr. Speaker, Sir, I beg to give notice of the following Motions:—

THAT this House, being aware of the monopoly of trade in Kenya by Indians and complete exclusiveness of African—

The Speaker (Mr. Slade): Order, order, I would ask hon. Members to observe what I have only just said.

Mr. Ngei:

THAT this House, being aware of the monopoly of trade in Kenya by Indians and the complete exclusiveness of African traders to participate in building Kenya's economy, urges the Government to take steps immediately to remove this malicious imbalance of trade and to frustrate the exploitation of prospective African traders.

AFRICANS TO BE APPOINTED TO STATUTORY BOARDS

THAT this House urges the Government to appoint Africans to Kenya's statutory boards instead of old colonial ex-civil servants as the trend is today.

LAW OF CONTRACT: REVIEW OF

THAT this House urges the Government to review the law of contract to protect Africans who are being victimized financially by the hire-purchase agreements and to provide for relief against forfeiture.

ORAL ANSWERS TO QUESTIONS*Question No. 139***SETTLEMENT IN FORMER HIGHLANDS**

Mr. Ngei asked the Minister for Lands and Settlement how many Wakamba, Kisii, Abaluhya, Kikuyu and Luo had been settled on settlement schemes in the former Highlands in the last year and in what areas, figures to be given for each tribe?

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Speaker, Sir, on behalf of my Minister I beg to give the following reply.

The figures I am going to give are up to the end of February. The Wakamba, by the end of the period I have just mentioned, were 439 settled in six settlement schemes in the Eastern Region. There were 312 Kisii settled in Nyanza Region. There were 2,169 Abaluhya settled in four schemes in the Western Region. There were 8,365 Kikuyu settled in the Central Region.

Mr. Speaker, by the time I have indicated there were no figures for the Luo settled in the Nyanza Region, but I would like to add that since then a lot has been done and the House could be supplied not only with the figures that I have given but with the details showing the exact names of the settlement schemes.

Mr. Ngei: Mr. Speaker, Sir, would the Parliamentary Secretary tell us why there is a great imbalance about the settlers in these various settlement schemes?

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Speaker, Sir, it must be realized that land hunger pressure was greater in the Central Region, but as I have said, since February a lot of work has been done and actual figures will show that the Government is not unaware of other areas.

Mr. Murgor: Mr. Speaker, Sir, arising from the Parliamentary Secretary's reply, could he tell us why he said people in one instance? Why could he not say whether they were Kikuyu, Embu or whatever you like?

The Speaker (Mr. Slade): I think he did say that they were Kikuyu.

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Yes, I did.

Mr. Ngei: Could the Parliamentary Secretary tell us why there are no Luo who have been settled?

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): I did not hear the question, Sir.

Mr. Ngei: Could the Parliamentary Secretary tell us why there are no Luo who have been settled in the settlement schemes while we have been hearing of the settlement of others?

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Speaker, I said that

figures could be given to show that this is being done, but one of the reasons why it has not been easy, up to the time I mentioned, to settle the Luos is because negotiations, very active negotiations, are still taking place with the sugar manufacturers to make sure that people would not be settled in an area where they would not have any benefits.

Mr. Bala: Mr. Speaker, arising from the reply, is the Parliamentary Secretary aware that there are quite a number of Luo who have been made homeless as a result of the floods, and who have been living in camps for over a year, asking the Government all the time to give them some land to settle on? Why has the Government completely ignored these people?

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Speaker, Sir, the Government is very aware of these people, and as I said earlier, things are being done. If only you could tell your Civil Secretary group to act more quickly in reply to letters from us, something would be done to alleviate the problem.

Mr. Ngala-Abok: Mr. Speaker, would the Junior Minister tell us what type of negotiations are going on and who is being asked to negotiate this?

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Speaker, Sir, I never said the negotiations were difficult. I said there were active negotiations taking place.

Mr. Masinde: Mr. Speaker, arising from one of the Parliamentary Secretary's replies, does the Parliamentary Secretary mean to tell this House that the land problem is only in Central Region and not in other regions, and if this is so, is he aware of the recommendations of the Carter Land Commission of 1931 which found that the Abaluhya were the most congested tribe in the whole of East Africa?

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Speaker, that was not the implication of the question, I never implied that. But the figures I have given do not even indicate that I am implying that land hunger is only among the Kikuyu.

Mr. Khaskhala: Mr. Speaker, arising from the Parliamentary Secretary's reply, would he tell the House the total population the Government intends to settle, in relation to the tribes referred to, and how many have been aware of it? What percentage has been settled and what percentage is earmarked for settlement?

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Speaker, I did not deal with that question.

Mr. ole Tipis: Mr. Speaker, Sir, if my hearing is correct, I understood the Parliamentary Secretary to specifically say that the land hunger is greater in Central Region than in other parts. Can he justify this by checking the official records, whereas the density in Central Region is 600 per square mile and the density in Western Region is 1,300 per square mile?

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Speaker, Sir, if the hon. Member for one part of Masai can listen carefully, I said the "pressure" of the land hunger was greater in Central Region than in most places.

Mr. arap Moi: Mr. Speaker, Sir, arising out of the Parliamentary Secretary's reply, could he simplify his answer by giving us the acreage allocated to each tribe out of one million acres?

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Speaker, the question that I have answered is what was asked, and settlement is not a one-year scheme that is going to be done in one year and then be finished. It is part of the Government planning and the Government plans have not been published yet. Why ask me to do something which is premature?

The Speaker (Mr. Slade): I know hon. Members are enjoying this question very much, but we will go on to the next one now.

Mr. Ngei: On a point of order, will it be all right to be allowed to raise this as a Motion on the Adjournment?

The Speaker (Mr. Slade): If you will give me written notice that you want to.

NOTICE OF MOTION ON THE ADJOURNMENT

UNSATISFACTORY REPLY TO QUESTION 139—
SETTLEMENT IN THE FORMER HIGHLANDS

ORAL ANSWERS

Question No. 140

REFUSAL OF HOTEL KEEPER'S LICENCE

Mr. Rurumban asked the Minister whether he could tell the House why Sheshiwa w/o Losukoyo, the only Hotel Licensee at South Horr Forest Area was prohibited from keeping her hotel going by the Forest Officer i/c of Samburu District?

The Minister for Natural Resources (Mr. Sagini): Mr. Speaker, Sir, I beg to reply.

The building of shops in the forests is restricted to those built for the benefit of the forest workmen, and this must be approved by the Trustees of the Forest Resident Labourers' Welfare Fund. At the request of the Regional Government Agent, one shop was allowed at South Horr. Mrs. Sheshiwa w/o Losukoyo and a man built without permission. They were therefore given notice in November 1963, to remove their shop. The latest information about Mrs. Sheshiwa w/o Losukoyo is that she left South Horr and is living elsewhere.

Mr. Speaker, Sir, the Government does not allow shops to be built in the forests except where necessary. But in remote districts, shops are normally built near police stations for the sake of protection. In the area in question, it was agreed that a shop be built in the forest so that it would be near the Forest Guards' post and therefore near some form of protection, because there is no police station in this area.

Mr. Rurumban: Mr. Speaker, Sir, arising from the Minister's reply, would the Minister assure the House that Sheshiwa wife of Losukoyo was not granted a licence by the County Council?

The Minister for Natural Resources (Mr. Sagini): I do not understand the question properly, Mr. Speaker.

Mr. Rurumban: I said, would the Minister assure the House that Sheshiwa wife of Losukoyo was not granted a licence by the County Council?

The Minister for Natural Resources (Mr. Sagini): I think I have given an answer. One thing, Mr. Speaker, when it is necessary for shops to be built in the forest, the Government makes an excision from the forest land and the centre is handed over to the local authority concerned to administer.

Mr. Rurumban: Arising from the Minister's reply, if it is necessary to get plots for a shop in the forest area, why is it not necessary to provide a plot for a hotel in the forest area?

The Minister for Natural Resources (Mr. Sagini): I think that is another question. The question of hotels is different.

The Speaker (Mr. Slade): It is a question about hotels, really.

The Minister for Natural Resources (Mr. Sagini): I have given him the answer very well, that where an application is made and the County Council, that is the local authority, is ready to take the responsibility, then the licensee or the one who applies, the applicant, can go ahead. The important thing is that the County Council must be ready to be responsible, before we make an excision in the forest.

Mr. Lorema: Mr. Speaker, Sir, would the Minister tell the House the section of the Law which prohibits building a hotel in the forest?

The Minister for Natural Resources (Mr. Sagini): The question is very vague, Mr. Speaker. If he likes he can come to our Ministry and I will show him. I do not have it here now.

Mr. Gichoya: Mr. Speaker, Sir, would the Minister make it clear that this lady in question did not have a valid licence from the Government?

The Minister for Natural Resources (Mr. Sagini): I think, Mr. Speaker, Sir, the answer here was quite clear, that she built without permission and this country does not allow people to break its Laws.

Mr. Choge: Is the Minister aware that the law which prohibited traders' building shops in forest areas was a law that was to keep out Africans from the forest area, and that this law should now be amended?

The Minister for Natural Resources (Mr. Sagini): I do not know about this question very well, but if he has information in connexion with the subject of this nature, I think this can be rectified.

Question No. 141

FENCING PRIVATE EUROPEAN FARMS: SAMBURU

Mr. Rurumban asked the Minister for Local Government if he was aware of the £300 of Samburu County Council being spent in fencing private European farms bounding the Samburu District on the south against the County Council objections. If he was aware, would the Minister tell the House the legality for the spending of this money despite the Council's objection.

The Parliamentary Secretary for Local Government (Mr. ole Konchellah): Mr. Speaker, Sir, on behalf of my Minister, I beg to reply. I am not aware that any money is being spent by the Samburu County Council in fencing private European farms. The hon. Member may be referring to an agreement made several years ago by the Samburu A.D.C. to erect a fence along the border between the Samburu District, and the Laikipia District. The object of the fence was to reduce the stock raids by Samburu Moran and to reduce the danger of diseased cattle straying into the areas of high grade herds and contaminating them. The Council agreed to erect this border fence and to maintain it, and provision was made in the A.D.C. estimates each year

from 1958 to 1961, and most of the work was carried out. The Ministry of Agriculture made a grant of £1,038 towards the cost of the work which is now being completed.

Mr. Muliro: Arising from the Parliamentary Secretary's reply, is he not aware that it is unfair for the County Council to build a fence around all farms along the border between Samburu and Laikipia? The farmers themselves do not put up the fences which are in their own interest to protect themselves against cattle which are riddled with disease.

The Parliamentary Secretary for Local Government (Mr. ole Konchellah): Mr. Speaker, Sir, this was not erected for dividing private farms. It divides the Samburu District from the Laikipia District and that benefits parties on both sides of the fence.

Mr. Masinde: Mr. Speaker, Sir, arising from the Parliamentary Secretary's reply, does he imply that the cost of the fencing would be shared by the two County Councils?

The Parliamentary Secretary for Local Government (Mr. ole Konchellah): Yes, Sir.

Mr. Rurumban: Arising from the reply, is the Minister aware of the fact that the agreement was a verbal one and it was not a written agreement?

The Parliamentary Secretary for Local Government (Mr. ole Konchellah): Mr. Speaker, Sir, that does not arise, but if the hon. Member would like to follow it up it was an agreement which was reached by both County Councils, and the Samburu County Council accepted it.

Mr. Rurumban: Arising from the Junior Minister's reply, is he aware of the recent County Council objection to the spending of this money?

The Parliamentary Secretary for Local Government (Mr. ole Konchellah): Mr. Speaker, Sir, I am informed that the County Council has a legal liability and therefore they must meet this liability, even if there is no financial provision.

Mr. Murgor: Mr. Speaker, Sir, arising from the Parliamentary Secretary's reply, could he tell this House that it is the Government's policy to fence all boundaries in Kenya and if so could he assure the House that the Government is intending to build one fence across Kipsigis country, across Kisii and Masai?

The Parliamentary Secretary for Local Government (Mr. ole Konchellah): Mr. Speaker, that is not the policy of the Government.

Mr. Lorema: Would the Parliamentary Secretary tell this House how much money was contributed by the European farmers' community towards this communal boundary?

The Parliamentary Secretary for Local Government (Mr. ole Konchellah): Mr. Speaker, Sir, according to the information which I have, the farmers contributed 25 per cent and the Samburu County Council contributed 25 per cent, and the Government met the other 50 per cent.

Mr. Ngei: Mr. Speaker, Sir, would the Parliamentary Secretary agree with me that protection of individual property is left to individuals and not to the Government, and will he agree with me that if there is any danger about the raids, that was the work of the police and not the County Council?

The Parliamentary Secretary for Local Government (Mr. ole Konchellah): Mr. Speaker, Sir, according to the questions raised by the hon. Member, this was something which was entered in by the private individuals and by the County Council and by the other District of Laikipia. They agreed, accepted and approved it, and it is something which has been going on for a long time.

Mr. Ngala-Abok: Mr. Speaker, Sir, will the Junior Minister tell us why, if it was agreed between the individuals, the Government has to go the long way and pay 50 per cent. Why was the Government money involved?

The Parliamentary Secretary for Local Government (Mr. ole Konchellah): It was for the benefit of the Kenya economy because there are high grade cattle there, where you get your better meat, where you get your milk, and therefore it is for the benefit of everybody in Kenya.

Mr. ole Tipis: Mr. Speaker, Sir, arising from one of the Parliamentary Secretary's replies, in which he refers to the agreement entered into in 1958, is he aware that there was no such thing as the Samburu County Council which he mentioned, and that the A.D.C. then, Samburu, consisted of nominated members, and in view of the present objection from the elected members of the Samburu County Council, is he prepared to review the situation?

The Parliamentary Secretary for Local Government (Mr. ole Konchellah): Mr. Speaker, Sir, as I said before, this is something which was decided by agreement between the groups in which you are interested. The Government is not going to review the whole situation, but if it is still for the benefit of the people of Kenya then it will remain.

The Speaker (Mr. Slade): I think we will go on to the next question.

Question No. 143

EXPOSED MINE SHAFTS IN KAKAMEGA

Mr. Okwanyo asked the Minister for Natural Resources what the Minister was doing about the dangerous shafts—some 100 feet deep—that had been left exposed at abandoned mines in the Masara, Kehancha and Macalder Mine areas and which had become the graves of people and animals.

The Minister for Natural Resources (Mr. Sagini): Mr. Speaker, Sir, I beg to reply.

The Member's reference to "graves of people" is perhaps exaggerated, as no death or serious injury caused by shafts at abandoned mines has been reported to the Mining Engineer during the past five years. The risk to human and animal life caused by abandoned mine-workings is, however, of particular concern to my Ministry, and provision is made in the Mining Act to reduce these risks to a minimum. Holders of mining claims are responsible for filling up all excavations on the abandonment of their title. It will be appreciated that if the shafts are deep, the cost of filling is very considerable. Deep shafts are therefore usually made safe by means of reinforced concrete covers.

During 1957, Sir, some 150 old workings were filled up and made safe on abandoned claims in the Kehancha area. Four shallow shafts were left open, at local request, to provide a water supply. In 1961/62, all open workings on abandoned claims between the Masara Mine and Lolgorien were filled under the supervision of the Inspector of Mines. This, Sir, required approximately 150,000 cu. ft. of soil and rocks! The majority of shafts now open are in areas held under current mining titles. In such cases, the licensee is under no obligation to fill excavations until the licence is terminated. He is however obliged to keep excavations in a safe condition by means of fences or walls. It has been found, Sir, that the local inhabitants do tamper with these safety devices: both wire and posts from the fence are frequently stolen, and walls are broken down.

During a recent inspection in the Masara area, it was found that some excavations which had previously been filled had been re-excavated by persons illegally mining at night looking for gold. The assistance of the hon. Member is therefore sought in explaining to the people the need for these safety devices and in showing them that a risk to human life is created when these devices are destroyed.

Mr. Okwanyo: Arising from the Minister's answer, Mr. Speaker, Sir, I would like to know specifically what the Government is planning to do with the holes which are left in the Masari area because they are very dangerous.

The Minister for Natural Resources (Mr. Sagini): Mr. Speaker, Sir, I have read very slowly and distinctly for the Member!

Mr. Ngala-Abok: Mr. Speaker, Sir, I am sure the House has not understood a thing that the Minister has been talking about. Would the Minister please be specific about what the Government is doing to close down these dangerous holes? It is just a short answer.

Mr. Muliro: On a point of order, is the hon. Member in order in saying that the House does not understand what the Minister is talking about?

The Speaker (Mr. Slade): Oh, yes, he is quite in order to say that he does not understand and he thinks a lot of people do not understand—though he cannot know, he is perfectly entitled to express that opinion.

The Minister for Natural Resources (Mr. Sagini): Mr. Speaker, let me put it in a nutshell. All I said was that in the past, in the years 1961/62, I said that all open workings on abandoned claims between the Masara Mine and Lolgorien were filled under the supervision of the Inspector of Mines, who is under my Ministry. But the shafts that are open are still being worked by the people who have paid money to mine, and therefore we cannot interfere with them, otherwise they will be abandoned.

Mr. Okwanyo: Mr. Speaker, Sir, is the Minister aware that there is not a single mine working in that area now?

The Minister for Natural Resources (Mr. Sagini): I think the licensees who have a better knowledge than you, know there is something, otherwise they would not be so foolish as to spend their money on working something that is not in existence.

An hon. Member: Mr. Speaker, has the Minister sufficient proof to show that these men who filled these holes were looking for gold?

The Minister for Natural Resources (Mr. Sagini): Mr. Speaker, Sir, I did not hear what the Member said.

An hon. Member: Arising from one of the Minister's replies, Sir, he said that the man who fell in this hole was looking for—

The Speaker (Mr. Slade): I do not think the Minister said anyone fell in a hole.

An hon. Member: Well, he said that somebody was found in this area—

Mr. Ngala-Abok: Mr. Speaker, would the Minister give us the names of the miners in that area?

The Minister for Natural Resources (Mr. Sagini): I think the question of names is another question altogether. It is another question altogether.

Mr. Masinde: Mr. Speaker, Sir, arising from one of the Minister's replies, that some of these shafts which are still open were asked for by the local people for water supply, if the local people request that they should be filled up would the Minister approach the authority and see that they are filled up?

The Minister for Natural Resources (Mr. Sagini): I do not follow his question, Mr. Speaker.

Mr. Masinde: Mr. Speaker, Sir, the question is that in one of the Minister's replies he said that some shafts which are open were asked for by the local people for a water supply. Now, if the local people want these holes to be filled up, will the Minister make sure that they are filled up?

The Minister for Natural Resources (Mr. Sagini): This is a very difficult question to answer because I know originally when they wanted them to be left open they were filled with water. I am in charge of water. I do not know whether boreholes have been made to provide water, there is an alternative.

Mr. De Souza: Mr. Speaker, would the hon. Minister assure this House that if there are any open shafts where the mines are now disused, even if the licences have not expired, he will ensure that they are adequately fenced and otherwise take action against the licensees?

The Minister for Natural Resources (Mr. Sagini): Yes, straightaway, because I do not want my people to die.

Question No. 144

Mr. Okwanyo asked the Minister for Labour and Social Services if he was aware that a miner in Masara called Erasmus ran away to South Africa about eight months ago leaving all his African employees unpaid.

The Minister for Labour and Social Services (Mr. Mwendwa): Mr. Speaker, Sir, the answer is yes. When it was known that Mr. Erasmus was going to leave the country, the matter was reported to the Acting Senior Labour Officer, Kisumu, who subsequently sent the Senior Labour Inspector, Kisii, to make investigations. The Senior Labour Inspector visited Lolgorien Mines Company Limited and found that Mr. Erasmus had left a Mr. Van Annot, who previously worked for him, to carry on the sales of all machinery and other properties and to use the proceeds of these sales to pay the wages of the workers. By this time there was a handful of employees left to dismantle the machinery and to clear the compound ready for its closure. The sales were carried out on 10th November 1963 by Mr. Pieters of Soy, Eldoret, who was the man left in charge of the mines by Mr. Erasmus.

The Senior Labour Inspector was told by Mr. Pieters that he had already paid the sum of Sh. 1,108 to the Organizing Secretary of the Kenya Quarry and Mineworkers Union, Mr. William Wilbert, who was, of course, to pay this money to the four employees. This money was never paid to the four employees and the case was reported by the Senior Labour Inspector to Inspector Brown of the C.I.D., Kisii Division, who promised it would be handled by Kibigori Police Station. We have also asked the Civil Secretary, Kisumu, to retain the mine deposit of Mr. Erasmus until such time that we are satisfied that all his employees have been paid their wages.

Inquiry is still going on and the police have not told us their findings. The Senior Labour Inspector witnessed the payment of wages to all those who had come at his instruction to collect their wages. According to him, there were only four people who did not come that day, and the amount of Sh. 247 owing to them was deposited with him in Kisii. Should there be other people whose wages were not paid, Mr. Speaker, I would like hon. Members to approach my Ministry and I will make further investigation.

Mr. Okwanyo: Mr. Speaker, Sir, arising out of that question, is the Minister aware that, before Mr. Erasmus went away, several workers from that mine and I sent a letter and went to his office to try and present the case of these men so that they could send someone to go and check on this man before he went away and nothing was taken seriously?

The Minister for Labour and Social Services (Mr. Mwendwa): Mr. Speaker, I was not aware that they came to my office or all this would not have been done.

Mr. Okwanyo: Mr. Speaker, Sir, would the Minister tell the House now what his plan is with regard to this matter because it is serious? Several people have not been paid and they want to be paid now.

The Minister for Labour and Social Services (Mr. Mwendwa): Mr. Speaker, I have already said that if these people have not been paid they can approach my Ministry tomorrow and further investigations will be made. In fact, in the interests of paying these people, there are certain things which should not be disclosed here, otherwise the people will run away.

Mr. Makone: Mr. Speaker, Sir, will the Minister tell this House whether he is prepared to look into the case of the employees who have not been paid by the farmers who have left, in the same way as this one?

The Speaker (Mr. Slade): That is another question. We are only dealing with this particular employer and his employees.

Mr. Ngala-Abok: Mr. Speaker, Sir, would the Minister tell the House what became of the trade union leader who ran away with the money? Is he under arrest now?

The Minister for Labour and Social Services (Mr. Mwendwa): As I said, Mr. Speaker, it is still in the hands of the C.I.D.

The Speaker (Mr. Slade): I do not think we can go any further with this today anyhow.

NOTICE OF MOTION ON THE ADJOURNMENT

ADJOURNMENT OF THE HOUSE

The Speaker (Mr. Slade): I think, Mr. Gichuru, you have in mind to move that the House adjourns until next Tuesday at some stage this afternoon or tomorrow. It is quite in order to move such a Motion without any notice at all, but it will probably help Members to have some idea of what your plans are. Am I right in thinking that the intention is to move this Motion for the adjournment of the House after conclusion of all the business which is on the Order Paper today?

The Minister for Finance and Economic Planning (Mr. Gichuru): Yes, Sir, that is right.

MOTION

SESSIONAL PAPER No. 3 OF 1963/64:
AMENDMENTS TO STANDING ORDERS

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, I beg to move:—

[The Minister for Finance and Economic Planning]

THAT this House makes the amendments to the Standing Orders of the House of Representatives set out in Sessional Paper No. 3 of 1963/64.

In this regard, Sir, particular attention is drawn to paragraph 25 of the Sessional Paper, Standing Order 135, presentation of Annual Estimates, and paragraph 26, Standing Order 144 (6), procedure in Committee of Supply, which affect the passage of the Annual Estimates through the House. The Standing Order 135 which is to be amended requires that the Annual Estimates shall be laid on the Table of the House no later than the last day of May. Last year it was found that the Estimates could not be laid on the Table before June by reason of the rapid constitutional advances then taking place with the consequential financial ramifications and the difficulty of complying with Standing Orders. This difficulty was overcome by gazetteing of a special legal notice providing for the laying of the Estimates before the end of June instead of the end of May. This year the same problem confronted Government and it was felt that it would be better to make a June date customary in the procedure by amending the Standing Orders accordingly. In Standing Order 114 (6), requiring the Vote on Accounts to be dealt with before 7th June, a similar problem also had to be faced and similarly the same action was taken last year through the special legal notice. The amendment is here introduced for the like purpose. It is to make the procedure of dealing with the Vote on Account possible on a date not later than 26th June instead of the 7th June. As there were a number of other procedural alterations desirable in the Standing Orders, the opportunity has been taken to present to the House these two amendments of which I have spoken, with the others in the Sessional Paper now the subject of debate, which were agreed to at the Sessional Committee Meeting held on 28th May last, circulated to Members the next day and laid on the Table yesterday. Attached to the Sessional Paper, hon. Members will see that there is an appendix. This deals clearly with all the alterations proposed and does not require further detailed comment from me.

Finally, Sir, I can assure you that the Government will take to heart the point made in your Communication from the Chair. I assure you, Sir, that no disrespect to the House was intended and I hope that a similar situation will not arise in the future.

Mr. Speaker, Sir, I beg to move.

Mr. De Souza seconded.

(Question proposed)

Mr. Muliro: Mr. Speaker, Sir, I rise to speak on this Motion a very disappointed man. The Government must definitely accept either to govern this country constitutionally and to obey this House and carry on the business of this House according to the Standing Orders. The Minister in moving his amendments affects the two sections which are of prime importance to this House today; namely sections 135 and 144. He said that last year, because of rapid constitutional changes, it was not possible to lay the Estimates on the Table before the 20th June. That is very clear. We all knew last year that we had a General Election, and last year by the end of May, early June, the Government was only being formed. But we cannot carry the excuse of last year into this year. The Minister says this year the Government has been confronted with the same problems which they were confronted with last year. What were the problems this year with which the Government was faced with in the month of May? We are not aware of them, this House is not aware of them, that in the course of this year we have been confronted with similar problems as we were confronted with last year in the month of May. Therefore, Sir, this House is not prepared to accept lame excuses from the Government trying to prosecute the proceedings of this House by using these fabrications. Sir, this House has a dignity of its own. The hon. Members of this House represent 8,000,000 people in this country. This House must meet regularly in order that hon. Members of this House can direct the affairs of this nation. The Government has this year very cleverly avoided this issue. They said the Estimates would be presented in June. What was there to stop the Government from calling the House even only for a day to pass this amendment? Today we could then be debating these Estimates constitutionally and according to the Standing Orders of this House. We cannot accept hon. Members sitting in their offices and then coming to us at the very last moment, when the date is overdue, and saying that they want this amendment to go through because it is important. Hon. Members must accept, and hon. Ministers must accept, that they have a duty and a responsibility to this House, and that the conduct of this House is of prime importance to the good conduct and good government of this country. Sir, we have no quarrel with the rest of the amendments, but we have a definite quarrel with the Government this year for having mistreated the House. We asked that the House should meet to come and debate the serious situation that had arisen in Kenya on the issue of the Federation of East Africa. We

[Mr. Muliro]

signed petitions to you, Sir. The Government refused point blank. The Members of this House are not worried about the votes that carried them into this House. They said they were not prepared to call the House before the 9th June. And today, Sir, they come to us and say that this is very serious, it must go through. We, Sir, on behalf of the Opposition and hon. Members in this House who have the dignity of this House at heart, and who know that we must carry Kenya, we must represent our people, and we must have a dignified House, I think this Motion should be opposed. The Government up to now, in moving the Motion, has not told us anything at all about the situation that arose. A situation never arose. We have seen no situation that could create chaos and confusion in Kenya so that we should not meet. The hon. Members have been hanging around Nairobi wanting to meet in order to confirm what the Ministers are now asking us to do. The hon. Ministers have just let the boys sit around. Sir, we were elected and our Government is an elected Government. It can only maintain its position as long as it has respect for all of us here who support it. If it does not have respect for us, we can never respect a Government which does not have the guts to respect the legitimate representatives of the nation of Kenya

With these remarks, Sir, I beg to oppose.

Mr. ole Tipis: Mr. Speaker, Sir, the Motion moved by the hon. Minister for Finance is a very serious one which, of course, demands serious consideration by all hon. Members of this House. I submit very strongly that this is unprecedented procedure which is trying to lower the dignity of this House. This, Mr. Speaker, is quite true, and the hon. Minister tried to justify the postponement of the laying of the Estimates of Expenditure by comparing last year with this year. He did go on to say that a special *Kenya Gazette* was published to justify the postponement last year. What he did not tell us, Sir, is what cause is there, if any, that prevented this Government from publishing the same special issue of the *Kenya Gazette* this year? This is a deliberate attempt to usurp the powers of this Parliament, and I believe that all hon. Members who are responsible to their electorate are not going to surrender unconditionally all the powers vested in them by the Constitution of this country or the Standing Orders. Mr. Speaker, this is a very serious issue in that if this Government thinks that it can use the backdoor passage, or some sort of awkward tactics, to try and justify its failures in discharging those duties entrusted to it by the people of this country, then I submit

to them very strongly that it is time they think again and think very seriously. Mr. Speaker, I would be glad to be told how we can, as the elected representatives of our people, be expected to authorize this Government to spend public money before it has the approval of this Parliament. If they want to alter the date or the month of the financial year, then they had better come out clean. We cannot justify at all using the date the 26th June, when they begin spending the money on the 1st July. Let them come out clean and tell us if they want the financial year to start in October or September. We want to know.

Mr. Speaker, there is no quarrel with some of the minor amendments, but here I must admit that the proposed amendment to Standing Order No. 12 is not quite clear to me, and I would like some clarification. The clarification I am seeking is whether it is true parliamentary procedure ~~that~~ the Motion on the Adjournment can, in this respect, be moved by Members of both sides of the House or is it exclusively reserved for the Opposition benches? The proposed new Standing Order 15 (a), instead of the Government trying to extend its hands too far, thinking that we are all blind, it should remember that our eyes are all wide open. In this new Standing Order, as my hon. friend, Mr. Muliro, mentioned, Members of this House did sign a petition to you, Sir, requesting that the Parliament be convened. This was rejected outright by the Government because they have that prerogative power to convene Parliament. That is not enough for this Government, they are also trying to twist hon. Members like a whole pack of children. The normal days of the sitting of this House must be respected. Let them have their prerogative powers; if they want to misuse them, then that is their business, but the normal fixed sitting days must be respected.

The other point, Mr. Speaker, is on Standing Order 48 where it says "insert therein" something to this effect, "not requiring a special majority . . .". When there is a need to vote, then it is only right that whatever business or whatever question arises, that question should be invalid. We do not want these sort of things, so that people might say that it is not important. Who is to judge? The Government? I think it is up to all the Members of this House to judge and not to leave it to the Government.

Mr. Speaker, in this Motion I think we would have been happier if the Government in the first place did not ignore or brush aside the Standing Orders before they came with this amendment. It is quite unjustifiable for them to just brush aside the Standing Orders and then come, after almost a fortnight, before this House to ask it to endorse

[Mr. ole Tipis]

this amendment. The law, before it is amended or repealed, must be respected, and we demand that this Government show an exemplary example in this respect.

With these few words, I beg to oppose.

Mr. Ngala-Abok: Mr. Speaker, Sir, before I say anything we would not like to make capital out of a simple mistake like this one. We would not like to criticize for the sake of criticizing, but I would like to warn my Government, although I may be in favour of passing the Motion, that you people will never govern this country unless the majority decision is sought, and unless the powers of this House are kept and maintained by the entire Members of this House. It is going to be difficult for Members, whether Opposition or Government, to have the Government in confidence because—and I would like to refer to this—yesterday Mr. Speaker told us very clearly that he had written to draw the Government's attention to this Standing Order and the only answer he received was that we shall meet on 9th June. Why are we being asked to amend this Standing Order when it was deliberately ignored? It was brushed aside and nobody thought that the Members of Parliament are equal with the difference that the Prime Minister tells you to be a Minister. Mr. Speaker, this is not the only example of a likely dictatorship coming. There are a number of issues, including even party organization alone in the party that is now in power, where you find that it is worked out in the Cabinet and then you are called to accept it. This means that every time we shall be frustrating ourselves, every time there will be a division of some kind, and every time a Motion is introduced by our Government it will be most difficult to pass it, and then later on people will resort to governing the country outside the Parliament. When it becomes difficult in Parliament here, the Government will not resign but the Government will use its power outside, and every time we will be frustrated. Standing Orders will not be kept. I agree that the Government is new, but I also know that there are a few clever people who like to have things in their own hands, and then ignore Parliament.

Mr. Speaker, I do not wish to say too much but I want it to be clearly understood by our Government that there are important issues that must be faced, and if anybody fears convening Parliament because he will be criticized, then the day when he takes the courage to convene Parliament he will be finished. Unless you have a valid reason for not acting according to the law, you will accept going to prison because you

cannot act according to the law, and if you have no good reason, what else is left for you except to be condemned? Therefore, Mr. Speaker, I do not intend to speak too much but I wish to draw the attention of the Government to the fact that what the Government is now doing is going to lead to dictatorship, and let us watch it for six months.

Mr. Anyieni: Mr. Speaker, I think the Government should apologize and the apologies should be twofold. First of all, the Government has gone against the law of this House by not calling the House to discuss the Budget at the time required. Secondly, the House has broken another law of this House by refusing to call the House when the Members signed a petition to call Parliament. So there are two things. They did not give us any information at all, and in moving this Motion the Minister did not give any reason at all. So, we want to know two reasons why the Government could not convene Parliament for us to discuss the situation as we had signed a petition, and why the Government would not call Parliament so that we could discuss our Budget at the right time. Mr. Speaker, the other thing I would like to say is that my Government has some very mysterious fears of this House. We must be told what these fears are. Mr. Speaker, I have heard on the radio from London that the Parliament is sitting, the Parliament in Uganda is sitting, from Dar es Salaam the Parliament, I hear, is sitting. Everywhere Parliament is sitting except in Kenya. Here no Parliament is sitting. Mr. Speaker, the country is being ruled and we would like our Government to do one thing. Demolish this House completely so that we can have a rule of seventeen or else Parliament must be recalled according to the Standing Orders. Mr. Speaker, if the colonialist Government thought it fit to have this Parliament to discuss things, and have these Standing Orders, how is it that an independent African Government cannot think it proper or fit to call the representatives of the people to come and discuss the wishes of the masses. Mr. Speaker, Sir, we are almost shut-up, completely shut-up, even outside. Mr. Speaker, we are not allowed to say anything. Even in the papers, if we say anything they must first of all ask the Minister if it is right before they will print it. We are never allowed to meet in the House. I think the fear of our Government, one of the fears of our Government, is that they know that the majority of the Members of this House and the masses at large—

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Oneko): On a point of order, Mr. Speaker, it has been alleged by the

[The Minister for Information, Broadcasting and Tourism]

hon. Member that to a certain extent the newspapers are required to show their stories. I do not know whether that refers to the Government Ministry or to other organizations. I would like it to be clarified.

The Speaker (Mr. Slade): Order, the Minister is referring to what you said earlier about Members not being able to write to the papers without the authority of the Minister.

Mr. Anyieni: Mr. Speaker, Sir, because these things were not put in the paper and because when you write in the papers the papers will say that the Government will not like this, I do not know whether there is any other way of misrepresenting what I said. I do not expect the papers to give us headlines. Therefore I should like to continue, Mr. Speaker.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Onoko): Mr. Speaker, I think this is a very serious allegation because if it cannot be substantiated it should be withdrawn.

The Speaker (Mr. Slade): I think Mr. Anyieni is saying that the Press are shy of publishing many things that refer to the Ministries, and if that is what he has experienced he is entitled to say so.

Mr. Anyieni: Thank you very much, Mr. Speaker. I hope the Minister will not enjoy interrupting me further. Mr. Speaker, Sir, the wish of the people who have elected us to this House—the number one wish and the current wish—is that our people would like a federation, and our Government does not seem to want this federation. Mr. Speaker, how are we expected to discuss everything on the Budget, particularly when the money must be used on the 1st July? Now, if the House is going to start sitting on the 16th for the Budget, we shall have only a few days. Last year the Government was able to get away with it, because the majority of the Members of this House were ignorant of some of these orders, but we are now learning.

Lastly, Mr. Speaker, we were only able to discuss a few Ministries, the rest of the Ministries we voted for what money we did not know. When later on we started to learn, we wondered whether we voted correctly. If the Government wishes to prolong this exploitation of our ignorance, we must tell Government we are now learning and our eyes are open. So, Mr. Speaker, what I would like to say before I sit down is that a Government which fears even their own supporters, even if it is only supporters, the Parliamentary Members of

Parliament, when they side and the Government fears to quarrel, this is an expression of no confidence in themselves. If the Government has got confidence in themselves, they surely must not fear the Members who support them, and how do we support the Government if they do not allow us to tell them what our people at home want, what they want the Government to do for them?

Mr. Speaker, Sir, the Government should make clear that they do not want this House to sit, or they should make it clear that this House will sit more and more often. Mr. Speaker, what the Minister is proposing today is like me going to steal. I go and steal first, then before I am judged in court, because I am the law-maker, I come to Parliament here and I change the law so that I will not be prosecuted.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Onoko): On a point of order, Mr. Speaker, I have not said one sentence on the question of my spending the money and then giving reasons afterwards.

The Speaker (Mr. Slade): It is in order. Mr. Onoko, you could answer that in your explanation, but the hon. Member is entitled to suggest analogies.

Mr. Anyieni: My hon. Minister who has been here for so many years does not know what a point of order is. Mr. Speaker, I would like to reply to what my Minister asked me. I am not saying that the bank has stolen money, I am not saying that the Minister has stolen money. That is not my argument. I am saying that the Government has gone against the Standing Orders of this House, and instead of calling Parliament earlier to change the law, they content themselves with going against the law first and then come to us to change that law.

Mr. Speaker, we want this House to sit. We were elected, not to fight anybody physically, not to go and fight our constituency, but to be able to pass laws and make this House a forum where we can tell our Ministers, our Prime Minister, of our personal constituency wants. Now, when you do not want help, where else do you want me to go and tell you? Mr. Speaker, Sir, with those few words I wish to warn my Government that they are heading for trouble if they continue to refuse to allow this Parliament to decide the destiny of our nation.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, Sir, I think that it is obvious to all Members of the House that we, as a Government, have been incorrect in what we have done.

An hon. Member: Apologize.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, on behalf of the Government I do apologize for what has happened, but I do want to tell this House that there were genuine reasons for—

An hon. Member: What?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Just wait and you will hear. There were genuine reasons why we found ourselves in great difficulty. Even though we were in great difficulty, as somebody said, we are a new Government and we do find ourselves in these great difficulties and I do apologize for the difficulties that we got into, but they were difficulties beyond our control. For instance, we were negotiating, and how I can speak on this was because some of the finance involved, most of the finance involved, was my Ministry, we were negotiating with foreign Governments for finance, which would have an effect on our estimates. The Members of this House have heard the announcements which have been made from foreign countries, including Great Britain, which must have, as you can well appreciate, a large part to play in our estimates, and until we had these replies it was difficult for us to lay the estimates. I can promise this House that we did our utmost as a Government in getting replies from these various countries we were negotiating finance with, for the benefit of the country. But when you are a borrower, as hon. Members fully know when they attempt to borrow money, be it from the bank, be it in borrowing for a motor-car, for a wife or whatever it is, it is always difficult.

Mr. Speaker, Sir, I want to explain just one other point to the last speaker. Even though there has been this delay, no money will be spent on the 1st July without permission. Three years ago, this is the third year of the country that it will be in force, before the end of the financial year, which is the end of June, a vote on a charge was taken and a vote on account is where you agree as a House to vote half the sums until October and the Appropriation Bill is never taken until the month of October for the final half. This means that you continue the Budget debate, debating the estimates, not only before the end of June, but you continue into the next year, which means that people have far longer in studying the estimates, in studying the actual Budget, and also to see how it is operated so that they can discuss it in the months of September and October. We did it last year and we did it the year before. It was not done four years ago. It was done the year before last, and it was done last year.

Mr. Speaker, it is no good the hon. Members saying "No", because if they will remember, they themselves last year in October were still discussing the estimates, and the year before.

An hon. Member: It was only because of the elections.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): No, Sir, this has nothing whatever to do with the elections. This had come in the year before last and last year was the second year that we had this procedure of carrying on and not passing the Appropriation Bill until the month of October.

Mr. Anyieni: On a point of order, is it in order for hon. Ministers or Members of Parliament to say that when not looking at the Chair?

The Speaker (Mr. Slade): You only have to address me; you have not always got to look at me.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, I thank you very much for saying that I do not always have to look at the Chair.

Sir, the only other point which I would like to touch on at this stage is a point raised by one of the speakers on Standing Order 12. The alteration of Standing Order 12 is to allow the Government Back-benchers to participate as well as Members of the Opposition apropos Standing Order 12. So there is nothing hidden away in Standing Order 12, thank you, Mr. Speaker.

Mr. G. G. Kariuki: Mr. Speaker, I sympathize very much with our Government for doing things quietly, thinking that this Parliament does not realize what powers Parliament has. Ministers have got just ordinary delegated powers, the Cabinet is a delegated body by this Parliament. This Parliament has got power to push out a Minister. Mr. Speaker, Sir, when Ministers are in the Cabinet, they must not get confused hoping that we do not know what is going on. Parliament has got unlimited power and Ministers must know this, Mr. Speaker. Mr. Speaker, Sir, we are going to support this amendment because the Ministers have admitted their mistake, and they have also admitted their negligence to this Parliament.

Mr. Speaker, Sir, this Parliament has watched Ministers carefully and we have seen what they are trying to do. Mr. Speaker, Sir, next time I would like to warn the Cabinet that they will find themselves in a very awkward position. Now, the Government has refused public meetings very wisely because it does not trust Members of

[Mr. G. G. Kariuki]

Parliament. The Government thinks that Members of Parliament would confuse the public to vote out the Government. I would like to make it quite clear that this is our Government, not only for Ministers. Ministers must understand that we have got a say in the Kenya Government through Parliament, but not in only an executive committee such as the Cabinet. I am sorry. I am referring to them as the Government because this is a very touching question. Mr. Speaker, Sir, I do not need to go further on this because the various members have spoken and have touched on the most important points, so I beg to support.

Mr. arap Moi: Mr. Speaker, Sir, we have heard what the Government Ministers have said. They have admitted their failures and I should like first of all to say that the Ministers, particularly the senior Ministers, used to tell the colonial régime that they should not govern under fear, but they are now doing the same thing, governing the country under fear, real genuine fear. If we accept this amendment, Mr. Speaker, we will be creating a precedent whereby the House could sit beyond the 20th of June next year, and therefore we are creating a very dangerous situation or precedent and therefore I would like to warn the Government that the Parliament is the supreme authority which governs the country, and, as I have watched and seen, the Cabinet is becoming itself a Parliament, issuing statements even concerning the Constitution, that these things within our own times are not going to work out, affecting the Constitution. They have come right into the Parliament wanting amendments to the Standing Orders. Therefore, I would like to say that the Ministers having learnt parliamentary procedures, they should do so without governing the country under fear. They must agree that since December they have made very many mistakes. Not to allow Members of Parliament, the chosen representatives, to speak to the people is a very serious thing. It is not a question of whether the Government should govern efficiently. Possibly the Government must have been blinded by the money they borrowed from China, Russia and Britain, and that they have forgotten everything, the provisions of Parliament. If they do not watch carefully the way the country is governed, they will find themselves in deep waters and they will not be able to rectify their mistakes. We agree these things for their own good if they want to remain Members of the Government, if they do not want to do so then they should follow the same way they are now and the Parliament will have no confidence in them. Sir, I should like to say that this amendment of the Standing Orders affects

seriously the procedure of Parliament whereby the citizens or the people in the country would like to know what is happening through their chosen representatives who are here in the Parliament. Therefore it is not a question of saying Amen to whatever the Government puts forward. When mistakes are made, one must be very bold in saying "No", and not saying "Yes" all the time simply because it belongs to the Government. Therefore, Mr. Speaker, I beg to oppose.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Oneko): Mr. Speaker, Sir, according to the Standing Orders the time is limited to 4.30, and since the Mover needs time to elaborate on certain points, may I now move that the Mover be called upon to reply.

The Speaker (Mr. Slade): It is a question for the House to decide whether or not they will allow the debate to close at this stage. So far as I am concerned, I think it is not out of order to allow that question to be put now, since hon. Members have had quite a good chance of debating what they feel in regard to this point.

(The question was put and negatived)

Mr. Omar: Mr. Speaker, I rise to oppose this Motion. I wish the Minister for Finance or the Mover at least would be here when I speak. They are all going out. I was interested to hear an apology from the Minister for Agriculture for moving this Motion, but that was an apology for one point and I hope the Mover of this Motion or another Minister will apologize for the second point mentioned by one of the previous speakers, that this House, the Back-benchers and the Opposition, wrote to you, Mr. Speaker, a month ago and asked that this Parliament should be convened, but the Government refused to convene the National Assembly.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): On a point of order, I wonder if this is not a point of repetition? I think this actual point has been made by three previous speakers.

The Speaker (Mr. Slade): That is so. I must ask hon. Members now to make new points rather than repeating what has been said already.

Mr. Omar: Mr. Speaker, I am very interested in knowing— Although the point has already been indicated by the Minister for Finance, as to why he moved this Motion, I am interested to know why the Ministers have become so swollen-headed that when the Back-benchers and the Opposition sign a petition for the convening of the Parliament, they refuse. It is because the

[Mr. Omar]

Back-benchers are not sincere at all. They try to oppose the Government here, and when the Division comes they vote for the Government and therefore it makes the Ministers swollen-headed. Therefore, they accept the decision of the Ministers. You, Back-benchers, cannot blame the Ministers at all—

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, may I have your ruling whether the matter which the hon. Member is raising has anything whatsoever to do with the amendments to Standing Orders?

The Speaker (Mr. Slade): I think we are getting too far away now. It has been questioned, I think relevantly in this debate, why the Government have taken this course of being so disinclined to convene this House. Hon. Members are entitled to discuss what is their assumption on the state of mind of Government. They can if they like suggest swollen heads, but I do not think they should go on and find out why the heads are swollen. It is getting too far away!

Mr. Omar: What I was trying to drive at, Mr. Speaker, was to show the Back-benchers that although this amendment has been moved it is not entirely the Ministers' fault, it is partly because of the Back-benchers' mistake of supporting the Government whenever—

Mr. Kamau: Mr. Speaker, is it in order for an hon. Member instead of directing his speech to the Ministry concerned to turn to the Back-benchers?

The Speaker (Mr. Slade): If he wants them to hear his argument.

Mr. Omar: I am not getting confused at all, I have a point to make and I know what I want to say. It is you Back-benchers. I am saying this because the Back-benchers, Mr. Speaker, have a habit of supporting the Government. In the past there were some Motions presented in this House and the Back-benchers opposed these Motions but when the Division came the Back-benchers voted with the Government.

The Speaker (Mr. Slade): No, I am sorry, you are getting too far away from the subject.

Mr. Omar: What I am trying to make clear here, Mr. Speaker, is that the Government with the Back-benchers are very wrong not to have convened the Parliament last month after it had been requested by the Opposition and the Back-benchers themselves, and I should like to challenge the Back-benchers. If they have fear

of opposing this Motion they should now vote with the Opposition so that the Government Ministers could learn a lesson not to repeat such a mistake in the future.

Mr. Kamau: Mr. Speaker, Sir, as a matter of procedure and as my Government has apologized on this Motion, I think any realistic man of the Government could not condemn the Government as long as it has apologized. One thing I would like to mention here, Mr. Speaker, is that I would only like to remind our Government—together with the Cabinet—that we were all elected by the people knowing very well that we are able people to represent them in Parliament. But what happened today is that when we formed the Government, of course, we can respect some of our colleagues but not some of our seniors, and this respect could have brought chaos today between the Government and their supporters. Probably there has been some misunderstanding which I think in future I would request our hon. Ministers to see does not happen again. This could only happen if they seek full co-operation between the Members of the House and the Cabinet. I think, Mr. Speaker, Sir, if this is done then there is nothing wrong and I do not think in the short time we have I should say that the Government has done anything but good and nobody can say the Government has done nothing. To that extent, I would only say it was this afternoon that I found these volumes in my pigeon-hole, some for Development Plan 1964/1970, Development Plan for the Estimates 1964/65, Economic Survey, 1964. I have not even opened them, Mr. Speaker, and I do not know what they say. Had it been that Parliament had met probably the Members would have been educated by the Ministers' concern on these things. All that I would request our Ministers to do in the future is to know what is going on. Our people outside are challenging us, what is the policy of the Government, what development plan is being carried out since the Government was elected, what has been done to eliminate illiteracy, land hunger. Mr. Speaker, we are now being confronted with one item which is most important and that is federation in the country. Instead of having these very frequent meetings with our Ministers here and discussing this problem, the problem that has come to us today is that people are chasing us, land is being bought by the people who wanted it from the beginning and when these people ask, where are we now, we cannot answer them. Where can we express our views as long as public meetings are banned by the Government? Being a Member of Government myself I can only say that Government will lift the ban. Therefore, Mr. Speaker, Sir, I

[Mr. Omar]

request the Ministers and the Cabinet to co-operate with their supporters, the Back-benchers, so that when there is any difficult issue we can discuss it together but not have anything finalized yet, and brought to the House under a pretext of there being some kind of delay due to one thing or another. Therefore, I accept the apology of the Government and am very willing to support the Motion, but request the Ministers in future to seek the co-operation of the Back-benchers.

With those few remarks, Mr. Speaker, I beg to support the Motion.

Mr. Shikuku: Mr. Speaker, I do not think I will say very much on this Motion as so much has already been said, but I have one or two points to make. One is that from the Mover's intention and reasons I am very glad that one of the Ministers—and I must congratulate him—has come out in the open and apologized on behalf of the Government for the mistake. That shows a good spirit. However, this is a bad reflection on us who are in this House. We are looked on by the masses and the world as responsible people, and whatever laws we make in this House we should be the people to set a good example by going according to the laws. However, if we are going to be the law-breakers it is useless for us to consider ourselves as hon. Members. One day there was a statement or an announcement by the Government that there would be no public meetings or processions. To my surprise, just two or three days after that, some of the Members of Parliament had a procession in front of the Prime Minister's office and they were not arrested. I feel, Mr. Speaker, the law should apply to everybody, and there should be no discrimination. However, I feel, Mr. Speaker, as the law-makers we have got to obey first before we expect the ordinary man in the street to obey. I am sorry to say this does not only reflect badly on the Ministers but also on this House.

I was wondering whether the Minister concerned and the Government could give an assurance to this House and let it be recorded that this sort of thing will never again happen, and that we, as the Members representing the people of this country, shall not again stand in this House talking on the same subject. I would be very pleased if that assurance could be given. In addition to that, Mr. Speaker, I feel that if we are not going to have freedom to express our views here, what is going to happen is that we are soon going to find ourselves ending up in chaos. Once one is refused permission to speak one is reduced to

going underground. One has got to express one's feelings in one way or another. Either you will revert to subversion or you will do something that will take the Government by surprise. A typical example is that we were repressed during the imperialist time and some of us resorted to oath-taking, killing and so forth. The patience of the masses can be exhausted and I hope the Government knows that, that we are here to express the views of the people and we expect our views to be heard by this very Government of ours, and the views of our people should be paramount before we consider anything else. If this is not going to be so, anything bad that happens will be the responsibility of the Government. Too much fear will end up in a bigger fear and you will never live to see it yourself.

Since many points have been touched, I think that the Standing Order, if it is not possible to move an amendment to the amendment, the fairest way would be—according to the report we had yesterday, the Speaker of the House has no power to convene the House or to convene the Parliament unless he is requested by the Government to do so. I feel the time has come when the hon. Members should support the idea that the Speaker of the House should have the power to convene the House so long as he is called upon to do so by ten per cent of the Members so that this will keep the Members and the masses informed as to when their representatives want to speak. However, so long as we leave the power in their hands to tell the Speaker when to convene the House, we are going to suffer the same thing again. They may apologize today and talk sweetly, saying this will not happen again, but it will certainly happen again because they will go down and start sleeping as they have been sleeping in the past and then we will again be told that because of the visit of so-and-so, and so-and-so, or for this reason or the other, they must be excused again.

Mr. Speaker, the point I would like to emphasize is that the power of convening the Parliament should be transferred. We in this House, the elected representatives of the people, should now hand over the power to the Speaker of the Parliament, the Speaker of this House, to convene any meeting or convene the Parliament so long as he is called upon to do so by the elected representatives on a certain percentage. I think this will help us a great deal and I feel, Mr. Speaker, that I must give the House a warning, and I am sure hon. Members will support me in this, that I shall move this amendment some time to the Standing Orders to give the Speaker power to convene the House.

[Mr. Shikuku]

May I end with one point, Mr. Speaker. We have said much about it, the convening of the House, but I would like to add one thing: we are very depressed. Depressed to the extent that our masses are no longer informed. We have also as a result of that read something very unfortunate. Some of our brothers have lost their lives. Why? Because they did not know anything about Personal Graduated Tax. They called an illegal meeting and they had it. Whose fault is that? You can see now how we can get ourselves into a mess. I feel, Mr. Speaker, that the House and the people in this House are here to support the Government, we are not here to oust the Government, but we are here to support the Government by telling them the truth. But he who hides the truth from the Government, that truth that is hidden from the Government may result or may turn into poison which will kill the Government. If the Government is listening to us today, I hope they will assure us that this mistake will never happen again and I hope when they speak they will agree with me that these powers should be given to the Speaker of the House. That the Speaker of the House should have the power to convene the Parliament with the support of a percentage of the Members of Parliament in this House so that these people cannot go on sitting on things when we are supposed to be speaking the minds of our people.

With these few remarks, Mr. Speaker, I beg to oppose.

Mr. Mutiso: Mr. Speaker. Sir, I rise to point out two things on this Motion. One is that already we have seen that our Government has admitted that it was at fault by not calling the Parliament together in time to come and debate and change the Standing Orders. What I want to know whether it is within the Standing Orders, after a Government like this is found to be at fault or it is found that it has done something which is almost unconstitutional, the steps which can be taken against the Government, because if a person is found guilty, Mr. Speaker—

The Minister has already apologized on the part of the Government and said that they were at fault, they made a mistake in not convening the Parliament at the right time. Mr. Speaker, with your guidance, I am seeking the support of this House to find out what punishment should be given, either to the Minister responsible for this, or to the whole of the Cabinet, because this is collective responsibility.

The Minister for Finance and Economic Planning (Mr. Gichuru): On a point of order, I want to have your ruling. If I do not have the chance

to reply within the next three minutes, the object of this discussion will have failed.

The Speaker (Mr. Slade): I think I had better explain the position. Hon. Members see on the Order Paper that not later than 4.30 p.m. we plan to come on to Committee of Supply. The reason for that is that unless we come on to it at 4.30 p.m., the time given for the Committee of Supply will be less than two hours and that does not count as a full day which has certain procedural implications. On the other hand, it is quite clear that hon. Members, including the Minister, would like to get through this Motion, and lay the Annual Estimates before moving on to anything else, and that being so I think we had better continue, in spite of this note on the Order Paper, until this Motion is finished, and then come on to Committee of Supply afterwards. It is open to hon. Members to move the closure from time to time, but until the House wants the closure we have to go on.

Mr. Mutiso: With that understanding, I am seeking the support of this House and want to find out what action should be taken, what punishment should be given to the Minister responsible or to the Cabinet as a whole, because as we understand it, it is a collective responsibility. It was very clearly expressed, and they knew that they were acting against the Standing Orders of the House, and they did it deliberately.

The other point, Mr. Speaker, is that I do not understand what should be done when the majority of the supreme authority of this land are all agreed that this House should be convened and that is deliberately ignored by the Cabinet. I want to know whether it is within the Constitution or within the Standing Orders that when the majority views of the Members of this House are expressed, whether they should be carried out by the Cabinet or must not be obeyed. It seems to me as if the Cabinet as a body or as an executive of this Government does not believe that this House as it is today is the supreme authority over the Cabinet, and that all the Members on the Government side, particularly the Back-benchers, including the Opposition, signed a petition, Mr. Speaker, to you, requesting that the House should be convened. This request was totally ignored. The Minister for Finance came and moved this Motion seeking the support of this House which he ignored before. I want to know, Mr. Speaker, whether we as a body, should take our powers in our own hands and ignore the position of the Cabinet. If they do not accept that we are people to be treated equally, how can we accept or treat them equally when they do not regard us as people?

[Mr. Mutiso]

Therefore, with regard to these two points, I want the House to take it very seriously. Many times it is felt that Members of the Back-benchers group and also Members of the Opposition are not regarded as Members of this House by a group of the Cabinet Ministers, and this is why some of these vital points are ignored. We are thought to be incapable of doing anything in this House. I appeal to all Members to take this issue very seriously and take any action that this House can take.

With these few remarks, I reserve my support.

The Speaker (Mr. Slade): In the course of his speech Mr. Mutiso raised two points of order on which he wanted a ruling. One was whether any disciplinary action could be taken against Government as a whole on an occasion of this kind. The answer is no, not so far as I am concerned. The only kind of disciplinary action for which our Standing Orders provide is for the misconduct of individuals within the Chamber. Of course, the House has the greatest possible power to discipline the Government, even to the extent of refusing it a vote of confidence. Government is actually at the mercy of this House. It rests with the hon. Members, not with the Speaker.

The other question which Mr. Mutiso raised was with regard to the power of convening the House. It is quite true that, as Mr. Shikuku said, under Standing Order No. 7, the House can only be convened by the Speaker at the request of Government. There is not at present in Standing Orders any provision that the Speaker may or shall convene the House at the request of any given percentage of the Members.

I would warn hon. Members that we are getting a lot of repetition now, and I am not going to allow any more.

Mr. Ngei: Mr. Speaker, Sir, it is well said here and, of course, you have repeated Standing Order No. 7, that if the Government has to convene the Parliament, at its own will, then there is no use this Parliament having democratic principles at all, because Government can sit on that Standing Order, and it can say during the time of pressure of the constituency that it cannot meet during the time of peril, as we are now. We may be well contented in this House, but we are not contented as far as the outside is concerned. Therefore, my own point of view with regard to Standing Order No. 7 is that it is another dictatorial régime if it is improperly used by the Government. Coming to the question of the Amendment to the Standing Order which has been raised by the Minister for Finance, I would

like to say this: We realize, and the Government has professed, that the Government is in an embryonic state of governmental change, but we are not at an embryonic stage in our present problem. Our problems have been there, and they have been depressing the electors for a very, very long time. To come and say that we have had constitutional changes is quite unbelievable. I would like the Government to know that the Back-benchers and Members of Parliament have direct responsibility to the electors. They want to know what we are doing in the Parliament, and we have been sitting here for more than a year without doing anything which will benefit those who have elected us to this House.

Mr. Speaker, Sir, moving amendments and publishing Sessional Papers about the Standing Orders is a mere waste of time. What has the Government been doing all this time if they are not to convene the Parliament as is laid down in the Standing Orders. They completely ignore the elected representatives of this House, and make themselves into an *élite* class, which seems unchallengeable. However, we can challenge the Government; the Members of the Parliament, the Back-benchers, have the powers to exercise over the Government. Therefore, Mr. Speaker, I see this as a very crucial period, crucial in the sense that we are wasting public money and we have no say in anything because the Government tells us what to do. Suppose we refuse to do what we are told. We have the people in our electorates. They tell us their constant and recurrent problems which are long overdue. They were brewed in the colonial régime, they are still here. There are people without food, without anything. When you try and convene a Parliament so that the Government may be told what the wishes of the people are, we are told that the Parliament cannot meet just because, perhaps, a Minister—and I say a Minister, for your information—is going to Mombasa.

Therefore, I rise to say that the Government have had enough time to itself to do whatever they were telling us they could not do because of constitutional changes. The mere excuse of saying that they are going to amend the Standing Order cannot be accepted as far as I am concerned. I represent people here, and I have to tell the Government what those people want to say in a free way. Therefore, such dictatorial attitudes with regard to amending things like this will not be accepted by an elected Member.

The Speaker (Mr. Slade): Hon. Members, I do not think it is possible for us to discuss any longer this particular aspect of the amendment to

[The Speaker]

Standing Orders, that is to say, the attitude adopted by Government and the responsibilities of Members of this House, without further repetition. So I would ask hon. Members now if they want to speak any further on this Motion to speak on other aspects of the amendment to Standing Orders.

Mr. Agar: Mr. Speaker. Sir, on a point of order, there is one point I wanted to raise during my speech, but I have not had the chance. With regard to the question of Government going against a ruling of the House, then apologizing to the House, whether we are debating that that policy is accepted, or whether we are debating that in future if Government deliberately goes wrong somewhere on a point of the Constitution, and then comes to apologize—

The Speaker (Mr. Slade): What is your point of order?

Mr. Agar: Are we debating that we are going to accept the Government apology or are we debating that when the Government has committed an offence, something against the law, it can just be waived by the House?

The Speaker (Mr. Slade): We are debating the amendment to Standing Orders, the Motion on the Order Paper.

Mr. Towett: Mr. Speaker, Sir, I shall be very brief. The point is the Cabinet's apology is an acknowledgement of a sign of defective thinking in that Cabinet. Any Government which ignores its own rules, usages, any subsidiary legislation or any Act of Parliament, is teaching its own people to ignore that very Government.

The Speaker (Mr. Slade): It must be a new point. We have had every possible point about this particular aspect of the amendment to Standing Orders. I cannot have any more repetition.

Mr. Towett: I was just finishing, Mr. Speaker.

The Speaker (Mr. Slade): Well, make another point.

Mr. Towett: I was going to say we support the Government's intention to amend the Standing Orders in the sense that we are supporting the Government in digging its own grave.

Mr. Speaker, Sir, I beg to support this Government's wish to amend the Standing Orders because of digging its own grave!

Mr. Khalif: Mr. Speaker, Sir, in spite of the fact that I am in the Government benches, I feel that the Minister for Finance and Economic Planning deserves total opposition in this Motion

today. The Cabinet seems to be a dictatorial body. If it were not so, why has the Government got to be opposed by its own Back-benchers in this Motion today?

The argument or the excuses given last year are not to be given this year. Standing Orders should not be amended without reasons. The reasons given by the Minister are practically immaterial. If the Government thinks it can act in any way it likes, we shall not allow dictatorship in this country. With these few words, Mr. Speaker, I would like to oppose this Motion.

Mr. ole Oloitipiti: Mr. Speaker, I hope to be very brief because all that I wanted to say has been said by my hon. friends, but there is one thing I would like to mention, that the Ministers must not think that we have been elected to represent our voters in the House for nothing so that every time we ask the House to convene they must remember that we are the representatives of the people and therefore they must convene Parliament at the right time as requested by their people.

Another thing is that we must be realistic. The Minister for Agriculture has apologized before the House that it is a Government mistake and we must accept this, but I should like to point out that the apology is not enough, Mr. Speaker. A written apology must be addressed to all hon. Members and the Cabinet must issue a statement to the public saying that it is entirely a mistake and then our electors will know that there has been a mistake. With these few remarks I just wanted to mention that a verbal apology is not enough for us to take back. Our people would like to know what sort of apology the Government has given, or what sort of statement the Government has made. I beg to oppose, Sir.

Mr. Kamunde: Mr. Speaker, Sir, it is no wonder that we are being asked to amend our own Standing Orders today. One good reason is that the hon. Members of this House have always convened separate meetings, called Parliamentary Group meetings, and called upon the Cabinet as a whole at times to come and address the Members of this House, to come and bring problems of this kind to the Parliamentary Group which, in almost every case, has been totally ignored. As a result of that they think the same old empty heads will come and vote with Government when they do things like this. But I must warn that although I have all due respect for our Cabinet and the Prime Minister as such, the Cabinet should learn today that it is only because of our respect for the hon. Jomo Kenyatta, it is only because we honour him so much, that we are not prepared to see his downfall in front of the public of Kenya,

[Mr. Kamunde]

not because we have as much respect for every one of them—I wish to make this absolutely clear. I have all the respects for our Ministers, but much more superior respect for our Prime Minister.

Mr. Speaker, speaking on this Motion I feel very sorry that it should have been brought up today together with asking this House to adjourn until the following Tuesday. We could not understand exactly why. I thought it would have been appropriate for the Parliamentary Group to have been briefed this morning before we came into this House, but because we have another important thing to attend to, we are not being asked to amend this Standing Order. Mr. Speaker, this Standing Order should have been amended on the 13th December 1963, not today, if they are old colonial Standing Orders. Let us have independence in our Standing Orders today, and we shall have an independent Cabinet of this country as well as this Parliament. Mr. Speaker, Sir, this is annoying, it is very annoying, and it must be understood that we are annoyed about it, as we have been annoyed about several other incidents, but I would seek that our Cabinet, in all due respect to it, must ensure that the representatives of all the people—and all the Ministers except one are all representatives of the people—in constituencies do have personal pains, and that they have the pains of the people who they represent; who have now almost refused to cast votes for the Lower House Members of this country because they do not understand what we do here. The Ministers do all they can to talk about Members spending all their time in Nairobi, spending their time hanging around. They have nothing to do in Nairobi, they only came to represent their people, to represent the feelings of the country, the will of the people, in this House, and that is what we represent and those feelings of the people must be given to the Cabinet and the Prime Minister as such almost as soon as they arise. Today, Mr. Speaker, there are about one hundred Motions in the drawers of this building: why are they lying there? It is because there is someone who thinks that there is someone in the back-benches who wants this and who wants that. We do not want anything, all we want is satisfaction among the people whose rights are represented through the elected people of this House, and when this House should be convened, let it be convened then, and as soon as the Members of the Government realize that they hardly have to think that there are Members of this House who have some mandate in them, they have no mandate, our mandate is the vote of the people and if we satisfy the voter in the countryside we shall be satisfied.

Mr. Speaker, Sir, I wish to reserve my own way of voting.

Mr. Gichoya: Mr. Speaker, Sir—

The Speaker (Mr. Slade): Have you anything new to add to this debate?

Mr. Gichoya: I think so, Sir. Mr. Speaker, this is not the first time we have been confronted with a situation of this nature whereby the feelings of the Members and the Cabinet are forced into a position of accepting a decision of the Cabinet. I believe, Sir, that it is only on a money Bill that Members of this House cannot vote against their Government. This is not a money Bill, but it is amending the law of this House, and I—

The Speaker (Mr. Slade): Let there be no misunderstanding. This House certainly can vote against a money Bill.

Mr. Gichoya: Yes, Sir, it can but the moment we vote against it the Government is out. With this one, the Government is not going to be out of this House. What is going to be recorded is that the Government is going to correct the mistake and I believe today the Whips, whether Kanu or Kadu Whips, should resign from their duties temporarily under the vote according to the feelings which have been expressed here in this House.

Mr. Speaker, that was all that I wished to say.

Mr. De Souza: Mr. Speaker, Sir, in view of the fact that we have had a very full debate on this point, Sir, I move that the Mover be now called upon to reply.

(The question was put and carried)

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, my last sentence in my introduction of this Motion was that I hoped that a similar situation will not arise in the future. I endorse the remark that my colleague, the hon. Mr. McKenzie made to the House. There are two very important things that we should not, perhaps, overlook. The first is that I was not able to finalize drafting the estimate until I got to know exactly how much money I was likely to get from Britain. If you can collect some more money elsewhere and bring it, it will be most welcome. It was not available, Mr. Speaker, and if the hon. Members who know exactly where it is, will direct me I shall collect it. I would like to make it clear also that in deciding the date of the Budget the three territories have to agree and in this case we would have preferred the 9th June to have been the day that the Budget was introduced. But owing to certain other reasons, the United Government

[The Minister for Finance and Economic Planning] of Tanganyika and Zanzibar felt that they would prefer the 16th and they have their own good reasons which the other countries accepted, and, therefore, the Budgets will be introduced on the 16th June.

[The Speaker (Mr. Slade) left the Chair]

[The Deputy Speaker (Mr. De Souza) in the Chair]

This too was responsible for a certain amount of delay.

I would like to correct the allegation that there is any intention of dictatorship or fear.

The other point I would like to make clear was put up by Mr. Kamau, who is absent, but the Development Plan was not—

An hon. Member: On a point of order, is it in order for the hon. Minister to refer to the hon. Kamau as Mr.?

The Deputy Speaker (Mr. De Souza): Members should be addressed as “hon. Members”.

The Minister for Finance and Economic Planning (Mr. Gichuru):—given until today and it was given to the whole country and everybody got it this morning.

I would also like to point out that the Economic Survey is merely for information. It does show how the economy is faring. It was also laid on the Table today. If hon. Members cannot read it it is up to them.

I think many of the criticisms that have been levelled at the Government have been taken and recorded in the HANSARD and I shall direct the other Ministers who are at Mombasa today, including the Prime Minister, to read as they will then be able to know exactly what was said. It would be difficult otherwise for me to have to repeat everything, as I could not remember all the points so I shall, therefore, direct them to read for themselves from the HANSARD.

I am afraid there is not very much I can add on what Mr. McKenzie put forward, and therefore I beg to move, Sir.

DIVISION

(The question was put and the House divided)

(The question was carried by 39 votes to 14)

(AYES: Messrs. Achieng-Oneko, Aremam, Bala, Bomett, Ekitella, Gaciatta, Gichoya, Gichuru, Godia, Ithirai, Jamal, Kaggia, Kali, Kamau, Kamunde, G. G. Kariuki, Kiamba, Kibaki, Kibuga, Kiprotich, Lorema, Malinda, Mbai,

Mbogoh, McKenzie, Mulama, Murgor, Ngala-Abok, Ngei, Njeru, Nyaga, Nyagah, Nyamweya, Odero-Jowi, Okwanyo, Oloitipitip, Osogo, Seroney and Waiyaki.)

(NOES: Messrs. Alexander, Choge, Kase, Masinde, Muliro, Muruli, Mwamzandi, Mwat-sama, Omar, Shikuku, Soi, Tanui, Tuva and Tuwei.)

The Deputy Speaker (Mr. De Souza): Mr. Gichuru, in view of the amendment to Standing Orders, would you now like to lay the Papers?

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Deputy Speaker, Sir, on a point of order, may I have your permission to lay on the Table the 1964/65 Expenditure Estimates?

The Deputy Speaker (Mr. De Souza): Yes.

PAPERS LAID

The following Papers were laid on the Table:—

1964/65 Estimates of Recurrent Expenditure of the Government of Kenya for the year ending 30th June 1965.

Development Estimates for the year 1964/65.
(By the Minister for Finance and Economic Planning (The Hon. J. S. Gichuru))

COMMITTEE OF SUPPLY

(Order for Committee read)

[The Deputy Speaker (Mr. De Souza) left the Chair]

IN THE COMMITTEE

[The Chairman (Mr. De Souza) took the Chair]

MOTION

STATEMENT OF EXCESSES

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Chairman, Sir, I beg to move:

THAT a sum not exceeding £2 be issued from the Consolidated Fund to meet expenditure during the year ending 30th June 1962, in respect of Statement of Excesses 1961/62.

An over-expenditure of £5,411 7s 88 cts. arose in 1961/62, as a result of the item Payment to Hospital Fund Authority being overspent. This matter was examined by the Public Accounts Committee and it was explained to them that little control could be exercised over the amounts to be paid to the Hospital Fund Authority as this

[**The Minister for Finance and Economic Planning**] was based upon hospital tax actually collected by the Inland Revenue. The Public Accounts Committee accepted the explanation and recommended that the excess be written off. £5,410 7s. 88 cts. has therefore been offset against the excess appropriations-in-aid collected during 1961/62, and a balance of £1 now remains to which the House of Representatives is now requested to give sanction.

Mr. Chairman, Sir, I beg to move.

(Question proposed)

(The question was put and carried)

MOTION

SUPPLEMENTARY ESTIMATE NO. 3 OF 1963/64
—RECURRENT

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Chairman, Sir, I beg to move:—

THAT a sum not exceeding £895,861 be issued from the Consolidated Fund to meet expenditure during the year ending 30th June 1964, in respect of Supplementary No. 3 of 1963/64 (Recurrent).

(Question proposed)

VOTE 1—THE STATE HOUSE

(Heads B, C, D, F and G agreed to)

VOTE 2—JUDICIAL

Mr. Gichoya: I wanted to find out whether in view of the fact that—

The Chairman (Mr. De Souza): What are you speaking on?

Mr. Gichoya: On G.

The Chairman (Mr. De Souza): Yes, all right. You should be a little quicker.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): On a point of order, Mr. Chairman, I thought you were now on Vote 2.

The Chairman (Mr. De Souza): I was, but I think we will let him off this time, but next time you must be quicker, Mr. Gichoya.

Head G—Expenses of State Visits

Mr. Gichoya: Thank you very much. My question is, in view of the fact that the President of Liberia did not come to Kenya, are we going to incur the same expenses or is there some deduction to be made?

The Minister for Finance and Economic Planning (Mr. Gichuru): There will be some adjustment.

(Head G agreed to)

VOTE 2—JUDICIAL

(Heads B, E and F agreed to)

VOTE 3—NATIONAL ASSEMBLY

(Head A agreed to)

VOTE 4—EXCHEQUER AND AUDIT DEPARTMENT

(Heads A1, A2, A5, B1 and B2 agreed to)

Head A5—Share of Expenses in the United Kingdom

Mr. Alexander: Mr. Chairman, with regard to A5, looking at the explanation on the next page, it does not really tell us any more. It merely says, "Increased contribution required by the London Office". We are discussing the heading, Exchequer and Audit Department, and it would be interesting to know what the increased contribution in the London Office is in respect of this particular department of the Ministry.

The Minister for Finance and Economic Planning (Mr. Gichuru): I do not have all the details, but I could get them.

The increased share of expenses in the United Kingdom is due chiefly to the cost of the Central Office in London having to be shared by fewer territories. The question of Kenya's contribution to this office in future is at present under consideration.

Mr. Alexander: Mr. Chairman, I thought that the cost of the London Office, or any share of it, came under a completely different heading. This is Exchequer and Audit. What in the London Office is being done for Exchequer and Audit that should give rise to another £250? I can well understand that coming under some other heading, this may be appropriate, but I am confused that it should appear here.

The Minister for Finance and Economic Planning (Mr. Gichuru): It is my feeling, Sir, that this is appropriate; this is where this contribution comes under.

Mr. Malinda: Mr. Chairman, I do not understand why there should be any expenses in a London Office when we have our High Commission in London. Can the work which is being done by this office not be done by the High Commission?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Chairman, Sir, there are various facilities which are tackled on an East African Common Services Organization level, on an East African level, especially on the agricultural side where we work very closely together in things like coffee, desert locust control and pyrethrum. As the Minister has said, we are discussing at this present moment the break-down for the future of the East African Common Services Organization Office in London.

(Head A5 agreed to)

VOTE 6—PRIME MINISTER'S OFFICE

Head A—Personal Emoluments

Mr. Alexander: Mr. Chairman, in the explanation on the next page, it tells us that £7,000 of this is leave pay to retiring officers. May we know a bit more about this, which officers are these, and is it correct that their leave pay should be shown here? I thought this was all part of the settlement with the British Government for compensation and leave pay.

The Minister for Finance and Economic Planning (Mr. Gichuru): Compensation does not come in leave pay. These are all officers who have been working in the Prime Minister's Office.

(Head A agreed to)

(Head B agreed to)

Head D—Travelling Expenses

Mr. Alexander: With regard to D, Travelling Expenses, the item we are now asked to vote is £12,500. Presumably in putting down this figure, some computation was made. May we know how this was arrived at?

The Minister for Finance and Economic Planning (Mr. Gichuru): The Ministers of State have had to do much more travelling than was envisaged when the Estimates were framed. All this travelling has been necessary. We have to keep in contact with the other African states and the expenses are not only necessary, but justified.

Mr. Muliro: My impression is that this colossal sum is mainly due to the fact that when Ministers of State undertake overseas tours, they always go with a host of people around them. Should this country pay for a host of people to go around with the Ministers? One person can be sent on a mission. Recently, for instance, three or four Ministers went to Peking and Moscow whereas one man could have done the job. Is it possible that Ministers do not trust one another?

The Minister for Finance and Economic Planning (Mr. Gichuru): Might I remind my colleague and my friend sitting opposite that he, Bruce and I, the three of us were sent to Washington, or perhaps it was he, Tom and I. We were sent to Washington, not because the then Government did not trust any of us, but because it was necessary to bring in the three people. At that time, there was Mr. Mboya who was in charge of labour, I was in charge of finance and the hon. Member was Minister for Commerce and Industry, and it was felt that these three people should go. We sent the correct number of people. Where it is not necessary, one man goes.

Mr. Muliro: Mr. Chairman, Sir, the truth is this, that when we went to Washington on that mission which the hon. Minister is talking about, we were the Coalition Government. As a coalition is always a most unhappy marriage, we went because possibly one man might say that if one goes there our party will not be represented and they will do it this way. Here today we have a Government in which Ministers have collective responsibility, in which when we sent one Minister to a country he should discharge his responsibilities and speak the Kenya language to get the aid we want. Do we need definitely to have three or four Ministers going on such a mission? This is the question.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Onoko): Mr. Chairman, I do not think the hon. Member is right in saying that three Ministers went to China. Only two Ministers went, and according to the African way of life, usually when a delegation is sent it is thought to be a good thing to have two on a delegation. That is a very reasonable number.

Mr. Muliro: Mr. Chairman, the point is this, when you are a poor person, you have to cut your coat according to the amount of cloth you have. Kenya is a poor country.

An hon. Member: Who says so?

Mr. Muliro: I am telling you. We should never play big. Whatever money we have in this country, whatever changes we want here to create capital investment within this country, the money should be invested here, and not be given to these Ministers to tour out. Where two people are going to go, one man should go. I say this, Mr. Chairman, that this is extravagance in the Prime Minister's Office.

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Chairman, I would like to point out that this travelling is not all outside. It is also inside.

Mr. Anyieni: Mr. Chairman, with regard to these trips to Moscow and China, are they included in this, because the Minister replied almost to that effect. If that is the case, we would also like to know whether the visit of the Permanent Secretary to the Ministry of Education is also included in this, and why in this particular case not two delegates were sent but only the Permanent Secretary for Education, and the Parliamentary Secretary who was meant to have gone was stopped from going.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Chairman, it is obvious from what is written here that the £12,000 which we are being questioned on is travelling expenses for the personnel from the Prime Minister's Office. Therefore, this does not include the visits of the hon. the Minister for Home Affairs or the Parliamentary Secretary for Education or any other Vote. When you come to their Votes you will find that there. This amount of £12,500 is the expenditure which has been incurred in the Prime Minister's Office, that is by the Prime Minister himself, by the two Ministers of State and other people in the Prime Minister's Office, not by anybody else.

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Chairman, I would like to seek your guidance on a point of order, whether on a Vote like this it is permissible to discuss matters of policy, or is it not in order that if an hon. Member is not satisfied he should move that the Vote be reduced by so much, rather than continuing to speak on policy matters?

The Chairman (Mr. De Souza): One cannot discuss questions of policy in general as far as the particular department is concerned on a Vote of this nature, but hon. Members can ask questions on what they consider is the extravagance of a particular department in a particular field, for example in travelling expenses. They may feel that there has been an excess of travelling which is unnecessary and they are entitled to ask questions in this regard. They cannot, of course, make speeches, debating the whole policy on this particular aspect, unless they move a Motion for reduction. I do not think at the moment we have yet reached the stage where we are, in fact, debating policy. They are still trying to elucidate further information in regard to this particular question.

Mr. Ngala-Abok: Mr. Chairman, I think there is a point here on which I would like clarification. It is stated that Kenya is a poor country and therefore missions should only consist of one person, but we are having a ten-man delegation

to China led by Kawawa, and I think our economy is much better than that of Tanganyika.

The Chairman (Mr. De Souza): Mr. Ngala-Abok, I think you are going into policy. Mr. McKenzie made it quite clear earlier on, and in fact it is quite obvious, that what we are asking for elucidation on in this particular aspect is the travelling expenses in the Prime Minister's Office and the Prime Minister's Office only. We are not at this moment discussing the general travelling policies of the Government of Kenya. If you want to ask any questions, you must confine your questions in regard to this extra sum of £12,500 which has been spent by the Prime Minister's Office in travelling in the year 1963/64.

Mr. Alexander: Mr. Chairman, the comment by the Minister for Agriculture in fact takes me back to the question I first asked, and I think if we could have had the full answer to it it would have saved a lot of the other questions. What I asked for, without querying the necessity for this figure—and I accept what the Minister said, that Ministers have been away on useful visits, and others as well—was if we could know how this £12,000 is made up. This is an estimate, it is a round figure. It is not the actual expenditure incurred. That has still to come. What we want to know is the schedule, making up this £12,000, showing who it is that is expected to travel and what the estimated cost has been, whether he be Prime Minister, Minister of State, Parliamentary Secretary or civil servant. If we know all the details, then I think we will be more competent to understand what is in the minds of the Government.

The Minister for Finance and Economic Planning (Mr. Gichuru): I think, Mr. Chairman, that I could not be expected to carry all this information in my head, but I am prepared to produce it.

Mr. Alexander: Mr. Chairman, we have had this sort of problem before. It is only when we get the information on this sort of item that we are able to ask the other very necessary questions. The Minister has his Treasury Box there, and about nine or ten people are there who I am sure are equipped with this.

The Minister for Finance and Economic Planning (Mr. Gichuru): They are not all Treasury.

Mr. Alexander: We do not mind, I am sure, if we wait a few moments.

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Chairman, I have promised that I will get the information the hon. Member requires, but I do not have it at this

[The Minister for Finance and Economic Planning] particular moment. The Members should not forget that in this Ministry we have three Ministers and two Parliamentary Secretaries. When I say that some of the expenses have been incurred inside, maybe many of you know the amount of work that Dr. Waiyaki has been doing. He has to use planes, travelling to the Northern Frontier District, and so on and so forth.

Mr. Alexander: I am not questioning that.

The Minister for Finance and Economic Planning (Mr. Gichuru): It is the details that I am going to ask them to work out for us.

Mr. Muliro: Mr. Chairman, the question is that once we know the details, those details can be further questioned. We cannot accept it when responsible Ministers of the Kenya Government come to us and say that those details will be supplied when we have finished passing this Vote.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): What to do?

Mr. Muliro: O.K.

(Head D agreed to)

(Heads F and H agreed to)

Mr. Anyieni: On a point of order, Mr. Chairman, is it in order for an hon. Member to ask a question and, before it is answered, for us to move on to the next head?

The Chairman (Mr. De Souza): The Minister was not going to reply. If I had thought the Minister was going to reply, I would obviously have asked the Clerk of the House to wait. However, I thought that the Minister was not going to reply, and as we are not going to sit here all afternoon waiting for him to make up his mind, we moved on.

Mr. Muliro: If the Minister is not going to reply, could I move that we reduce the sum by half?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): On a point of order, Mr. Chairman, earlier on in the debate today, we have heard that we as a Government must adhere to the Standing Orders. I ask that the Members also adhere to the Standing Orders. We have moved now from this head: not only have we got to the next item, but we have even passed that one before this point was raised.

Mr. Ngala-Abok: On a point of order, this paper has been laid down and details must be given by the Minister because we have to know

how much money is going to be spent on what. We cannot talk on the collective sum until we know how it is going to be spent. This paper was checked and re-checked before it was brought to us. In fact, the Government brought this big figure but only after having allocated it to various items for which it is to be used and we want to know how it is going to be spent. That is why the Minister is here, and the experts are here to supply that information.

The Chairman (Mr. De Souza): I think we will get over this if you supply the details. Can you?

The Minister for Finance and Economic Planning (Mr. Gichuru): It is physically impossible, and those who are asking know it is physically impossible for me to run to the Treasury and ask for the details now.

The Chairman (Mr. De Souza): I will make a ruling on this. I am afraid, Mr. Muliro, that we have in fact passed to the next order. Possibly we passed a little faster than we should have, but as nobody moved, and if you do in fact at any stage want to move that a particular Vote be reduced by £1, you must put it in writing, but you did not move that. There was enough discussion on this particular Head and nobody moved a reduction, so I move to the next point. I have already ruled on this, and there is no more on this question.

Mr. Anyieni: I do not agree that we have moved, because I thought that we were waiting for the Minister to reply.

The Chairman (Mr. De Souza): We have moved on.

Head J—Diplomatic Representation Overseas

Mr. Alexander: £160,000 for Diplomatic Representation Overseas: the explanation on the next page says, "The substantial increase is related to the establishment of six Embassies and a High Commission in London." Now, here again, Mr. Chairman, I am merely seeking for information. The Minister must have been shown the details and he, himself, would have gone through all the sort of questioning which is coming from hon. Members of this House, that he will have had details produced to him. I cannot believe for one minute that the Minister has looked at any figure here without saying to his staff, "Let me see the details. I want to see how it is made up." All we are asking is for that information to be made available to us here. In respect of these additional Embassies and the High Commission in London, the first question obviously is, which Embassies

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are these? Where are they to be located? What is the composition of the staff in each? What are the salaries? In respect of the High Commission in London, exactly how is the substantial increase made up? I think with this information we can then go on to a very objective question and answer.

The Chairman (Mr. De Souza): Mr. Gichuru, before you reply, I have received a written Motion here by Mr. Muliro that he proposes to move that the sum of £895,861 be reduced by £1 to the sum of £895,860, so we can now have a full debate on the Prime Minister's Office and anybody can now speak on the policy provided it is, of course, in regard to the increase in expenditure, not in regard to the general policy of the office.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): On a point of order, should he not have reduced on the £67,714?

The Chairman (Mr. De Souza): No, it has to be on the full amount.

Mr. Omar: I wanted you to give me permission to speak on F, Mr. Chairman. It was my intention to speak on it, but because—

The Chairman (Mr. De Souza): You can now speak on the increase in expenditure generally in the Prime Minister's Office.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Onoko): Should it not be on that particular one, or—

The Chairman (Mr. De Souza): No, on the whole thing generally as far as the increase is concerned, on the whole Vote.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Chairman, I have been talking to one of my people along there, and it is unfortunate, as the hon. Member knows, that the Ministers responsible for the Prime Minister's Office are in Mombasa; everybody knows why they have to be in Mombasa. I have the information here that he has asked for, and I am afraid it is going to take me twenty-five minutes to read it out and I intend reading it out. Now, Sir, New York, the United Nations, for the first six months of the year, January to June 1964, Ambassador/Permanent Secretary, £1,400. Counsellor/Under Secretary, £600. These are for half a year. 1st Secretary/Senior Assistant Secretary, £500. Four 2nd/3rd Secretary/Assistant Secretaries, £1,635. Press Attaché, one, £300. Personal Secretary, G.I., one, £300. Executive/Section Officers, one, £400. Office Assistants, one, £200. Stenographers, two, £1,600. Copy Typists, one, £700. Receptionist/Telephonist, one, £700.

Clerks, one, £700. Chauffeurs, that is a driver, one, £700. They are very expensive in New York, drivers. Messengers/Subordinate Services, two, £650. Total, £10,385.

London, Ambassador, one, £1,400. Counsellor/Under Secretary, one, £600. 1st Secretary/Senior Assistant Secretary, one, £500. 2nd/3rd Secretary/Assistant Secretary, two, £419. The hon. Member will notice that the posts that we are now coming to are much cheaper in London. Press Attaché, one, £300. Personal Secretary, one, £300. Executive/Section Officer, one, £400. Office Assistants, one, £317. Stenographers, two, £800, whereas in New York two were £1,600. Copy Typists, one, £320. Reception/Telephonist, one, £320. Clerks, one, £320. Chauffeur, only £200, one.

An hon. Member: A year?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): I explained, these are for a half year, Mr. Chairman.

Messengers/Subordinate Service, two, £320. Perhaps the hon. Member would like to apply for the job of driver in New York where he would be far better paid than in London.

Moscow, Ambassador, one, £1,400. Counsellor/Under Secretary, one, £600. 1st Secretary/Senior Assistant Secretary, one, £500. 2nd/3rd Secretary/Assistant Secretary, one, £419. Press Attaché, one, £300. Personal Secretary, G.I., one, £300. Executive/Section Officer, one, £400. Office Assistant, one, £317. Stenographer, one, £400. Copy Typist, one, £300. Telephonist, one, £300. Clerk, one, £300. Chauffeur/Driver, one, £300. Messengers, two, £250.

Peking, Ambassador, £1,400. Counsellor, £600. 1st Secretary, £500. 2nd Secretary, £419. Press Attaché, £300. Personal Secretary, £300. Executive/Section Officer, £400. Office Assistants, £317. Stenographer, £300. Copy Typist, £250. Receptionist, £250. Clerk, one, £250. Chauffeur, only £200, and Messengers, very cheap in China, two for £150.

Cairo, one Ambassador, £1,400. One Counsellor, £600. One 1st Secretary, £500. 2nd/3rd Secretary, £419. Am I going too fast? One Press Attaché, £300. Personal Secretary, £447. Executive Officer, £400. Office Assistant, £317. Stenographers, £250. Typists, £200. Telephonist, £200. Clerk, £200. Chauffeur, £150. Two messengers, cheapest of the lot, £100.

Mr. Alexander: Could we have the totals?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Certainly. London, £6,716; Moscow, £6,086.

Mr. Alexander: Slower. London? Moscow?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): These are the total costs for the six months: New York, £10,385; London, £6,716; Moscow, £6,086; Bonn, £6,246; Peking, £5,636; Cairo, £5,483; Washington, £4,061; Paris, £4,061. Total, £62,446. Do you want me to read out everything in paragraphs for Washington?

Mr. Alexander: No, this is fine.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Wait a bit. I have other totals in which you may be interested which are Travelling, Purchase and Running of Official Motor Cars, Furniture and Equipment, Miscellaneous Entertainment, Rents and Rates, Electricity, Repairs and Renewals, Printing, Postages, Library, Incidentals, Repatriation, Students, et cetera, et cetera. Do you want those totals?

Hon. Members: Yes.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): New York is £40,000. This is the total estimated expenditure now of the whole of the cost of New York, United Nations: £40,260. London, £30,941. This is the total of everything. Moscow, £28,761. Bonn, £28,871. Peking, £27,486. Cairo, £25,703. Washington, £19,761, and Paris the same. You will appreciate that these totals do not make the figure which is in the estimate for the simple reason, for instance, that Bonn has not been set up yet, neither have certain of the other estimated expenditures which I have read out.

Mr. Mutiso: Mr. Chairman, I would like to know from the Minister whether the Kenya Government has been able to have only six diplomatic representations, and whether throughout this year we shall not be able to establish diplomatic relations with any other country apart from those six already mentioned in the Estimates.

The Minister for Finance and Economic Planning (Mr. Gichuru): I think the hon. Member will appreciate that we are already alarmed by the cost. We in the Treasury—and the Government agrees with us—have felt that we ought to go slow, otherwise the costs arising will be too great.

Mr. Ngei: Mr. Chairman, it has been said that the rent of the Embassy in Peking is over £7,000 a year. Will the Minister for Finance tell us what negotiations are being carried out by the Government of Kenya to reduce the rentals in Peking?

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Chairman, there is a suggestion that we should perhaps offer the Chinese Ambassador a house here, and they could

reciprocate by offering us a house in Peking. It is £5,000 and not £7,000.

Mr. Alexander: Mr. Chairman, I think it is most encouraging to hear the Minister for Finance saying how carefully and cautiously his own Ministry approaches this phenomenal expenditure. From the figures given to us by the Minister for Agriculture, I have done a quick total—this is in totals, for the year it would seem—and the figure is £½ million. What we are talking about now is £160,000. But what I would like to ask, Mr. Chairman, is the obvious question of whether our Government, in the negotiations that have been going on with Uganda and Tanganyika, has come anywhere to nearing a conclusion on the need to rationalize, as it were, this representation. I ask that at this stage, because if we are once committed to these Embassies and the full flower of federation comes about and we are able to have representation for the three territories by one Embassy, it is going to be very, very difficult to unwind all these commitments we have entered into, particularly of staff, civil servants who have looked to this for a career and suddenly find that the job that they had set out to do no longer exists because of this grouping of responsibilities and the sharing of expenditure between all the territories. Our understanding, from what we have been able to read—largely in the newspapers—is that very many matters concerning federation have been settled. My concern at the moment is merely with this particular one of diplomatic representation. Could we be told how far these negotiations have gone and to what extent they will do what the Minister for Finance himself, I know, wants done, and that is to achieve a substantial reduction in this total commitment of £½ million?

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Chairman, the whole question of federation is still under very active consideration, as the Prime Minister stated yesterday, and it would be inappropriate for me to try and forecast a date for federation.

Mr. Alexander: Mr. Chairman, my question is not related to the whole question of federation. I was very, very careful to say that our understanding is that there has been agreement on a very wide field of subjects. I am merely relating my question, and I am only entitled to relate my question—otherwise the Chairman would rule me out of order—to this particular matter that I regard as very, very vital. I am not asking any questions relating to any other Ministry whatsoever. I am merely asking whether the Government has been wise enough to make sure that we

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have not entered into these commitments—£ $\frac{1}{4}$ million—until we have sorted out this question of how far we will pool our resources with the other territories. We are told that there has been a wide measure of agreement on detail regarding federal measures.

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Chairman, Sir, in the discussions—which he is trying to push in as the thin edge of the wedge—the question of the number of subjects that will become federal is included. Should the diplomatic representation be a federal subject, there will be no difficulty in adjusting these figures and sharing them out among the three territories.

Mr. Alexander: Mr. Chairman, I do not think it is quite as simple as that to avoid the answer, and I am not trying to get any thin edges of wedges in. Quite apart from the fact as to whether external affairs will or will not be federal or a territorial responsibility, it is common practice the world over, even between countries who have no close association like we have, for there to be a sharing of representation. In our own country, Kenya, there are many countries that are not represented and the job is done for them by other countries. Now, quite apart from whether foreign affairs goes to the federal government or not, can we not at this stage be talking to our friends in Tanganyika and Uganda as to how we can relieve one another of this colossal burden of £ $\frac{1}{4}$ million, because I imagine this is what Tanganyika is perhaps talking about at this moment; and we are talking in total, if they are doing it much the same way, of £ $\frac{3}{4}$ million, and every £100,000 of those is big money in this country. We want to put it to the famine relief in Nyanza Province.

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Chairman, the question is very well taken. I shall take this question when next the three East African Finance Ministers meet. It is true that this is the kind of thing I would appreciate myself very much, and I will definitely take active consideration of it.

Mr. Alexander: Mr. Chairman, getting down to something a little more specific now, in connexion with London, we are given amongst the details—and I think this does prove now how useful this detail is to us, because we know what we are talking about when we are supplied with it—a figure of £300 for a Press Attaché. I, frankly, do not know what sort of a Press Attaché we are going to get for £300, be it in London or anywhere else, but what I would like to know is the extent to which this particular item may be

involved with the Kenya Office, because my understanding is that in the organization of what we called the Kenya Agent in pre-Independence days—I am not sure what he is called now—there was, and as far as I know there still is, a fully-fledged public relations organization. Now, are we paying what I will call, in inverted commas, the Kenya Agent's Office, until I am told what else to call it, and also looking for a Press service in the office of the British High Commission, because if this is the case, there is obviously very serious overspending and duplication going on?

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Oneko): Mr. Chairman, Sir, I do not think the Kenya Government is going to produce another Press Officer, neither will the Government employ a British Information Officer. I do not think that is really the feeling of the hon. Members. What we are trying to do is to make use of available personnel who more or less have first-class knowledge in information work, but if the hon. Member thinks that the sum is too little for the Press Attaché, I think the best thing is to make representation to increase it. But I hope the man who may be posted in London will be adequately paid. At the moment we are not even trying to appoint one, because of the expenses. We are also aware and are quite prepared to curtail these expenses as much as possible, but I do not think at this stage that we should use other agencies like the British information services—

Mr. Alexander: I never said so. Let us get this right. Mr. Chairman, I never talked about another agency. In fact, the Minister for Agriculture, I think, helped to put his finger on it when he interrupted and said, "By another hat." When I—not b-u-y, I do not wear hats, I mean b-y, and I think he realized that in fact there is this Kenya Agent Office that has got a fully equipped public relations organization. Now, if that is so, and this is Kenya and nothing to do with the British information services, this is our own Kenya Office that we had in the Strand. If that is still going, what do we want £300 for this for? Now, the Minister raised another very interesting question. He said that we are not going to do this. We are going to be very careful, we do not want to spend this money. If not, why is he putting it in here? It should not be here.

Mr. Gichoya: Mr. Chairman, you have not made one point very clear, whether the agency in London—the Kenya Office which used to be there before Independence—is still existing. If it is existing, then why on earth should we have the High Commissioner for Kenya in London?

The Minister for Finance and Economic Planning (Mr. Gichuru): When this long document was being read, which the hon. Member has requested, you did not hear any mention of the Kenya Agency. That post does not exist. That is why we have the High Commission.

Mr. Alexander: Mr. Chairman, this is the very point of the question, and I still have not got the answer. If there is a Kenya Agent's office in London with a fully equipped public relations system, why on earth do we need a Press Attaché in the office of the Kenya High Commissioner?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Chairman, the person whom the hon. Member is referring to in the London office, who was I think called a P.R.O. under the old régime, is now wearing another hat and I gather that he is actually called Senior Assistant Secretary, which is in the Estimates. I also gather that in this interim period they are using people on a part-time basis as a Press Attaché until we get things sorted out, and on a part-time basis they maintain they will need £300 for six months to pay for that part-time facility. But meanwhile, to save money, that man is, in fact, doing two jobs, because he does not need to do a job immediately as a High Commissioner's Senior Assistant Secretary, or an Ambassador's Senior Assistant Secretary, until we get going full of work. So he is, in fact, one man doing two jobs with the help of £300 being available to help him part-time.

Mr. Anyieni: Mr. Chairman in section 188 (10) of the Constitution, which states: "In exercising its powers under this section to appoint persons to hold or act in offices in the public service of the Government of Kenya, the Public Service Commission of that Government shall endeavour to secure, as far as practicable, that that public service includes at every level a reasonable number of persons from each region and from Nairobi." Was this taken into account when appointing the officers?

The Chairman (Mr. De Souza): At the moment, we are discussing the expenditure involved on additional expenses. We are not involved in discussing the whole question of recruitment of staff. I think we would be going well away from it. We are, in fact, merely trying to discuss what is the additional expenditure. We are going far too far out on the subject.

Mr. Muliro: The question is not yet answered, Mr. Chairman. If we have got a Senior Assistant Secretary in the office of our High Commissioner in London, if there is not much work, who is

doing this work? Why should we pay one person twice, when he is already getting a full-time salary as we are given to understand?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Chairman, the hon. Member knows as well as I do, that no matter what business you are starting, be it a High Commissioner's office or an Ambassador's office or a farm, you take on certain people and then you increase it as the work increases as you extend your offices. People who have been to London know how cramped those offices were. They must surely appreciate that we, as a Government, are looking for new offices. We cannot put any more people into those little offices. Offices are difficult to get in London and these people in London now are working under very difficult conditions. We cannot put any more people in there. A great number are doing two people's jobs at the moment, and we are putting people in and they are acting in these posts. They have got to be confirmed by the Public Service Commission. We fully appreciate that, but in the meantime, rather than have no Press Attaché, there are times when the services of a Press Attaché are urgently needed before we get our own Press Attaché there in the new estimate. You will see this coming up in the new estimate. These, do not forget, are estimates for the last six months that we are talking about today. So I do not think that there is anything wrong in this at all.

Mr. Gichoya: Mr. Chairman, I would like to know whether this part-time Press Attaché is a Kenya citizen, or not a Kenya citizen. If he is not a Kenya citizen, do the Laws or the Regulations of Diplomacy allow a foreigner to be one of the officers of our Embassy?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): This Press Attaché is not one man. For various jobs various people are to help in the Embassy on Press Attaché work. Now, in any Embassy you go into anywhere in the world, you will find a great number that employ citizens of the country that they are operating in, many of them.

Hon. Members: Where? Where?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Wait, just let me finish. Many of them do. We as a Government—let me just finish. We as a Government intend putting Kenya citizens into every single one of these jobs in this coming year, but you must remember that we have to start up these offices very, very quickly indeed. In fact you will

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remember that the High Commissioner himself left Kenya only two days before Independence, so that he has had difficulty in starting up his own High Commission. We felt that he would need these attachés to help to begin with, and I think I am right in saying—I am not certain—that our first Press Attaché people are about to be sent as Kenya citizens to these various Embassies.

Mr. Ngala-Abok: Mr. Chairman, Sir, would the Minister tell us whether the officer in charge, the officer attached to this office, is an African from Kenya, or whether he is a citizen of Kenya, but a white man?

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Oneko): Mr. Chairman, Sir, he is definitely going to be a Kenyan, and he is definitely going to a Kenya African. I have made it very clear, Mr. Chairman, that he is going to be a Kenyan. Actually the answer has already been given, because the people doing the jobs now are being paid part-time.

Mr. Shikuku: Mr. Chairman, I think the Minister for Information has not been quite blunt with us, and all we require here is the exact information, truthful information, as representatives of the people. What we are trying to find out from the Minister is not who he is going to be. We would like to be informed who is in charge of our Press Attaché now.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Chairman, I have said there is no Press Attaché in London. There is not one. I have been trying to tell them, Mr. Chairman, that the Press Attaché, the £300 for the Press Attaché, is used—

Mr. Maisori-Itumbo: On a point of order, is the Minister in order in shouting in the House, rather than in replying to the question?

The Chairman (Mr. De Souza): That is not a point of order.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Chairman, I am sorry, I know the hon. Member is one of the Members who talks quietly and sometimes we cannot hear him. I am sorry to say I am one of those who talk loudly, but if I talk loudly and he tells me to talk quietly, I will talk quietly. What I am trying to explain—

Mr. Kamau: On a point of order, is the hon. Minister not entitled to tell the Members of this House the name of the attaché, if we want to know the name?

The Chairman (Mr. De Souza): He has made it so clear that there is no attaché at the moment.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Chairman, I am trying to explain, if the hon. Members will let me just try and explain. There is no person at the moment who is a Press Attaché. The first Kenya Press Attachés are about to leave Kenya and they are Kenyan Africans. Now, at the present moment this £300 is being used by the High Commissioner and his staff. If he wants anything done which is normally done by a Press Attaché, he hires somebody to do it, because he is waiting for us to train the person who has been trained in the Ministry of Information to go to the various Embassies. I am told that they are now about to leave. But you cannot have an Ambassador who can have no people to help him doing Press Attaché work. So this money was allocated and when he needed a special job being done, he hired somebody to do this job, to publicize a certain item which was happening in Kenya, in the papers in the country he was in, and the man got paid so much to do the job. That is the point.

Mr. Okwanyo: Mr. Chairman, I would like to know whether it is true that some of the Assistant Secretaries sent out with these Ambassadors have resigned and some have come back to Kenya and some are working overseas? I would like to know whether it is true?

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Oneko): Mr. Chairman, I think this is another question. If one wishes to resign, you cannot stop him from resigning. If there is any information at all, it was not due to discontent or anything of the kind. If a Kenya African resigns then there is another Kenya African to replace him.

Mr. Okwanyo: Mr. Chairman, these people decided to resign. We want to know why they decided to resign, it is important. It is said that they are working with the other Embassies.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Oneko): Mr. Chairman, I want to clarify that only one Assistant Secretary has resigned, but if the hon. Member for Migori knows of any other person who has resigned, it can be looked into by the Ministry concerned. On the question of supplying a list, the hon. Members must at least trust the Government and even more so the Public Commission which is responsible for the selection of these people. Mr. Chairman, this is the Government procedure and unless hon. Members want another procedure to be adopted—

Mr. Gichoya: On a point of order, is it in order for the Minister to say what is the procedure is not the procedure because, according to normal procedure, lists are gazetted.

The Chairman (Mr. De Souza): That is not a point of order. We are discussing points of order in this debate, not what the Minister said.

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Chairman, could I simplify the situation by saying that in the country here we have a staff list provided. There is a list supplied and there will be no difficulty whatsoever in supplying a similar list of all the employees in our embassies abroad.

Mr. Masinde: I just want to go back to the question of London. The question is on the Press Attaché and why we have to pay £300 when we have someone in the Kenya Office in the position of Public Relations Officer.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Oneko): The Member cannot now say that this particular person was not used. We have said here that these people were doing part-time and I do not think that we need any more explanation than that. These services were paid for out of the sum of £300 which was only for six months, half a year, and I think that money is being used correctly for the services rendered.

Mr. Ngei: I would like the Minister to tell us what checks he has to see that the ambassadors or the staff of the embassies do not live luxuriously, but equally do not live in a state which lowers the dignity of Kenya's Embassy. I am saying this in relation to entertainment, the item of entertainment for the embassies. What checks do they have so that they do not drink too much whisky, vodka or gin in London?

The Chairman (Mr. De Souza): May I explain that what we are at the moment discussing is additional expenditure in this particular Vote. We are not going into a full-scale debate on the diplomatic staff or diplomatic service or, in fact, their particular habits as far as alcohol is concerned. We must try to restrict ourselves to this particular extra item of expenditure, so please restrict our questions to this. This is not question time when we should stand up and ask all sorts of supplementary questions.

Mr. Ngala-Abok: On a point of order, is it not time that the question was put?

The Chairman (Mr. De Souza): It looks as if people want to continue discussing it. There seem

to be so many people standing up to ask questions. Until somebody moves such a question I will continue to ask persons to speak.

Mr. Kamunde: Mr. Chairman, the Minister for Agriculture said that the usual practices of embassies or High Commissions was to employ local people. I would like to know whether foreign embassies and missions here have done the same with our people.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Oneko): Even the British Information Office here employs quite a number of Kenya Africans, but the whole thing is, who is in charge? Who is in charge of the Press Office? We may have junior fellows employed in the Department and we have already indicated that the boss in the Press Attaché in London or anywhere else will be a Kenya African, and I think that should be a satisfactory answer to this. However, in Kenya we know of quite a number of Kenya Africans who are employed in different capacities in the foreign embassies which have been established in Kenya.

The Chairman (Mr. De Souza): Mr. Ngala-Abok, if you want to move the closure, do so.

Mr. Ngala-Abok: Mr. Chairman, Sir, I have something on my mind. Since this is an expert appointment where experts are required to gather news from outside and to report it correctly without using too much propaganda, would the Minister not agree that the attaché there should be a local person because otherwise Kenya's name will receive bad publicity?

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Oneko): I do agree entirely, Sir, that these are very sensitive posts and we have really looked for a Kenya African. I do not think that a foreigner or somebody outside Kenya can be responsible in that particular department and I can assure the Member that we are going to appoint somebody who has been tested and found fit politically, like myself.

Mr. Ngei: I would like the Minister to explain to us what he means by "Kenya African", because there are two categories of Kenya African, the white African and the black African.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Oneko): I mean a native.

Mr. Bomett: May I know the practice that the Government follows because I see that an Embassy has been established in Paris and another one in Bonn, which are quite close to one another? I just want to know what policy the Government uses.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Oneko): This question is under consideration, Mr. Chairman, and we may not be able to run two Embassies. The Government may decide at a later date to run only one, probably in Bonn.

Mr. Kiprotich: Mr. Chairman, I would like to know from the Minister what Mr. Meadows, the former Chief Editor of the *East African Standard*, is doing in the Kenya Embassy, in London. Is he working with the Press Attaché or not?

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Oneko): Mr. Meadows is not working as a Press Attaché in London. In fact, he has been called back to do some work in Nairobi and arrangements are being made for him to be employed locally, because he is a very efficient journalist and can train quite a number of our journalists locally. He is not working in the Embassy, but he is doing quite a good job in London.

Mr. Mutiso: I move that the question be now put.

(The question was put and carried)

(Question of the amendment put and negatived)

Mr. Alexander: Mr. Chairman, we are still on Item J. As I understand it, from the explanation of the Minister for Agriculture—and I do thank him for his very helpful information—the Public Relations Officer of what was previously the Kenya Agency is now called the Senior Assistant Secretary. That, as I understand it, is his position. I stand to be corrected.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): I think the hon. Member must appreciate that in this interim period we do a lot of shipping of staff, and filling up of the High Commission and embassies, and what happened was originally he moved into a different position, the position I read out, I think it was Senior Assistant Secretary or something, but as the Minister for Information has explained, that position has now been filled by a Kenya native African, and he is now coming back to Kenya—if he is not already here—to train, in the Department of Information, young journalists. However, during this transitional period at one time you may have somebody doing two jobs until someone arrives from Kenya to fill it.

Mr. Alexander: This is getting clearer, Mr. Chairman. It is apparent now that a senior person of public relations experience is employed in London. It is not the one that was in the Kenya Agency, it is somebody else, a Kenya native as

he is termed, a native African, African native. I have asked you several times what I am, if that is the question, but I never get the answer. Now, if that is the case, why does this person need any Press Attaché assistance at all? In the case of the other embassies where this £300 is repeated, in each one, I think the Minister for Agriculture read out, I can understand that that assistance may be necessary, because there was never any public relations' mechanism in those places, but in London there was. Why do we have to pay another £300 in London?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Chairman, the hon. Member may be perfectly right. These are estimates. I am not saying that any of this £300 has been spent. I said it was available there to be spent and I am under the impression that the moment we became independent we had not got the staff in London to fill the senior post, so the Public Relations Officer was immediately put in to hold one of the official posts, because the people who we were employing in the Kenya Agency left at that time, the senior officials who were in the British Civil Service. Mr. Meadows is a contract man with a Kenya background and he held the fort until somebody from Kenya arrived to take his position. I am not saying that all the £300 was spent, or some of it. Mr. Meadows may have done the two jobs and we may not have spent a penny of those £300. That we will ultimately find out. These estimates were drawn up for the period January to June.

(The House resumed)

[The Speaker (Mr. Slade) in the Chair]

REPORT

SUPPLEMENTARY ESTIMATE NO. 3 OF 1963/64—
RECURRENT

Mr. De Soza: Mr. Speaker, Sir, the Committee of Supply was discussing the Motion:—

THAT a sum not exceeding £895,861 be issued from the Consolidated Fund to meet expenditure during the year ending 30th June 1964 in respect of Supplementary Estimate No. 3 of 1963/64,

and I beg to report progress and beg leave to sit again another day.

ADJOURNMENT

The Speaker (Mr. Slade): It is time for the interruption of business. The House is therefore adjourned until tomorrow, Thursday, 11th June 1964, at 2.30 p.m.

The House rose at thirty minutes past Six o'clock.

Thursday, 11th June 1964

The House met at thirty minutes past Two o'clock.

[*The Speaker (Mr. Slade) in the Chair*]

PRAYERS

PAPERS LAID

The following papers were laid on the Table:—
Sessional Paper No. 2 of 1963/64, the General Services.

(*By the Minister for Justice and Constitutional Affairs (Mr. Mboya) on behalf of the Minister for Finance and Economic Planning*)

Sessional Paper No. 4 of 1963/64, the Teaching Service.

(*By the Minister for Justice and Constitutional Affairs (Mr. Mboya) on behalf of the Minister for Education*)

NOTICES OF MOTIONS

Mr. Okuto-Bala: Mr. Speaker, Sir, I beg to give notice of the following Motions:—

INQUIRY INTO CONSTRUCTION OF OWEN FALLS DAM

THAT this House urges the Government to set up a Commission to inquire whether or not the construction of the Owen Falls Dam is the main cause for the rise in the waters of Lake Victoria during the past four years.

GOVERNMENT ACTION TO HELP FLOOD VICTIMS

THAT this House urges the Government to take drastic action in both short- and long-term policies to solve the problems experienced by the victims of the floods in Nyanza and the Western Region.

SCHOLARSHIP SCHEME FOR PUPILS FROM LAMU

Mr. Somo: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT this House urges the Government to consider the introduction of a scheme of scholarships for students from Lamu District to undertake studies abroad.

NATIONALIZATION OF BRIDGES AND FERRIES

Mr. Babu: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT, in view of the economic hardships caused to users of the privately owned Nyali

and Mtwapa bridges and the Likoni and Mtongwe ferries in the Coast Region, this House urges the Government to nationalize these bridges and ferries and do away with the tolls.

OVERSEAS STUDENTS: CONTROL OF BURSARIES

Mr. Muruli: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT, in view of the existing confusion between the Ministry of Education and some private bodies who send students overseas on bursaries or courses for higher education, this House urges the Government to introduce a firm ruling for determining which students go overseas for higher education and controlling such bursaries or courses in relation to the requirements of the nation.

ORAL ANSWERS TO QUESTIONS

Question No. 152

KENYA STUDENTS OVERSEAS

Mr. Ngala-Abok asked the Minister for Education:—

- (a) Could the Minister inform the House if Kenya students were continuing to go overseas secretly.
- (b) Had the Minister worked out a plan whereby scholarships could be distributed to various districts in the country.

The Parliamentary Secretary for Education (Mr. Kaggia): Mr. Speaker, Sir, on behalf of my Minister, I beg to reply.

- (a) Sir, I am not aware that students are continuing to go overseas secretly. The decision to centralize the process of sending students overseas is a Government decision and is in the best interests of every Kenyan. It is, therefore, important that all leaders, political and otherwise, should assist my Ministry in combating secret sending of students abroad. If the hon. Member is aware of any Kenya students being sent overseas other than through the normal channels of the Central Selection Board which co-operates with the Directorate of Personnel in this task, then he should inform the Ministry.
- (b) My Ministry's new arrangements for awarding scholarships and bursaries came into effect on 1st January 1964. These new arrangements have been introduced in order to make the best possible use of opportunities for advanced study and training in

[The Parliamentary Secretary for Education]

local and overseas institutions. While merit remains the basic prerequisite for awarding scholarships, the new Central Selection Board bears in mind the factor of fair distribution of scholarships. The new Central Selection Board is a widely representative body with regional representatives chosen by Regional Assemblies from among their respective Members of Parliament.

Mr. Ngala-Abok: Mr. Speaker, Sir, can the Junior Minister deny the fact that recently a number of students were sent overseas through the Kanu office and not through his Ministry? That in my view, is secret.

The Parliamentary Secretary for Education (Mr. Kaggia): Mr. Speaker, Sir, the Ministry as such is not aware of that.

Mr. Ngala-Abok: Mr. Speaker, Sir, as far as arrangements for scholarships are concerned—I am now dealing with (b)—would the Parliamentary Secretary assure the House that in future scholarships will be announced through the radio, so that students can know and can apply?

The Parliamentary Secretary for Education (Mr. Kaggia): Mr. Speaker, referring to the question in (b), we have repeated many times in this House that whenever the Ministry has scholarships to offer we always advertise them through the Press.

Mr. Ngala-Abok: Mr. Speaker, Sir, could the Junior Minister tell this House whether passing it through the radio would not be the most convenient method, thus making sure that everybody would understand and know that scholarships are available?

The Parliamentary Secretary for Education (Mr. Kaggia): Mr. Speaker, Sir, we may include radio in future.

Mr. Gatuguta: Mr. Speaker, Sir, arising from one of the replies of the Parliamentary Secretary, could he tell us how many students have gone overseas this year, from January to date, and how many of these have gone through the Ministry of Education?

The Parliamentary Secretary for Education (Mr. Kaggia): I think that is an irrelevant question, Sir.

The Speaker (Mr. Slade): I do not think so.

Mr. Ngala: Mr. Speaker, Sir, in view of the previous question being an irrelevant question, could the Parliamentary Secretary reply to it, please?

The Parliamentary Secretary for Education (Mr. Kaggia): Which one?

The Speaker (Mr. Slade): The one you said is irrelevant.

The Parliamentary Secretary for Education (Mr. Kaggia): I said it is irrelevant, Mr. Speaker.

The Speaker (Mr. Slade): That is for me to say. I said it is not irrelevant.

The Parliamentary Secretary for Education (Mr. Kaggia): Mr. Speaker, as far as we know we have sent only one batch to India this year, through our Ministry.

Mr. Ngala: Arising from one of the replies of the Parliamentary Secretary, is he aware that students overseas on tribalistic or political party basis are those referred to as secret students, yet he says he is not aware of these people? Can he find out and let this House know what is going on?

The Parliamentary Secretary for Education (Mr. Kaggia): Mr. Speaker, I said if any hon. Member knows of any incident he should inform the Ministry.

Mr. Mbogoh: Arising from the Junior Minister's reply, what would the Ministry do if it is informed by any hon. Member about the secret students and they do not intend coming back here?

The Parliamentary Secretary for Education (Mr. Kaggia): Sir, it is a well-known fact that besides the Ministry there are so many other institutions, and so many private members of the public, who have been sending students overseas. Therefore, the Ministry can only speak for the students sent by the Government but not by private people or institutions.

Mr. Kamunde: On a point of order, Mr. Speaker, is it in order for Members to refer to private people within a party and then accuse the party as such as the one which does all this secret business, this business of sending secret students overseas?

The Speaker (Mr. Slade): That is not a good point of order.

Mr. Murgor: Mr. Speaker, Sir, would the Parliamentary Secretary assure the House that advertisement will be given enough time before selection, and that after selection the Ministry will advertise the results?

The Parliamentary Secretary for Education (Mr. Kaggia): Sir, all our scholarships are advertised before the selection.

Mr. Mutiso: Mr. Speaker, Sir, could the Parliamentary Secretary let this House know whether it is not the responsibility of the Government to look after those students who have gone overseas for education and are stranded there, despite the fact that they have not been sent by the Ministry of Education?

The Parliamentary Secretary for Education (Mr. Kaggia): I think, Mr. Speaker, it is our responsibility, and that is why the Government decided to centralize all scholarships into the Ministry. We have done all we can to discourage any private sending of students overseas.

Mr. Shikuku: Arising from all the replies of the Parliamentary Secretary, could he now tell this House, in no uncertain terms whether he is aware that there was a row some time last month when 109 students were sent overseas and there was a lot of trouble about it, and when I got in touch with the Ministry of Education I was told they were not aware of it. Are you not aware of that still?

The Parliamentary Secretary for Education (Mr. Kaggia): The Ministry knows nothing about that.

Mr. Ngala: Will the Parliamentary Secretary assure us as to what time and when the Ministry will wake up to what is going on?

The Speaker (Mr. Slade): Any assurances, Mr. Kaggia?

The Parliamentary Secretary for Education (Mr. Kaggia): The Ministry is wide awake, Sir.

Question No. 153

FIREARMS CONFISCATION AT SEA AND AIRPORTS

Mr. Ngala asked the Minister of State, Prime Minister's Office, whether any automatics or pistols had been confiscated from overseas at any of the Kenya airports or seaports during the period between 1st February and 31st March 1964. Also if any had been confiscated could he give the description of the firearm and the names of the people responsible for importing such firearms.

The Parliamentary Secretary for Internal Security and Defence (Dr. Waiyaki): Mr. Speaker, Sir, on behalf of my Minister, I beg to reply. The answer to the first part is yes, Sir. The answer to the second part is one .38 automatic pistol, make Austria, No. 715182. Mr. Wero Ambitho attempted to import this firearm on 27th February 1964.

Mr. Ngala: Arising from the reply to (a), Sir, could the Parliamentary Secretary state what has happened to the confiscated automatics, and what he intends to do with them, and how he intends to dispose of them? I have got a question relating to (b) which I will ask later.

The Parliamentary Secretary for Internal Security and Defence (Dr. Waiyaki): Mr. Speaker, all the weapons were handed over to the Police. As to what they were going to do with them, I do not think that enters into the question.

An hon. Member: Speak up.

The Speaker (Mr. Slade): Yes, speak up, Dr. Waiyaki.

The Parliamentary Secretary for Internal Security and Defence (Dr. Waiyaki): I said the weapon was handed over to the Police in the usual manner. As to what they will do with regard to the disposal, it does not seem to be relevant to this answer.

The Speaker (Mr. Slade): Again, I think it is relevant, but you may not know the answer.

Mr. Ngala: Arising from that reply, would the Parliamentary Secretary not agree with me that he does not know his reply, his job, in that he is responsible for these confiscated weapons and he should know what is going to be done—

The Speaker (Mr. Slade): We cannot have a speech in the guise of a question, Mr. Ngala.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): This is a Kenya Parliament.

Mr. Ngala: Mr. Speaker, Sir, this is a Kenya Parliament and I am quite aware of that. Relating to question (b), could we be told what punishment this gentleman, who came from Cairo, or wherever he came from, was given, and what tribe is he?

The Parliamentary Secretary for Internal Security and Defence (Dr. Waiyaki): Mr. Speaker, a case was in fact prepared against Mr. Wero Ambitho, but on the 5th March the Attorney-General entered a *nolle prosequi*.

Mr. Ngala: Mr. Speaker, Sir, I did not hear the Parliamentary Secretary very well. Could he tell us why the case was dropped?

The Parliamentary Secretary for Internal Security and Defence (Dr. Waiyaki): Mr. Speaker, it is the prerogative of the Attorney-General to say they are not going to proceed with a case.

Mr. Ngala: Arising from the reply, Sir, could the Parliamentary Secretary explain where this prerogative is included in the Constitution or in the Governmental Administration Paper, and the Attorney-General dropping the case like that?

The Parliamentary Secretary for Internal Security and Defence (Dr. Waiyaki): Mr. Speaker, I am not a lawyer and I am not able at this moment to quote exactly the section which refers to this, but I am assured by the Minister for Justice sitting next to me that this is the case.

Mr. Ngala: Arising from the reply, Sir, is the Parliamentary Secretary prepared to give me the full reply in writing, as to where this is related to in the Constitution? I think the Minister for Justice is agreeable with me.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): The Government does not accept responsibility
..... (Inaudible.)

The Speaker (Mr. Slade): Order, order. Dr. Waiyaki, do you want to answer that question?

The Parliamentary Secretary for Internal Security and Defence (Dr. Waiyaki): Mr. Speaker, I will not give that undertaking until I have had time to discuss this with the Attorney-General.

Question No. 155

SETTLEMENT FOR KISII: WEST SOTIK

Mr. Mongare asked the Minister for Lands and Settlement would the Minister tell the House what plans he had in preparation for settling the large number of landless Kisii people in the West Sotik area of the Kisii District.

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Speaker, Sir, I beg to reply. It is planned that by the end of June 1965 approximately 16,992 acres will have been purchased in the West Sotik area in addition to the land already purchased for settlement in that area. It is for the President of the Nyanza Region to decide who shall take up holdings on this land.

Mr. Mongare: Mr. Speaker, Sir, arising from the Parliamentary Secretary's reply, is he aware that this land in West Sotik which is lying idle is a hiding place for the cattle raiders, and that is the cause of the trouble between the Kisii and the Kipsigis?

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): No, Sir.

The Speaker (Mr. Slade): I do not think that is relevant to this question.

Mr. Murgor: Mr. Speaker, Sir, arising from the Parliamentary Secretary's reply, will he agree with me that his Ministry is too slow in doing all these things. How long will you take to settle these Kisii?

Mr. Shikuku: You gave them your whistle.

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Speaker, I will not agree with the first part of the question, because I believe that the Ministry is doing its best to settle these people, and already over 9,000 acres of the land that is already purchased has been settled, and about the same amount is very nearly completed in planning and ready for settling people.

Mr. Anyieni: Mr. Speaker, arising from the Parliamentary Secretary's reply, and in view of the replies he gave yesterday, and in view of the fact that there are more than 8,000 people settled in the Central Region, and in view of the fact that no Luos have been settled in Nyanza, and in view of the fact that he said yesterday that only 302 Kisii have been settled, what does the Ministry intend to do in order to effect full settlement in the Nyanza Region?

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Speaker, I have just said that already—may I say, Mr. Speaker, that over 19,000 acres have already been purchased, and 9,000 of these have already been settled. 9,000 are already mapped, and are almost ready for settlement, and the President of the Nyanza Region has the responsibility of choosing the people to come into the settlement scheme. It is not the Ministry that will bring in all these landless Kisii to be settled.

Mr. Anyieni: Mr. Speaker, Sir, is the Parliamentary Secretary actually saying that the funds—the money, the loans for settlement—are available and it is only the slowness of the President of the Nyanza Region which is retarding settlement in Nyanza?

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): No, Sir.

Mr. Ngala-Abok: Mr. Speaker, in view of the fact that this land settlement is dangerously placed as far as Nyanza people are concerned, will the Junior Minister tell us that he is taking immediate steps to see the Luos are settled, as well as the Kisii people?

The Speaker (Mr. Slade): Order, order, that is not relevant to this question.

Mr. arap Kerich: Is the Junior Minister aware that West Sotik is a Kipsigis province?

Mr. Shikuku: I did not hear the reply of the Parliamentary Secretary.

The Speaker (Mr. Slade): Hon. Members are making much too much noise for anybody to hear.

Mr. arap Kerich: Is the Junior Minister aware that West Sotik is the Kipsigis property?

An hon. Member: It is not.

The Speaker (Mr. Slade): Order, order. You have heard the question, now let us hear the reply.

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): The Ministry is aware that the land is in Nyanza Region and it is a part of Kenya land and is being worked as such.

Mr. Ngala: Arising from one of the replies, can the Parliamentary Secretary tell us what steps he is taking to urge the President of the Nyanza Region to take up the question of selecting the settlers, if he is slack himself?

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Speaker, as I said yesterday in another reply, if the office of the President or the Civil Secretary in Nyanza can act more quickly to letters from our Ministry, we might be able to do something more quickly, as the Members want it to be done.

Mr. Mongare: Mr. Speaker, the hon. Parliamentary Secretary was asked to give a definite answer to a definite question. What plans is he making? Has he got the money and the land or is he waiting for the President of the Assembly or what?

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Speaker, I gave a very clear answer, that the Ministry has plans. Already 16,902 acres have been purchased in addition to what has been purchased before, which is 18,092 acres. Out of this, I repeat again, Mr. Speaker, 9,073 acres have already been settled and plots allocated; and 9,019 acres are in the process of being planned to be ready for allocation.

Question No. 159

MASENO NATIONAL SCHOOL: AFRICANIZATION

Mr. Odera-Sar asked the Minister for Education if the Minister would inform the House why the members of the European staff at the Maseno National Secondary School exceeded that of the African staff and when complete Africanization would be effected.

The Parliamentary Secretary for Education (Mr. Kaggia): Mr. Speaker, Sir, I beg to reply. The European staff at Maseno Secondary School do not exceed the African staff in number, but it is not anticipated that the school will be entirely staffed by local teachers in the foreseeable future.

Mr. Odera-Sar: Arising from the Parliamentary Secretary's reply that the African is the majority in number, is he aware that there is a need for an African Head at the school?

The Parliamentary Secretary for Education (Mr. Kaggia): I did not hear the question, Mr. Speaker.

The Speaker (Mr. Slade): I do not think the Parliamentary Secretary heard what you said, Mr. Odera-Sar. Will you repeat the last line of the question a little louder?

Mr. Odera-Sar: My question is this. He has said that the African is in the majority in this town, and I am asking if he is aware that there is a need for an African to head the school.

The Parliamentary Secretary for Education (Mr. Kaggia): Mr. Speaker, I think we are aware of that, and whenever there is a suitable African teacher on the staff he is appointed as Headmaster.

Mr. Ngala: Mr. Speaker, Sir, will the Parliamentary Secretary give this House an assurance in no uncertain terms that a secondary school such as that will not be headed by an African for the sake of the colour, but will be headed by a person who is capable of carrying out the duties?

The Parliamentary Secretary for Education (Mr. Kaggia): Yes, Mr. Speaker, that is the policy of the Government, in fact.

Mr. Bala: Mr. Speaker, is the Parliamentary Secretary aware that the present Headmaster is very unpopular in that school?

The Parliamentary Secretary for Education (Mr. Kaggia): I am afraid we are not aware of that, Mr. Speaker.

Mr. Muliro: Would the Parliamentary Secretary agree with me that the discrepancy in the staff at Maseno is mainly due to the lack of qualified Africans to take up teaching posts, possibly in that school?

The Parliamentary Secretary for Education (Mr. Kaggia): I would not like to agree with that, Mr. Speaker, but one thing I would like to make very clear is that we are always in need of good teachers, and I think we shall continue to have European teachers in many of our secondary schools for a very long time.

Mr. Gatuguta: Arising from the original reply of the Parliamentary Secretary to the effect that European staff do not exceed African staff, may we know how many European teachers and how many African teachers there are in the school?

The Parliamentary Secretary for Education (Mr. Kaggia): Mr. Speaker, we have thirteen teachers in this school of which six are Europeans and seven are Africans.

Mr. Gichoya: Mr. Speaker, may I know from the Junior Minister whether he is prepared to get those Europeans in Maseno and send them to our schools in Gichugu?

The Speaker (Mr. Slade): I do not think that is strictly relevant.

The Parliamentary Secretary for Education (Mr. Kaggia): Mr. Speaker, we have so many secondary schools which lack teachers in this country, and we will be glad to do so if the Member for Maseno will allow us to take away the teachers from Maseno.

Mr. Ngala-Abok: Mr. Speaker, while I do not want to introduce politics into teaching, and while I agree that anybody suitable should teach, in view of the fact that the Member for Nyando has just raised the point that the Headmaster there is unpopular in the area, will the Junior Minister tell me whether he will transfer the man immediately?

The Speaker (Mr. Slade): Order, order, that is really getting outside the question, which is the principle of Africanization rather than the inadequacy of individuals.

Question No. 163

DIPLOMATIC POSTS FOR NON-GRADUATES

Mr. Somo asked the Minister of State, Prime Minister's Office, whether, in view of the highly responsible work carried out by officers with Higher School and Cambridge School Certificates, the Minister will consider such officers for posts in the diplomatic service as well as those who are University graduates?

The Parliamentary Secretary for Internal Security and Defence (Dr. Waiyaki): Mr. Speaker, Sir, on behalf of my Minister, I beg to reply. Civil Service posts in the diplomatic service are normally advertised by the Public Service Commission of Kenya. Anyone who feels he possesses qualifications specified in the advertisement can apply. Candidates possessing the Higher School Certificate or the Cambridge School Certificate will be considered by the Public

Service Commission in the same manner applicable to other applicants. I, as a Minister, have no constitutional responsibility over the selection of the officers.

Mr. Somo: Would the Parliamentary Secretary clearly state in this House that some of the civil servants who have already applied for such a post have been told that only graduated people are being considered.

The Speaker (Mr. Slade): What is your question?

Mr. Somo: Question No. 163, Sir.

The Speaker (Mr. Slade): Yes, but in question time you are only allowed to ask a question, not to make statements. What is your question?

Mr. Somo: Well, Sir, my question is this. Is the Junior Minister aware that most of the civil servants who have Cambridge School Certificate and have applied for such a post were told that only graduated people are being employed in such posts?

The Parliamentary Secretary for Internal Security and Defence (Dr. Waiyaki): Mr. Speaker, may I repeat what I said in the answer. I said anyone who feels he possesses qualifications specified in the advertisement can apply. If he does not have those, we cannot take him.

Mr. Ngala: Mr. Speaker, arising from the reply, will the Parliamentary Secretary explain how a Higher School Certificate or a degree with a University qualification can qualify a person in diplomacy, and in view of the experience that people serving in the Lamu District might have had, apart from higher education, will the Minister consider such experienced people in relation to diplomacy?

The Parliamentary Secretary for Internal Security and Defence (Dr. Waiyaki): Mr. Speaker, I think it is necessary for our diplomats to have a certain amount of training and it is for the Public Service Commission to decide exactly what kind of basic academic training these people should have, irrespective of whether they come from Lamu or not.

Mr. Ngala: Mr. Speaker, Sir, who is speaking for the Public Service Commission in this House?

The Parliamentary Secretary for Internal Security and Defence (Dr. Waiyaki): I am.

Mr. Ngala: Arising from that reply, why is the Parliamentary Secretary waiting for the Public Service Commission to dictate instead of telling us what he thinks about it?

The Parliamentary Secretary for Internal Security and Defence (Dr. Waiyaki): Mr. Speaker, surely it is clear that the Public Service Commission must be following certain Government directives and until the Government has met and decided that they should change this policy we are bound to adhere by that.

Mr. Masinde: Mr. Speaker, Sir, arising from one of the Parliamentary Secretary's replies, would he assure this House that in future the Civil Service Commission will consider appointing diplomatic representatives from each Region?

The Parliamentary Secretary for Internal Security and Defence (Dr. Waiyaki): No, Sir.

Mr. Kamunde: Arising from the Parliamentary Secretary's reply, would he agree that it has been noted or it has been seen that the Public Service Commission is not absolutely fair with everybody in this country?

The Parliamentary Secretary for Internal Security and Defence (Dr. Waiyaki): Mr. Speaker, I do not know that I can agree because I do not really have the facts. If it has been noted we will be willing to receive what exactly has been noted.

The Speaker (Mr. Slade): I do not think it is relevant to this question anyhow.

Question No. 166

GRADUATED PERSONAL TAX: CIVIL SERVANTS.

Mr. Masinde asked the Minister for Local Government if he was aware that civil servants working for county councils of various regions outside Nairobi receive their salary in Nairobi and that their graduated personal tax is deducted there and paid to the Nairobi City Council. If the answer was in the affirmative, what was the Minister doing to remedy the situation.

The Minister for Local Government (Mr. Ayodo): I am well aware that graduated personal tax deductions are being made from the salaries of all civil servants who are paid from Nairobi and that the tax so deducted is passed in the first instance to the City Council of Nairobi. This procedure is an integral part of the pay-as-you-earn system, and, in accordance with the provisions of section 143 (3) of the Constitution, any tax so collected from civil servants who do not live in Nairobi will be remitted by Nairobi City Council to the municipal or county council in whose area of jurisdiction the taxpayer has his actual residence. In answer to the second part of this

question, there is no necessity to remedy a situation which is part of the agreed procedure, but in order that interim payments can be made to municipal and county councils outside Nairobi, my Ministry has conducted a survey covering the 30,000 employees on the pay rolls of every Ministry, and has notified the City Council of the various amounts payable to each of the other thirty-nine local authorities. Transfers have been made by the City Council of Nairobi to the total value of £34,000 representing three months' deductions; similar payments will be made in June, September and December.

Mr. Masinde: Mr. Speaker, Sir, arising from the Minister's reply, would the Minister agree with me that such a payment should have been transferred to the regions who have the regional paymasters?

The Minister for Local Government (Mr. Ayodo): Mr. Speaker, the Government is more interested in efficiency than in dignity. It is much quicker to give this directly to the councils than to the regions.

Mr. Masinde: Mr. Speaker, Sir, arising from the Minister's reply, does the Minister imply that the City Council of Nairobi transfers the whole sum of personal tax or only half of it, as it is stated?

The Minister for Local Government (Mr. Ayodo): Mr. Speaker, Sir, I have given the answer, I think, quite fully. Those that are working outside the Nairobi City Council area have their taxes transferred as they fall. Those who are living in Nairobi but have families in other areas have theirs done once a year. This we are still to come to.

Mr. Masinde: Mr. Speaker, arising from that reply, how does the Minister remedy the situation where you have a person paid from Nairobi, say he is a Kikuyu who is working in the Kakamega county but his family is in Kiambu? How does he deal with that?

The Minister for Local Government (Mr. Ayodo): Mr. Speaker, where there are such cases, they could be dealt with by the taxing authorities. Now what we are interested in here is where a chap works. If we have a chap with connexions in three places, they can be looked at, but so far provision is made only at the place where the payroll is prepared, and where the chap is working.

Mr. Agar: Mr. Speaker, Sir, we would like to know from the Minister whether our taxes which have been deducted from our offices here to the City Council are also being sent to our districts or constituencies?

The Minister for Local Government (Mr. Ayodo): Mr. Speaker, Sir, hon. Members of this House are not supposed to be residents of Nairobi.

Question No. 200

FACULTY OF PHILOSOPHY FOR THE ROYAL
COLLEGE

Mr. Ndile asked the Minister for Education if he was prepared to make representations to the proper authority for the introduction of a Faculty of Philosophy at the University of East Africa, Nairobi.

The Parliamentary Secretary for Education (Mr. Kaggia): Mr. Speaker, Sir, I beg to reply. All concerned with the development of the University of East Africa are well aware of the desirability of including a Department of Philosophy at one of the three colleges. Unfortunately, sheer shortage of funds had made it impossible to include this department in the Triennium of 1964/67. However, the position is being kept constantly under review and it is hoped to start such a department in the next Triennium. In those circumstances it would be superfluous for me to make representations of the nature suggested.

Question No. 202

KENYA REPRESENTATIVES ABROAD

Mr. Ndile asked the Minister of State, Prime Minister's Office:

- (i) How many times per year did Kenya Overseas Ambassadors submit their progress reports to the Government?
- (ii) Was the Minister satisfied that the volume of work handled by the Ambassadors was light enough for them to act as Kenya's representatives to the U.N.O., in the countries to which they were accredited?

The Parliamentary Secretary for Internal Security and Defence (Dr. Waiyaki): Mr. Speaker, Sir, I beg to reply. There is no fixed number of times a Kenya Ambassador overseas has to submit his progress report to the Government. He does this from time to time. Besides the Office of the Prime Minister is in constant touch with Kenya Missions overseas. There is only one Kenya Ambassador who is dually accredited to the United Nations and the United States. Since the Kenya Embassy in New York and the Kenya Office in Washington were established about four months ago the volume of official business in both places is still such that at present it can be directed by a single individual. However, as

Kenya intensifies her diplomatic offensive the possibility of having two Ambassadors, one in Washington and the other in the United Nations, becomes greater.

Mr. Gichoya: Mr. Speaker, Sir, may we know from the Junior Minister whether in the next Budget we are going to have an Ambassador budgeted for the United Nations?

The Parliamentary Secretary for Internal Security and Defence (Dr. Waiyaki): No, Sir.

Question No. 226

PROPERTY DAMAGE BY GAME: YATTA

Mr. Mutiso asked the Minister for Natural Resources if he was aware that game in Yatta was causing a lot of damage to peoples' crops and property. If the answer was in the affirmative, would he take steps to remedy the situation.

The Minister for Natural Resources (Mr. Sagini): Mr. Speaker, Sir, I beg to reply. Mr. Speaker, Sir, my Ministry is fully aware of the game damage situation in Yatta area and the Game Department of my Ministry is doing a commendable job under very difficult conditions to protect peoples' property. The main difficulty is the existence of a lot of small, scattered and unprotected *shambas* all over the area. This system of land tenure makes the work of game control extremely difficult if not impossible.

Mr. Speaker, Sir, there is a Game Warden stationed at Kiboko and an Honorary Game Warden at Kithimani both with a number of game scouts under them. But, Sir, I submit that the work of these officers is not made any easier by the system of land tenure as I have spoken about.

My Ministry will continue to do everything possible, as indeed it has done in the past, to protect people's crops and other property from game damage.

Mr. Mutiso: Mr. Speaker, arising from the Minister's reply, is the Minister aware that Yatta people are living amongst big game like elephants, rhinos and lions and, as such, it is difficult for them even to cultivate their *shambas* properly?

The Minister for Natural Resources (Mr. Sagini): Mr. Speaker, Sir, I am aware of that and that is why I have six game scouts at Kithimani.

Mr. Ngala: Arising from that reply, Mr. Speaker, Sir, despite whatever land tenure there is in any part of Kenya, can the Minister give

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an assurance that where wild life damage is carried out, in principle, in justice, he will pay compensation?

The Minister for Natural Resources (Mr. Sagini): Mr. Speaker, Sir, I am afraid I cannot agree to what he has said, because there are some unscrupulous people who would even damage their crops in order to get compensation from the Government.

Mr. Murgor: Mr. Speaker, Sir, would the Minister agree that if game kills, he should find the killers or compensate the people?

The Minister for Natural Resources (Mr. Sagini): Mr. Speaker, I will not agree. What they should do is to telephone the—

The Speaker (Mr. Slade): Order, order. I cannot have hon. Members leaping to their feet while the Minister is still obviously answering the question. I know the anxiety of people to get in first, but they will not get in any quicker with their questions if they are all on their feet at once. Please wait for the answer.

The Minister for Natural Resources (Mr. Sagini): Mr. Speaker, Sir, I was going to say that the best policy in this situation is to contact the Game Wardens and they will do something straightaway.

Mr. Ngei: Mr. Speaker, would the Minister for Natural Resources assure the House that in case of any damage by these animals, he will not take any action to prosecute and that the residents of Yatta will be prepared to meet the animals in their own normal way?

The Minister for Natural Resources (Mr. Sagini): Mr. Speaker, Sir, I would not agree because we have an officer in Yatta and he would be in a position to kill the animals and not in the way he says.

Mr. Shikuku: Mr. Speaker, arising from the Minister's reply, has the Minister or his Ministry provided game wardens to watch the crops of the people, to ensure that these animals do not come and destroy the crops?

The Minister for Natural Resources (Mr. Sagini): Mr. Speaker, this question is not a very fair one because there are animals all over Kenya. What we do is to station game warden scouts in various places in the country and not to watch the *shambas* where people grow things. The Government would not have the money to employ wardens to look after *shambas*; it would be prohibitively expensive.

Mr. Mutiso: Mr. Speaker, Sir, arising from the Minister's replies and in view of the fact that Yatta is planned to be under the settlement scheme, would the Minister therefore consider fencing the game in one area, so that we can minimize these problems?

The Minister for Natural Resources (Mr. Sagini): Mr. Speaker, Sir, the question of fencing some *shambas* will be the question of the Ministry of Lands and Settlement.

Mr. Ngei: Mr. Speaker, Sir, will the Minister agree with me that the area in question is surrounded by the inhabitants of Yatta, creating a sort of island, a sanctuary for the animals? Will he agree with me that his Ministry should take action to remove these animals from this sort of an island?

The Minister for Natural Resources (Mr. Sagini): Mr. Speaker, Sir, Mr. Ngei's question is very difficult because sometimes elephants walk long distances and come to such places to drink or during the seasons when they like to meet, and if we allowed what the hon. Members wants, our animals would soon be finished.

Mr. Ngala: Mr. Speaker, Sir, would the Minister not agree with me that he is more of a protector of wild life than human interests? If he protects human life, can he tell us how he is going to protect the crops of our farmers, and so on?

The Minister for Natural Resources (Mr. Sagini): Mr. Speaker, Sir, of all the animals in the world the human being is endowed with wonderful powers; the human being is very clever, he should contact my officers and they will just go there and dynamite the animals.

Question No. 227

MASENO-JEANES SCHOOL TO BE COMMERCIAL COLLEGE

Mr. Obok asked the Minister of State, Prime Minister's Office, what assistance the Government was prepared to give to satisfy the public demand that the Maseno-Jeanes School should take its place in the educational system of the country as a fully fledged commercial college.

The Parliamentary Secretary for Internal Security and Defence (Dr. Waiyaki): Mr. Speaker, Sir, on behalf of my Minister, I beg to reply.

Since the Maseno Training Centre ceased to be at Jeanes School it has been used for training for the following purposes:—

- (1) Clerical training for Central Government.

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- (2) Clerical training for local government.
- (3) African Courts course.
- (4) Courses for chiefs and headmen.
- (5) Kenya Police advanced English course.
- (6) Courses for traders.

The Government's changing needs, courses for chiefs and traders have been discontinued and the emphasis has been placed more heavily on secretarial training. For a number of reasons, however, it may not be possible to continue secretarial training at this centre and consideration is currently being given to the future use of the centre. It is not considered practicable to use the centre as a fully fledged commercial college in view of staffing difficulties.

It is, however, the intention of the Government to ensure that the people of the Nyanza, Western and Rift Valley Regions are provided for in alternative training centres, for example, here in the Kenya Government Secretarial College in Nairobi and the Coast Secretarial Training Centre situated in Mombasa, and the views of the regions are being sought regarding the future use of Maseno.

Mr. Obok: Arising from the Parliamentary Secretary's reply, is the Kenya Education Commission considering Maseno in relation to all commercial, academic and other institutions of learning?

The Parliamentary Secretary for Internal Security and Defence (Dr. Waiyaki): I did not hear him, Mr. Speaker.

The Speaker (Mr. Slade): Mr. Obok, the Parliamentary Secretary said he did not hear you.

Mr. Obok: Arising out of the Parliamentary Secretary's reply, is the Kenya Education Commission considering Maseno in relation to all the commercial, academic and other institutions of learning?

The Parliamentary Secretary for Internal Security and Defence (Dr. Waiyaki): In what sense, Mr. Speaker, I do not understand?

The Speaker (Mr. Slade): Would you like to elaborate your question a little further, Mr. Obok, explain it a little further?

Mr. Obok: Arising out of the Parliamentary Secretary's reply, is the Government considering to give Maseno the facilities commercial, academic and other institutions receive in Kenya today?

The Parliamentary Secretary for Internal Security and Defence (Dr. Waiyaki): The Government was considering what to do with that centre and the views of the various Regions I have mentioned were duly sought. Hence it is open to the Member to give his views.

QUESTION BY PRIVATE NOTICE**ALLEGED ATTACK BY AKAMBA ON POLICE ESCORT**

The Speaker (Mr. Slade): I think you have a question by private notice, Mr. Ngei?

Mr. Ngei: Yes, I have, Sir.

The Speaker (Mr. Slade): Will you ask it now?

Mr. Ngei: Mr. Speaker, Sir, can the Government tell the House the circumstances which gave rise to a recent incident at Kima, near Machakos, where 150 Kamba are alleged to have attacked police escorting confiscated cattle?

The Parliamentary Secretary for Internal Security and Defence (Dr. Waiyaki): Mr. Speaker, in order to answer that question I am afraid I shall have to give a lengthy reply. The Kenya Police, Machakos Division, have recently mounted operations on Marwa Sisal Estate in the Sultan Hamud Police Station area. Now, small police operations in consultation with the Veterinary Department are being mounted every two weeks to attempt to clear the estate of persons who flagrantly and illegally graze cattle. Proper operation orders have been issued and strict supervision is being maintained. On the 6th of this month, a police party consisting of one inspector, one sub-inspector and fifteen men, arrived at Marwa Estate to carry out an operation. The persons illegally grazing cattle on seeing the police and divining their intention immediately stampeded their cattle into the bush. As a result only four head of cattle were seized by the police. The police party left four policemen to escort the four head of cattle to Kima where they were to be transported by train to the Athi River holding ground. The remainder of the police party then set off to Sultan Hamud Police Station. However, on the way to Kima Railway Station between 150 and 200 Wakamba, mostly women but supported by men with bows and arrows, attempted to recover the stock from the police. A message was passed to Sultan Hamud Police Station and police from there came to the aid of their colleagues and the stock was sent on its way. Thirty-eight people were arrested for causing a breach of the peace and these people subsequently appeared before a magistrate and twenty-eight women were discharged under

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section 35 (1) of the Criminal Procedure Code to be of good behaviour for one year. The men were sentenced to three months' detention.

The incident arose as a result of police carrying out their duties to implement the law and by their proper handling of the situation prevented what might have become an ugly and serious incident.

The problem of illegal grazing is endemic in the particular area, and the problem of non-graded cattle affecting disease-free herds thereby jeopardizing the economy of the district cannot be too strongly emphasized. The action of the inhabitants in opposing the police shows a lack of co-operation and disregard for authority.

Mr. Ngei: Will the Junior Minister tell us how these confiscated cattle got to Marwa Estate, because there is another estate before you get to Marwa Estate? Marwa Estate is in the centre, and there are farms around Marwa Estate. How could these cattle get into the Marwa Estate?

The Parliamentary Secretary for Internal Security and Defence (Dr. Waiyaki): Mr. Speaker, Sir, they must have walked across the other estates which lie in between.

Mr. Ngei: Will the Junior Minister agree with me that the livestock have been there for many years and that they have been left there for many years to graze on that estate?

The Parliamentary Secretary for Internal Security and Defence (Dr. Waiyaki): No, Sir, that is not the information we have.

Mr. Ngei: Mr. Speaker, is the Junior Minister aware of the fact that an hon. Member was sent by the Prime Minister to go and investigate this particular case, and a report was submitted to the Prime Minister giving him detailed proposals for those squatters who are on the farms. The Prime Minister signified that the report was correct. Therefore, the action by the police—

The Speaker (Mr. Slade): No, Mr. Ngei, that is too much of a speech.

The Parliamentary Secretary for Internal Security and Defence (Dr. Waiyaki): Mr. Speaker, if the reference is to the incident on 6th June I am not aware of it.

Mr. Lorema: Mr. Speaker, Sir, will the Parliamentary Secretary tell this House at what stage are the police allowed to open fire on people who are non-*Shifita*?

The Parliamentary Secretary for Internal Security and Defence (Dr. Waiyaki): That does not arise, Mr. Speaker.

The Speaker (Mr. Slade): There was no question of shooting here, was there?

The Parliamentary Secretary for Internal Security and Defence (Dr. Waiyaki): No, Sir.

NOTICE OF MOTION ON THE
ADJOURNMENT

UNSATISFACTORY REPLY TO PRIVATE NOTICE
QUESTION: ALLEGED ATTACK BY AKAMBA ON
POLICE ESCORT

Mr. Ngei: Mr. Speaker, Sir, I would like to raise this as a Motion on Adjournment because I regard it as very important indeed. The Government was informed about this and they took this action of which the Kamba do not approve at all.

The Speaker (Mr. Slade): It can be raised on adjournment though, as I have indicated, there are a good many other matters taking precedence and this will have to wait its turn. I would like the notice in writing, Mr. Ngei.

Mr. Ngei: Yes, Sir, thank you.

MOTION

ACCELERATION OF EAST AFRICAN FEDERATION

The Speaker (Mr. Slade): I understand with reference to this Motion of Mr. Shikuku's that the Government have asked him to defer it to another day on the understanding that time will be found for it in Government time as soon as possible. I believe, Mr. Shikuku, that you are willing to defer it today on that understanding?

Mr. Shikuku: Yes, Sir, they did point out to me that it would be taken on Tuesday, Government time.

The Speaker (Mr. Slade): No, I do not think so. We must get this clear. I do not think Government time will be available next week for anything but the Budget, because that takes precedence over everything. It will have to be at a later time than that.

Hon. Members: No, no!

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, Sir, I think the House is entitled to an explanation, and on behalf of the Prime Minister I would like to explain that we attach a great deal of importance to the Motion that is going to be moved, and we

[The Minister for Justice and Constitutional Affairs]

would like the debate to be as full as possible with the entire Government participating. If the Motion is moved now, which the Mover has the right to do, it will not receive the same attention and full debate that we would like to give it, and the Government is willing to give its own time for this debate as soon as that time is found. Our intention was to leave it to next week. I do not understand the difficulty of doing so next week, but we are willing to look into that, but I am sure, Sir, that the delay of a few days will be fully compensated by the fact that the Prime Minister will personally be present to take part in the debate and to hear what Members have got to say on this very important subject. But if Members would like to do away with his presence and with the full treatment of this Motion, then, of course, they may insist on doing it now, which will not give it the weight and the importance which I know Members attach to it, and that is the only reason we have asked for a postponement which has been accepted by the Leader of the Opposition when he spoke to the Government.

Mr. Speaker, I have said the Government is willing to see if time can be found for it next week. I understand from you, from your remarks, that you think this is not possible, but Government is willing to give it time next week.

The Speaker (Mr. Slade): Hon. Members, if you would like to wait a moment while I consult with the Clerk as to the possibility of finding time next week—

Order, order. Yes, I think we can manage to satisfy both sides on this, if the House is prepared to entertain a Motion for exemption of this particular business from the original Standing Orders, we can get it on Wednesday of next week, that is if you are happy to leave it over now.

Mr. Shikuku: Yes.

MOTION

WATER SUPPLIES: MASAI COUNTRY

The Speaker (Mr. Slade): Order, order. The next Motion on the Order Paper should not really be there, I am afraid, because I did have warning from Mr. ole Tipis that he could not be here today on account of having to prepare for a function tomorrow with a visit from the Emperor of Ethiopia in his region, so I must allow that Motion also to stand over, which brings us down to the next order, which was the unfinished debate on Mr. Jahazi's Motion. Now, I do not know whether hon. Members are prepared to go straight

on with that debate, or if they would like to spend ten minutes or quarter of an hour to sort themselves out, as they have been taken by surprise. We will go straight on unless any hon. Member says that he would like us to suspend business for ten minutes.

Mr. Ngala: Mr. Speaker, Sir, I understood that the Motion of the hon. Mr. Jahazi was a private Motion, and this time is allocated for group Motions. If so, Sir, is it not possible to take up another group Motion in this time?

The Speaker (Mr. Slade): I am afraid not, when it is not on the Order Paper. Free-lance Motions have got in early now.

Mr. Ngala: Can I still change the order on the Order Paper, Sir?

The Speaker (Mr. Slade): I think we might compromise on this one, since it is really as much my fault as anybody's that this Motion of Mr. ole Tipis came here, and it has lost time to the Opposition. We will carry on today with free-lance Motions but allow the whole of next Thursday for Opposition Motions.

MOTION

BOARD OF INQUIRY INTO WITCHCRAFT

THAT this House, being aware of the existence of witchcraft and witch-doctors all over the country and of the influence these witch-doctors have on a large number of our population, urges the Government to set up a Board of Inquiry to investigate all forms of witchcraft and the validity of claims by witch-doctors to cure diseases and bewitch people and to investigate the possibility of their "science" being applied to modern medicine or their complete abolition.

(Resumption of debate interrupted on 11th March 1964)

The Speaker (Mr. Slade): Mr. Muliro, are you ready to speak on this Motion?

Mr. Muliro: Mr. Speaker, I think this Motion is one of the queerest Motions that has ever come into this House. It shows exactly that people in Kenya, whether or not they are educated, still believe in witchcraft. This is the belief of people who are not Christians, or good Muslims, because anyone, Sir, who has got any religion who believes in the idea that God is there, could never trust in witchcraft. These people exploit the ignorance of the people, and I think the hon. Members, particularly the hon. Member who brought this Motion forward, suffer from this disease.

[Mr. Muliro]

Therefore, Mr. Speaker, I think there is no question of saying that witchcraft can ever be a science. Witchcraft is superstition, it is nothing more than superstition. As long as a person is superstitious, he has a lot of charms around him, he thinks that these charms have magic, even if he wants hard to get something, he thinks possibly because he has some charms on—I hope the hon. Members, who have had the opportunity to come into this House, never believed in this particular science. So, Sir, I think the idea of discussing witchcraft in this House is a waste of time, and we should move to the next Motion.

With this, Sir, I beg to oppose this Motion.

Mr. Shikuku: Mr. Speaker, Sir, I do not think I have much to add to this, because the Motion itself is an unfortunate Motion. Why? Because we are expected to be hon. Members here, people who went to school, people with knowledge and people who are—most of us, I am sure—either Christians or Muslims. But the hon. Member who moved this Motion certainly had some points, which if he could tell us, probably leaders in this House might find them to be of much use to the public. In my opinion, Mr. Speaker, I just do not think that in this Motion there is anything, any sense we can get out of it apart from rejecting it, because we must not encourage this sort of superstitious practice. Why? Because sometimes it so happens that these very people who go around claiming to be witch-doctors, go on warning other people psychologically, telling them, now look, if you do not take care you are going to have this or the other, and psychologically that affects some people and when they are affected they can fall sick and even die. Therefore, Mr. Speaker, it would be wrong to support a movement which helps sometimes to work on the minds of some people and which leads them to death.

Therefore I do not think we should talk about this. All we should do is to try and discourage this, and if it is possible, Mr. Speaker, I will not go on to suggest that we arrest these people, or do this or the other, because we must also give latitude and freedom, and if someone feels that he cannot be a Christian, and he believes in superstitious practices, then he should be allowed to do so. We cannot go into that and stop him from doing so. But I think these people have to find a way to earn their living, and it is very embarrassing to read in the Motion that the Member during the course of his speech, said that some of the M.P.s in this Parliament were helped by witchcraft. This is a very embarrassing situation in which the hon. Member has placed

us. I am a Christian and have never used any witchcraft, and never shall I see a witch-doctor because I know he is a liar. These people who call themselves witch-doctors, Mr. Speaker, are people who believe, or who try to earn a living through deceitful ways, and they work on people psychologically to get money out of them. Most of these people are liars. I have come across them myself. There was one in my home who pretended he could take stones out of somebody's belly. When he came home he told us to switch the lights off, and when we put the light off he started singing his own songs.

An hon. Member: What nonsense!

Mr. Shikuku: That is why I am discouraging this. I am giving you practical experience. He told us, "Look, you have to listen and sing", and he had a stick in his hand, then went on singing, and he told us that all the stones from the sick man's stomach would go into the basket, and that he would look in the basket later on. We listened, he sang his songs, and then after some time he told us to look in the basket, and we found some stones there. This guy had done that at night, during the darkness, he went round and put the stones in the basket and later he told us that these stones came out of the sick man's belly.

Mr. Speaker, I know for certain, as a matter of fact we placed a boy underneath the bed who saw him doing these things. Then he wanted money from us. These are the people—actually I would rather call them thieves who are taking advantage of the ignorance of our people. Therefore, Mr. Speaker, I want to stop them, by not giving them any support in this Parliament and I feel, Mr. Speaker, that I must reject this Motion, and I call upon the hon. Members of this House to help our people to forget all these superstitious practices, and instead devote their time to religion, as this will help them a great deal, and rather than speaking in praise of witchcraft. I feel, Mr. Speaker, the hon. Mover would certainly agree with me that it is an unfortunate Motion, and he will accordingly withdraw and do his best and tell all the Muslims in the Coast or the Christians in the Coast where he comes from, and I will do my part telling my people not to worry about witchcraft, because they are not true. As a Parliament we are not here to help those thieves under a different guise of witchcraft.

With these remarks, I beg to oppose.

Mr. Kamunde: Mr. Speaker, Sir, this Motion as it stands has some parts of it which are sensible, and there are some parts of it which are not so sensible. It is extremely wrong for

[Mr. Kamunde]

this House to believe that a man who takes some charcoal, some coloured water, or rubbish in a calabash, and goes round talking of his power to cure, has any sense in his head. I believe anybody in this world can develop into a witch-doctor if he so wants. The whole idea is—

Mr. Ngala: Are you one of them?

Mr. Kamunde: Mr. Speaker, the Leader of the Opposition asks me if I am one of them. I do not like this sort of funny chat that he gives.

Mr. Speaker, I am actually concerned with the spirit of the Motion. What I would like to see our Government do, is to stop witchcraft by hook or by crook. One thing we know is that witchcraft is nothing but a collection of lies. Mr. Speaker, people who have never gone to school, and surely to call such type of rubbish science, is wrong. The Motion urges the Government to do everything in its power to stop witchcraft. I guess and hope and believe that the Mover of this Motion knows right from the bottom of his heart that witchcraft is nothing but a pack of lies, and therefore it should be stopped. Our Government has a lot more to do with its money rather than setting up boards to investigate worthless activities. To spend our little money well will be by inquiring into useful facts of life. Once, about six months ago, a very prominent politician in this country was promised every single little star there is in heaven by a witch-doctor who said he would win in the General Election and form a Government. Surely, this man's failure is proof that witchcraft is of no use and that the practice of it should be stopped by legislation. Therefore, if witchcraft has proved a failure, it should be banned in this country. We should not encourage them in any way at all. I do not think there is time for us to think about these people. We know the sort of job they do, the sort of work they do. They are all over the country, not only in the Coast but everywhere. This is what we must stop. We cannot carry our nation into primitive ways and lies again. We want to carry our nation to the proper treatment of diseases. I am not merely trying in opposing this Motion but I want to bring the right spirit of it in the right direction. But the right direction of the Motion should be to eliminate witchcraft in Kenya by hook or by crook, that is to stop it. I do not think that the Mover of this Motion believes that a witch-doctor could cure someone of a disease at all. What they may do, is to frighten, and in fact the greater portion of our people live in fear of these people who talk of turning people into snakes, and eggs and all the rest of it. They are liars, and they should be

stopped and not encouraged. Mr. Speaker, I would ask the Mover of this Motion seriously to think about setting up boards to inquire into witchcraft. Mr. Speaker, I do not mind if there is a witch-doctor at the Coast who could turn me into a snake or a monkey today. I would rather see that happen.

I beg to oppose the spirit of the Motion. I would like to see the Motion amended to read that witch-doctors should be eliminated in this country completely.

Mr. Matano: Mr. Speaker, I feel this is a very unfortunate Motion, but nevertheless I think there is something in it which I would like to bring forward for the hon. Members to hear. I think there is a confusion in the Motion. There is witchcraft and witch-doctors. I believe there is no witchcraft, but there is a place for—I do not know whether witch-doctor is the right term, —African doctors who heal by herbs and shrubs and all rest of it. It is science which I feel needs investigation. There are African doctors who can cure diseases by using shrubs and roots and things like that and to say that this type of thing does not exist is not true. There is a thing like that, and therefore there is a confusion. Witchcraft is a sense of fear whereby a man imposes fear psychologically, and he is a victim of disease and he can thereby rule a person and do anything he likes to him. Now, that type of thing is wrong. It is an evil type of fear. I feel something must be done to eliminate it. Mr. Speaker, we are very fortunate here. Most of us were born in Christian homes or were educated, and the fear was removed from our hearts, but we must remember that the majority of people in this country at this moment, are coming from homes that have no education, have no religion and are living under fear. Fear of any type, and anything suggested to them whether real or unreal becomes true. I know of cases, for instance, of people who see an egg thrown in front of them for breakfast in the morning, and when they see that egg whether there is a meaning or no meaning, it becomes a fright, it becomes psychologically accepted and when it is suggested that because there is an egg in front of them in the morning they will be ill, they will become ill. It is psychological, I know I am sure none of us here will be ill but there are people, at the moment, who still believe in that and it is fear, and I believe, Mr. Speaker, that fear can only be removed by knowledge. Fear can only be removed by knowledge, and that is why I feel that we, in this Parliament, either do believe in witchcraft or do not believe in witchcraft. But there is fear among us, and that fear can only be removed by a greater knowledge, and that, I

[Mr. Matano]

feel, is a type of legislation imposed by the Government to say that if anybody is accused of witchcraft, whether true or untrue, whether proved or unproved, he will not be put in prison, but will be put somewhere for a length of time until that fear is removed.

Mr. Speaker, I feel that this is a threat, and I feel this very strongly because at the Coast at this very moment, this fear is spreading. There was a time when it was checked, but now it is spreading. This is no time to talk of fears by witchcraft. It is time to mention great buildings. We want to think of more constructive ideas of building a new nation, but a lot of energy, and a lot of time is taken up by thinking of how they will live because someone is going to bewitch them and the rest of it. I feel there is a place for the Government to do something to remove this fear once and for all, so that we put all our energy into nation-building, instead of these minor things such as witchcraft. I feel there is a place whereby witch-doctors—I understand, Mr. Speaker, that there is a doctor here in this country who went through the shrubs and roots of African medicines and discovered that some of these roots could cure a disease better than some of the medicines that we have. There is quite a lot of work needed to find out about some of these shrubs and roots. I know the whole thing is covered with paraphernalia, songs and things that are useless, but there is something in it. I am very much against this, and I feel the Government should take action to eliminate this, whereby fear is distilled on people, thereby retarding their progress. I feel it is time the Government took action to try to eliminate that.

Mr. Speaker, I oppose this Motion, not because of the spirit behind it, but because of the wording which is very confusing. If the wording was right I would have supported it, but because of the wording I feel there is something missing and therefore I oppose the Motion.

The Speaker (Mr. Slade): Mr. Konchellah, are you speaking for Government?

The Parliamentary Secretary for Local Government (Mr. ole Konchellah): No, I am—

The Speaker (Mr. Slade): On your own account?

The Parliamentary Secretary for Local Government (Mr. ole Konchellah): Yes, Sir, Mr. Speaker, Sir, I quite agree with the number of Members who have just mentioned that witchcraft should be eradicated. While I agree with this point, I

feel witchcraft in Africa is a very interesting lesson and I think, even if it is going to be eradicated, we need people who could go into it and study it and make a record of it, even if it is a bad record. I think it is something which should be observed and studied properly and recorded so that we will know whether it is something useless or whether it is something which is helping somebody.

The Motion itself speaks of witchcraft and witch-doctors. I think it is a confused Motion simply because when you talk of witch-doctors I think there are groups which have been grouped in which do not come under the category of witchcraft or witch-doctors. For example, in Africa we have dreamers, people who can dream, and interpret their dreams. It might be that those dreams come true, and it could be that that man is called a witch-doctor because he has interpreted a dream, and it comes true. We have the medicine-men, people who can go and get some roots, and can cure certain diseases. I understood, or I read in a report that one of the hon. Members of this House mentioned that there was a medicine-man who took some seeds from a plant and he could cure or remove tape-worms or hookworms. Well, if that is true, that type of medicine man is somebody who can cure something and is important. This should be carried on, and if he has a medicine he should record it, and see if it cannot be put up in a better way so that it cures or removes worms or anything of that sort.

Another group of people who are called witch-doctors are magicians. We have magicians, and and I do not know whether magicians could be mentioned as witch-doctors or whether they practise witchcraft. The last group, I recognize people as *Laibons*. We have, for instance, a group of people in Masai called *Laibons*. These people who are *Laibons* have been put in the category of witch-doctors but when you examine the point they are not witch-doctors. They are people with visions. They see something which will come in three years' time, within a year's time, within a month's time—

Mr. ole Oloitipitip: How?

The Parliamentary Secretary for Local Government (Mr. ole Konchellah): Mr. Speaker, this is quite true. There was a man called Machia who was a great *Laibon*.

Mr. ole Oloitipitip: Your grandfather.

The Parliamentary Secretary for Local Government (Mr. ole Konchellah): Well, if he was my grandfather, that is all right. He had a vision

[The Parliamentary Secretary for Local Government]

that perhaps white men would come to this country, and he had it before any sign of a white man coming to this country. He talked of a railway line from Mombasa to Kisumu, interpreting it as a big snake which is coming across the country. This came true. If Government is going to take steps to eradicate witchcraft, it should try to look into these groups so that if somebody is doing something good he is not interfered with, and he is helped to make it come in a better way, or so that it is done in a better way. Mr. Speaker, Sir, I only wanted to raise these points, that there are groups of people who may be called witch-doctors when they are not witch-doctors. Anybody who is going to deal with them should do so. I think witchcraft should be separated from the people in other groups who do not practise witchcraft.

Mr. Seroney: Mr. Speaker, Sir, I must make it quite clear that I entirely oppose this Motion. A suggestion has been made, Sir, as to the distinction between witchcraft and witch-doctors. I think that distinction is misleading: witchcraft and witch-doctors are one and the same thing. I will use an example of my own district, of the Kalenjin, to show the distinction which we used to make between witch-doctors and doctors, which we must call native doctors. A witch-doctor was considered to be a person who purported to use supernatural powers to cast a spell on somebody with an evil intent. An ordinary doctor was a person who had knowledge of herbs and who could make a useful purpose of them in such a way that they could even cure certain disease much more effectively than the present European medicines can do. Of course, the distinction was made quite clear in this manner, that once witch-doctors, once they were found out were stoned to death, whereas the others, the ordinary doctors who cured the people through their knowledge of herbs, were always welcome. Therefore, I must make it quite clear that I do not support the idea that witch-doctors and native doctors are one and the same thing.

The hon. Member for Narok West has touched on something which is peculiar not only to his district but also to mine. I notice he is not here now. That was about diviners who could view the future and so forth. According to people of my own district, they were not considered as witch-doctors; they were prophets who could foresee the future and advise the tribe as to whether they should participate in any particular function or not. Mr. Speaker, Sir, I think it would be a waste of money for the Government to set up a board of inquiry to encourage people

people who use psychology to terrorize their own people. We have noticed it during the Emergency, where within the *Mau Mau* witch-doctors had a certain part to play; we noticed it throughout the rest of the country. It would be a pity we, in this House, should give the impression to the country that we were encouraging them.

Mr. Speaker, Sir, with these few words, I beg to oppose the Motion.

Mr. Balala: Mr. Speaker, Sir, as far as I can see in the Motion before me, it very clearly shows that the Motion touches on witch-doctors and not on tribal doctors who practise their medicine through shrubs and other plants. However, according to this Motion it very clearly shows that what the Mover intends to bring here, or what he really points out to us, is the practice of witch-doctors, because he mentions the word "bewitch" when he says about claims by witch-doctors to cure diseases and bewitch people. This means that the practice of witchcraft, as practised by witch-doctors, is very unfortunate and very much affects our people. Some Members here have expressed their opposition to this Motion, and because the Mover of this Motion has asked for a board of inquiry to investigate into this matter I would very strongly oppose the appointment of such a board to inquire into witchcraft. I feel that in doing so, we are wasting public money; witchcraft is well known throughout the country not only at the Coast and in other areas of Kenya, but is widespread through most of the continent of Africa. We have a duty to our people and towards the country, and witchcraft badly affects the progress of the people and the country. It is our duty here, as Members of Parliament, to see that we condemn it very strongly.

I do not agree with a remark made by one hon. Member when he said that this Motion is useless. I believe that in bringing this Motion, we shall be able to draw the attention of the Government to see that something is done against witchcraft which is practised in Kenya.

With regard to the allegations about witchcraft, I must stress that it exists in Kenya and that it is being practised by witch-doctors. As such, it has a bad effect on our people, and it makes them believe that only through witchcraft can they be cured or attain a certain aim. We have read through papers in the country that a number of witch-doctors have gone to the extent of even killing human beings in order to practise their medicine, and this is one of the most unfortunate things which witch-doctors are doing. We also

[Mr. Balala]

recall that much publicity has appeared in the Press to the effect that a certain man or person has approached a witch-doctor for the purpose of gaining a personal goal.

As far as religion and witchcraft is concerned, being a Muslim I know very well that witchcraft is condemned by the Islamic religion because we believe that anyone who believes in anyone other than the only God is a pagan or is challenging the power of God. Similarly, I believe Christianity advocates the same attitude among its Christian followers. Therefore, witchcraft is something which ought to be condemned, not only by religious people but even by politicians, because it is causing the retrogression of the progress of the country and the advancement of the people's thinking.

Mr. Speaker, Sir, with these few words, I would point out that witchcraft is one of the most horrible things which exists in the country, and if we just look to the Coast we find that people who are living in the rural areas in places like Kilifi, Kwale and other—

Mr. Ngala: Question, question!

Mr. Balala: —and other rural areas are backward in all walks of life.

Mr. Ngala: Question!

Mr. Balala: I believe that witchcraft plays its great role in those areas and makes the people backward. Therefore, I would request the hon. Mover of this Motion, if he would so accept, to amend the Motion to read that witchcraft should be completely abolished, and the Government should act on this basis.

Mr. Ngala: Mr. Speaker, Sir, the hon. Member who has just sat down seems to be overwhelmed with ignorance as far as witchcraft is concerned in relation to the history of the world. Witchcraft is the oldest art in the world, and it is practised even in the most civilized societies in the world. Therefore, to refer to Kilifi or to refer to rural areas in the Coast Region as being harmfully influenced by witchcraft is mere ignorance.

However, Sir, I think that the really important thing is that the Mover of the Motion did not know how to word his Motion and was not clear in his thinking. He really meant that there is need for encouraging the good aspects of African medicine, if a Board of Inquiry wants this. To that extent, I think, anybody in this House would support it, because African medicine may be just as good as Russian medicine, or as English medicine. Therefore, if the Board of Inquiry comes to

a conclusion that Africans can heal diarrhoea better than people in Russia, I see no reason why the African medicine should not take the place of the other type of medicine. After all, in an independent country our first job is to select what is the best of our own indigenous talents and keep them, retain them, and throw out what is bad from the past. I think the Motion is intended to give credit to the African medicine-man and African medicine where credit is warranted; and it is to give discredit where credit is not warranted. In that regard I fully agree with the Mover of the Motion, in that African medicine is just as old as any other medicine in the world from any country. However, because of the unfortunate wording of the Motion, it becomes very difficult to support it. Witchcraft is interpreted differently in various parts of Africa. In Kenya, it is interpreted as playing on the psychology of the people. Some Members have said that this is not a science. Surely, Mr. Speaker, Sir, playing on the psychology of the people is a science. People spend years in university learning how to play on the psychology of people. That is why we have political science in the various universities and other places.

However, this is a wrong type of psychology to use on the people, and it is a type which should be discouraged. The hon. Mover may have been told by his witchcraft doctor that he would be successful in the first elections, but he was not successful. Well, they played on his mentality and it turned out to be untrue. He may have been told by witch-doctors that everything was all right, but it was not all right.

It will have encouraged him because he could not on his own pick up sufficient courage, but the real thing is that witchcraft must be discouraged if African States are to progress. Witchcraft instils in the people a fear; a fear to develop; a fear to bring up their families well; a fear even to own good houses; a fear to show their personalities. I think when witchcraft does this it is an enemy to African personality and, as such, should be completely eradicated from African society. I think there is no need for setting up a Board of Inquiry because we know through psychology that witchcraft as such is very damaging to the personality of a free State and to the personality of free society and free people. Therefore, it should be done away with, there is no need for Government to waste time setting up a Board of Inquiry. After all, this Government sets up a lot of Boards of Inquiry and does nothing, so do not waste further money in setting up more Boards of Inquiry into something which is as useless as witchcraft. Mr. Speaker, Sir, I think that witch-doctors are

[Mr. Ngala]

scientists, but of the wrong type. They cannot fit in with modern times and as such it would be a short cut for the Government of the country to look into the possibilities of telling them in no uncertain terms that they do not think they fit in the present society. As soon as that is done the better for the good and the interests of the ordinary person. The ordinary person would like to see a good African nation, and adjusted to the modern times and modern conditions. But it does not want to go to a person who will just threaten him, play on his psychology and tell him a whole pack of lies which cannot be proved to be true. Therefore, if the Mover was thinking of boosting witchcraft, well I am glad that the Mover does not have a constituency in which to preach these gospels. If the Mover was also supporting witch-doctors, I must say the witch-doctors should not have any place in this House. We totally reject any encouragement of witchcraft or witch-doctors in this country, and we also discourage any money spent—I am glad I am speaking in front of the Minister for Finance, and I am glad that he will not touch this in his Budget this week—

The Minister for Finance and Economic Planning (Mr. Gichuru): I will tax Kabweri!

Mr. Ngala: There is no need to tax him, he is already overtaxed! We do not want money to be spent on this, Mr. Speaker, I cannot see why any hon. Member can come and move a Motion of this type. It is so low in its type, it is not up to the standards of this House. We are up to building up the nation on more useful things, not going back on matters of 3,000 years in the past. This is the danger of having these type of Members in this House.

Mr. Speaker, Sir, Kabweri is a medicine-man, he is not a witch-doctor. He is quite entitled to go on, and he is very respected by the Government.

Mr. Speaker, I think as far as the science is concerned, yes, it is a science of the wrong type, as we have so many scientists of the wrong type in this country and in other countries, and they must be discouraged. This Motion should not be supported by the Government. As far as modern medicine is concerned, well, we support modern medicine, and African medicine, but a modern application, and this a worthwhile cause in a country which has just become independent. We can see if we have something in it. I believe if we start with the Coast Region we can make a big contribution to this. There we have some medicine-men who can cure snake bites in a minute without going into any operations, and

so on. This is recognized by some of the local doctors. They do get better very quickly and in a very simple way. Of course they must use something, it is not witchcraft that they have, but the real medicine-men craft that they have. These men should be encouraged and their methods encouraged. Perhaps, as a result of it we may get a place in the science of the world, and participate on an equal footing with those people who now fly in the air and get a name for themselves. So I would support African medicine-men and their medicine, adjusted to the modern times, but I would very strongly oppose this very, very unintelligent and untimely Motion.

The Minister for Finance and Economic Planning (Mr. Gichuru):

Mr. Speaker, Sir, I feel I should take part in this Motion, not because of its importance but because I feel that the Mover should not be left in any doubt as to what other people think about it. I do not believe in witchcraft, and there are very, very few people who still honestly believe in it. It is mainly psychological, and it is very often people who have worries, who do not have enough work to do, that tend to dwell on it. It is a great pity and I believe that the solution is not so much to lock up these people or to round them up, I think it would be easier to solve it by education. This would amount to what the hon. Member calls rehabilitation. It is unfortunate that it is true, it has been practised for many years, and it is also interesting to note that it gradually is easing up. The number of people who believe in it, and the areas in which witchcraft is believed to be practised and looked upon as a cure for all, are gradually becoming more and more limited. So, I feel that the best thing is to educate people against these intelligent people who scare them, playing on their ignorance, and this is where I believe the Government comes in with its services. The radio and the newspapers could be used for educating people much more. There is, of course, a great difference between witchcraft and African medicine. It is a great pity that the last speaker got a little confused between the two. There is no doubt about it that African medicine, if studied properly, would show that some of the herbs, the shrubs, and the roots from the herbs, and so on, that are often used, are often effective. It is a question of the study and purifying of these juices and ensuring that people are given them in the correct dosage, and this I feel would be of great advantage. These people, I feel, should be given their own *uhuru* if they want to practise their witchcraft so long as they do not instil fear in people's minds. If there are any people stupid enough to be influenced by them, it is just

[The Minister for Finance and Economic Planning] too bad. My attitude would be to ignore them and do a lot of propaganda against witchcraft.

Mr. Speaker, Sir, with these few remarks, I beg to oppose the Motion.

Mr. Kase: Mr. Speaker, Sir, I think I will support the other Members by saying that this Motion is very unfortunate in this House. I believe if the Minister in charge with the affairs of this Motion would accept this Motion all that would happen would be that a number of people who have shrubs and herbs would try to increase the amount of shrubs and herbs they have so that the Kenya Government would waste money in finding out what they do. Therefore, the number of witch-doctors would increase, instead of 100 it would increase to much more than that. Everybody would like his science to be discovered, and I do not think it would be wise to spend all this money on people who have nothing. I am not speaking like this as if this does not exist in my own area. In fact I think about twenty yards away from my own house we have the centre of the whole district. But the minute you pretend to be talking about it you are finished. I know a number of people who have gone to them, before they became education officers, or assistant education officers, but they can never tell whether this medicine helped them. They could never say. Therefore, it does not help at all.

It would be rather a waste of money if we spent money to find this out. There are a lot of stories about back in 1951 or so, when there were people who could turn themselves into lions, people who could turn themselves into snakes, and somebody who could thrust a stick in the ground and nobody could pull it out while he could pull it out with one finger. But, whether this is the real truth, nobody knows because it never happened. These people were just lost like that, there was no time to find out whether these people who could not pull it out were strong. After all, he would select those people who could not pull out that stick. But whether he had planned it back in his house or not, nobody knows.

The other thing is this: we do not know in what condition those people were who have gone to these witch-doctors. I do not think anyone who takes any type of medicine from these people at any time would be sensible. One day I saw a man who was being treated because he suffered from headaches. The medicine which was brought out from the gourd stank more than a rotten egg. Yet this man swallowed this medicine. After one week the man was better anyway! The man was cured, but it took such a long time. Imagine how

quickly hospital medicine would have worked. It would not have taken more than two days. Whether this headache was cured slowly or not, you could never tell because the medicine took such a long time.

Now, I do not think it would be wise then to spend money on these people who believe in their different roots to cure different diseases. After all, I believe that a witch-doctor down at Lamu who says that he can cure headaches will not use the same roots as a person in Nyanza. There must be a difference because the person in Lamu will use certain roots and the other one will use different ones. They will never agree with one another and we begin wondering which is better, because one claims to cure in two days and the other in two days, and therefore we can never know who is right.

Therefore, I do not think you will find it very easy to have these people giving you the correct stuff.

The other thing is I believe that if you announce today you have a number of people who will come and show you their power of curing or their power of killing others, as they call it, you will find very few people coming up, especially when you say that the rest will be dealt with; everybody will decide to hide. By so doing, those who have never learnt will learn. For example, at home we have an organization which used to be called the ruling body in the district. This body, as I say, exists up to today, twenty yards away from my house. This one believes in so many things: somebody growing to about thirty feet; somebody crossing the river on thread. These people pretend to use medicines, but I do not think they exist today, because these people have decided to keep quiet and you can never see those things that they used to talk about.

So I would think that the Mover of this Motion is either trying to favour those people who helped him some time to get business, so that he might become popular, so that when he goes next time he might be given some more medicine; I think he will get nothing. The only thing is just to forget about this. Whether this science of witchcraft or witch-doctors exists or not, let us leave it alone.

However, on the point of medicines, I would like the Minister in charge to note that there are a few diseases that Africans can cure faster. At least I have gone to the best doctors and no doctor can manage to cure asthma in two weeks, but an African doctor can cure it in two weeks, and there is no doubt about it. I have seen one and I have witnessed it. Somebody went to hospital—right from Galole Hospital to King George VI

[Mr. Kase]

Hospital—but when he went to this African doctor he was cured and up to date he has no more asthma in his body.

The Deputy Speaker (Mr. De Souza): Order, order. It is now ten minutes before the end of the debate and I have now to call on the Mover to reply.

Mr. Jahazi: Thank you very much, Mr. Deputy Speaker. I would very much like to thank the Members who have contributed to this Motion, both constructively and destructively, because they have helped to give an idea of how our Members have got shallow thinking and deep thinking.

Mr. Deputy Speaker, in moving this Motion I never intended to support witch-doctors or witch-anything. When I was introducing the Motion I made it clear that witch-doctors was a general term which I used, and I spent time to explain that it includes everybody, our doctors who are practising constructively by curing diseases and those who are claiming that they can kill or bewitch people, and all that. I say clearly that, if these people can come up and say that they have power to kill people, I would say to them, "The *Shifta* are useless to us, there is one *Shifta*, kill him with your power." So it is very, very silly for some of the Members to stand up here and accuse me of supporting these destructive witch-doctors. I am not supporting them.

It is because I see people suffering from the lies of these people that I was prompted to move this Motion in this House, for the hon. Members who are responsible for legislating for the whole country to pass it. I did not say that Members should legislate for themselves. If you do not know witch-doctors, well, your people know them, they are suffering. We do not have a witch-doctor in Parliament here, but there are so many outside doing all the destructive work. My dear friend from Kilifi, every week we read in the Press that one man was killed, one man's head was cut off in Kilifi because he was suspected of being a witch-doctor, he was suspected of bewitching so-and-so's son. These things are happening and I do not see why you should want these things to continue, where people take the law into their own hands and start revenging by merely thinking that because his son died, he did not die of malaria or malnutrition, he died because he was bewitched; how long shall we leave these things to continue? It is our duty to see about them. We do not believe in them, but those people are believing in them. It is our duty to protect them from these lies—

Mr. Omar: On a point of order, Mr. Deputy Speaker, can the hon. Mover of the Motion substantiate the allegation that some people in Kilifi are killed because they are believed to be witch-doctors?

Mr. Jahazi: Mr. Deputy Speaker, Sir, I cannot bring evidence now but I have some cuttings and I can bring hundreds, not just one, to show him how many people die in Kilifi only, leave alone the whole country. Mr. Deputy Speaker, I will give you an example—

Mr. Omar: Mr. Deputy Speaker, as the hon. Member has said that he can substantiate that some people in Kilifi District were killed simply because they were witch-doctors, can we give him time to substantiate this, either next week or some time when the House assembles.

The Deputy Speaker (Mr. De Souza): I do not think this is the type of allegation that requires substantiation. He has made a general allegation that people are killed by witchcraft. We know that people are killed in Kenya because of witchcraft and I do not think it is the kind of allegation that requires substantiation.

Mr. Jahazi: Mr. Deputy Speaker, I do not know why the hon. Member is so jittery about this. I am not trying, as I said, to protect these people, and the hon. Member would be very blind to try and adopt ostrich tactics and say that nothing is happening, everything is O.K. I will remind the House of one occasion in Tanganyika concerning three women, three witches. You will remember that one woman was slaughtered because of the—

An hon. Member: That is Tanganyika.

Mr. Jahazi: Well, this is all Africa; this is an African problem. In Kilifi, my dear friend—I do not want to repeat this, but you very well know that unless he wants to protect the witch-doctors in his area, Mr. Deputy Speaker, there is no reason why he should be so jittery about this.

I would also like to thank the Leader of the Opposition for his contribution to this Motion. I can clearly see here that the Members are confused themselves; they must be deeply interested in witchcraft because they go on, Mr. Deputy Speaker, arguing about the definition of science, and so on. The Motion is quite clear and if it is not, I can make it quite clear. I say that this Motion has two sections: firstly, we must do away with the witch-doctors, those who claim they have power to bewitch people; and, secondly, those witch-doctors who are practising constructively by, say, curing snake bites— Can anyone

[Mr. Jahazi]

here say that an African cannot cure snake bites, can anyone argue with me now that an African cannot give you poison, African-made, and kill you within a minute?

An hon. Member: What do you mean by an African?

Mr. Jahazi: Well, African doctors. You know very well that the Wakamba are very expert in poison. How do they make these poisons, if it is not a science? Of course, they dig up something, boil something, mix it with something. It may be a crude science, but it is science. They can make it and kill you. If you do not believe it, any Kamba Member can bring it tomorrow and any Member may try it and see. So it is for those people who know, who have a science of making poisons, to come up and tell us how they are making them, so that we can encourage them to make more. If we give them an institution, they can discover more. After all, we very well know that poison is not always poisonous; a little poison may cure something. For those who know a little medicine, and more poison may kill. So it is the quantity. I am very surprised when the Masai Member stands here and says that he has never seen a witch-doctor or a medicine-man. How many hospitals are there in Masailand? Very few. And how many go to the hospitals? Very few people. But how many go to these doctors? Thousands, thousands go there, they depend on them, on their prescriptions.

An hon. Member: It is psychological.

Mr. Jahazi: There is no psychology in it. Mr. Deputy Speaker, many Members here, including myself, can still remember their first injection. You were not all injected when you were babies, your mothers were giving you something, some herbs to drink when you had stomach-ache or something like that. Even up to now in the countryside mothers do not rush to the hospital, they still dig up this root here, mix it and give it to the babies. They grow up. We were not all born in the hospital, we did not know the modern science of midwifery, or anything like that, oxygen tents, and all that, and how many have been born out of the hospitals, in the villages, taken care of by an African midwife using the crude science, whatever you call it? But you have all grown up healthy. How did you come to grow if they were not giving you something? We were given something and it is that something that you must be thankful for because they are not depending on European doctors or modern medicines as you do now. For every small pain you go to the Kenyatta Hospital and you are

all right, but what about those people in the countryside? Many people, including myself, do not know whether their heart is this or that, like you modern people, because you are told only this much, your lung is this and that, but—

The Deputy Speaker (Mr. De Souza): Order, order. Your time is up, Mr. Jahazi.

Mr. Jahazi: Mr. Deputy Speaker, my time is up, but I would like hon. Members not to accuse me wrongly but to try to see the problem facing our people and to solve it. That is the spirit of this Motion. If they feel that a Board of Inquiry would be going very far, all right, let us cut it out and just legislate against these witch-doctors and encourage our medicine people to continue. Thank you, Mr. Deputy Speaker.

(The question was put and negatived)

MOTION

REPUBLIC OF KENYA

Mr. Gichoya: Mr. Deputy Speaker, it is a privilege that I have to remind our Government of the pledges that we, the elected Members on the Government side, made to our voters. Again, I recall 12th December 1963, as a period of happiness in Kenya partially—

Mr. Jahazi: Mr. Deputy Speaker, on a point of order, is it in order for an hon. Member to start without reading his Motion or introducing it?

The Deputy Speaker (Mr. De Souza): Yes, he can read it later on if he wants to, but it might be better if you did read it at the beginning, Mr. Gichoya. However, it is entirely up to you to decide.

Mr. Gichoya: Mr. Deputy Speaker, the Motion which I am putting forward now for debate is:

THAT this House urges the Government to take steps to make Kenya a Republic within or outside the Commonwealth Organization.

Mr. Deputy Speaker, let us remember our one step forward from colonial bondage: namely, 12th December 1963. But on the same day, when our Constitution was being handed over to us by The Personal Representative of The Queen, he made it quite clear that the history of Kenya had not been written and that was the beginning of the history of the country.

What we told our voters was that, as people in power today, as soon as we got into the House or as soon as we won the general elections we were going to demand independence, that was in 1963, and, simultaneously Kenya was going to

[Mr. Gichoya]

become a republic. Somehow because of various reasons we are to be a republic. I should make it clear to those who must know our status today, we are actually a dominion of the United Kingdom in the same way as we have Canada, New Zealand and Australia. These are dominions, or rather self-governing territories, or perhaps semi-governing territories. We have the representative of the Queen or the representative of the mother country, namely United Kingdom, whose status is that of Governor-General. The Governor-General is the head of our State in Kenya and whatever is done here is done in the name of the Governor-General which means Her Majesty the Queen. It is somehow humiliating; humiliating to the ordinary person who believes that the Prime Minister of Kenya is the supreme authority in this country, because he is, more or less, expected to be the head of the Government and the State. However, in actual fact the Prime Minister is the head of the Government, no more. With this position even if we talk of Africanization, we Africanize the Civil Service, but the institution which gives us the Government, which makes us a people, is not Africanized. Mr. Deputy Speaker, even if it were a black man as Governor-General of Kenya that position is still not Africanized inasmuch as he will be the representative of the Queen and not the head of the Constitution of this country as a free state. So, the connexion between Kenya and Great Britain still goes on, partially as a people associated with the Commonwealth, partially as semi-free people whose Head of State is the Queen of England. Many times, when some person takes an oath here, in this House, he says his allegiance is directly connected with Her Majesty the Queen. So, it is very clear that we are yet to be disconnected with our former masters.

On international platforms our State of Kenya is expected to be represented by our Head of State. This puts us in an embarrassing position whether we are to tell the Governor-General to represent Kenya in Tanganyika as the Head of State as we have today the Head of a different State as State guest of Kenya. When we cannot represent ourselves internationally it means also that internally we are not completely free. We are not completely free. Our freedom has sentimental values and the sentimental values are expressed through the dignity of the Head of State. Mr. Deputy Speaker, I sometimes feel that we embarrass our neighbouring states, the Republic of Uganda and the Union of Tanganyika and Zanzibar. In Uganda they have their own President, the Kabaka of Uganda, who is actually the

President of Uganda. In Tanganyika we have Dr. Nyerere who is the President of the Union of Tanganyika and Zanzibar. Now, this being the position, no matter how our Prime Minister might be respected, his status is not equal to that of the President of the Union of Tanganyika and Zanzibar or that of the President of Uganda. Kenyatta as Kenyatta is respected but he cannot claim the same privileges as the President of the Union of Tanganyika and Zanzibar. There are legal technicalities whereby the Head of the State has more authority than the Prime Minister. So, we see that our Prime Minister is Prime Minister and not President.

At the same time, Mr. Deputy Speaker, if—and this is true—we are going to have a republic in Kenya, preferably this year—I am sure the House will support me in that we must have it this year—that republic must have executive authority vested in the President. The President of our republic-to-be should have executive authority so that we have a stable Government in the country. The present Government is stable, but I would not say it is fully stable, where *Majimbo* is concerned. When we have our Republican Government and when we do get a new Constitution, *Majimbo* will become mere local authorities and not Governments.

The Deputy Speaker (Mr. De Souza): Mr. Gichoya, you must not get out of the subject by talking of *Majimbo*. We are not talking of *Majimbo* but of the Government.

Mr. Gichoya: Mr. Deputy Speaker, a Republic of Kenya must be so contrived and so arranged as to make it possible at times for the National Assembly to increase or refute the powers of the Executive President. I believe the Member from the Opposition understands exactly that I am talking in terms of the President of the Republic of Kenya to be, and if he pays more attention I believe he will find that he is only President of the Regions who will no longer have any power whatsoever under the new Constitution which I am asking this House to bring into being.

[The Deputy Speaker (Mr. De Souza) left the Chair]

[The Speaker (Mr. Slade) took the Chair]

Mr. Speaker, Sir, as I said, our legal position is that we are a dominion and it is high time that we, as people who have already decided to be independent and dignified, have a Head of State as President. This cannot come about unless you have a republic. During the elections we were voted in on a very good understanding. We never cheat and, therefore, I find it difficult, when we

[Mr. Gichoya]

want to bring Kenya into line with the other East African states which are republics, to understand that some Members of the Opposition are interested only in *Majimbo*. We are aiming at federation and it is, of course, more dignified when the President of the Union of Tanganyika and Zanzibar meets the President of Kenya to decide to take a final decision with regard to the federation of the territories. It is possible that the President of the Republic of Uganda is not vested with the necessary powers to commit his country to an East African Federation. If our republic comes into being this year, simultaneously with the federation of the East African Republic, it will bring into the picture the federation of these republics with the Kingdom of Ethiopia. I say so, Mr. Speaker, Sir, because by then Kenya as a republic will be having direct connexion with other free states, with other republics, although at the present moment our dealings must have the blessing of Her Majesty's Government since courtesy demands that we have to notify the Queen of England that we want to enter into this connexion and change our status from Kenya to something bigger than Kenya. One might say this is expansion but it is not.

I have said in my Motion that we have a Republic of Kenya within or outside the Commonwealth. The Commonwealth organization, Sir, is known as an organization which was brought about by the British people when they thought that by losing complete connexion with their former colonies, of their empire politically, and that they would be the losers and the best way they could maintain a certain amount of power was by creating another organization with a new terminology, perhaps with new principles. This was the Commonwealth, and the Queen of England is the Head of the Commonwealth, and when Kenya is within the Commonwealth our President in the Republic will be still under the Head of the Commonwealth, the Queen of England.

I feel also that there is something wrong with the Commonwealth status. When our Prime Minister meets other Prime Ministers of Commonwealth nations, they do not normally meet in the various States which comprise the Commonwealth, but they normally meet in London and the British Prime Minister is always the Chairman of any Commonwealth meeting. Therefore, my feeling is this: as a free man my Prime Minister should at one stage or another be the Chairman of a Commonwealth meeting. At the same time the President of my Republic, when it is constituted, should be in a position to

be the Head of the Commonwealth. In other words, there must be a rotation of the Head of the Commonwealth and even the places where the Prime Ministers meet. Economically, we are in a position to extract something from the British Prime Minister, from the Indian Prime Minister, from the Tanganyikan Prime Minister and so on. The President of Tanganyika has two powers, the presidential and premiership combined, that is: all in one person.

Mr. Speaker, Sir, I believe our connexion with the Commonwealth should be examined very carefully by the Committee, which should be constituted in order to formulate or bring about a good document or Constitution for this country with the presidential Head of State.

With these words, Mr. Speaker, I beg to move that we have a Republic in Kenya this year.

The Speaker (Mr. Slade): You second the Motion, do you, Mr. Ngala-Abok?

Mr. Ngala-Abok: Yes. I cannot understand why hon. Members keep trying to interrupt other Members when moving such a Motion. We are merely asking the Government to make use of our people, there is still one important position to be Africanized, and that is the Governor-General's position. That position is to be Africanized, but that does not mean the person in that position at the moment is prejudiced. In fact, when he was coming to Kenya, the Colonial Secretary said that he was a free man of both political and administrative experience and this may be true. There is a need for this change, but we will be losing a person who has experience and is a good man in this field. He has helped Kenya to Independence peacefully, but this will never alter the fact that we need a Republic to rid us of those places where we still have some colonialists.

Mr. Muliro: On a point of order, could the hon. Member address the Chair instead of hon. Members?

The Speaker (Mr. Slade): Yes, I think so. If you do not agree with what Mr. Ngala-Abok says, then you must say so when you start discussing the question.

Mr. Ngala-Abok: Thank you very much, Mr. Speaker. The fact is that we need Kenya to be turned into a Republic and to see the position of the Governor-General taken over by a person who is going to be responsible for taking over the services of a Head of State. Supposing the Prime Minister resigned today, for any reason, the Governor-General will be asked to appoint one of the Ministers to form a Cabinet, and

[Mr. Ngala-Abok]

that Governor-General will be the present Governor-General and, therefore, the people will question whether the person that has been appointed or the person that has been recommended by the Governor-General is not his personal friend. Whereas if you have an African, for that matter, as the Head of State, it could be proved that because he is the head of the party and at the same time the Head of the State, that would be why the country would not be in a state of confusion. That is why we are asking the Government to treat this matter as an urgent one, for them not to be confused by too much propaganda and psychology, and by being so friendly that the opposition is satisfactory. It is not satisfactory, the present position of the Prime Minister is not satisfactory, because people still feel that if we are independent we should not have a *Mzungu* Governor-General, even if a *Mzungu* is as good and even better, perhaps, than some of our Members here. But the people in the country will not be able to be convinced that it is good. I cannot convince them, they only think that we need a Governor-General who is a different person altogether.

Now, Mr. Speaker, there is another important factor here. Today we have a lot of missions from overseas countries. We also promised the people that we shall follow a policy of socialism and non-alignment, but then the people coming here still see a British person being a Governor-General here. They will not be satisfied that many of the agreements that have been signed will not be tossed aside in one way or the other. There is a sort of politics involved, so they would like to see a complete, clear African party from top to bottom and then they will know that whatever we have signed we have signed in good faith, and we have signed it with the people of that very country and no other person will have a word. Nothing will be underground, but I can assure you that everything else can be underground in Kenya today. Therefore we want the country to become a complete Republic with a President, or for that matter call him a Governor-General, we do not mind. People think that a Prime Minister has got power. I understand people trying to claim that the Prime Minister now has got enough power, but if he has got quite enough power, do you not think that after he has had conferences with the outside world he must report to the Governor-General? Let me tell anybody here that whatever deliberations have taken place between our Prime Minister and other Prime Ministers, the present Governor-General has every constitutional right to know everything and to give his comments, and if

possible to influence the Prime Minister against whatever agreement he has made with other countries.

Now, therefore, we do not want all we are saying to be questioned. We are asking that this country be declared a republic and that we tell the people that now we are completely independent. We want the outside world also to see, as I have said, from the President to the most junior Minister—I do not know who he is—that we are Africans who will be nationalists, not be semi-nationalists. This will show that Kenya is independent, but the present position is that we are still semi-colonialized. There is no question and no doubt that the present Constitution needs scrutinizing and abolishing when we get a republic. We are fighting to get Kenya declared a republic and also to abolish the present Constitution altogether.

Now, with those few remarks, Mr. Speaker, we wish to make Kenya a republic.

(Question proposed)

Mr. Seroney: Mr. Speaker, Sir, I would like to make a few things quite clear. The first thing is that I have no doubt whatsoever that in so far as Kenya is concerned, Kenya is absolutely independent. The fact that we have got a Governor-General is no diminution over the independence of Kenya. However, I do support the principle of having Kenya a republic on psychological and other terms which I shall be stating as I go along. I would point out, Mr. Speaker, that our Member of the Opposition delegation in London will support the idea that Kenya should move from independence to a republic. I am sure that the Opposition now will not change their colours and insist on retaining a Governor-General.

Mr. Speaker, Sir, I wish to pay tribute to the performance of the existing Governor-General, and that it would not really make any difference whether we have the recent Governor-General or whether we have an African Governor-General. They are both appointed on the advice of the Prime Minister by the Queen. But in actual fact he is appointed by the Prime Minister. That is just a legal technicality, but in actual fact he is appointed by the Prime Minister. I am absolutely certain that those Members who talk as if it is different to have a white Governor-General and a black Governor-General has made any difference, do not necessarily understand the Constitutional position.

Mr. Speaker, Sir, I said that I support Kenya becoming a republic. I go even further than that, and I go further in the stand I took with some of my colleagues in London, and say that Kenya

[Mr. Seroney]

should be a republic with an executive President. The reason is this: I have noticed within the one year during which we have operated this Constitution that there is substance in what has been alleged elsewhere that Africans are not sufficiently sophisticated to distinguish between the functions of the executive and the ceremonial functions of a Head of State. That goes right down to the various levels, it goes right down to *Majimbo*. Ordinary voters, when things go wrong, instead of going to the Members who are concerned, whether in the county councils or area councils or in the Regional Assemblies, they come to us, Members of the National Assembly. Collectively they want to know what Government is doing, and that Government is the Government of the Prime Minister, and that is why it is essential that we should have not only a figure-head, but that figure-head should be the forecut of the Government with a reality of power. So, Mr. Speaker, I beg to move:—

THAT all the words after "this House" be left out, and that there be inserted therein the following words: "As against the Government to introduce legislation to effect such amendments to the Constitution, and to take such other steps as may be required to enable Kenya as soon as possible within this year to become a republic within the Commonwealth of Nations and to have as her Head of State an executive President directly elected by the votes of the whole nation."

Now, Mr. Speaker, Kenya as a young nation is like an egg with a very delicate shell. Hon. Members are aware that the Prime Minister assured everybody concerned that the Constitution will be altered as and when it was found to be unworkable, or according to the wishes of the people. I would hate it to have this issue of the republic connected with any drastic amendment of the Constitution. We who have decided to support a Prime Minister in the call of *Harambee*, are in the process of teaching our people the benefit of *Harambee*, and carrying them with us. We would sincerely urge that any amendments to the Constitution for the time being should be connected with whatever is required to enable the President to govern effectively, and not to upset the apple-cart, in which case it will put Kenya in the position of Humpty-Dumpty, in which case not even all the Queen's horses and all the Queen's men can put it together again. There is really no hurry to go into details of a delicate and complicated Constitution. Those can be gone into and properly without treading on anybody's toes. Of course, for example, there is no doubt whatsoever that

the executive President will be the Prime Minister who presumably will be required to resign, and if this Motion is accepted will be required to submit himself to the vote of the whole nation, which I am sure he will carry unanimously.

I have also included in this Motion that we should be within the Commonwealth. I do not agree that being in the Commonwealth is any diminution of our independence. I think that being in the Commonwealth is an advantage, it is even a greater advantage than being in the United Nations which does not seem to be able to get any franchise. Within the Commonwealth of Nations the members thereof operate with each other, each one can organize its own internal affairs, even the Republic if you want, you can be a monarchy if you wish, but no one will interfere with you. Even within other nations you can vote against another member of the Commonwealth of Nations, and when a member of the Commonwealth of Nations get into trouble, we have examples of other Commonwealth members coming to their assistance. I see no reason why we should contemplate the possibility of Kenya when it becomes a Republic being outside the Commonwealth of Nations. The statement I have used there that such other steps referred to the fact of course, that one has to consult the various Commonwealth members whether they will accept Kenya within the Commonwealth after it becomes a Republic or not. In view of the fact that other nations have become Republics within the Commonwealth is no reason to think that Kenya will be thrown out the moment it signifies its wishes to become a Republic.

Another point which was touched on by the hon. Mover, was the question of the Chairmanship of the Commonwealth Prime Ministers' conference. I feel of course, that to have this conference rotating from place to place, even if they do not do so, I do not see anything wrong with having the British Prime Minister as a senior member of the club being the convener of the conference. After all the decisions which will be taken will not be enforced decisions—

An hon. Member: We do not expect them to be.

Mr. Seroney: But they will be collective decisions which will not even be binding until each nation agrees. I would remind hon. Members, of course, that there are considerations beyond those, because wherever you have a conference somebody has to pay for it.

The Speaker (Mr. Slade): Your time is up, I am afraid, Mr. Seroney.

Mr. Seroney: With those few remarks, Mr. Speaker, I beg to move this Motion, and to urge that if necessary this should be put to referendum.

Mr. Kiprotich seconded.

The Speaker (Mr. Slade): Mr. Kiprotich, if you want to speak at all you will have to do it now because formal seconding of an amendment does not have the same effect as seconding the main Motion. You are seconding formally?

Mr. Kiprotich: Yes.

The Speaker (Mr. Slade): Before proposing the question of the amendment, I cannot propose it quite as Mr. Seroney has put it because it says here, leave out all words after "That this House" which includes the words "urges the Government to", and then he says that he wants to put in again the words "urges the Government to". We cannot do that, so the proposal is to leave out all the words after the word "to", after the words "Government to". At this stage that is the question only, that all words after the words "Government to" be left out of the question. If that is carried then I will have to propose the further question that the words suggested by Mr. Seroney be inserted.

Although this purports to be a complete rewording of the Motion, it is in substance the same and it is only going to aim, in effect, at introducing two further elements, one is that the conversion to a Republic should take place within this year, and the other is that there should be the express provision for a Head of State Executive President elected by the nation. I think, in those circumstances, it is better that I confine the debate on the amendment to those particular points as to time and a President being included in this Motion. We will then dispose of the amendment and go on with the Motion, with or without that amendment.

Mr. Seroney: "The Government to introduce legislation to effect such amendments to the Constitution as may be required," et cetera?

The Speaker (Mr. Slade): I have yet to see any difference in substance. It is quite all right to propose your alternative wording to the House, I want to limit the debate on the amendment to those two features of the amendment.

Mr. Muliro: I am seeking your guidance, Sir. There are only two features of the amendment which are slightly different from the original Motion, although there are a lot of words but it is actually the same thing. When one speaks

on the amendment, would he not speak on the original Motion as well?

The Speaker (Mr. Slade): No. He is free to speak on the original Motion afterwards, or on the Motion as amended. All I want hon. Members to speak on at the moment is whether they would like the question altered as proposed by Mr. Seroney. We then come back to a full debate on the merits of the question.

Mr. Muliro: Mr. Speaker, whether this Motion is amended in the form which Mr. Seroney urges or not, I think it seems to be a delaying tactic towards implementation, the desired wish that Kenya must seek every method to see that instigation. The question of whether Kenya should be Republic, or not a Republic was discussed at the final Conference in London.

The Speaker (Mr. Slade): I am sorry, Mr. Muliro, I think you misunderstood me. All I want hon. Members to debate at this stage is the merit of this amendment of the Motion, and these two features of it, whether you want to insert in the question "within this year", and provision for an Executive President. As soon as we have disposed of that we will be free to discuss what you want.

Mr. Muliro: Could we just put the question?

The Speaker (Mr. Slade): I think it might be a good thing unless any hon. Member wishes to speak on the amendment.

(Question that the words proposed to be left out be left out proposed)

Mr. Gatuguta: Mr. Speaker, Sir, I would like to support the amendment because it is realistic. There is no doubt that Kenya is going to be a Republic, and I know that our own Government, Prime Minister and everybody is concerned about it and steps have already been taken towards the establishment of a Republic, so that this Motion as it is, is not going to help us in any way at all because the Government is considering it. What we should do is to consider the amendments that have been put as to what form of Republic we need in this country. I think the amendments that have been put by the hon. Mr. Seroney help us in deciding the form of the Republic, a Republic that is going to have an Executive President. The Republic should be within this year. This Motion, as it is, is too general and does not even suggest when we should have the Republic, and the amendment suggests the period, that is the period of one year. The amendment goes on to suggest that we should have a Republic with an Executive President, so I think there is more meaning to

[Mr. Gatuguta]

the amendment than to the Motion as it stands. If the House agrees with me, all these words should be removed from this Motion and we want the Motion in the form that it has been amended, so that it will carry some meaning. It can convey the spirit of this House, not only to the Ministers who are involved in these things now, but also to the whole country. The country wants to know when the Republic is going to be declared and also what kind of Republic we are going to have. A Republic with an Executive President or a Republic with a President without power.

Mr. Speaker, I think Members will agree with me that this Motion should be thrown out and be amended in the form that has been given by the hon. Member. There is also the question of the Constitution which has raised a very important factor in our political development. We are not very happy about the present Constitution and it is only within the framework of a Republic that a new Constitution could be formed. Even those who shout at me know that this Constitution has become unworkable. It is only within the—

The Speaker (Mr. Slade): I do not think that we can go beyond those amendments of the Constitution which are necessary to make a Republic, as opposed to a dominion.

Mr. Gatuguta: Mr. Speaker, Sir, I wish to support the amendment.

The Speaker (Mr. Slade): Do you want to speak on the amendment, Mr. Ngala, or wait until we have disposed of the amendment?

Mr. Ngala: On the amendment, Sir. Mr. Speaker, Sir, I would like to say that the hon. Member who has sat down probably does not understand the meaning of having an Executive President.

An hon. Member: He is a lawyer.

Mr. Ngala: Well, maybe a pushed lawyer, I do not know. This has a different Constitutional meaning, Mr. Speaker, Sir, and asks who would like Kenya to be a free and democratic country. We would not want to have an Executive President who would be a dictator or who is likely to declare something any morning of what he wants the country to be, without using the Parliament. We would not want the President who may very habitually alter anything without the use of Parliament. I own the right to oppose that section where it is indicated that there should be an Executive President. This is very much opposed by the whole side of the Opposition because of its Constitutional implications. As to

the whole idea of whether we become a Republic or not, I reserve my right to speak on it afterwards.

The Parliamentary Secretary for Justice and Constitutional Affairs (Mr. Nyamweya): Mr. Speaker, Sir, I stand to oppose the amendment to the Motion as it stands. The reason why I have stood to oppose the amendment is because it would be very improper for this House at this stage, when it may be possible the Government intends to make certain changes, to indicate the form of the republic which Kenya should have, and to go further, also to suggest the method of election of the President. It is the Government's intention maybe—I seek your guidance later when I will be replying on behalf of the Government—to accept the spirit of the original Motion as it stands.

For that reason, Mr. Speaker, if the Mover of the amendment could withdraw his amendment, the Government would then decide to accept the original Motion.

Mr. Kamau: Mr. Speaker, Sir, I had no intention of speaking on this Motion—

An hon. Member: Why are you standing, then?

Mr. Kamau:—until I found that my Government stands to oppose this very reasonable amendment. This is something on which I feel strongly, as a representative of the people who wish to have independence in this country so as to enjoy the fruits of independence. The general public feels that they are not yet free because there are still some strings of colonialism in this Government. Mr. Speaker, Sir, I very strongly support the amendment proposed by the hon. Member, Mr. Seroney, and urge that we should have a republic within the year, for the simple reason that there are so many things which are happening in our neighbours' countries who have independence. They started to struggle for independence after Kenya started struggling for independence many years ago. They are now enjoying all the privileges of free countries, while we in Kenya still feel that we are not free.

Mr. Ngala: Question.

Mr. Kamau: There is no question, I will tell you. If you look, Sir, you will find as I have already mentioned, that people accept my interpretation: as long as the Governor-General is still a British man in this country, we are never free.

Hon. Members: Question, question, question.

The Speaker (Mr. Slade): Order, order. I think you are coming off the amendment now, Mr. Kamau, and coming on to the main Motion. You must confine your remarks to your reason for supporting this amendment.

Mr. Kamau: Thank you, Mr. Speaker. I thought we were discussing the whole Motion. If that is the case, Sir, I fully support the amendment that we should have a President with executive powers.

The Speaker (Mr. Slade): Order, order. Do you wish to speak on the amendment?

Mr. Tanui: Yes. Mr. Speaker, Sir, it is very interesting to see Members of this House so divided on this amendment. We really requested independence and we wanted to be independent, but it has been proved through some speeches in this House, Sir, that some people do not want to be independent. They want some executive powers to rule them and make them slaves.

Mr. Speaker, I am very, very much opposed to giving anybody executive powers, which may even give him a chance of taking your property without your will. I would urge my dear colleagues in this House that they should keep their eyes wide open so that they do not allow such amendments or proposals to be carried out.

So, Mr. Speaker, I only arose to oppose and nothing more, but to oppose the amendment as such.

Mr. Maisori-Itumbo: Mr. Speaker, Sir, I stand to oppose the amendment and to support the original Motion as it stands. There are two things I am afraid of in my life: one is Communism, and the other is dictatorship. For an hon. Member to stand up in this House and amend a Motion so as to give someone executive powers is a shameful thing.

Mr. Kamau: On a point of order, could the hon. Member speaking tell this House whether this Motion has anything to do with Communism or dictatorship?

The Speaker (Mr. Slade): Order, order, he is explaining why he thinks it has.

Mr. Maisori-Itumbo: Dictatorship is something I am opposed to, and most hon. Members in the Chamber support me.

Mr. Speaker, we have experienced the slavery of the colonial régime. We do not want to replace it with another slavery which is worse than it was and, as a representative of my people, I will never agree with anybody suggesting something to do with the domination of the common man.

With these few remarks, I beg to support the original Motion.

Mr. Oduya: Mr. Speaker, I will also share the floor with my other friends who have expressed their feelings on the amendment. I personally, considering the position of the present Government and of Kenya, will not support the amendment for the time being. It looks to me as if we do not know the procedure at the moment, and if we allow that in a few months' time we create a President who is given powers like Nyerere in Tanganyika or Nkrumah in Ghana, probably we shall not get anywhere. At the moment, Kenya does not qualify to need exactly what they are doing for their countries in Tanganyika or Ghana. We have experienced and been given an opportunity because of their friendship with us to make arrangements for our future development. They have been inclined to ignore this House. Therefore, if we give the President such powers, it shows that those who are now in the Cabinet will try to confuse them so much that this Parliament here will not have much work to do. I would say that the Motion as originally proposed by my hon. friend, Mr. Gichoya, should stand so that we can go ahead. If there is anything we want to add on, that we want a President with executive powers, then at the time of drawing up the Constitution it could be brought to us so that we could make amendments and see which is better and which is no good. If we think that somebody is asking for more power and we feel it is not yet time for him to have such powers, we shall tell him to shut up. We shall try to go ahead.

I do not see why we should argue but I think I would request my friend here to give the House the Floor by withdrawing the amendment for the time being. I think there are other things we can discuss during the time of discussing the draft of the Constitution that is going to govern the republic.

I think that is all I wished to say. Mr. Speaker. Thank you very much.

Mr. Kibuga: Mr. Speaker, Sir, I beg to support the amendment. It seems, Sir, that some people do not differentiate between executive powers and Communism. That does not mean that if we give somebody executive powers he becomes a dictator. That is not what it means. The Parliament still meets; it will be for the people to decide what powers to give to the President. If our Parliament decides to give the President all the power, that would be dictatorship. In this case I think the President will execute the powers of the Governor-General and of the Prime Minister,

[Mr. Kibuga]

but his view will be controlled by the Parliament. Mr. Speaker, you find that our African, the common man, does not understand the difference between the Governor-General and the Prime Minister. The Members of Parliament may understand, but the common man in the country does not understand where the difference comes in. He may think that because there is a Governor-General, and wherever there is anything to visit, the Governor-General takes priority, he is the Head of the Government, whereas it is the opposite. Therefore, Mr. Speaker, I would support the amendment so that we have one person who will be looked upon by the population as the Head of the Government and the Head of State, and I would wish to correct my hon. friend. To give somebody executive powers does not mean giving him dictatorship; it does not mean Communism. There must be a difference between Communism, although we could get a dictator on the communist side, or a dictator who is not a Communist. So, it will depend on what we decide, on the powers that we decide to give to the President.

With these few remarks, Mr. Speaker, I beg to support the amendment.

The Speaker (Mr. Slade): In view of the limited time for this debate and the fact that the particular features of this amendment have been pretty fully ventilated, I think I must ask the House now to dispose of the amendment or we will have no time to discuss the main question, with or without amendment. I think you have all put your views now.

Mr. Seroney: Mr. Speaker, on a point of order. In view of that fact that Members have expressed their views, and in view of the fact that I understand that the Government is actively considering the whole implication of all that we have been saying and of the nature of the President, and of the fact that they are going to take into account the views expressed about the need for an Executive President, I beg to withdraw the amendment.

The Speaker (Mr. Slade): It is now in the possession of the House. The amendment having been proposed as a question, it can only be withdrawn with the leave of the House, that is to say if no hon. Member objects. If no hon. Member objects we will forget about the amendment and speak on the main Motion. Mr. Muliro, will you proceed with the question as originally proposed.

(The amendment by leave of the House was withdrawn)

(Resumption of debate on original Motion)

Mr. Muliro: Mr. Speaker, Sir, it is good that the hon. Member has withdrawn the amendment.

Mr. Seroney: On a point of order, Mr. Speaker, am I entitled to speak again?

The Speaker (Mr. Slade): No, I am afraid not. In moving an amendment, you speak also on the main Motion.

Mr. Muliro: Mr. Speaker, the fact must be known to all hon. Members of this House, why Kenya today is not a republic. When we went for the final conference in London for our independence, Sir, at that time we were very firm, as an Opposition, that because of the change of spirit in Africa, every African state would like to see that they have someone called a President at the top of their Government, as the Head of their State. We suggested at that time that we would like to see Kenya move into independence as a republic. The fact was very clearly stated in the Kadu Manifesto even during the elections. At that time, Sir, we were told by the Kanu party, the party that is in power today, that they did not want to go to independence as a republic. They wanted to go to independence as a Dominion in the true sense, and so it is the fault of the Government that today they want to be a republic.

The second point I would like to point out to the hon. Mover in this House, who said that Canada is semi-independent, is that Canada is in no way whatsoever inferior to Britain, inferior to India, inferior to Pakistan. Canada as a Member of the Commonwealth is equally situated with Britain. Part of the constitutional history of the Commonwealth—which hon. Members should know—is that the countries of the Commonwealth are equal and inferior in no way whatsoever. That is a point, Sir, which hon. Members must accept. Therefore, Kenya today as it stands is not in any way whatsoever inferior to Tanganyika, Uganda, Britain, Canada or India. We are on a completely equal status.

The third point, Sir, is that some hon. Members speak of the Prime Minister not being the Head. The Prime Minister of Kenya today is the Head of the Kenya Government. That is the question that should be borne in mind. But, the Prime Minister is just one and equal among the people in the Cabinet. He is not a dictator of the Cabinet, though he is a force among the people. The Prime Minister of the country should never be given the powers of a dictator. Even if he is the President he should never be given the powers of dictatorship because we all know where dictatorship leads to.

[Mr. Muliro]

Yet another point, Sir, which makes me oppose this idea is the tactics which hon. Members are trying to use in this House to get Kenya as a republic. They are trying to make us focus our minds on being a republic. In East Africa we are focusing our minds on one thing only, and that is the creation of a democratic republic of East Africa. Once we move into that democratic republic we would be empowered to do other things. So why worry about Kenya being a republic? Would you like to see Kenya worried during this time, with people suffering economically, simply because we do not bring about the question of East African Federation? I do not want to anticipate another Motion too much, but, Sir, I would say that when the time comes for Kenya to join hands with our neighbours in the greater union for the greater good of the greater number of people of this country, we will move in that union as members of a republic.

Mr. Ngala-Abok: Mr. Speaker, is it in order for a Member speaking to concentrate on the Federation of East Africa when the Motion really requests him to approve or disapprove of Kenya being a republic?

The Speaker (Mr. Slade): I think what the hon. Member is saying is relevant because he is relating the timing of becoming a republic to the timing of federation.

Mr. Muliro: Thank you very much, Mr. Speaker. The point we want the hon. Members in this House to understand is that we should treat number two things as number two things. We should not treat number two as number one.

Another point, Sir, which an hon. Member—or rather the hon. Mover and the hon. Seconder—mentioned is that the Kenya Constitution as it is now is an undesirable Constitution. Therefore, when we become a republic we should abolish it. Hon. Members in this House must accept the fact: that Kenya people want to think properly. You can never have unitary Government in order to put a tribal head at the top, as a tribal head of the nation. Some hon. Members who have never had ideas of genuine nationalism want to build their tribes and put them at the top so that they will have everything. Today, Sir, these thoughts are here among the hon. Members. Some of the hon. Members who have spoken today are ridden with some of these feelings, they think that the only answer is to see that a member of their tribe is at the top. We will work out a Constitution for East Africa and the way we should elect the head, the big man, is by everybody in East Africa voting for him.

With these few remarks, Sir, I beg to oppose this idea.

The Speaker (Mr. Slade): Time is running rather short. Perhaps you, Mr. Nyamweya, could speak on behalf of the Government?

The Parliamentary Secretary for Justice and Constitutional Affairs (Mr. Nyamweya): Thank you, Mr. Speaker.

The Government sympathizes with the spirit of this Motion, and as is known by a lot of hon. Members in this House, the Government does respect the present Constitution. However, no Constitution can always remain. Every Constitution is subject to test, and the Constitution which was handed down to us by the British Government must be proved to stand the test if it is to continue. Mr. Speaker, the present Constitution, as every hon. Member knows, has certain aspects which have proved to be extremely difficult and unworkable. The Government is not so blind and so naive that it will approach the question of amending the Constitution in the way the Deputy Leader of the Opposition has tried to allege. This will be a matter for the people of this country to decide, whether they are happy with the present Constitution or whether they are not happy with it.

What is being done, Mr. Speaker, is that the Government at present is studying the problem of creating a Republic of Kenya, but it must be borne in mind by the hon. Members that such a change cannot come overnight, because the Government is wise, and it takes into account the interests of your people. A new Constitution has to be written and it must take time. This is not going to be easy, a very easy matter such as writing a letter to a friend. Such a Constitution will have to be framed with the greatest care and consideration and with the acceptance of the Opposition. If the Opposition cannot be reasonable, then the Government will use its wisdom to get round the Opposition.

I will tell you, Mr. Speaker, how we can get round what has been known as the diminishing Opposition. The Constitution we have, Mr. Speaker, lays down the rules and the procedure of how the Constitution can be amended. It can be amended by the Government tabling a Motion in this House and that Motion being approved by a certain majority, as well as in the Senate. Alternatively, the Constitution can be amended by putting certain issues to the nation in the form of a referendum.

Hon. Members: That is all right.

The Parliamentary Secretary for Justice and Constitutional Affairs (Mr. Nyamweya): You may be shouting that is all right, but you hon. Members, particularly on the Opposition benches—

The Speaker (Mr. Slade): Mr. Nyamweya, address the Chair, please.

The Parliamentary Secretary for Justice and Constitutional Affairs (Mr. Nyamweya): I am sorry, Mr. Speaker.

Because of certain political events which have taken place, Mr. Speaker, as I have already indicated, the present Constitution had to be written in a very short space of time.

Hon. Members: Three years.

The Parliamentary Secretary for Justice and Constitutional Affairs (Mr. Nyamweya): I am speaking about the Constitution which came into being on the 12th December 1963, and it was written in one month in London. In a number of cases, therefore, Mr. Speaker, this Constitution has proved very difficult to interpret. As a matter of fact, it has been so difficult to interpret, particularly to the hon. Members of the Opposition, that it has made it necessary for them to seek the legal assistance of the court. Therefore, Mr. Speaker, I am sure that any changes which are made must be framed in such a way that there is no ambiguity, from which the present Constitution is suffering. This will take a lot of time. It will be a very great exercise for the Government to write a Constitution which is simple and which expresses the wishes and desires of the people of this country as to how they should be governed. It is not something which the Government will hurry into. The Government will take time to study the sections of the present Constitution which have proved unworkable and also the manner and the procedure whereby those sections or parts of the Constitution can be amended.

If we need a Constitution which we will have to hand down to posterity, it will have to be a Constitution which has been very carefully worked out. It will have to be a Constitution which will have to be accepted by the majority of the people in this country, including—

An hon. Member: This House.

The Parliamentary Secretary for Justice and Constitutional Affairs (Mr. Nyamweya): The people of this country include the Members of this House.

However, Mr. Speaker, the question of introducing a republic is not an easy one, as some hon. Members of this House think. Before a

Republican Constitution is introduced, there are questions of great importance that must be decided. In particular there is a fundamental question as to where the executive power of the republic should lie, whether it should be vested in and exercised by the President directly or through persons subordinate to him, in accordance with the Constitution: in other words, whether the President should be an executive one with Ministers who are appointed merely as his advisers or whether there should be a Cabinet executive, that is a Council of Ministers with a Prime Minister at the head, to advise the President as to the manner in which certain functions should be exercised. This is a very fundamental issue which must first of all, be agreed upon, and this is what the Government is doing now, studying the whole issue. As soon as the Government decides where the executive power of the State should lie, then the Government will move the necessary machinery to bring about the Republican Constitution.

Mr. Speaker, Sir, while the Government has this in mind, trying to introduce the Republican Constitution in the country, it should be known, particularly to the rather unfortunate diminishing Members of the Opposition, that it is not the Government's intention to interfere with certain parts of the present Constitution, particularly the parts which deal with the Judiciary, the parts which deal with land and some other entrenched matters.

Mr. Speaker, it has been said by some hon. Members that if the Kenya Republic comes into being, the Republic should be without the Commonwealth. Some speakers have already suggested that by being a member of the British Commonwealth that diminishes their statehood. We, on this side of the House, do know that the members of the British Commonwealth are equal partners and, apparently, this is the only fact which is known to the Deputy Leader of the Opposition now going out. Membership of the Commonwealth does not in any way infringe upon or diminish the sovereignty, nationhood or statehood of the equal member States. As Mr. Muliro rightly pointed out, Canada is equal in status to Britain; India is equal in status to Ghana; Tanganyika is equal in status to Uganda, and so on. We also have equal status with these other Commonwealth partners, and by remaining in the Commonwealth, that by itself will not diminish our statehood nor will it infringe upon our sovereignty.

Mr. Speaker, an hon. Member has suggested that we should have the Prime Minister as The Head of the Commonwealth. This is a very far-fetched argument. All the equal partners of the

[The Parliamentary Secretary for Justice and Constitutional Affairs]

British Commonwealth do agree and accept the British Crown as The Head of the Commonwealth, but by so doing—I will repeat again—that acceptance by itself does not in any way curtail our independence or nationhood. As was pointed out by the hon. Member for Nandi, partnership in the British Commonwealth is an advantage—

Mr. arap Choge: On a point of order, Mr. Speaker, I am seeking your guidance. Is the hon. Parliamentary Secretary referring to the Member for Nandi South or Nandi North?

The Parliamentary Secretary for Justice and Constitutional Affairs (Mr. Nyamweya): Perhaps it is not known by the hon. Member that Mr. Seroney is the Member for Nandi South and he is also a member of the Regional Assembly for Nandi North.

Now, Mr. Speaker, it has been the practice in the Prime Ministers' conferences that the senior leading Prime Minister, who is the British Prime Minister, always has the privilege of convening such conferences. It is not the intention of the present Government to take away this privilege from the British Prime Minister.

With regard to the question of having a revolving capital or seat of conference most Members who are knowledgeable know that this is something which has been discussed in the past by the Prime Ministers in their Commonwealth conferences and one can envisage, or one can look forward to the time when that will be feasible.

With these few remarks, Mr. Speaker, I beg to support the Motion only by amending it to read:

THAT this House urges the Government to take steps to make Kenya a Republic within the Commonwealth of Nations.

The Speaker (Mr. Slade): Mr. Nyamweya, can I have that in writing?

The Parliamentary Secretary for Justice and Constitutional Affairs (Mr. Nyamweya): Yes, Sir.

The Speaker (Mr. Slade): Hon. Members must remember in future that amendments cannot be moved until they have been given to me in writing. I see that the proposal as now stated is simply to leave out the words "or outside". As we are now past the time when I should call on the Mover to reply, I must propose and put the question immediately without further debate on the amendment.

Mr. Kiprotich seconded.

(The question of the amendment, that the words proposed to be left out be left out proposed)

(The question that the words proposed to be left out be left out was put and negatived)

The Speaker (Mr. Slade): I am sorry, I have misread another point. There was another amendment proposed by Mr. Nyamweya, and I think I must put that to you, too, that instead of the word "Organization" we put in the words "of Nations".

(Question that the word "Organization" proposed to be left out, be left out, proposed)

(The question of the amendment was put and carried)

(The question that the words "of Nations" proposed to be inserted, be inserted, proposed)

(The question of the amendment was put and carried)

(Question of the Motion as amended proposed)

The Speaker (Mr. Slade): It is strictly time to call on the Mover to reply, but as we shall not have time to start anything else I think I can allow other speakers to speak until 6.20 p.m.

Mr. Masind: Mr. Speaker, Sir, I have one point to mention here and this is a very important point. To make my point clear I want to put forward an example of a man who every day first must get his breakfast, but instead of doing this, when he came home at lunch time he sat down to eat the meal that was prepared for his breakfast and then continued to eat his lunch. This is a question of timing and doing it correctly. The Republic of Kenya was the time for breakfast and the East African Federation comes next. Now we are looking for an East African Federation and there is no question of putting the clock back again. If we are serious and genuine with whatever we intend to do for the benefit of Kenya we must not consider ourselves. We must not confuse ourselves with the issue of all the necessary steps we have to take and looking after the people of this country, because if we get confused then the Ministers will come here and say that we must do whatever they want, and we will agree without knowing anything. The hon. Members on the Government side are using tactics and this is the thing which is dividing them; they are not one group, they are divided into various groups, some of which have been talking about this subject of a republic for quite a long time and have failed to reach any decision. The other party say that if

[Mr. Masinde]

Kenya becomes a republic then the question of who is going to be the President in Kenya will arise. That is the big problem. While we are being confused here we do realize that this is the outcome of discussions not of people in this House but of people who are outside this House. Possibly they may be Members of the Cabinet who are trying to mislead the actions and intentions of the Members here. We must be realistic and must direct this country along proper channels. We are the representatives of the people and must do the best for them. We promised the people that we would try and make Kenya a republic on the same day that we achieved independence, but we have not yet got what we promised them. What excuse have we for this?

Mr. Kamunde: On a point of order, Mr. Speaker, can the hon. Member substantiate his remarks?

The Speaker (Mr. Slade): The hon. Member was merely expressing opinions in the course of his speech, he has made no allegations.

Mr. Masinde: The case here is quite simple. The hon. Parliamentary Secretary who was speaking on behalf of the Government said that there were many complications in the Constitution. He implied that the Constitution was the thing that was causing most difficulty. If it is the Constitution that is causing the difficulty, why is it that we cannot come out in the open and say that the complications are such-and-such. When he spoke here a little while back the Parliamentary Secretary did not say that the complication was due to any specific item. If the Cabinet finds difficulties and complications in the Constitution then I am sure that we, hon. Members in this House, can help to solve the problems. We are here to share the problems of this country and to help to solve them. It is not that we think that there are fewer members in the Cabinet than in this House and that is why they ought to bring their problems to us; it is only that we think that we can help them to try and solve the complications that they say are there in the Constitution. That is why in future this country will be confused where the Ministers in the Cabinet have failed to reach a decision and we might think that our Government is doing well, and whatever they have asked you to do, you say that you are going to put it before the House. That is why, Mr. Speaker, I think it is necessary that there is no need for a republic now. What is urgent for Kenya to do is too much with the present political situation and that is the East African Federation.

With these few remarks, Sir, I beg to oppose the Motion.

The Speaker (Mr. Slade): You have three minutes only, Mr. Bomett.

Mr. Bomett: Thank you very much, Sir.

The question of the need for a republic is definitely a very urgent one. The people of this country demand it. In fact, Mr. Speaker, Sir, it is clear that we cannot have a republic with the present Constitution, which is very confusing indeed. I want to give an example of a President who goes round in a region, telling the officers, District Commissioners, District Officers, Regional Government Agents and whatnot, that he is in charge of them when he very well knows that these people are the executive officers of the Central Government. That is one example where this country is very much confused by this very Constitution. You, find, Mr. Speaker, Sir, that the smooth running of this country is greatly hampered by this Constitution. Therefore, I think this Government was very wise indeed to have rejected the Opposition's move to ask for a Republic Constitution immediately the country became independent. This is the time now that this Constitution should be reviewed. If we find that the Constitution is not suitable and is not palatable to the African majority of this country, then it must be thrown out, because the Constitution of a country is made by the people of that particular country and this is our right.

Now, Mr. Speaker, Sir, with regard to the question of timing, we cannot have East African Federation before we have our republic here so that we move with a very clear mandate from the people of this country, and then we can join up with the others.

Mr. Speaker, with these few remarks I beg to support the Motion.

The Speaker (Mr. Slade): I am afraid, Mr. Bomett, that I must call on the Mover to reply now.

Mr. Gichoya: Mr. Speaker, I would like to thank both Members of the Government and a few of the Opposition for accepting and recognizing the principle of making Kenya a republic this year. That is the general feeling in this House and in the country. The allegations which have been put forward by some Members of the Opposition that people from the Central Region have been working against the coming into being of a republic have no foundation or grounds for saying this. I say this, Mr. Speaker, because I come from the Central Region, in fact from the heart of the Central Region, and I am the man

[Mr. Gichoya]

who has brought the Motion before the House. Those who are arguing against it or who are trying to say that we are against it ought to have come forward and said that a republic for Kenya must come within two months, rather than just talking and putting the blame for the delay on us, or on the existing unworkable Constitution.

An hon. Member: What about the KMEFMO Constitution?

Mr. Gichoya: Mr. Speaker, if the hon. Members are interested the KMEEMO Constitution is available with the chairman of KMEEMO. Nevertheless, whether KMEEMO or no KMEEMO, the country is one.

The new constitution which we are trying to bring about, and which we are recommending that the Government should prepare and bring to us, should definitely not have a reigning president, but a positive president. There used to be a problem posed by the Indian Republic, if I may quote it as an example, whereby the most senior member of the Indian society, the President, had to ask the Judicial Department or the Institute of Law to make it clear as to whether the president of a republic is equal to a queen or a king of a kingdom, because the king is a constitutional head in some cases, but a president may be a constitutional head but not a reigning head so long as he is elected by the people. The new constitution for a republic, Sir, should accommodate certain clauses whereby the Parliament of Kenya could, with a simple majority, dispose of him if possible, and also the powers which are given to a president or to the head of state can be reduced, or additional powers can be given to him when it is necessary.

Nonetheless, I am not discussing the nature of the Constitution, but what I would like to say now is this: the Republic of Kenya is in no way a negation of the East African Federation. On the other hand, it is a strengthening step towards the federation of equal republics, republics without the slightest trace of today's entrenched

Majimbo powers, but of course with local authorities capable of making a republic, a dignified state, within the community of nations as long as we are members of the United Nations.

This, Sir, *Majimbo* is a confusing factor, and I would say that the British Government had so many interests, vested interests, that when bringing a Constitution to this country they brought so many divisions of the country with complicated *Majimbo* provisions. The problem is, do we have money for these presidents—

The Speaker (Mr. Slade): No, I do not think that is the object of this debate.

Mr. Gichoya: Mr. Speaker, Sir, the money has been spent because of the various compartments which are involved within the present Constitution and it could have been utilized for developing people like the Masai.

The Speaker (Mr. Slade): Order, order. We are debating whether or not we want a republic, not whether or not we want other amendments to the Constitution. I have kept hon. Members to that, and please keep to it yourself in your reply.

Mr. Gichoya: Mr. Speaker, the Members of the Opposition have been trying to interrupt me, and I should say that I thank all those who have participated emotionally and concretely in the debate.

(The question of the Motion as amended was put and carried)

Resolved accordingly:

THAT this House urges the Government to take steps to make Kenya a republic within or outside the Commonwealth of Nations.

ADJOURNMENT

The Speaker (Mr. Slade): It is almost time for the interruption of business. For the convenience of Members, the House is therefore adjourned until tomorrow, Friday, 12th June, at 9 a.m.

The House rose at twenty-seven minutes past Six o'clock

Friday, 12th June 1964

The House met at Nine o'clock.

[*The Speaker (Mr. Slade) in the Chair*]

PRAYERS

NOTICES OF MOTIONS

Mr. Godia: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT in view of the fact that Hamisi constituency is densely populated, this House calls upon the Government to explore means whereby dormant mineral wealth can be exploited in the constituency in order to provide work for the unemployed people in the area.

Mr. Ngala: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT, in view of the national importance of pacts or agreements between our country and foreign countries, such as Britain, Russia, China and the United States of America, etc., this House urges the Government to ascertain that proposals for agreements are first fully debated in this House with a view to getting the mandate of the House before the signing of any such agreements.

Mr. Ngala-Abok: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT, in view of the Government Kanu Party election promises to provide free health services and free primary education to the country, this House calls upon the Government to implement those promises in the next financial year 1965/66.

ORAL ANSWERS TO QUESTIONS

Question No. 146

MUSLIM HOLIDAYS TO BE NATIONAL HOLIDAYS

Mr. Jahazi asked the Minister of State:

- (a) Why the Government refused to declare Idd-ul-Haj and Idd-ul-Fitr public holidays for all Kenya citizens instead of Muslims only.
- (b) Would the Government consider making all such holidays national public holidays.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, Sir, I beg to reply.

- (a) Sir, the public holidays which are applicable to all persons resident in Kenya fall into two categories. The first category contains

those public holidays which are given to celebrate events of national importance such as Kenyatta or Independence Day. The second category are those which are normally termed Bank Holidays, that is to say days on which banks are legally closed, bills falling due on those days being payable the following day. These Bank Holidays are also observed as being general holidays for the public. In addition the Government and many other employers recognize that there are certain days which have a special religious significance for persons of a particular religious denomination, such as Idd-ul-Haj and Idd-ul-Fitr have for Muslims. It is the custom, therefore, to allow such persons time off on these special days so that they may attend those religious and other functions which are considered obligatory by virtue of their creed and constitutional rights. No reason is seen for extending such privileges to persons to whom a particular day has no special significance. In Kenya there are no less than forty special days celebrated by different religious groups, and I do not have to expand on the reasons why it would not be in the interests of the country to grant the whole population a holiday on each of these days.

(b) No, Sir.

Mr. Jahazi: Mr. Speaker, Sir, arising from the Minister's long reply, would the Minister consider promoting Id holidays to the status of Christmas Day and Easter holidays as all these are religious days and are extended to all people, irrespective of whether Easter or Christmas has a meaning or not to them. They have to go on holiday. Would the Minister consider putting Id holidays on the same status as Easter holidays?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): No, Sir, I do not intend to consider that. These various holidays are also Bank Holidays. The other holidays which the Member is referring to are not Bank Holidays. They cannot therefore be in the same status.

Mr. Balala: Mr. Speaker, arising from the reply of the Minister, would the Minister inform this House how many Christian festivals and how many Muslim festivals are regarded as national public holidays in Kenya?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, Sir, I must explain again. Easter is a Bank Holiday. It is not just a Christian holiday. So is Christmas and so

[The Minister for Justice and Constitutional Affairs]

is Boxing Day. These are Bank Holidays, days on which the banks are legally closed. Apart from that, Christians, Muslims, heathens, everybody, have their own religious holidays, and many employers, including the Government, quite often give time off to people of these different religions to celebrate their different religious holidays. Apart from this, Sir, whereas in the past these two festivals were only observed by Muslims in the Coast Province before independence, the Government has raised them to the status of a holiday for Muslims everywhere in Kenya since independence.

Mr. Ngala: Arising from one of the Minister's previous replies, Mr. Speaker, could the Minister explain what steps he intends to take to make it easier for Muslims on those two days to get off from their jobs when employers are not co-operative in different parts of Kenya?

The Speaker (Mr. Slade): This question does not arise.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): I am willing to give the information—

The Speaker (Mr. Slade): I think we had better not wander off to it.

Mr. Jahazi: Mr. Speaker, Sir, is the Minister aware that the arrangements so far extended to Muslims are quite unsatisfactory since so many employers are not ready to release their employees on the days that they have been granted time off by the Government?

The Speaker (Mr. Slade): Again I do not think that is relevant to the question of extending these holidays to others.

Mr. Jahazi: On a point of order, Mr. Speaker, I feel this arises because the Government grants public holidays to Muslims and the employers do not grant these holidays to the employees. Therefore, we feel there is—

The Speaker (Mr. Slade): The question, though, is whether other people should have holidays; we must keep to the question.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): On a point of order, Mr. Speaker, do I understand the Member to suggest that although this is a holiday for Muslims that, in fact, Muslims are not getting the holiday?

The Speaker (Mr. Slade): That is what he says, but it is not in relation to this question which is whether other people should have this holiday.

Mr. Balala: Mr. Speaker, arising from the reply of the Minister, could he tell us frankly which are the Christian festivals observed by Christians, and made public holidays in Kenya?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, with respect, I believe that every Muslim, non-Christian and heathen in this country very much enjoy themselves on Easter and Christmas days.

Mr. Omar: Mr. Speaker, Sir, arising from one of the replies by the Minister, could he give an assurance to this House that when the bankers agree to close on these Muslim holidays he will make these days public holidays?

The Speaker (Mr. Slade): Can you answer that?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, I said legal bank holidays. Now, I do not know whether the Member understands the word "legal".

NOTICE OF MOTION ON THE ADJOURNMENT

UNSATISFACTORY REPLY TO QUESTION No. 146:
MUSLIM HOLIDAYS TO BE NATIONAL HOLIDAYS

Mr. Jahazi: On a point of order, Mr. Speaker, in view of the unsatisfactory manner in which this question has been answered, I wish to raise this matter on adjournment.

The Speaker (Mr. Slade): Will you give me notice of that in writing, Mr. Jahazi.

ORAL ANSWERS TO QUESTIONS

Question No. 147

CONFIDENCE-RESTORING MEASURES FOR
BUSINESSMEN

Mr. Omar asked the Minister for Finance and Economic Planning, if the Minister could tell the House whether the recent Lanet incident created panic amongst the non-African businessmen and foreign investors? If the answer was in affirmative, what steps did the Minister intend to take in order to restore confidence amongst the affected persons?

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, I beg to reply. It is true to say that the Lanet incident, particularly as it followed on much greater disturbances in Zanzibar, Tanganyika and Uganda, caused some degree of uneasiness amongst non-African businessmen and foreign investors. It would however be a gross exaggeration to describe this uneasiness as "panic". The immediate and effective steps taken by Government

[The Minister for Finance and Economic Planning] restored any momentary loss of confidence. As regards other steps that are being taken the House might like to know that Government is preparing legislation to grant guarantees to foreign investors and it hopes to bring this before the House in the very near future. Further, Government has recently signed an Agreement with the United States of America under which the latter Government will grant guarantees to "Approved Investments" made by American citizens in this country. Similar measures are also being negotiated with other Governments. This should be of great assistance in attracting investment to this country.

Mr. Balala: Mr. Speaker, Sir, arising from the reply of the Minister, could he inform this House how much money flowed out of Kenya after the Lanet incident?

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, I could not disclose the amount of money that left because at the same time plenty of money did also come back. I do not think it would be in the interest of the economy of this country for me to give these figures.

Mr. Balala: Mr. Speaker, Sir, arising from the reply, in view of the fact that money has flowed out of Kenya, is the Government making any arrangements to see that money is restricted from flowing out of the country?

The Speaker (Mr. Slade): No, that is a different question. The question relates to restoring confidence.

Mr. Jahazi: Arising from the Minister's reply, Mr. Speaker, would he give us an assurance to this House that the Lanet mutiny did not actually offset all our expectations, that the situation about the flow—out-flow and in-flow—of capital is satisfactory?

The Minister for Finance and Economic Planning (Mr. Gichuru): I did say that the incident had affected things quite a bit. What I can assure the House is, or rather the information that I would like to give the House is, that plenty of money is flowing in.

Mr. Anyieni: Mr. Speaker, Sir, arising from the reply of the Minister that he intends to bring legislation to this House to safeguard capital, would he tell us that there is not enough provision in the Constitution to safeguard this capital?

The Minister for Finance and Economic Planning (Mr. Gichuru): I said that we have to give guarantees. The case I quoted is the American

Government. They do guarantee to their citizens who wish to invest money outside the States. We have to reciprocate. We have to give them the same guarantee here, and other Governments are going to do the same. Beyond that, Sir, I do not think I could add anything.

Mr. Anyieni: Mr. Speaker, Sir, arising from the Minister's reply, is that not a direct import of capitalism into our country?

The Minister for Finance and Economic Planning (Mr. Gichuru): It is complementary to socialism.

Mr. Mutiso: Mr. Speaker, Sir, arising from one of the Minister's replies, could he give this House in figures the number of investors who actually indicated their interest to invest in Kenya immediately after the Lanet incident?

The Minister for Finance and Economic Planning (Mr. Gichuru): I could quote just a few at the moment, and if the hon. Member likes, I could at a later date give a full list. We have at the moment just completed negotiations for the construction of a very big hotel, which I hope will start being built very soon.

An hon. Member: Where?

The Minister for Finance and Economic Planning (Mr. Gichuru): Here, in Nairobi.

An hon. Member: Why?

The Minister for Finance and Economic Planning (Mr. Gichuru): People who live on mangoes alone do not go to a hotel!

I am quite sure many Members have seen the amount of development that is going on here, particularly here in Nairobi at Westlands. If you have not, then you are not doing your duty properly. You ought to keep your eyes open. This is what I am telling you now, to those of you who are blind.

The Speaker (Mr. Slade): Order, Mr. Gichuru, you must address the Chair.

The Minister for Finance and Economic Planning (Mr. Gichuru): Maybe most Members have noticed the development that is going on at Westlands, maybe others have seen the Pan-African hotel which is going up.

Hon. Members: Where?

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, if they look at the map of Nairobi, they will be able to find out where this is. There are many other developments. We hope that one of the leading airlines

[The Minister for Finance and Economic Planning] in the States will be putting up another very big hotel that will help to attract the tourists, particularly the Americans who have a little more money than they know what to do with, to come here and spend it, and so increase our tourism. I could go on and on, Sir, just to indicate that there is plenty of money coming in.

Mr. Makone: Mr. Speaker, I am wondering whether the Minister will tell this House what amount of Government property was destroyed at Lanet during this incident.

The Speaker (Mr. Slade): No, I do not think that that really comes under this question; it deals with panic among the non-African businessmen, but not the material damage done.

Mr. Anyieni: Mr. Speaker, Sir, arising from the Minister's reply, will the Minister tell us whether the legislation he intends to bring into this House is an anti-nationalization move by the Government of Kenya?

The Speaker (Mr. Slade): I think I would tell hon. Members, as regards this promised legislation, to wait and see, and discuss it when it comes. We cannot really discuss it now in anticipation.

Mr. Jahazi: Mr. Speaker, arising from the Minister's reply, especially concerning the new developments which are taking place, will the Minister assure the House that the Government will put in something so that these new developments are not entirely in the hands of foreigners, the Government will have sufficient interest in them?

The Speaker (Mr. Slade): No, that is not relevant to the question either. Let us go on to the next question now.

Question No. 149

PRICES OF COMPASSIONATE FARMS

Mr. Shikuku asked the Minister for Lands and Settlement if he was aware that the prices of compassionate farms which were being sold to African farmers were unrealistic and exorbitantly high considering the financial position of most African farmers.

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Speaker, Sir, on behalf of my Minister, I beg to reply. No, Sir.

Mr. Shikuku: Arising from the Parliamentary Secretary's reply, could he tell this House that

an amount of Sh. 80,000 is a big sum of money to an African, and it is important for him to get that?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): To anybody.

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Speaker, I think we have to get right as to what the questioner has in mind. Compassionate case farms do not apply to Africans, as the questioner has in mind. I think what the hon. Member has in mind is the price that is paid by an African to be able to start farming on a portion of a farm which has been bought under—

Mr. Shikuku: On a point of order, or this seems to be a point of information, Sir. Can I—

The Speaker (Mr. Slade): No, most certainly not. You ought to know better than that by now, Mr. Shikuku.

Continue please, Mr. Nyagah.

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Speaker, a compassionate case farm is bought by the Government at the known price structure which existed in 1959 when the market was normal. Her Majesty's Government contributes 50 per cent for the farm by way of a grant and 50 per cent by way of a loan. When selling a portion of that farm to an African, 65 per cent of that 50 per cent loan element is charged to the purchaser, and he is only required to pay as cash down 10 per cent of that. If you take the farm price to be £100, £50 is the grant element from Her Majesty's Government and the £50 element of loan is the one that the purchaser, the African, is supposed to pay. He does pay the 65 per cent for reasons which can be explained. But he is not asked to pay all at once; he is only asked to pay 10 per cent of that £65 which would be Sh. 120, and the rest he pays in equal instalments over twenty years. So, I cannot see the hardship here.

Mr. Ngala: Arising from one of the replies by the Parliamentary Secretary, Sir, I must declare my interest in this. Can the Parliamentary Secretary explain why a coconut tree, according to compassionate cases, is valued at Sh. 40 by his Ministry, whereas locally in the County Councils in a place like the Coast, the actual value is Sh. 20, that is twice the value.

The Speaker (Mr. Slade): Order, order, we cannot have the whole House answering questions.

Mr. Ngala: The local true value from the county councils is Sh. 20 per tree. His Ministry is allowing people to value them at Sh. 40 per tree. That is double the value. Now, I—

The Speaker (Mr. Slade): I think that is enough by way of question.

Mr. Ngala: Can that be explained? You are ignorant of the Coast.

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Speaker, we are not involved with coconut trees in general. The question that was asked was with regard to compassionate case farms, and I have explained the principle on which this is worked.

Mr. Makone: Mr. Speaker, Sir, will the Parliamentary Secretary tell us what is a compassionate farm and what makes a compassionate farm?

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Speaker, I think the hon. Members are very much aware that there are certain cases, categories of farmers in this country who, because of their age or some other reasons, do not want to continue farming here. Arrangements are made with Her Majesty's Government to buy out these farms, and I have explained the principle followed. 50 per cent of the total price of the farm is grant from Her Majesty's Government to enable the Kenya Government to do this, and 50 per cent is loaned, and I have explained how this loan element is worked out in order to enable an African to buy the farm bought from these compassionate cases.

Mr. Shikuku: Arising from the Parliamentary Secretary's reply, is he aware that what I am implying in this question is the fact that the valuation of compassionate farms makes these farms very expensive? For example, with regard to the question of the coconut tree, we have been told that the ordinary county council wants to get Sh. 30 out of it, but the Government or the Ministry charges Sh. 40. Is that not high, and unfair?

The Speaker (Mr. Slade): The Parliamentary Secretary has answered once. I do not know if you want to answer again.

Mr. Masinde: Mr. Speaker, Sir, what is actually being asked in this question—and the Parliamentary Secretary is trying to avoid the answer—is that the compassionate case farms have been valued at very high prices. Because of this, it is difficult for Africans to buy them. May I know how many Africans have bought compassionate case farms, and how many Europeans have bought compassionate case farms?

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Speaker, Sir, I have no figures to give to the hon. Member, but no doubt they could be supplied.

Mr. Muliro: Arising from the Parliamentary Secretary's unsatisfactory reply, would he agree that the compassionate farms are definitely higher than the ordinary farms, if people negotiate them?

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): I would not like to agree, Mr. Speaker, without facts, but if the hon. Member has any comparative facts concerning a privately-negotiated farm between an individual and a person who would be classified as a compassionate case, the ones which have been bought from such a class of people by the Ministry, we will look into it.

The Speaker (Mr. Slade): I think hon. Members ought to be satisfied with that for today.

Question No. 169

TARMAC ROADS: LESERU-TORORO, KAKAMEGA-BRODERICK FALLS-KITALE

Mr. Masinde asked the Minister for Works, Communications and Power if he would tell the House what arrangements his Ministry had for tarmac-ing the following roads:—

(a) Leseru-Tororo; and

(b) Kakamega-Broderick Falls; Broderick Falls-Kitale.

The Minister for Works, Communications and Power (Mr. Mwanyumba): Mr. Speaker, Sir, I beg to reply. The Government has applied to the World Bank for a loan for road development in this country. In this application the Leseru-Tororo Road is included for bituminization. Kakamega-Broderick Falls is also included in the application but for reconstruction to gravel standard with a view to bituminizing it at a later date when more funds are available. If all goes well this loan should be negotiated some time in August this year.

Mr. Masinde: Mr. Speaker, Sir, arising from the hon. Minister's reply, is he implying to the House that these roads are not going to be bituminized this year?

The Minister for Works, Communications and Power (Mr. Mwanyumba): Mr. Speaker, Sir, they are already on the list to be bituminized if the money is available, but I said the money will not be available until later in the year.

Mr. Masinde: Mr. Speaker, Sir, arising from that reply, in view of the fact that the Ministry applied for a loan some time back and now with the announcement outside giving the information that we have now got £60 million, would the Minister consider making some of this money available for bituminizing these roads?

The Minister for Works, Communications and Power (Mr. Mwanyumba): Mr. Speaker, I have said that plans are already going ahead to bituminize these roads, and as to where the money will come from, I think the Member ought to wait a little and I will tell him later on in the year.

Mr. Masinde: Mr. Speaker, Sir, does the Minister intend to tell this House that he is sure the money is going to be available, as he said, or are we just going to wait for a vague answer, if the money is not available, for him to come back and say there is no money available?

The Minister for Works, Communications and Power (Mr. Mwanyumba): Mr. Speaker, Sir, I have said the money is to be negotiated in August. Plans have already been in progress; experts have already visited this country, they have already visited the roads and therefore we are waiting for their recommendations some time later in the year.

Question No. 172

LAND CONSOLIDATION: LURAMBI

Mr. Masinde asked the Minister for Lands and Settlement if the Minister would tell the House what arrangements the Minister was making for consolidating all the land in the Lurambi area within the next two years.

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Speaker, Sir, on behalf of my Minister, I beg to reply: Registration will commence during the next Financial Year subject to this House passing the 1964/65 Development Estimates for Land Consolidation. Lurambi Division consists of 200,000 acres and it is unlikely that consolidation will be completed within two years. However, the Ministry will do its best and will move as rapidly as funds and personnel permit to complete the work.

Mr. Masinde: Mr. Speaker, Sir, arising from that reply, is the Parliamentary Secretary aware that at present there is no single team in Lurambi Division and, for that matter, nothing is going on as far as land consolidation is concerned?

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): I am not aware, Sir, but the information is well taken.

Mr. Masinde: Arising from that reply, Mr. Speaker, Sir, how does he actually utilize the information, since Lurambi has finished with its own enclosure of farms? Yet the teams are not there, despite the fact that the Agricultural Department gave this report a long time ago: about seven years ago I think.

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Speaker, Sir, I have said that the position is appreciated by the Ministry and as soon as the Development Estimates for land consolidation in the year 1964/65 are passed, something will be done as rapidly as possible.

Question No. 174

FIRE LOSSES IN KENYA: 1962/63

Mr. Komora asked the Minister for Local Government if the Minister would institute a Commission of Inquiry to investigate and report to the National Assembly on fire losses suffered in Kenya during the years 1962 and 1963 on:

- (a) Aircraft,
- (b) Locomotives,
- (c) Motor-cars,
- (d) Industries, and
- (e) Domestic?

The Minister for Works, Communications and Power (Mr. Mwanyumba): Mr. Speaker, Sir, although this question was sent to the Ministry of Local Government, I beg to reply. No Sir, I have no evidence which suggests that the need for an Inquiry is so pressing as to justify the expenditure of public funds and staff time that would be involved. If the hon. Member has some specific aspect of fire prevention in mind, he might perhaps consult with the fire authorities or the insurance companies to obtain the information he requires.

Mr. Komora: Mr. Speaker, Sir, arising from the Minister's reply, does the Minister intend to tell me that there have not been any fire losses in this country, and yet we see them being published in newspapers?

The Minister for Works, Communications and Power (Mr. Mwanyumba): Mr. Speaker, Sir, unfortunately my Ministry does not keep any record of such fire losses, and so on, but I have advised

[The Minister for Works, Communications and Power]

the hon. Member that if he has any examples, he can probably mention them to the insurance companies.

Mr. Komora: Mr. Speaker, Sir, arising from the Minister's reply, saying that any fire loss should be reported to the insurance companies, that would this not be one way of depressing the insurance companies, if the Government does not intend to take this matter very seriously?

The Minister for Works, Communications and Power (Mr. Mwanyumba): Mr. Speaker, Sir, probably the hon. Member may have some examples in mind of these fires, and so on. I have said if he can let us know them later on, then I will give him the information he requires.

Mr. Shikuku: Mr. Speaker, arising from the previous reply, the Minister did indicate that this question was actually directed to the Ministry of Local Government, but he was prepared to answer it. Would he not agree with me that he is not actually a qualified person to talk on this question when he does not know anything?

The Minister for Works, Communications and Power (Mr. Mwanyumba): Mr. Speaker, because the Minister for Local Government has nothing to do with things like aeroplanes and locomotives and so on, I therefore just volunteered to answer it.

The Speaker (Mr. Slade): I think that is all the answer you will get, too.

Next question.

Question No. 177

ISILOLO-MANDERA-MOYALE ROADS: STRATEGIC IMPORTANCE OF

Mr. G. Godana asked the Minister for Works, Communications and Power if the Minister agreed that the roads from Isiolo to Mandera and Isiolo to Moyale were of international importance and essential for the defence of our country.

If the answer was yes, what steps would he take to convert these arteries into durable all-weather roads from their present impassable state in the rainy seasons.

The Minister for Works, Communications and Power (Mr. Mwanyumba): Mr. Speaker, Sir, I beg to reply. The Government is acutely aware of the problem of providing passable roads for the movement of troops in the troubled areas, and in consideration of this the Government has just recently

had a new link from Garissa to Wajir constructed by the 34th Field Squadron of the Royal Engineers. This road should provide a reasonably satisfactory line of communication for defence requirements for the immediate present. However, a recent investigation for improving the roads from Isiolo to Wajir and on to Mandera, and from Isiolo to Moyale, reveals that the cost would be of the order of half a million pounds. Nevertheless, the provision of improved roads is under active consideration in relation to development and defence of our northern areas.

Mr. G. Godana: Arising from the Minister's reply, Mr. Speaker, Sir, is the Minister aware that at the moment we are using the Royal Air Force for transport from here to the northern area, which is costing more than Sh. 10,000 one way?

The Minister for Works, Communications and Power (Mr. Mwanyumba): Mr. Speaker, Sir, that may be true, but it is because it is considered to be safer to transport by air rather than by road at the moment in view of the troubled area in the North-Eastern Region.

Mr. G. Godana: Arising from the Minister's reply, Mr. Speaker, in view of the fact that the Ethiopian Government has already agreed that it is going to build a highway from Ethiopia to Kenya, will the Minister take into urgent consideration the necessity for the road from Marsabit/Moyale to Isiolo to be started this financial year?

The Minister for Works, Communications and Power (Mr. Mwanyumba): Mr. Speaker, no. Talks are already going on between the Ethiopian and Kenya Governments on road developments in this area, but I am not able to say whether we can begin any actual work this year.

Mr. Lorema: Mr. Speaker, Sir, does the Minister agree with me that the Government is unfair in that they recondition again and again the roads which are already in good condition and leave untended those which are really in bad condition? Their attention should be drawn to these bad roads.

The Minister for Works, Communications and Power (Mr. Mwanyumba): Mr. Speaker, Sir, I deny that Government has ever been unfair on road development. I am telling the hon. Member that the Government is considering this area just as much as any other area in Kenya.

Mr. Mbogoh: Arising from the previous reply, Mr. Speaker, from which I understand there is a programme for the British Army to build these

[Mr. Mbogoh]

roads, is the Minister prepared to use the same source to build the road between Isiolo and Moyale?

The Minister for Works, Communications and Power (Mr. Mwanjumba): Mr. Speaker, Sir, the Royal Engineers volunteered to build this road at their own expense and the road was finished, and therefore I do not think they have any plans for building this other road which the Member is talking about.

Mr. Tanui: Mr. Speaker, Sir, would the Minister agree with me that it would be less expensive if we caught some *Shifta* and made use of them to build these roads?

The Minister for Works, Communications and Power (Mr. Mwanjumba): I do not really think the *Shifta* would be the right people to use on these roads in this area.

Mr. G. Godana: Mr. Speaker, arising from the Minister's reply, would he agree with me that any system used in the North-Eastern Region for the support of our forces against *Shifta* is useless unless we repair these roads to make their movements easy?

The Minister for Works, Communications and Power (Mr. Mwanjumba): Mr. Speaker, as far as we are concerned, we are constantly repairing these roads, but I said major road projects are still awaiting further plans to be put into effect.

Question No. 203

STUDENTS STUDYING IN COMMUNIST COUNTRIES

Mr. Kerich asked the Minister for Education:—

- (i) What was the total number of Kenya students who were now studying in Communist countries?
- (ii) How many of these students were girls?

The Minister for Education (Mr. Otiende): Mr. Speaker, Sir, I am very reluctant to reply to this question because actually it should have been referred elsewhere. However, I will endeavour to reply.

Members are aware, Mr. Speaker, that before this Government took office numerous people sent their own candidates to various countries in the world without consulting the Ministry of Education. Therefore, we are not in a position to know how many students are studying outside Kenya, although we have a rough guess. We are co-operating with the External Affairs Branch of the

Prime Minister's Office in finding out the number of Kenya students studying in Communist or Socialist countries. I must say that our knowledge of these students is very, very limited. Not only do we not know how many there are but we do not know their names. That is why some time ago we started a new system whereby everybody going out would be passed through a certain Board so that we would know exactly where they were going and what they were doing. I can give you the numbers of those who have gone overseas through the established machinery, but at present, at a rough guess, it is believed that there are between 1,200 and 1,500 Kenya students in the Socialist countries in the Eastern Bloc. The numbers are larger in U.S.S.R. and China, and Czechoslovakia has the least number. As I said, I do not know the names, I cannot give the tribes. In answer to this question, therefore, Sir, all I can add is that over 1,200 Kenya students are studying in Socialist countries in the Eastern Bloc, and I do not know their sexes. I am sorry that is all the information I have.

Mr. Kerich: Mr. Speaker, is the Minister aware that some of these students are indoctrinated to Communism?

The Minister for Education (Mr. Otiende): Mr. Speaker, with all due respect, I think that is common knowledge.

Mr. Ngala: Arising from the Minister's first reply, in which he admits that he does not know the exact number of students studying in these countries, could the Minister give us an assurance that he is finding out the facts and that he will give the correct information, including their sexes?

The Minister for Education (Mr. Otiende): I said, Mr. Speaker, that we are undertaking a survey, but we are using the Embassies now here to give us a list of the names of the students in various countries. There is a complication in that students go from country to country. Those who originally went to the U.S.S.R. may now be found in West Germany or somewhere else. But we are definitely undertaking a survey, and after a little while we shall be able to let the Member know.

Mr. Shikuku: Arising from the Minister's previous reply, he indicated that a system has been set up whereby students go through a Board. Is the Minister aware that that system was set up some time last year and yet still these students are leaving the country without going through this Board he is talking about? Is he aware that this Board is defunct?

The Minister for Education (Mr. Otiende): Mr. Speaker, Sir, this question came up yesterday and, as I said, according to the present Constitution and Law of Kenya, anyone can go out without consulting the Government if he likes. However, students who go out of this country for definite study definitely go through this Board. Unqualified students who want to hide or go on foot to Cairo, can still do so if they wish.

The Speaker (Mr. Slade): As the Minister said, we discussed that question yesterday and we do not want to pursue it again today. Other supplementary questions may be relevant.

Mr. Gichoya: Mr. Speaker, Sir, I wanted just to know from the Minister whether we can get a tribal breakdown of the students who are in the Socialist countries or the Communist countries, as it has become a tradition to get tribal breakdowns in this House.

The Minister for Education (Mr. Otiende): I did not know that my hon. friend had been affected by this tribalistic disease. It depends entirely on whether he or any other person sponsored students privately. If they were individual students, sent and sponsored by Trade Unions or some other organization, if they belong to certain tribes, it is just too bad. Maybe certain Members were more active than others.

Mr. Masinde: Mr. Speaker, arising from one of the Minister's replies, will the Minister assure this House that those students who went out through private organizations after December 12th will not be considered for employment?

The Minister for Education (Mr. Otiende): I am not aware of the number of people who went out after the 12th December, but if they did go, I do not think they will want employment since they did not go for studies.

The Speaker (Mr. Slade): I think we are getting too far away from the original question now. We will go on to the next question.

Question No. 205

KERICHO SETTLEMENT AREA

Mr. Soi asked the Minister for Lands and Settlement:—

- (i) What was the general nature and extent of any settlement scheme envisaged by the Kericho Settlement Board?
- (ii) What were the proposed dates for commencement and completion of any such scheme?

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Speaker, Sir, I do not actually understand what he means by Kericho Settlement Board. I suppose he means Kericho Settlement Area, and the schemes in that area. The position is as follows:—

- (i) *East Sotik Area.*—It is expected that by the end of June 1965, approximately 2,272 acres will have been purchased in addition to the land already purchased for settlement in that area.
- (ii) *West Sotik Area.*—It is expected that by the end of June 1965, approximately 16,992 acres will have been purchased in addition to the land already purchased for settlement in that area.
- (iii) *Muhoroni Area.*—24,300 acres have been purchased and are in the process of being planned and settled.

In view of the fact that planning is not yet complete it is impossible to forecast at the present stage with any degree of accuracy when the new schemes will commence and when they will be completed.

Mr. Soi: Can the Minister explain to us the number of acres which are going to be settled by Kisii tribe in the West Sotik area?

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Speaker, Sir, I have given the two areas: one is East Sotik and the other is West Sotik. We were dealing with this particular one yesterday.

Mr. Kerich: Could the Minister explain the position to us properly, because yesterday he said that East Sotik is going to be used for settling Kisii and today he says that West Sotik is going to be used for settling the Kisii? Could he tell us exactly what he means?

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): The questioner asks me about two particular settlement schemes which I have fully referred to. There is no question of tribes and I do not want to be dragged into it this morning.

Mr. Soi: Mr. Speaker, can the Parliamentary Secretary tell me what is expected to be the economy in Sotik? Is it based on dairy economy or on arable farming?

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Sir, that is why I said the planning has not been completed. When the planning is complete we will be able to give an answer.

Mr. Masinde: Mr. Speaker, could the Parliamentary Secretary tell this House how many people he intends to settle in this area after the completion of purchasing this area?

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Sir, for the sake of interest, let me tell the House that so far East Sotik has approximately 41,000 acres, West Sotik 18,092 acres already bought; in East Sotik 699 people have been settled and in West Sotik 312. When the other part has been completed we shall be able to give figures. You cannot give figures without knowing what you have on the actual plan.

Question No. 207

CHOGORIA/MERU BOMA ROAD: TARMAC

Mr. Nyaga asked the Minister for Works, Communications and Power, if the Minister would take early steps to tarmac the Chogoria to Meru Boma road in the Southern part of Meru District?

The Minister for Works, Communications and Power (Mr. Mwanyumba): Mr. Speaker, Sir, I beg to reply.

The road from Chogoria to Meru Boma is the responsibility of the region and not of the Central Government. I would therefore advise the Member to raise this question in the Regional Assembly, in the Eastern Region.

Mr. Nyaga: Mr. Speaker, Sir, I beg to ask the Minister to speak up so I can hear him.

The Speaker (Mr. Slade): Mr. Mwanyumba, it is not easy to hear you. It is difficult to hear for hon. Members who sit behind you and, therefore, will you please repeat your reply louder.

The Minister for Works, Communications and Power (Mr. Mwanyumba): Mr. Speaker, Sir, I am prepared to repeat my answer for the sake of the hon. Member. Sir, I said that the road from Chogoria to Meru Boma is the responsibility of the Region and not of the Central Government. I would therefore advise the Member to raise this question in the Regional Assembly, in the Eastern Region. If the hon. Member wants to raise this matter he should go there to do so.

Mr. Nyaga: Do I understand from the Minister that there are national roads and secondary roads and these secondary roads are the responsibility of the Regional Assemblies? Now, from Meru we have one which is—

The Speaker (Mr. Slade): No, you have asked your question.

Mr. Nyaga:—quite in the desert where there are no people and that is the one which he intends to nationalize?

The Speaker (Mr. Slade): What is your question?

Mr. Nyaga: My question is this: Will this Chogoria road with the recommendation of the county council be made a national road by the Minister?

The Minister for Works, Communications and Power (Mr. Mwanyumba): The Ministry is due to introduce a Bill in this House, Mr. Speaker, to form a Central Road Authority. When this Authority is formed, then such claims will be considered by the Authority when they come, say, from county councils or Regional Assemblies.

Mr. Mbogoh: Arising from the Minister's reply, does it mean that the Ministry has lost control over the regions and cannot contact them on a simple subject like this, but refer Members to their regions?

The Minister for Works, Communications and Power (Mr. Mwanyumba): Mr. Speaker, Sir, under the Constitution the roads were divided into Central Government roads and Regional Authority roads; therefore, the Central Government cannot interfere with the roads which come under the Regional Assemblies.

Mr. Kamunde: Mr. Speaker, Sir, would the Minister tell me which is the road which comes under the responsibility of the Central Government, the new Meru/Embu road or the old Meru/Embu road via Chogoria?

The Minister for Works, Communications and Power (Mr. Mwanyumba): Mr. Speaker, Sir, if hon. Members will remember, they had asked for a list of roads which come under the Central Government which I placed before this House some time ago. Probably it will be better for the hon. Member to refer to this list.

Mr. Kamunde: I did not hear what he said, Mr. Speaker.

The Speaker (Mr. Slade): The hon. Member did not hear your answer, Mr. Mwanyumba. I am not sure you understood his question either. I think he was asking whether you were referring to the direct road or the road via Chogoria?

Mr. Kamunde: Mr. Speaker, my question was straightforward, and the Minister is merely avoiding the point. My question is this. There are two main roads to Embu, one is the Meru/Embu old road, and the other is the Meru/Embu

[**Mr. Kamunde**]

new road. Which one does he intend to say is the responsibility of the Central Government or the Regional Government?

The Minister for Works, Communications and Power (Mr. Mwanyumba): We have got a Regional Government road there.

Mr. Kamunde: If that is so, Mr. Speaker, does the Minister agree with me that the road which passes through the useful and good land of Meru is the one which the Government has intentionally avoided?

The Minister for Works, Communications and Power (Mr. Mwanyumba): Not intentionally avoided, Mr. Speaker, Sir, but it is a road which is in the county council area. The Government could not put this down as a Central Government road because it does not connect any regions at all.

NOTICES OF MOTIONS ON THE ADJOURNMENT

BAN ON PUBLIC MEETINGS

The Speaker (Mr. Slade): I have to inform hon. Members that I have had notice from a number of Members during the last sitting and since we began sitting again that they wish to raise matters on the adjournment, but I think the one which the House would regard as the most important and urgent is one which I have received from Mr. Muliro, which is the matter of banning of public meetings. I propose to allow that matter to be raised next Wednesday, 17th June, at the interruption or earlier close of business.

COMMITTEE OF SUPPLY

(Order for Committee read)

[The Speaker (Mr. Slade) left the Chair]

IN THE COMMITTEE

[The Chairman (Mr. De Souza) took the Chair]

SUPPLEMENTARY ESTIMATE NO. 3 OF 1963/64— RECURRENT

(Continuation of consideration of Supplementary Estimates items interrupted on 10th June 1964)

The Chairman (Mr. De Souza): Hon. Members, I would like to inform the Committee of Supply that one hour before the interruption of the time for business, we will have to put all the questions to vote. In other words, the guillotine will have to be applied as today is, in fact, the final day of debate on Supplementary Estimates before the Budget.

VOTE 6—PRIME MINISTER'S OFFICE

(Heads L, M, N and O agreed to)

Mr. Gichoya: On a point of order, I would like to ask a question on M.

The Chairman (Mr. De Souza): I am afraid we have gone past. You must be a little more active and watch your paper, because we cannot go back.

VOTE 6 (b)—REGIONAL AFFAIRS OFFICE

(Heads H and J agreed to)

Head K—Famine Relief

Mr. Malinda: Mr. Chairman, is it possible for the Minister to indicate what parts of the country benefited from the Famine Relief Vote?

An hon. Member: Speak up, *Bwana*.

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Chairman, Sir, it is unfortunate the way this question has been put. It is those areas which are so very unfortunate to have had the floods and so on, which have benefited from the relief. It is not really a question of benefiting in the sense that the questioner put it. It is assistance, people are suffering. It is not a question of benefiting. People are suffering and they are being helped.

Mr. Shikuku: I was just wondering, Mr. Chairman, Sir, whether the Minister would be kind enough to let us know, because when these unfortunate situations arise, the people are called upon individually by the Government to contribute. Now, the amount contributed by the public, is that also included in this, or is this a special business whereby we are asked to vote for it?

The Minister for Finance and Economic Planning (Mr. Gichuru): This is the Government's contribution.

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): May I know from the Minister if the victims of Bunyala Location are already included here, because up to date the Government has never considered their case?

The Minister for Finance and Economic Planning (Mr. Gichuru): All the sufferers from the floods and so on are included in this Vote.

Mr. Shikuku: I was wondering if the Minister would again be kind enough to let me know this. Could he tell us how much has already been spent on this and where?

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Chairman, in all these areas where we have had the trouble, the floods and so on; they are known.

Mr. Shikuku: Mr. Chairman, we have just had one of the hon. Members rising up and asking whether Bunyala was included. Has some money been spent in Bunyala?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Chairman, do we understand that the hon. Member is speaking for the hon. Member on this side?

The Chairman (Mr. De Souza): He can speak for himself.

Mr. Shikuku: I am speaking for myself, and I think I am right, Mr. Chairman, to quote anything any hon. Member says in this House. I was just wondering whether under the amount so stated in this programme, the Bunyala people received something when their rivers were flooded? That is the answer I want.

The Minister for Finance and Economic Planning (Mr. Gichuru): You must not forget that this money is used in all areas in Kenya where there have been these flood victims.

Mr. Shikuku: I am asking about Bunyala.

The Minister for Finance and Economic Planning (Mr. Gichuru): I am not answering about Bunyala, I am not interested in Bunyala. I am talking about the whole of Kenya.

Mr. Bala: Mr. Chairman, I would like to have a breakdown, so that we know exactly where the money has been used.

The Minister for Finance and Economic Planning (Mr. Gichuru): This money has been mainly used in Turkana, Nyanza Region, Kilgori and the Coast Region.

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): I wonder if the Minister knows that Bunyala is in the Western Region and he has said that Bunyala was also included. I wonder if he would clarify this?

The Minister for Finance and Economic Planning (Mr. Gichuru): I have said the whole of Nyanza Region.

Mr. Shikuku: Mr. Chairman, is the hon. Minister aware that Bunyala is not in the Nyanza Region?

The Minister for Finance and Economic Planning (Mr. Gichuru): It used to be.

Mr. Shikuku: Mr. Chairman, the hon. Minister now is trying not to let us know the exact truth. We are talking of the floods, and Bunyala was only flooded the other day, and that was after Bunyala was included in the Western Region. Could he tell us how much was spent there?

The Chairman (Mr. De Souza): Is the question, how much has been spent, or what is the estimate? I think we are in fact debating the estimate.

Mr. Bala: I would like to know from the Minister what amount out of this figure is earmarked for Kilgori, and whether the amount of thirty shillings will be paid to these victims.

The Minister for Finance and Economic Planning (Mr. Gichuru): In my reply I did say that Kilgori is included.

Mr. Bala: What I would like to know from the Minister is how much money is exactly earmarked for Kilgori, because the mere fact that it is included, it might have been only £1 2s., so I would like to know how much money is estimated for Kilgori.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Chairman, with respect you cannot estimate for anticipated disasters. If the hon. Member will read the paper again, he will see that in the original estimate we have £25,000. In the revised Estimates we have £59,000. Therefore, the additional sum required is £34,000 for the whole country. This additional requirement is as a result of the unfortunate conditions that have developed in the last few months. Now, in these circumstances, you cannot estimate a fixed figure for any particular district, area or town. It is just that we expect to spend so much money because of the unfortunate developments, but you cannot pinpoint so much and say it will be spent in the next twelve months for Kilgori. These people are moving out of the flooded areas already.

Mr. Bala: Mr. Chairman, I think the situation in Kilgori tends to be different from other areas because, as far as I know, there are about 1,700 flood victims who have been staying there permanently for over a year, and just now I think there are about 2,000 people. So, I do not think it is the question of their moving quickly arises, because some of them have been there for one year. Settlement areas could not be found for them. If there is no provision made specifically for their livelihood I think they are bound to suffer, because when I was there last time I found that the Government had an intention to cut down what they used to have,

[Mr. Bala]

thirty shillings per month, by way of rations, because there was no fund. That is why I want to know exactly what is happening in this district.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Chairman, the hon. Member will recall that in fact the importance which he attaches to Kilgori is fully realized by the Government by the fact that the Minister for Home Affairs, the Minister for Information and a few other Ministers have visited the area and discussed on the site what should be done. Additionally he will know, and it has been published, that plans are afoot to see what can be done in terms of a crash settlement scheme for these victims. Lastly, Sir, he will know that only two weeks ago, the Prime Minister and the Minister for Home Affairs launched another fund for flood victims precisely for this purpose, to supplement Government revenues or funds with funds raised from the public here and elsewhere. So, everything that is possible is being done. I think he must concede that to ask us to pinpoint how much we are going to spend in Kilgori alone is rather asking the impossible.

(*Head K agreed to*)

Head S—Payments to Regional Authorities

Mr. Gichoya: Mr. Chairman, I would like to know what the payments to Regional Authorities means, whether it means the Regional Assembly Members' incomes, salaries, or what?

The Minister for Finance and Economic Planning (Mr. Gichuru): These are moneys collected centrally here, which are handed over to the regions. This does not take into account the Estimates of the regions. This is just part of their money, how they spend it is another question.

Mr. Gichoya: Mr. Chairman, I believe when we pay for services, the money comes from the Central Government, and for that matter the Central Government should know exactly to what purpose that money is going to be used, so I would like to know exactly from the Minister the nature of the service for which this money is going to be used by the Regional Authority?

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Chairman, Sir, if the hon. Member would only read—and this is where I keep complaining, Sir, we are asked to produce material, and yet these Members will not read—he will see less expected saving on subhead, it is all down there for him, Sir.

(*Head S agreed to*)

Head T—Losses of Cash

Mr. Kiprotich: Will the Minister tell us how this money got lost?

The Minister for Finance and Economic Planning (Mr. Gichuru): They are just losses I am afraid, Mr. Chairman, everything which could be done has been done. Where it has been possible to recover, some of it has been recovered, but unfortunately this could not be recovered, and we had no alternative but to write it off.

Mr. Khasakhala: Mr. Chairman, this is a large sum of money. Would the Minister be kind enough to explain to us the nature of these losses?

The Minister for Finance and Economic Planning (Mr. Gichuru): I think I have tried to answer by stating that it is various losses which have been written off during the year. I am afraid I do not have any breakdown to show exactly where the losses occurred, and so on, but if the Member is interested I will definitely provide it for him.

Mr. Malinda: Mr. Chairman, Sir, this figure is a curious figure, because in the revised Estimates we see exactly the same figure as the additional sum required. Is the Minister satisfied that this is not a trend of events being perpetrated by a certain clever person in charge of Government funds somewhere?

The Minister for Finance and Economic Planning (Mr. Gichuru): The Member is aware that a lot of money got lost from the Inland Revenue at the E.A.C.S.O. building. Much investigation has been carried out, but up to now we have not been able to catch the culprit. The amount that was involved was £21,684. The balance are minor losses which are not so serious, but this was a serious one and I am afraid investigations have not been concluded, but so far we have failed to catch the culprit.

Mr. Malinda: Mr. Chairman, Sir, does this, therefore, mean that what the Minister is asking us to approve is only £22,500, irrespective of the £22,500 that is shown as revised estimate? The way I understand it is that the total amount which is going to be involved is £50,000. That is, if this additional sum required is approved, and added to the revised estimates, is it going to be £50,000?

The Minister for Finance and Economic Planning (Mr. Gichuru): We had no original estimate. We did not estimate for any losses of this nature.

Mr. Kiprotich: Will the Minister tell the House how many Ministries have been affected by these losses?

The Minister for Finance and Economic Planning (Mr. Gichuru): Just the Inland Revenue. The money was collected and it was put in a safe, and some clever chap came and pinched it all.

The Parliamentary Secretary for Justice and Constitutional Affairs (Mr. Nyamweya): Mr. Chairman, I would like to know whether the Minister has any plan for ensuring that such losses do not occur in future, particularly in introducing legislation to have an insurance scheme to cover financial losses sustained in the Ministries or District Headquarters offices.

The Minister for Finance and Economic Planning (Mr. Gichuru): Losses of this nature are greatly regretted, Mr. Chairman, but the Government has no intention for any insurance scheme. Government is not prepared to insure anything. Government does not insure houses or anything like that. The expenses would be terrific.

The Parliamentary Secretary for Justice and Constitutional Affairs (Mr. Nyamweya): It may be that the Government has no intention of embarking on an insurance scheme, but will the Government make it necessary for people who are in charge of public funds to enter into a certain obligation so that when such heavy losses are incurred they will be called upon to meet the loss?

The Minister for Finance and Economic Planning (Mr. Gichuru): This is the normal course of events. If an officer is negligent and loses money, he is called upon to make it good. This was an exceptional instance where, I understand, the safe was locked and everybody went away in the evening only to find in the morning that somebody had come with a genuine key, opened the safe and collected the money. It is a regrettable loss.

(Head T agreed to)

(Head U agreed to)

Head V—Expenses of Forest Fighters

Mr. Khasakhala: Mr. Chairman, I would also like to have an explanation of this expenditure.

The Chairman: What explanation do you want?

Mr. Khasakhala: I see that a sum of £5,500 is expected for forest fighters. How is this, Mr. Chairman? In what way? Is it to pay them, or compensate them or what?

The Minister for Finance and Economic Planning (Mr. Gichuru): This is to cover the expenses that the Government had while collecting these people together, lorries and reception centres and

so on. There is an explanatory note at the bottom of the page, that this sum has been advanced from the Civil Contingencies Fund. This money has been spent and all that I am asking is that it be returned to the Civil Contingencies Fund.

The Parliamentary Secretary for Justice and Constitutional Affairs (Mr. Nyamweya): Mr. Chairman, Sir, could the Minister assure us that in spending £5,500 for forest fighters, all forest fighters in the country will benefit from this sum including the few forest fighters from my district which is Kisii?

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Chairman, this is not money which was paid over to forest fighters. It is money which has been spent in rounding them up, in putting them into camps, and so on and so forth. It is not money which was handed round.

Mr. Omweri: Mr. Chairman, the Minister says that this money has been spent in rounding up forest fighters, and he is asking us to give the money to pay these people this money that was not carefully spent. I believe it was badly spent.

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Chairman, there is a footnote that I referred to. If you cannot read, I shall read it again for you.

(Head V agreed to)

VOTE 7A—MINISTRY OF LOCAL GOVERNMENT

Head F—Expenses of State Visits

Mr. Alexander: Mr. Chairman, Expenses of State Visits, £1,000. This type of expenditure does occur under other Ministerial Heads, for example, under the Prime Minister's Office we had a figure of £13,000. We are on page 11, Ministry of Local Government. May we know what the total involved is for State Visits, and might we be told why it is not possible to show this total under one Head so that we get a comprehensive idea of what is involved?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Chairman, I think the hon. gentleman has come a little late. We have already gone through the Estimates in so far as the Prime Minister's Office is concerned. Now, the hon. gentleman will know, of course, that in these State Visits there are different arrangements that are made. For example, Local Authorities, and therefore the Ministry of Local Government are bound to have certain functions which are entirely their own, and in which the

[The Minister for Justice and Constitutional Affairs]

Ministry of Local Government may be involved. To that extent, the figure of £1,000 is provided for. In this case, he will notice on page 11, down below, F, Expenses of State Visits, provision is required to meet expenses in connexion with the State Visits of His Imperial Majesty, and President Tubman. Now, the visit of President Tubman is off, but we are just coming to the close of the visit of the Emperor of Ethiopia. If, of course, he wants the whole total of what will have been spent on State Visits in general, inclusive of Local Government as well as the Prime Minister's Office and External Affairs expenditure, we will be able to work it out and give him the total.

The Chairman (Mr. De Souza): That is what I think he is asking for.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): We do not think it is convenient to put it all in a lump sum in one particular Vote.

The Minister for Finance and Economic Planning (Mr. Gichuru): Might I add by giving the information that when the Queen Mother visited Kenya, Government spent £25,000.

Mr. Malinda: Mr. Chairman, I am not trying to be disrespectful to our State guests, but this was estimated to cover the expenses of two State visitors. Now that we know that one of the visitors is not coming, is this estimate realistic?

The Minister for Finance and Economic Planning (Mr. Gichuru): As I said when we dealt with a similar item under Vote 6, Mr. Tubman has cancelled his visit and therefore there will be an adjustment to this figure.

Mr. Alexander: Mr. Chairman, may we be told what this £1,000 is to be spent on?

The Minister for Finance and Economic Planning (Mr. Gichuru): I think my colleague has given a full explanation.

Mr. Alexander: Yes, Mr. Chairman, we do realize it is for the visit of the Emperor of Ethiopia, but what precisely is it for? I mean, did the Minister for Local Government give a banquet, or what?

The Minister for Finance and Economic Planning (Mr. Gichuru): The local governments have had to meet very high expenses, say, Mombasa and Nairobi, in connexion with civic functions.

Mr. Gichoya: Mr. Chairman, will the Minister tell us under which head the State Reception which

was held in Nyeri is covered because there is no money for that visit under the Regional Affairs estimate.

The Minister for Finance and Economic Planning (Mr. Gichuru): That was under the Prime Minister's Vote.

(Head F agreed to)

VOTE 9—MINISTRY OF FINANCE AND ECONOMIC PLANNING

(Heads A, B, D and E agreed to)

Head F—Office Machinery and Equipment

Mr. Malinda: Mr. Chairman, I would like to know on what basis these rental charges are made. Are they charges on hire-purchase rentals or just ordinary rentals?

The Chairman (Mr. De Souza): You are referring to Office Machinery and Equipment?

Mr. Malinda: Yes.

The Minister for Finance and Economic Planning (Mr. Gichuru): It is exactly as it is written there. If you like, I will read it for you: Additional sum required to meet increased rental charges for punch card machines and for additional purchases and overhaul of accounting machines for regions.

Mr. Malinda: Mr. Chairman, I know these rental charges could be looked at in two ways. Do these machines belong to a certain firm or to somebody else from which Government rents, or are they being purchased by Government on a rental basis?

The Minister for Finance and Economic Planning (Mr. Gichuru): It is common-sense, Mr. Chairman, that we cannot rent Government machines from Government.

The Chairman (Mr. De Souza): No, I think what he wants is whether they are pure rental or hire purchase.

The Minister for Finance and Economic Planning (Mr. Gichuru): They are pure rental.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): But rental is not hire purchase.

The Chairman (Mr. De Souza): I know.

Mr. Malinda: I did not hear the reply.

The Chairman (Mr. De Souza): He did not hear the answer, Mr. Gichuru. Could you repeat it, please?

The Minister for Finance and Economic Planning (Mr. Gichuru): In order to give a complete answer to the question, I would say first of all that these are rentals. The original requirement in respect of accounting machines increased consequent upon the recommendation of the sub-committee on regional finance and accounts. The rental of punch-card equipment as used by the Economic Branch was also increased from 1st September 1963, and an additional £685 is therefore required to meet these increases.

(Head F agreed to)

(Head G agreed to)

Head K—Agents' Fees and Commissions

Mr. Gichoya: Mr. Chairman, I wonder whether the agents which are referred to in London are the same thing as the Kenya Office which operates there. If that is not the case, could we have the exact position as to the various heads, in the sense of how many people we are paying these contributions in London?

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Chairman, I do not quite follow exactly what information the hon. Member really requires.

Mr. Gichoya: Mr. Chairman, I will make it clear. Under the Explanatory Details, we are made to understand that it is for the additional sum required to meet fees and commissions due to the Government's Agents in London for which current provision is inadequate. So far I am confused because we have a High Commission for Kenya and to me it sounds as if they are the true agents for all our dealings with the United Kingdom, and perhaps any other interested parties in the U.K. with regard to Kenya affairs. Why do we pay these commissions and who are these agents?

The Minister for Finance and Economic Planning (Mr. Gichuru): These are the Crown Agents who do a lot of work for us.

Mr. Gichoya: Mr. Chairman, may I know the nature of the work which is done by the Crown Agents?

The Minister for Finance and Economic Planning (Mr. Gichuru): When the Government wants to buy, say, blankets for the Prisons, uniforms, and things like that we—

Mr. Alexander: Buy them from Nakuru.

The Minister for Finance and Economic Planning (Mr. Gichuru): We get them from here.

These are the people who arrange to buy them for us.

Mr. Gichoya: Mr. Chairman, does it mean that we cannot have direct dealings with the manufacturers through the Kenya High Commission in London because when we buy something we pay for it in cash? Instead of having an intermediary person, namely the Crown Agent, do we not have somebody within the Kenya High Commission in London who can actually deal with commercial transactions?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Where is that done? You cannot do that.

The Minister for Finance and Economic Planning (Mr. Gichuru): One of the other services which the Crown Agents carry out for us concerns, for instance, pensions. They deal with pensions, they pay the pensioners in London, and we refund their money. There are various services the Crown Agents undertake, which may be at the moment the High Commission could not undertake. Ghana and much wealthier countries than ourselves are still using the Crown Agents.

Mr. Gachago: Mr. Chairman, would it be possible to make arrangements for the purchase of some of these items which at present we get through the Crown Agents to be made locally, because now the country is gradually becoming industrialized. Could we not purchase some of the items we purchase through these agents locally to minimize and if possible dispense with some of these expenses?

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Chairman, at the moment we are buying quite a number of blankets for our prisons and so on, from Nakuru, but they do not provide everything that we want.

Might I also add that we do make another use, for instance, of the Crown Agents. When we ran short of sugar just because the Coastal Ramisi factory failed us and the other factories did not produce enough sugar, through the Crown Agents we were able to buy sugar outside Kenya. They arranged it all for us and paid for it although we shall have to refund the money. They provide invaluable services, you cannot just ignore them. But if we are able to produce enough locally, there will be no need to buy from outside.

(Head K agreed to)

(Heads M and Q agreed to)

Head R—Stamp Duty on Stock Transfers

Mr. Khasakhala: Mr. Chairman, I would like to know how much money is required, because it says £2,000. How much exactly is required for that?

The Chairman (Mr. De Souza): It says £2,250 is the total sum required.

Mr. Khasakhala: But before we get to that could the Minister explain to us why we have had an additional sum of £250?

The Minister for Finance and Economic Planning (Mr. Gichuru): That is a different question from the first one.

The Chairman (Mr. De Souza): Yes, Mr. Gichuru; that is a question, I think.

The Minister for Finance and Economic Planning (Mr. Gichuru): This is R, is it?

The Chairman (Mr. De Souza): Yes. He wants to know why there is an additional sum of £250 being spent on stock transfers.

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Chairman, it is explained on page 13, but again, for those who cannot read, I shall read it.

Mr. Khasakhala: Please do.

The Minister for Finance and Economic Planning (Mr. Gichuru): It says there: "... more transfers being effected than were expected." It means more money.

(Head R agreed to)

(Head T3 agreed to)

VOTE 9A—SALARIES REVISION

(Vote 9A agreed to)

VOTE 10A—THE ARMY

Mr. Gichoya: Mr. Chairman, I want to get an answer from the Minister as to whether the additional amount we are approving is going to cover the expenses of re-employing the civilians who are being discharged presently by the British Authorities at Kahawa.

An hon. Member: This is the Army.

Mr. Gichoya: Well, they are working within the Army; that is what I mean: civilians with the British Army.

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Chairman, I do not quit; get it. When the British Army moves out, it

is unfortunate that some of their staff, the civilians, will lose their jobs, but here we are talking about the Kenya Army, not the British Army.

Mr. Gichoya: Mr. Chairman, I appreciate that, but the fact remains that, according to the latest agreement between our Government and the United Kingdom, we are going to take over Kahawa. If we are taking over Kahawa, we may not take the British personnel, but we are going to take the African personnel who are already being employed there, if at all, again, the Tripartite Agreement has any meaning whatsoever. That is why I want to know what safeguards have been made for those who are working in that particular place and who, I understand, are being sacked.

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Chairman, Sir, if a business today closes down completely or goes bankrupt, Government is not under any obligation to ensure that the workers there have employment; it is just unfortunate. The civilians who are at the moment employed by the British Army, unfortunately, will lose their jobs. If other jobs can be got for them, definitely every endeavour will be made to see that they get employment, but here we are dealing specifically with our own Army.

Mr. Gichoya: Mr. Chairman, I think the Minister should be able to make me understand it better. We normally compensate people for the loss of their job, not because they are likely to lose it but because circumstances have changed. Here it is not the question of the British Army running away, but, circumstances which have forced the British Army to be expelled from Kenya.

The Minister for Finance and Economic Planning (Mr. Gichuru): On a point of order, Sir, are we not discussing something completely outside the Vote?

The Chairman (Mr. De Souza): You are quite right, Mr. Gichuru. I wanted to draw your attention to that, Mr. Gichoya, but I wanted you to finish your sentence. We are, in fact, discussing only additional sums being spent on the Army, not the policy of re-employment of persons dismissed by the removal of the British Army. I was wondering whether the question was coming relevant to that, and I wanted to let you finish your question.

(Vote 10A agreed to)

VOTE 11—POLICE

*(Head A agreed to)**Head B—House Allowances*

Mr. Bala: Mr. Chairman, I would like to know exactly how this sum of £15,500 is made up because recently I have heard in my region, which is Nyanza, of certain constables having a lot of difficulties with houses, and they go as far sometimes as getting other people to work for them without payment, to work on their houses without paying them. So I do not understand why this amount is required by Government.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Chairman, Sir, the approved provision of £96,500 was underestimated in the light of the Economy Commission's recommendations, which in the event were not implemented in the current year. Besides, there have been changes in staff which necessitate payment of house allowance to more officers. The increased provision is required to meet actual expenditure on house allowance payable on the basis of existing regulations. Sir, this has nothing to do with the whole problem of adequate or satisfactory housing, which is a different matter and to which attention, of course, has been drawn many times and which Government is dealing with. If, however, the hon. Member can substantiate his allegation that constables have forced people to work on their houses without payment and against their will, then, of course, he should report the matter to the right authority and it will be dealt with. But, with respect, it has nothing to do with these Supplementary Estimates.

Mr. Khasakhala: Mr. Chairman, in view of the fact that quite a number of high police officials have left and now they have been replaced by others, could the Minister explain to us why there is an increase in the house allowances of £15,500?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Chairman, I do not know whether the hon. gentleman was listening or is just determined to ask a question. I have said that the figure of £96,500 was underestimated in the light of the Economy Commission's recommendations. I have also said that, in view of certain changes, it has been necessary to pay more in house allowances to officers. The mere fact that certain officers have left the service does not reduce our house allowance liability; in some cases it increases that liability. If the person who left the service lived in his own house or was housed under different regulations, and the new person taking over is housed under different regulations, we have to pay house allowances, and for these reasons of changes

house allowance has now become payable to more officers and, therefore, we have to make an increased provision for it.

Mr. Gachago: Mr. Chairman, this explanation is rather in conflict with the hon. Minister's answer under the prevailing circumstances where the police constables and police officers are inadequately housed or, as it is alleged, are inadequately housed. Here the hon. Minister said that some changes have taken place which justify the expenditure of another £15,000. Could the Minister tell us whether there has been any improvement and if there has been any improvement, why such improvement has not been noticed?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Chairman, I do not know what improvement the hon. Member is speaking about. If a person lives in a Government house, then of course the question of housing allowance does not arise. If he rents a house outside Government housing, that is where I said there may be this inadequacy of housing, and then house allowances arise. Now, where, for example, temporary staff have been replaced by permanent staff, then the question of house allowances immediately arises, of course, and I see no conflict whatsoever in what I said originally and what I have said in explanation. I still say, with respect, that the question of inadequacy of housing or the standard of housing is not relevant to the issue before the House.

Mr. Mutiso: Mr. Chairman, may I know from the hon. Minister whether this house allowance is actually allocated for the police officers and constables or for the civilians who work within the police administration?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Chairman, it is allocated to anyone who is an officer in the police force.

Mr. Mutiso: Therefore, Mr. Chairman, how is it that a police officer or constable who is already living in a Government quarter is paid house allowance?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Chairman, I did not say anything of the sort; in fact, I tried to explain exactly the opposite.

The Chairman (Mr. De Souza): I do not know whether you were asking a question, Mr. Mutiso, or making a statement.

Mr. Mutiso: It was a question, Mr. Chairman, because the Minister did state that any person or any officer or constable within the police force is paid house allowance, and I—

The Minister for Justice and Constitutional Affairs (Mr. Mboya): I said exactly the opposite, Mr. Chairman.

Mr. Mutiso: Maybe I did not understand, Mr. Chairman.

Mr. Alexander: Mr. Chairman, may we know what amount was appropriated from the Renewals Fund for the two aircraft?

The Chairman (Mr. De Souza): We have not come to that yet, we are still discussing house allowances.

Mr. Khasakhala: Mr. Chairman, from the explanation the Minister has given us the increase has occurred because of the changes and underestimation. I could understand the underestimation, but could the Minister tell us what amount was incurred because of the changes only, because underestimation would be a more understandable argument than changes of staff? How much was incurred in the changes of staff and why?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Chairman, I do not understand the question.

The Chairman (Mr. De Souza): What he means is how much is in respect of underestimation and how much in respect of changes of staff. Is that right, Mr. Khasakhala?

Mr. Khasakhala: Yes.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): I am sorry I cannot give him these breakdowns, how much in underestimation and how much in changes of staff, but it is quite obvious that the two come to a total of what we have put forward.

The Chairman (Mr. De Souza): I think we have had enough of this question now.

Head D—Replacement and Running Expenses of Motor Vehicles and Aircraft

Mr. Alexander: In respect of the replacement of two aircraft for £30,500, may we know how much has been appropriated from the renewals fund for this, and why the additional expenditure has been necessary, and secondly, in respect of the increased cost of maintenance and running expenses to motor vehicles and aircraft, £19,650, may we be told what causes these increased costs are attributable to?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Chairman, firstly in so far as the replacement of the three Cessnas is

concerned, this arises because of the conditions with regard to operations in the North Eastern Region in which it has been found inappropriate to use these nine-year old Cessnas, and to replace them with twin-engined Aztecs. It is expected that the two old Cessnas will fetch some £7,500 from their sale in the next financial year and this will be by way of appropriations-in-aid. As regards the additional provision of £650, this is required to meet maintenance and running expenses of motor vehicles and aircraft, and the mileage done by police vehicles has been increasing steadily due to the present security situation in the country. There is just nothing one can do to reduce this, but it is a question of—

Yes, if I may just supplement what I said on the question regarding the renewal fund, I am advised that in fact there is no renewals fund for the purchase of aircraft or transport in the police and, as I have already said, the increase in so far as the £19,650 is concerned is due to the present security situation in the country and also due to the increase in Customs on spares and tyres.

Mr. Gachago: Mr. Chairman, when the Ministers use the police Air Wing aircraft to travel to various places on their ministerial duties, are such expenses charged to police Vote or to the Vote of their respective ministries?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Yes, Sir.

The Chairman (Mr. De Souza): I do not think that quite answers the question. He wants to know which of the two.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): I thought he asked whether, when Ministers use police Air Wing aircraft for their own ministerial work, this is charged to their individual ministries Vote, and the answer was, yes, Sir.

Mr. Mutiso: Could the Minister tell the House how many aircraft the Police Wing have, and how many vehicles so as to justify the increase of £50,000.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): I have said, in so far as the aircraft are concerned, we have said three Cessnas are being replaced—

The Chairman (Mr. De Souza): Two.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Two Cessnas are being replaced, and in so far as the other increase is concerned, I have said it is running costs, not the buying of new vehicles.

The Chairman (Mr. De Souza): I think he asked how many aircraft the police have altogether.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): This is irrelevant to this supplementary estimate. I do not see how that comes into it.

The Chairman (Mr. De Souza): I think it relevant, Mr. Mboya, to find out whether in fact they should buy more, to know how many they have already.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): I do not agree. We are not asking for money to buy more or to replace any.

The Chairman (Mr. De Souza): It is up to you to answer, Mr. Mboya.

Mr. Mutiso: Mr. Chairman, is it not right for the Minister to state how many aircraft the Police Wing have, so as to justify these running costs, because we cannot say that the running costs are justified when we do not know how many aircraft are being used to justify the costs.

Mr. Gachago: On a point of order, Mr. Chairman, would the hon. Ministers tell us when they do not have the answer to a question, instead of answering in a very ambiguous and un-understandable way and then, if necessary, provide an answer at a later date?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Chairman, the least prerogative we have is to decide when to answer and what to answer.

Mr. Shikuku: Is that so?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Of course it is. Your ignorance is not our responsibility. Now, Sir, the answer to the question is this, we have six Cessna, two Aztecs, one Grand Commander, three of the Cessna—which are nine years old—will now be sold and replaced by two Aztecs, as already stated.

Mr. Shikuku: Mr. Chairman, the Minister did point out a little while ago that this increase is due to the fact that we have to spend more because of the security situation, probably in the Northern Frontier District. Does he, by telling us this, thereby tell us that we are expecting the trouble in the Northern Frontier District to go on for ever, or are we to understand that this is just an excuse?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Chairman, the hon. gentleman should know that we estimate for what we think is going to happen and these estimates

are normally annual and his “for ever” does not apply here. If the situation changes, we will spend less and there will be a saving; if the situation does not improve and we need to spend more, we will come back for another supplementary. That is the way it works, and I thought the hon. Member was pretty well aware of it.

Mr. Shikuku: Mr. Chairman, arising from this reply, it was raised in this Parliament some time ago that there was a shortage of petrol and this is one of the security questions of it all. If that is the question, I was wondering if this had been taken into account. At the moment there is a shortage of petrol so that the police cannot travel to the sites where accidents and so on have taken place. Is this included in this or are we to be asked for this at some later date?

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): On a point of order, Mr. Chairman, is not the present questioner speaking on a matter which is the subject of a Motion in this House in the coming few weeks?

The Chairman (Mr. De Souza): Yes, he is, but I think what we are discussing here is additional provision for the running expenses of motor vehicles and I think when we are discussing this very important point in the Budget the Member can ask whether this would cover additional petrol. I think it would be cutting out too much if we cut it out.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Chairman, if the hon. gentleman supports these supplementary estimates he will help improve the situation considerably and he will have no cause to come back here grumbling.

Mr. Kiprotich: Mr. Chairman, would the Minister assure this House that there will be no more shortage of petrol in the police stations?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): The answer is, to the extent it is physically possible, yes, but I cannot be one hundred per cent sure or guarantee that there will never be a shortage of petrol at a particular given time in a particular given place.

The Chairman (Mr. De Souza): I think we had better move on. We have only twenty-five minutes more in which to discuss this, and we have another supplementary estimate. Is your question very important, Mr. Anyieni?

Mr. Anyieni: Yes, Sir. Mr. Chairman, the other day there was a report in the papers that a luxurious plane was bought for the Ministers, and that cost £7,000—

The Chairman (Mr. De Souza): That has already been passed a long time ago.

Mr. Anyieni: I wondered whether it was included?

The Chairman (Mr. De Souza): No, it is not, it is quite obvious it was under the Prime Minister's Vote which we passed.

Mr. Anyieni: In which Vote?

The Chairman (Mr. De Souza): It was included in the Prime Minister's Vote. We passed it yesterday in the Prime Minister's Vote.

Mr. Anyieni: Yes, but—

The Minister for Justice and Constitutional Affairs (Mr. Mboya): I would like to say this, this use of superlatives is a little dangerous. "Luxurious", what exactly is the meaning?

Mr. Anyieni: That was the report in the papers.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Ah! The Kenya Government only publishes the *Kenya Gazette* and we never use such words in the *Gazette*. What commercial newspapers write about us is not our responsibility.

Mr. Anyieni: You did not refute the description.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): If Government was run on the basis of refuting every little statement that appears in the Press, we would do nothing else. We have much more important work to do and I am sure the Members of this House will agree that there is no question of the Government spending money unnecessarily, and this plane, as I have already said, is included among the number of planes which are now owned by the Kenya Police.

Mr. Anyieni: Mr. Chairman, in view of the fact that the reply given by the Minister was different from the reply you gave me, can we be assured that this "luxurious" plane—as it was described in the papers—is not being used unnecessarily by the Ministers?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): This is not the time and place to argue on this point, and if the hon. gentleman had anything to say about the plane it would have been said at the time when the Supplementary Estimates were placed before this House. Having had their blessing and having approved the budget

on it, I find it surprising that anyone now questions it.

(*Head D agreed to*)

Head E—Travelling and Subsistence Expenses on Duty

Mr. Khasakhala: Mr. Chairman, could the Minister explain to us why the security situation which has arisen deserves the additional £16,000?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Chairman, I do not know what I am supposed to say here except to state that this additional sum of £16,000 is necessary in order to cover the increased activities of the police force throughout the country.

Mr. Khasakhala: Mr. Chairman, in view of the fact that we know that the police are more lazy these days than they were during the colonial days, what are the increased activities of the police, because at the moment many shops are being broken into, houses being broken into, and so on?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Chairman, I rise with a great deal of feeling. I hope the hon. Member has not carefully weighed his words because it is a serious allegation to say that the police are these days very lazy and doing nothing.

Mr. Khasakhala: Mr. Chairman, I did not say lazy, I said doing nothing.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): It depends where the hon. Member has been looking. If the incidence of crime has increased this does not necessarily mean that the police have been doing nothing or that they are less active. In fact, the fact that we have an increase in the incidence of crime demands greater and more activity from the police and that is what we now want to provide for. You cannot ask us for more action and at the same time refuse to give more money for it. The Government has considered it necessary to ensure increased police activity and for that reason it requires this additional money. Now, the hon. gentlemen by the shouts in the House tend to confirm that the Government is right in its assessment of the situation, that in fact more activity is required and that is precisely why we want more money.

Mr. Gichoya: Mr. Chairman, I see from E—Travelling Expenses and Subsistence Expenses on Duty within the country, and again within the same vote we have another cost for the North-Eastern Region where I expect activities of travelling and other needed movements for the peace

Head P—Security Arrangements—North-Eastern Region

Mr. Mbogoh: Mr. Chairman, does this include the employment of the Home Guard in the North-Eastern Region?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Sir, we do not normally pay for Home Guards.

Mr. Shikuku: I thought security in this country was the responsibility of the Government. I was just wondering whether the Minister in replying implied that the Government is not prepared to pay anybody who is willing to help in bringing about that security in any form, whatever it is, in the form of the Home Guard. I thought that was also included in this.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): I do not know whether the hon. gentleman understands the meaning of the Home Guard. It is a voluntary movement of residents in an area who decide to come together for their own self-protection. They do not become part of the police force in the country. They have never been, even during the height of the Emergency.

The Chairman (Mr. De Souza): Order. order. In any case we do not want to get into a debate on the Home Guard at this stage.

(Head P agreed to)

Head Q—Expenses of State Visits

Mr. Wamuthenya: May I know from the Minister what are the expenses for travelling and subsistence on duty and rations, because their subsistence allowance is exactly the same as we are getting here, and then there are the rations.

The Chairman (Mr. De Souza): I think you are quite right, Mr. Wamuthenya, but we have passed that stage a long time ago. We are discussing the items one at a time. We are now discussing Expenses of State Visits. We have to go a little faster, I am afraid.

Mr. Khasakhala: Mr. Chairman, it is becoming a bit confusing to us about the State Visits. We have passed, Sir, a few minutes ago, under the Ministry of Local Government a sum for the State Visits. We have agreed under the Prime Minister's Vote a sum for the State Visits, and here again under Police Protection we have an additional sum required of £3,000. Why could the Minister not put all these figures into one

block rather than putting them into different items which are confusing us? We do not know how much we are going to spend on the State Visits.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Chairman, I explained when this was originally asked that it was felt more convenient for the purposes of accounting that each Ministry involved in any aspect of the State Visit should account for their particular functions. Consequently, the Prime Minister's Office, External Affairs, that is, accounts for its particular aspect or part in this State Visit, and the Ministry of Local Government does the same. In this particular case, the police force, it is a question of the movement of contingents of police to different parts of the country in respect of the State Visit, and also movements of the police band and security guards in different parts of the country in respect of this particular State Visit in June. In fact, it is now likely that some of the £3,000 estimated might be saved because one of the State visitors is no longer coming, but it is purely and simply the aspect of police movements and police participation in the State Visit. If, later on, the House would like to know what has been spent as a whole by all Ministries, of course, we can work out the grand total for them.

(Interruption of Business pursuant to Standing Order 145 (3))

The Chairman (Mr. De Souza): Order, order. It is now one hour before the time of interruption of ordinary business and I will put the question.

(The question was put and carried)

DEVELOPMENT SUPPLEMENTARY ESTIMATE NO. 2 OF 1963/64

THAT a sum not exceeding £285,007 be issued from the Consolidated Fund to meet expenditure during the year ending 30th June 1964, in respect of Development Supplementary Estimate No. 2 of 1963/64.

(The question was put and carried)

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Chairman, I beg to move that the Chairman doth report to the House its consideration of the Resolutions without amendment.

(The question was put and carried)

(The House resumed)

[The Speaker (Mr. Slade) in the Chair]

REPORTS

STATEMENT OF EXCESSES

Mr. De Souza: Mr. Speaker, Sir, I am directed by the Committee of Supply to report its consideration of the following Resolution and its approval of the same without amendment.

THAT a sum not exceeding £2 be issued from the Consolidated Fund to meet expenditure during the year ending 30th June 1962, in respect of Statement of Excesses 1961/62.

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, I beg to move that the House doth agree with the Committee in the said Resolution.

The Minister for Justice and Constitutional Affairs (Mr. Mboya) seconded.

(Question proposed)

(The question was put and carried)

SUPPLEMENTARY ESTIMATE NO. 3 OF 1963/64—
RECURRENT

Mr. De Souza: Mr. Speaker, Sir, I am directed by the Committee of Supply to report its consideration of the following Motion and its approval of the same without amendment:—

THAT a sum not exceeding £895,861 be issued from the Consolidated Fund to meet expenditure during the year ending 30th June 1964, in respect of Supplementary Estimate No. 3 of 1963/64.

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, I beg to move that the House doth agree with the Committee in the said Resolution.

The Minister for Justice and Constitutional Affairs (Mr. Mboya) seconded.

(Question proposed)

(The question was put and carried)

SUPPLEMENTARY ESTIMATE NO. 2 OF
1963/64—DEVELOPMENT

Mr. De Souza: Mr. Speaker, Sir, I am directed by the Committee of Supply to report its consideration of the following Motion and its approval of the same without amendment:—

THAT a sum not exceeding £285,007 be issued from the Consolidated Fund to meet expenditure during the year ending 30th June 1964, in respect of Development Supplementary Estimate No. 2 of 1963/64.

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, I beg to move that the House doth agree with the Committee in the said Resolution.

The Minister for Justice and Constitutional Affairs (Mr. Mboya) seconded.

(Question proposed)

(The question was put and carried)

BILL

First Reading

THE SUPPLEMENTARY APPROPRIATION BILL

(Order for First Reading read—Read the First Time—Committed to a Committee of the whole House today)

Second Reading

THE SUPPLEMENTARY APPROPRIATION BILL

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, I beg to move that a Bill entitled the Supplementary Appropriation Bill 1964, be now read a Second Time.

This is a formal Bill which gives statutory approval to the financial provisions made in the Statement of Excesses 1961/62, Supplementary Estimate No. 3 of 1963/1964 (Recurrent) and Development Supplementary Estimates No. 2 of 1963/1964, which have been approved by the House today.

I beg to move.

Mr. De Souza seconded.

(Question proposed)

(The question was put and carried)

(The Bill was read a Second Time and committed to a Committee of the whole House today)

COMMITTEE OF THE WHOLE HOUSE

(Order for Committee read)

[The Speaker (Mr. Slade) left the Chair]

IN THE COMMITTEE

[The Chairman (Mr. De Souza) took the Chair]

THE SUPPLEMENTARY APPROPRIATION BILL

(Clauses 2, 3, 4 and 5 agreed to)

(First and Second Schedules agreed to)

(Title agreed to)

(Clause 1 agreed to)

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Chairman, Sir, I beg to move that the Committee do report to the House its consideration of the Supplementary Appropriation Bill, 1964, and its approval of the same without amendment.

(Question proposed)

(The question was put and carried)

(The House resumed)

[The Speaker (Mr. Slade) in the Chair]

REPORT AND THIRD READING

THE SUPPLEMENTARY APPROPRIATION BILL

Mr. De Souza: Mr. Speaker, I am directed by a Committee of the whole House to report its consideration of the Supplementary Appropriation Bill and its approval of the same without amendment.

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, I beg to move that the House doth agree with the Committee in the said report.

The Minister for Justice and Constitutional Affairs (Mr. Mboya) seconded.

(Question proposed)

(The question was put and carried)

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, I beg to move that the Supplementary Appropriation Bill, 1964, be now read a Third Time.

The Minister for Justice and Constitutional Affairs (Mr. Mboya) seconded.

(Question proposed)

(The question was put and carried)

(The Bill was accordingly read the Third Time and passed)

(Ordered that the Clerk carry the said Bill to the Senate for their concurrence)

BILL

Second Reading

THE KENYA BROADCASTING CORPORATION (NATIONALIZATION) BILL

The Speaker (Mr. Slade): Now with reference to the next Order, that is the Second Reading of the Kenya Broadcasting Corporation (Nationalization) Bill, I have to inform hon. Members that I heard from the Minister for Information yesterday evening that other duties would prevent him from attending the House today, but it was too late to remove this from the Order Paper. He is not here, and having made that apology which I think he would like me to make to the House, we will not proceed with this Order today.

(By leave of the House the Order was deferred)

ADJOURNMENT

The Speaker (Mr. Slade): That concludes the business on the Order Paper. The House is now adjourned until Tuesday, 16th June, at 4 p.m.

The House rose at forty-two minutes past Eleven o'clock.

Tuesday, 16th June 1964

The House met at Four o'clock.

[*The Speaker (Mr. Slade) in the Chair*]

PRAYERS

COMMUNICATION FROM THE CHAIR

BIRTHDAY HONOURS: MAJOR M. G. ELIOT

The Speaker (Mr. Slade): Hon. Members, I know that you would wish me, on your behalf, to congratulate our Serjeant-at-Arms, Major Eliot, on the honour of M.B.E., which has been awarded to him by Her Majesty the Queen on the occasion of Her Birthday.

I do not think that I can do better than read the official citation, which is as follows:—

As Serjeant-at-Arms, he has rendered exceptional services to a comparatively young Parliament, the whole future of which has depended upon an initial foundation of high standards. His unfailing loyalty, reliability, and impartiality have been an example both to Members and to staff of this National Assembly; and by a combination of firmness, tact and devotion to duty he has taught Members of Parliament and members of the public standards of conduct and discipline which will continue after he has gone.

I believe that you will confirm every word of that citation.

You probably know that he is due to leave us very soon. He will now leave with the happy knowledge that his five years of service here have earned the respect and gratitude of all of us.

NOTICES OF MOTIONS

The Minister for Home Affairs (Mr. Odinga): Mr. Speaker, Sir, I beg to give notice of the following Motions:—

LIMITATION OF DEBATE: BUDGET DEBATE

THAT speeches in the debate on the Financial Statement on the Annual Estimates be limited to thirty minutes.

LIMITATION OF DEBATE: ANNUAL ESTIMATES DEBATES

THAT the following limitations shall be applied to the business of the Annual Estimates:—

- (i) On the Motions "That Mr. Speaker do now leave the Chair", to enable Ministers to initiate debates on policy, all

Members speaking, other than the Mover in Moving and in Reply, be limited to twenty minutes.

- (ii) In Committee of Supply all speeches shall be limited to ten minutes.

COMMITTEE OF WAYS AND MEANS

(*Order for Committee read*)

FINANCIAL STATEMENT

MOTION

THAT MR. SPEAKER DO NOW LEAVE THE CHAIR

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, I beg to move that Mr. Speaker do now leave the Chair.

The House is already in possession of the Estimates of Expenditure for 1964/65, the Economic Survey and the Development Plan. I now present the Estimates of Revenue for the year ending the 30th June 1965, together with the Financial Statement.

The preparation and printing of all these documents has been an exacting task involving many hours of overtime in the Treasury and other Ministries and in the Government Press, and to all concerned, I express my gratitude.

I am very conscious that any speech as full of figures as a Budget Speech, can all too easily become tedious, and I propose to reserve some of my ammunition for the reply to the debate. I will begin by reviewing the present financial and economic position of the Government and the country. I will set out briefly the Government's proposals for expenditure in 1964/65, both development and recurrent, and I will indicate how this expenditure will be financed and what taxation changes will have to be introduced, and will then try to look a little further ahead and to link the Budget as a whole with the over-all objectives of the Government as set out in the first chapter of the Development Plan.

I will begin by dealing with the out-turn for the present financial year. Excluding some £1.2 million of money received from the Currency Board and used to pay our subscriptions to the International Monetary Fund, the World Bank and other international organizations, I expect revenue for the current year to be about £38.1 million or £1.3 million more than the original estimate. The main cause of the increase is additional revenue from income tax related to a higher level of economic activity and a higher level of company profits than had been expected.

[The Minister for Finance and Economic Planning]

Recurrent expenditure is also up. The House has already been given details in three Supplementary Estimates and will be aware that the major additional items relate to the take over of responsibility for our Army, to increases in Army, Police and Prisons pay and to the implementation of the Pratt Salaries Commission Report. The revised estimate of expenditure will be very close to the revised revenue figure of £38.1 million which I have given. I have arrived at this figure after deducting expenditure of £4½ million on compensation and commuted pensions payments for designated officers which is covered by assistance from the British Government and I have also deducted expenditure of £547,000 on the Army between the 12th December 1963 and the 31st March 1964, which has been covered by a British Government grant and the subscriptions to the International Monetary Fund and other organizations to which I have already referred.

We started the year with a credit balance of £2.1 million in the Exchequer Account and after allowing for certain adjustments to former grant-in-aid payments and for money already issued from the Exchequer but not spent at the 30th June 1963, I expect that a credit balance at the 30th June 1964 will be approximately £2.2 million. To sum up, excluding special items of expenditure met from special sources, we will cover in the present year all our recurrent expenditure from revenue at the existing rates of taxation.

Development expenditure originally estimated at £14.1 million is now expected to be about £600,000 up on this figure. Expenditure on Settlement will be up on the original estimate mainly owing to the carry forward of expenditure from the previous financial year. Expenditure on the basic Development Plan will be slightly under the estimate. Receipts into the Development Exchequer will be over £400,000 less than expenditure, but most of this amount relates to expenditure which will eventually be reimbursed by the World Bank, the Commonwealth Development Corporation and the British Government. The deficit in the Development Exchequer will rise to about £6.2 million. I do, however, propose to transfer £1.5 million of the credit balance in the main Exchequer Account to Development, in order to bring the deficit in the Development Exchequer to below the figure of £5 million which I regard as an appropriate maximum to be financed from the Paymaster-General's balances and short-term borrowing.

The Economic Survey which I laid on the Table of the House last week, sets out in detail how the country fared in 1963 and gives a forecast of

what we may expect in 1964. The growth of the Gross Domestic Product or National Income was 6.5 per cent in 1963 which was higher than in any other year since 1957. Exports were up by 15 per cent and agricultural production was at a record level. Industrial production rose by 3 per cent and the number of tourists visiting Kenya by 15 per cent. These are very encouraging figures. But it must be admitted that a large part of the improvement resulted from a rise of some 50 per cent in the average price received for sisal in overseas markets. We have been obliged to struggle against falling export prices for a number of years and it is not perhaps before time that we are now able to welcome a movement in our favour.

An adverse balance in visible trade is not a bad thing for a developing country if it is a sign of an inflow of capital goods financed by new capital investment. However, those who hold the popular view that a favourable visible balance of trade is desirable, will be pleased to note that in 1963, after allowing for re-exports, interterritorial trade and charges on goods in transit through Kenya, our trade was very nearly in balance.

The two factors in the 1963 picture which were not satisfactory were the level of employment and the level of capital formation. According to the figures of reported employment, the numbers fell between June 1962 and June 1963 by some 46,000, whereas, at the same time, the total number of men of working age in the country, must have increased by a similar figure. It is, however, pointed out in Chapter 6 of the Survey that the position may not be quite as bad as figures suggest, as it is not possible in an enumeration based on a postal inquiry to cover the large number of persons employed in small businesses and on small farms. I hope that the June 1964 census will provide a wider coverage of those in employment and the Tripartite Agreement represents a turn of the tide, and will be reflected in substantially improved figures this year. Unemployment remains a major problem and will not easily be cured, even if we can obtain, as we hope to do, an increased rate of industrialization. Our Development Plan will create more jobs, but we must be careful to see that the benefits of future development are spread to all sections of the community. In other words, we must not be content merely with a growth in the National Income without paying careful attention to the need to ensure that this growth benefits, to the greatest possible extent, that large section of our population which is now living at a bare subsistence level. During 1963, as the figures in the Economic

[The Minister for Finance and Economic Planning] Survey show, the average earnings of Africans in employment went up by 15 per cent. This was considerably more than the additional incomes earned by the far larger number of people engaged in small-scale agriculture. However, if I may express a personal view without incurring the wrath of my professional advisers, I am frankly doubtful whether the published figures reflect sufficiently the growth in incomes of small-scale farmers over the last five or six years. I believe that there has been a considerable increase in production which is sold within districts, and which, therefore, it is not easy to measure.

The total of capital formation in 1963 declined to a level lower than has been recorded in any year since these estimates were first calculated. But there are now, a number of clear indications that investment is rising. Machinery imports are running at a higher level, while the building plans approved by the Nairobi City Council, which has always been a good indicator, suggest that there should be an early increase in construction activity. A number of new projects for hotels, commercial buildings and industrial buildings have been announced and will be going ahead. The Government's Development expenditure will be at a higher level and the Kenya Development Finance Company has already committed a large part of its funds in association with private investors. The Seven Forks Hydro-electric Project will, I hope, actually get off the ground before the end of 1964.

The one thing that, more than anything else, would discourage large-scale industrial investment in East Africa would be the break up of the common market and the common currency. The negotiations which have taken place with our neighbours, have shown that this Government is prepared to co-operate in strengthening the East African Common Market, and in the planning of development, particularly in the industrial sphere on an East African basis. The leaders of the three countries have also reaffirmed the intention of the Governments to maintain a common East African currency. I am hopeful that we will soon make progress towards the establishment of an effective East African Central Bank.

The second greatest dis-incentive to progress and investment in the private sector would be an unduly high rate of taxation. The revenue position in Kenya has reached a point at which no very significant increase to Government revenues can be produced except from an expansion of income accompanying a growth in the economy. There is little scope for me to find additional revenue to provide the increased services which everyone

desires by levying higher rates of taxation. There are in fact already indications that the rates of one or two taxes have been pushed so high that no additional revenue has been obtained from recent increases. The fact of the matter is that Kenya is already highly taxed. The average income per head is about £29 per annum, and if we consider the monetary sector only, this figure comes down to £21. The Central Government is this year taking some 19 per cent in the form of taxes, while if we include taxes payable to local authorities, the percentage would rise to over 20 per cent. The average family in Kenya pays approximately £22 a year in tax to the Central Government.

The most recent statistics which I have for neighbouring countries and for countries in other parts of Africa suggest that, proportionately, the level of taxation in Kenya is high. In this House, we consider estimates and supplementary estimates running into millions of pounds, but should, I feel, bear in mind that, even small sums spent by the Government, represent money provided at considerable sacrifice by large numbers of taxpayers; for example, it requires the contribution of many families of taxpayers to maintain one Kenya student at a university or even at a secondary school, and the allowances which hon. Members draw for each day's attendances in Parliament amount to roughly the average amount of tax payable per head of the population in a whole year. We must ensure that we spend the taxpayers' money in ways which the taxpayers themselves would consider as justified and we must be careful to avoid all forms of wasteful or unnecessary expenditure.

It is a mistake to think that either recurrent expenditure or development expenditure can be financed without the burden in the end falling on the Kenya taxpayer. If we borrow the money, it has to be repaid and most of the money that we have obtained by loans for development in the past have been at rates of interest which mean that the total amount eventually paid by the taxpayer for an asset created from loan funds of, say, £100 is in the end double this figure or about £200. Nothing the Government provides is from the point of view of the taxpayer free, and if, for example, we reduce the fees payable for primary education, then we are merely shifting the burden from the parent to the taxpayer who is one and the same person. The rate at which we can do this will depend partly on the recognition by taxpayers that they must meet their obligations and the ability of local authorities to collect graduated personal tax in full. There is obviously a limit to the amount of money that

[The Minister for Finance and Economic Planning] we can afford to borrow without imposing too heavy a burden on taxpayers in future years. I am, of course, aware that there is a third way of finding money which has tempted many Governments along a road that has led to disaster, namely the way of inflation, which is in fact a disguised form of taxation. But there is some scope for making greater use of the fiduciary element in our currency reserves in order to bring into productive operation idle resources including land and labour. In particular, the use of such sources will have to be tapped in 1965 when we have a very severe problem in relation to refinancing short-term debt. The proportion of our total expenditure which is financed from overseas loans is high, and we will have to find more money locally for development.

As the Population Census showed, over half our people are under the age of 16 and others are too old to contribute much to the national effort. This means that there are only approximately 2,000,000 men and 2,000,000 women of working age on whom we depend to make the efforts now required if our nation is to break out of the cycle of poverty and achieve the aim of rapid self-sustaining growth.

The Development Plan looks forward to a greater diversification of Kenya's economy but it is a fact from which we cannot escape that industrialization will not itself be the cure of our difficulties, and that, even in the most favourable circumstances, we are unlikely to be able to expand industrial employment at a rate sufficient to absorb the annual increase in the working force. Over two-thirds of the population will continue to have to obtain a living from farming or employment in agriculture, and it is from the increasing product of our land that growth of incomes will be achieved and the market created for further industrialization.

The Economic Survey suggests that prospects for 1964 are quite good. Given favourable weather conditions, agricultural income should be up by about 6 per cent and sales of manufactured goods and income from tourism should rise by a similar amount. My advisers estimate that the Gross Domestic Product should rise by at least 4 per cent. I have taken this estimate into account in framing my estimates of revenue for 1964/65, and I have also allowed for the fact that higher incomes earned in 1963 will be charged for income tax in 1964/65.

I now turn to the 1964/65 Development Programme. The Development Plan has been published and the Memorandum in the Development

Estimates explains in considerable detail the 1964/65 proposals. I do not wish on this occasion to do much more than refer to the arrangements for financing the proposed expenditure, but should, I think, point out that the 1964/65 Estimates are at a higher level than ever before in our history and that the programme will make a very significant contribution to economic growth. Our planning organization is being improved and the plan will be subjected to regular scrutiny and revision and will be flexible. Out of the proposed expenditure of £15.7 million, £6.7 million will be on Land Settlement Schemes, and will carry one stage further the completion of the 1,000,000-acre programme which is the largest scheme of its kind in Africa. Over 15,000 families have already been settled and a further 10,000 to 12,000 families will be settled next year. The scheme is being executed more rapidly, efficiently and successfully than many of its critics expected, and it has been established that production on the land taken over for the International Bank for Reconstruction and Development and the Commonwealth Development Corporation schemes has gone up by 25 per cent. But I should make it clear that the Government does not intend to continue after the completion of the scheme the break up of the efficient economic holdings. There are already signs that this process has gone far enough. For example, as pointed out in the Economic Survey, there will be no surplus of maize this year, the pyrethrum quotas are unlikely to be filled, and most serious of all, the numbers of our livestock are declining and too many valuable dairy herds have already been dispersed and too much immature stock has been slaughtered. The Government is taking energetic measures to deal with all these problems. We also have under consideration schemes for the purchase of more land by the Government.

The transfer of land through Settlement Schemes has been hardly more massive than the transfer of land through private sales, in most instances with the assistance of the Land Bank. In 1963, the Land Bank made loans covering the purchase of over 400,000 acres; in 1964, the total will be only a little less than this figure. Further funds have been obtained which will ensure that the Land Bank will be able to continue assisting private purchasers and, as hon. Members know, loans are being confined to Kenya citizens.

Many of the farms now changing hands were not being energetically run by their previous owners and I have every hope that those who have bought land will do well, to the advantage of themselves and the country as a whole. It must, however, be accepted that there is not

[The Minister for Finance and Economic Planning] enough good land in Kenya for everybody to own his own farm, and that everyone owning land, whether as an individual, a group, a co-operative society or a company, must make use of every acre; we cannot afford to allow land to be left idle.

Expenditure on the general development programme at £9 million is a significantly higher figure than for the present year, even leaving out of account the transfer of nearly £1 million of expenditure from the Development to the Recurrent Budget. Towards this large programme of £15.7 million the table of estimated receipts shows that we have already negotiated finance to the extent of £13.8 million, leaving a gap of a little less than £2 million.

Applications now being considered by the World Bank for assistance towards expenditure on roads and education will, if approved, reduce this gap by about half. The remaining gap will have to be filled and I am confident that this can be done and that we will also be able to arrange the conversion or repayment of a £1 million local loan which comes up for redemption in February 1965. The largest single source of aid will be the British Government which will be providing over £10 million, for which we are sincerely grateful. We will also be getting valuable and much appreciated assistance from the International Bank, from the International Development Association, from the West German Government, from the American Government, the Commonwealth Development Corporation, and to a smaller but useful extent from a number of other governments and organizations. National and Grindlays Bank and Barclays Bank will be assisting us with money towards the extensions to Parliament Buildings. I am glad to say that we have also recently opened up two new sources of aid as a result of the visit of two of my colleagues to the People's Republic of China and to Russia. The exact details of this assistance are being worked out, and I have already included in the estimates of receipts for next year the first instalment of a grant of some 3 million dollars from the Chinese Government. I hope that other aid from these two sources will go towards reducing the present gap on the 1964/65 Development programme.

It should also be noted that we will be finding from local sources over £1.4 million towards Development expenditure. This will come from export duties, the Currency Board's profits and estate duty. We have, however, a major problem to overcome in the 1965/66 financial year when, as explained on page 126 of the Development Plan,

we have to find some £6.7 million to re-finance existing debt before we start spending any money on development. In order to cope with this problem, we will hope that in relation to local loans existing holders will agree to convert to a new stock, but we will also have to seek assistance from the Currency Board and use other devices to find the money. Once we have got over this hump, the re-financing problem will become less difficult for a number of years and we will be able to devote almost all our resources to fresh development, although we will have to keep a careful watch on the size of our Public Debt and continue to ensure that scarce capital resources are used to the maximum and most profitable effect.

I now turn to the 1964/65 Recurrent Expenditure Estimates. Leaving out of account compensation and commuted pensions payments to designated officers, which will be met from British Government assistance, and payments to Regions which will be covered by corresponding revenue, the increase is over £7 million on the amount originally provided in the current financial year for Central Government and Nairobi Area expenditure. This is an enormous increase in one year, far greater than in any previous year and far greater than we will be able to afford in any year in the foreseeable future. However, these increases are unavoidable, and I can assure the House that there has been a rigorous scrutiny of the estimates by the Treasury. With the co-operation of the Ministries concerned, substantial reductions have been made in the original bids and many significant economies effected. Nearly £3 million of the increase relates to the Kenya Armed Forces, the responsibility for which we always knew we would have to take over at Independence. The bill would be much higher if we were not receiving as a free gift from the British Government a large amount of stores and equipment, military assets and assistance with training. The next largest sum of over £1 million relates to unavoidable commitments on the Public Debt and Pensions. The increase in the Public Debt is the inevitable consequence of loans raised in the current financial year for the Development Programme and the increase on pensions is due to the rapid increase in the number of pensioners and arises largely from the departure of a large number of expatriate officers. Next we have over £900,000 for the transfer of recurrent expenditure from the Development to the ordinary Budget. This transfer relates to Localization and Training, Agricultural Services and expenditure on Water Development, much of which was formerly financed from Colonial Development and Welfare grants which we can no longer expect to receive after Independence. Next we have some £800,000

[The Minister for Finance and Economic Planning] for pay increases for the Police and Prisons services and for pay increases arising from the Pratt Salaries Revision Report. These pay increases will benefit mainly lower paid staff, and those in the higher ranks of the service will actually be contributing towards the cost of increases for the lower ranks by accepting a progressive reduction in their housing allowances or a progressive increase in the amount which they will pay in rent for Government housing. I am grateful to the representatives of the staff concerned for their ready acceptance of this sacrifice. I must, however, make it clear that, looking to the future, we will during the next few years have to devote any additional revenues that we can obtain to meeting rising commitments for Public Debt and Pensions, and for the expansion of the existing services, and that we are unlikely to be able to afford further increases in pay even for those in the lower ranks of the service. In the sphere of social services, the increase on Education, mainly for secondary and higher education and for teachers' training, amounts to over £400,000. This represents a greater advance than in any previous year, and will help to deal with one of the main bottlenecks in our development. We have also had to provide £500,000 more than in the original estimates for the present year for the External Affairs Branch. We have also provided £250,000 for the National Youth Service and £200,000 for Unemployment Relief Projects. These will both help us to deal with a proportion of those members of the community who are most in need of Government help. In connexion with the National Youth Service, we expect to receive generous assistance from the American Government with foodstuffs and equipment, and in addition to the provision in the recurrent estimates for Unemployment Relief a number of projects in the Development Plan have been brought forward in order to assist in providing an immediate increase in the numbers employed. There are also a number of comparatively minor increases elsewhere in the estimates of which one of the more important relates to the take-over by the Government of full responsibility for Broadcasting and Television services.

The provision for payments to Regions is expected to enable regional authorities to meet their essential commitments and to provide for some expansion of services, provided only that local authorities do succeed in collecting in full Graduated Personal Tax at the new rates. It will be quite impossible for the Government to subsidize regions or local authorities to make up for short-falls in the collection of Graduated Personal Tax, and, as I stated in my Budget Speech last

year, the continued provision, even at the present standards, of services for which local authorities are responsible, such as primary education, will depend on the collection of local authorities' revenues, and in particular Graduated Personal Tax.

Part of the additional expenditure which, as I have explained, is unavoidable, will be met by a free grant of £1½ million from the British Government. I am most grateful for this final gesture of assistance which was given in recognition of the exceptional financial problems that would face us in the first year following Independence. We cannot, however, expect in the future to receive from the British Government or from any other source grant money to meet normal recurrent expenditure. This final grant from the British Government will make all the difference between our having either to cut back on essential services or having to impose taxation which would inevitably damage our future prospects of economic growth.

To sum up on the expenditure side, as the Expenditure Summary shows, we envisage total expenditure of some £39.26 million. Included in this, is a little over £5 million for payment to or on behalf of the regions which will be covered by corresponding revenue, including some additional revenue derived from taxation measures, which I will announce later. Also included in the expenditure figures, is some £2.76 million for compensation and commuted pensions payments to designated officers, which will be covered by assistance from the British Government. In addition to this, we are, as I have explained above, obtaining a final once-for-all grant from the British Government of £1½ million. Deducting all these sums from the expenditure total, we are left with expenditure of £30,200,000 to be covered from local resources.

The experts who examined our economic and financial prospects shortly before Independence were all of the view that we would find it difficult to maintain the level of the existing services and that there might well be a fall off in revenue at existing rates of taxation. To take one factor, namely the departure of the British Forces: it has been calculated that the reduction in British military expenditure and in expenditure by British military personnel will lead to a loss of import duty of the order of £300,000 per annum and that the indirect effect of the loss of military expenditure on income tax will be a drop in the yield of some £350,000. The Settlement Schemes will also tend to reduce the yield from income tax as a result of the replacement of one farmer who paid income tax by a number of small farmers,

[The Minister for Finance and Economic Planning] none of whom will derive enough income from their farms to bring them into the income-tax paying class. In addition to this, as explained in my Budget Speech last year, the changes made in the arrangements for the payment of income tax by private companies are giving us this year a windfall of over £300,000 which will not be received next year. However, in spite of this, our latest inquiries suggest that profits in 1963 on which tax will be paid in 1964/65 were up and that we will derive additional revenue from income tax next year even allowing for the unfavourable factors which I have mentioned. I estimate, in fact, that we will get not less than £13 million from this source.

PAPERS LAID

(At this juncture, the Minister for Finance and Economic Planning laid the following Papers upon the Table)

1964/65 Estimates of Revenue of the Government of Kenya for the year ending 30th June 1965.

Financial Statement for the year of Account, 1964/65.

The Minister for Finance and Economic Planning (Mr. Gichuru): On customs and excise, I intend to obtain towards closing the gap on the Budget at least an extra £350,000 from beer and cigarettes. Hon. Members will, I hope, be relieved to know that I expect this additional revenue without any increase in the present rates of excise duty, and my figures are based on a conservative appreciation of the present trends. In other words, smokers and drinkers will not suffer. To sum up: the existing rate of taxation is expected to produce a little over £29 million leaving about £1.1 million to be found by additional taxation measures plus a sum of about £500,000 to assist in making up the requirements of regions. This is a large figure and we must not get into the habit of thinking that we can, each year, raise £2 million or £3 million in revenue merely by changes in taxation without damage to the economy.

I now come to my revenue proposals and I would at this stage ask, Mr. Speaker, that in accordance with our usual practice, this speech be taken as Notice of Motion to be placed before the Committee of Ways and Means dealing with the measures I am now proposing. We have again looked at items in our Customs Tariff which can be classified as luxury or semi-luxury and from which we can have a reasonable chance of deriving some additional revenue if we increase the rates of duty, and I propose to raise

the duty on the following items from 25 per cent to 33½ per cent *ad valorem*. A number of items compete with local products and, in fact, the majority of them do so and the increase in duty will, therefore, also have a protective effect. The items are: condensed milk, meat (tinned or bottled), fish (including salmon), tinned fruits, sauces and pickles, breakfast foods, confectionery, honey and preserves, soap extracts and razor blades. Also, on luxury and semi-luxury items, I propose to raise the specific duty on still wine from Sh. 12 to Sh. 16 per imperial gallon when imported in bottles and from Sh. 8 to Sh. 12 per imperial gallon when imported by the cask. This may not be a very long list but we have in the last two years raised considerably the duties on more obvious luxury items to a level at which the law of diminishing returns begins to apply. The above measures are expected to bring in additional revenue of about £95,000.

Another change which I propose which will also have some protective effect is an increase of 15 cts. per square yard on grey cotton and of 10 cts. per square yard in the duty on cotton piece-goods, clothing and blankets. There will also be a small corresponding increase in the duty of shirts, vests, stockings and other garments. The changes in duties on textiles are estimated to produce additional revenue of about £350,000.

The long suffering road user will, I fear, have to bear some comparatively small additional burden, but at the same time, we are pressing on with a major programme for the improvement of our roads, and I do not think that the proposed increase of 10 cents per gallon in the rate of duty on petrol and light amber diesel oil will cause any grave hardship. The increase in revenue from this source is estimated at £255,000 including an adjustment in the duty on grease.

Turning to excise, I have for a number of years been considering the possibility of a modest tax on soft drinks but have been deterred partly by administrative considerations which I am now advised can be overcome. My proposal is for an excise duty of 80 cts. per imperial gallon which will have the effect of imposing a duty of 5 cts. per bottle of 10 fluid ounces on any mineral water, aerated or non-aerated, sweetened or un-sweetened. The additional revenue that should be derived from this source is about £200,000. A minor measure which I should perhaps mention is the imposition of an excise duty of Sh. 6 per lb. on snuff—but I have a small qualification—other than snuff made up by the grower without the use of machinery. There was no duty on locally made snuff previously as there was no factory making it, but a factory is now about to

[The Minister for Finance and Economic Planning] be established in Tanganyika. The revenue implications are not of any significance. I also propose a reduction in the duty on locally manufactured spirits from Sh. 170 to Sh. 153 per proof gallon. This will give the local manufacturer an opportunity to expand his production to a more economic level, and the benefit of the reduction in duty will be passed on to consumers. I am hopeful that increases in sales will balance the loss of revenue which might otherwise result from the reduction in duty.

The proposals which I have announced are estimated to produce about £900,000 in additional revenue out of which £500,000 will go towards meeting regional expenditure and £400,000 towards meeting the gap on the Central Government budget. The new rates of duty which I have announced will come into force from mid-night to-night. They have been discussed and agreed with the Tanganyika and Uganda Governments. The effect of the taxation changes on the cost of living will be very small, and it is estimated that the Nairobi Cost of Living Index will go up by about two-thirds of 1 per cent and the Nairobi Wage Earners Index by about one-fifth of 1 per cent.

I now turn to income tax. If I may be blunt, a lot of nonsense is often talked about income tax concessions and their effect on investment and industrialization. We do not want to induce either overseas or local investors to put money into industrial concerns which will not, in the end, make a profit because, if they do not make a profit, then they will, inevitably, close down, the chimneys of the factories concerned will cease to smoke and those who have been temporarily employed in the industry concerned will be out of work. As far as overseas investment is concerned, we have already got double taxation agreements with a number of countries from which investment comes and are ready to extend these agreements to other countries where the volume of investment justifies it. There is no point in Kenya giving away tax when this does not affect the ultimate rate of tax borne by the industrial venture concerned which has to pay a higher rate of tax than the Kenya rate on profits remitted to the parent company. Creating a climate for investment depends, very largely, on the Government establishing its reputation for sound financial policies, which this Government has done and will do, and a general willingness to treat investors fairly and to avoid excessive rates of taxation. An Investment Guarantee Agreement designed to attract more private capital investment to Kenya has been concluded with the United States Government. The Government has

also prepared legislation which will be brought before this House in the near future to provide specific guarantees to overseas investors who invest in projects approved by the Government as being of economic value to the country. We must do everything to establish that Kenya is a land of opportunity.

I do, however, feel that there is a case for some extension of the existing generous investment allowance of 20 per cent. This allowance now applies to expenditure on new industrial buildings and the plant installed in them, but in view of the importance of tourism which is a growing Kenya industry, there is a case for extending the allowance to new hotel buildings. The deduction which is additional to the normal depreciation allowance will be at the rate of 20 per cent of the cost of the building and fixed plant such as lifts, built-in cooking equipment and permanent fittings installed in it. To qualify for the deduction, new hotels will have to be approved by the Government, and the test for approval will be that they will make a major contribution to the tourist trade. Major extensions to existing hotels which satisfy this test will also qualify. The object of this concession is to encourage the provision of additional facilities for tourists and, in accordance with the principle established when other similar concessions have been announced, it will apply to new projects started after today.

I am also giving consideration to the possibility of extending investment allowances to new plant installed in an old building by a new enterprise or required to extend the activities of an existing industry. It will be necessary for safeguards to be worked out to ensure that this concession does not apply to the replacement of existing machinery, and I hope that it will prove possible to work out these necessary safeguards. With regard to the rates of corporation tax, company tax and personal income tax, I have no changes to propose. A United Nations expert is now carrying out a study of the East African Income Tax system, and it is hoped that his report will be received in time for his recommendations to be taken into account in framing next year's Budget. I cannot hold out any hope that he will be able to suggest to us some other more painless way of producing the revenue which we now derive from income tax.

Before I started outlining my revenue proposals, I indicated that it would be necessary to find a sum of about £1.1 million for the Central Government, and the proposals I have so far announced will only produce about £400,000. Where is the other £700,000 to come from? The answer is, of course, from the export taxes on coffee and sisal

[The Minister for Finance and Economic Planning] which were brought into force with effect from 1st May this year. As explained at the time, I regretted having to impose these taxes, but believed that there was no other way in which the additional revenue required could be raised without greater damage to the economy. The sisal export tax follows the Tanganyika pattern, and experience has shown that this tax has not damaged the sisal industry in Tanganyika, and I am confident that it can be equally well carried by sisal producers in Kenya. The export tax on coffee should provide an incentive to the production of the best grades and enable us to make the most of the limited quota likely to be granted to Kenya under the International Coffee Agreement, and I think there is good justification for the application of export taxes where production of a particular commodity has to be restricted. These taxes are expected to bring in about £1.4 million in the 1964/65 financial year, and I propose to devote half this sum to development and half to the recurrent Budget. This brings me to the end of my revenue proposals which will produce a small surplus. This surplus, however, is likely to be swallowed up by payments that will arise when the necessary legislation has been passed for the take-over of the Broadcasting and Television services from the Kenya Broadcasting Corporation, and we will not be able to afford supplementary estimates next year on as large a scale as those which have had to be introduced in the present financial year.

My Budget could perhaps be criticized as being something of a conjurer's budget. I have produced alarming figures showing our recurrent expenditure rising by over £7 million and our development expenditure rising to a record level with a gap of nearly £2 million between proposed expenditure and resources in sight. I have then demonstrated how these apparent deficits can be made to disappear without, I hope, very painful consequences for the taxpayers of this country. However, if I admit an element of the conjurer's art in preparing the Budget, I hope that the House will not gain the impression that they can expect more conjuring from me next year, when we certainly cannot contemplate a further massive rise in recurrent expenditure. I may have one or two cards up my sleeve, but will have to use them in order to cope with the formidable refinancing problem involving the raising of some £6.7 million before we can start finding money for development in 1965/66.

If we have another good year and the National Income rises by from 4 per cent to 6 per cent, and if the Government continues to get about

19 per cent of the addition to the monetary sector in taxation, this will give us another £1½ million to £2,000,000 for expenditure on services in 1965/66, but the whole of this amount will be required to replace the grant of £1¼ million being received from the British Government this year, and to cover commitments for Public Debt and Pensions.

When I began preparing the present Budget, I feared that 1964/65 would have to be a year of consolidation, or even of retrenchment, in which we would struggle to find the money to take over new commitments such as the cost of the Armed Forces and diplomatic representation overseas. I am very glad that we have been able to do better than this, and find additional money for the expansion of Education, for the National Youth Service and for Unemployment Relief. There are two reasons why this has proved possible, namely a rise in revenue from income tax and the British Government grant of £1¼ million.

At the beginning of my speech I said that I would end by trying to link the Budget as a whole with the overall objectives of the Government as set out in the first chapter of the Development Plan. These include establishing the right economic climate, stimulating the growth of the economy, encouraging an equitable distribution of incomes, creating employment opportunities, expanding social services and establishing and maintaining essential security services and the Armed Forces. Provision for all these things has been made in the Budget, and although I know that our resources are not sufficient to enable us to provide as much as the people of the country would like, I do urge hon. Members to accept that if we try to go too fast, we will endanger what we have already achieved. The Government expects from all in Kenya not merely apathetic acceptance of the inevitable processes of political, social and economic change, but active and enthusiastic participation in the adventure of creating a happier and more prosperous nation. We also need good luck, good weather and good friends; we will do our best to deserve all three!

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie) seconded.

(Question proposed)

ADJOURNMENT

The Speaker (Mr. Slade): Now, according to our custom and for the convenience of hon. Members, the House is adjourned until tomorrow, Wednesday, 17th June, at 2.30 p.m.

The House rose at Fifteen Minutes past Five o'clock.

Wednesday, 17th June 1964

The House met at thirty minutes past Two o'clock.

[*The Speaker (Mr. Slade) in the Chair*]

PRAYERS

PAPER LAID

The following Paper was laid on the Table:—
Annual Report of the Asian and Arab Hospital Fund Authority for the year 1963.

(*By the Minister for Health and Housing (Dr. Mungai)*)

NOTICES OF MOTIONS

EXEMPTION FROM STANDING ORDERS: VOTE ON ACCOUNT

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, I wish to give notice of the following Motion:—

THAT the proceedings on the Vote on Account be exempted from the provision of Standing Order 144 (6) which requires that proceedings should be taken on an allotted day.

TRADE EXPERTS FROM SOCIALIST COUNTRIES

Mr. Godia: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT this House calls upon the Government to invite experts from Socialist countries to examine Kenya's economic conditions and to make recommendations for increasing the *per capita* output of the citizens of Kenya particularly in the spheres of land development and business enterprise.

HOME GUARDS FOR TURKANA PEOPLE

Mr. Ekitella: Mr. Speaker, Sir, I wish to give notice of the following Motion:—

THAT in view of the persistent attacks and massacres perpetrated on the Turkana tribe over the past several years by armed tribes from neighbouring countries through failure to provide adequate protection, this House calls upon the Government to organize and arm units of Turkana Home Guards.

LEGISLATION TO CONTROL SIZE OF LAND HOLDINGS

Mr. Lorema: Mr. Speaker, Sir, I wish to give notice of the following Motions:—

THAT in view of the present desperate situation in unemployment and landlessness in

Kenya, this House urges the Government to introduce legislation whereby no farmer will be privileged to possess more land than is necessary.

LEGISLATION TO PROHIBIT LAND TRANSFERS TO NON-CITIZENS

THAT this House urges the Government to consider immediately the advisability of introducing legislation to prohibit henceforth land transactions with non-citizens in Kenya.

MEASURES TO CURB LAND SPECULATION

Mr. Murgor: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT this House urges the Government to take steps to put an end to land speculation by non-Africans, particularly by Asian traders of the Rift Valley Region, in the Uasin Gishu and Trans Nzoia Districts.

LAND SETTLEMENT SCHEME FOR LAMU DISTRICT

Mr. Somo: Mr. Speaker, I beg to give notice of the following Motion:—

THAT in view of the serious land hunger in the Lamu District this House urges the Government to appoint a committee to examine the possibilities of establishing a land settlement scheme for residents of that District and making early recommendations thereon.

ORAL ANSWER TO QUESTION

Question No. 154

EAST AFRICAN TREASURY BILLS AND EAST AFRICAN AND ADEN GOVERNMENT SECURITIES

Mr. Alexander asked the Minister for Finance and Economic Planning if he knew from the East African Treasury Bills £7,438,242/17/50 and East African and Aden Government Securities £8,255,766/2/80 shown in the figures of the East African Currency Board at 31st December 1963, how much is attributable to each Government and on what basis is the Fiduciary issue shared between them.

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, I beg to reply.

At the 31st December 1963, the Currency Board's holdings of East African Treasury Bills were as follows:—

	£
Tanganyika	4,429,000
Uganda	2,929,000
Zanzibar	79,254

[The Minister for Finance and Economic Planning]
Securities held by the Currency Board were:—

	£
Kenya	3,090,000
Uganda	2,055,000
Tanganyika	1,894,000
Aden	742,000
Zanzibar	473,000

The fiduciary issue is shared between the Governments as follows:—

	£
Kenya, Tanganyika and Uganda	7,041,000 each
Aden	3,000,000
Zanzibar	865,000

Mr. Alexander: Mr. Speaker, in view of the fact that the issue is shared equally between the three territorial Governments, will the Minister explain why this is not equated to the attributable generation of currency in circulation in each of the territories?

The Minister for Finance and Economic Planning (Mr. Gichuru): This has been the custom in the past and we have followed it and at the moment the whole question of the availability of the fiduciary issue is under consideration.

Mr. Alexander: Mr. Speaker, the very fact that this has happened in the past in colonial days, is that not the best reason of all to do away with it and why, as we all know that Kenya has got the biggest share of currency in circulation, should our Government agree only to share equally with Tanganyika and Uganda?

The Minister for Finance and Economic Planning (Mr. Gichuru): I have said that it is under consideration.

Mr. Alexander: Mr. Speaker, what factors will be taken into account in that event to make sure that Kenya does receive its proper share of the fiduciary due which is not the same in Tanganyika and Uganda?

The Minister for Finance and Economic Planning (Mr. Gichuru): As the whole matter is under consideration it would be very unfair of me to try and give away any ammunition which I shall need during the negotiations.

The Speaker (Mr. Slade): That is all that hon. Members will get out of the Minister today. Next question.

Question No. 157

AGREEMENT WITH FOREST FIGHTERS

Mr. Kase asked the Minister of State, Prime Minister's Office, what agreement the Government had reached with the *Mau Mau* foresters

and was it true that some were returning to the forests and if so, why?

The Minister of State, Prime Minister's Office (Mr. Murumbi): Mr. Speaker, Sir, I beg to reply. With regard to the first part of the question the answer is none.

With regard to the second part of the question, in the course of the last month, three forest fighters from Meru, accompanied by followers estimated at between 250 and 300, have returned to the forest. Since Independence Day when they came out of the forest, they have been behaving as if they and not the Government were responsible for the administration of Meru District.

The Speaker (Mr. Slade): A little louder please. Mr. Murumbi.

The Minister of State, Prime Minister's Office (Mr. Murumbi): The inhabitants were forced to provide them with food, water and accommodation—is that loud enough?

An hon. Member: Too fast.

An hon. Member: Open your mouth.

The Minister of State, Prime Minister's Office (Mr. Murumbi): Since Independence Day when they came out of the forest, they have been behaving as if they and not the Government were responsible for the administration of Meru District. The inhabitants were forced to provide them with food and other commodities, and all efforts of the Government to persuade them to return to a normal life have failed. At the beginning of May an incident occurred in which followers of Acholi assaulted a member of the public. When the police attempted to arrest them they met with armed resistance and were obliged to use force. Acholi and his followers abandoned their camp and took refuge in another camp in the forest. When the police attempted to assert their authority to arrest the persons involved at this camp, the men retired into the forest. Since then there have been two attacks on traders by their followers. Every effort has been made to discourage the local population from giving assistance to these people.

Mr. Kamunde: Mr. Speaker, Sir, I would like to seek your guidance. Is it in order for a Minister to speak twice when Members at the back or even some in the front cannot even understand a word because he speaks so quickly and because he speaks so quietly?

The Speaker (Mr. Slade): It is not actually out of order when a Member speaks inaudibly, but the point of his speaking is gone if he cannot be heard. I would ask hon. Members to try and make themselves heard by speaking loudly and slowly.

The Minister of State, Prime Minister's Office (Mr. Murumbi): Yes, Sir.

Mr. Tanui: Mr. Speaker, on a point of order, is it in order or would it be in order, as Members did not hear the reply, for the speech or whatever it is on that piece of paper the Minister has, to be handed over to somebody else so that he might re-read it and read it clearly?

Mr. Khalif: On a point of order, are hon. Members of this Parliament in order to ask a Minister to repeat what he says?

The Speaker (Mr. Slade): Order, order, what is your point of order?

Mr. Khalif: My point of order is this. Are Members of this Parliament in order to ask a Minister to repeat what he has already said when they have already had an answer?

An hon. Member: *Shifita*.

The Speaker (Mr. Slade): Order, order. I do not think that point of order really needs an answer.

Mr. Khalif: On a point of order, Mr. Speaker—

The Speaker (Mr. Slade): What is your point of order now? I hope it is a better one than the last one.

Mr. Khalif: Is any hon. Member of this Parliament in order to refer to another hon. Member as *Shifita*?

The Speaker (Mr. Slade): No, most certainly not. Hon. Members know their duty in the language they use towards each other as well as to people outside this House. The term *Shifita* is obviously an offensive term and will not be used here.

Mr. Ngala: Mr. Speaker, arising from the Minister's reply to "A", Sir, is it true that the lack of agreement is due to Ministers issuing different instructions with regard to the *Mau Mau* foresters from those of administrative officers in the field, particularly in the Meru District?

The Minister of State, Prime Minister's Office (Mr. Murumbi): I did not hear the last sentence.

The Speaker (Mr. Slade): Repeat the question please.

Mr. Ngala: With reference to the reply to "A", the Minister said that there was no agreement between the *Mau Mau* foresters and the Government, and I wish to know whether it is true that the lack of agreement is due to the Ministers—

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): What do you mean by foresters?

Mr. Ngala: The *Mau Mau* foresters, you.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, do we understand that the hon. gentleman is referring to a group of people who have knowledge about tree-planting and foresting or does he mean the forest fighters because there is a big difference between the two?

The Speaker (Mr. Slade): That is not a point of order, Mr. Mboya, you know very well. Please do not abuse points of order.

Mr. Ngala: I hope my question is understood, Mr. Speaker, I have not repeated it. The Minister concerned stated that there is no agreement between the Government and the *Mau Mau* foresters and I am quoting section A of the paper. Is it true that this lack of agreement is due to different orders issued by the Ministers against the orders issued by the administrative officers in the field, particularly in Meru District? I understand that one *Mau Mau* leader was allowed to fly the national flag by a very prominent Minister and his Regional Government Agent refused him permission, which caused confusion.

The Minister of State, Prime Minister's Office (Mr. Murumbi): Mr. Speaker, Sir, as far as the Government is concerned, the question of agreement between them is irrelevant, as is the question of flying a flag. I have no knowledge of that at all, but as far as the Government is concerned, the Government has done all possible to persuade the forest fighters to return to normal. The Government have time and time again sent emissaries to meet them, the Government has arranged meetings and *barazas* in order to get them to return to civilization.

Mr. Ngala: Arising from that reply, Sir, is the Minister aware of a *Mau Mau* forest leader who was allowed to fly a national flag on his car and on his premises, and was later on attacked by the Regional Government Agent?

The Minister of State, Prime Minister's Office (Mr. Murumbi): As a matter of fact, I can explain what really happened.

The Speaker (Mr. Slade): I did not hear you, Mr. Murumbi, and I doubt whether any other people did.

Mr. Ngei: Mr. Speaker, Sir, can the Minister of State tell us what difficulties he encountered

[Mr. Ngei]

in trying to bring about an agreement between the Kenya Government and the *Mau Mau* foresters?

The Minister of State, Prime Minister's Office

(Mr. Murumbi): Mr. Speaker, the Government has had to use strong measures in relation to one of the forest fighters who has now returned to normal life and is co-operating with the Government. The Government are continuing and going to continue to use every persuasion it can to get them to return to normal living.

Mr. Mbogoh: Mr. Speaker, would the Minister tell this House whether he agrees with me when I say that the way he dealt with this subject is most unsatisfactory and any shootings which are done by the security forces will be his Ministry's responsibility?

The Minister of State, Prime Minister's Office

(Mr. Murumbi): It is the responsibility of the Government as a whole to maintain law and order throughout the country.

The Speaker (Mr. Slade): Please speak up, Mr. Murumbi.

Mr. Ngala: Mr. Speaker, arising from one of the replies by the Minister, could we be told why the *Mau Mau* foresters did not turn up when the Minister for Settlement and Land was waiting for them with two ladies under a tree at Meru?

Mr. Khasakhala: Mr. Speaker, arising from the Minister's reply on question "A", could the Minister tell this House the reason why the Government spent public funds in collecting forest fighters without agreement?

The Minister of State, Prime Minister's Office (Mr. Murumbi): I do not think that is relevant.

The Speaker (Mr. Slade): It is relevant.

The Minister of State, Prime Minister's Office (Mr. Murumbi): Mr. Speaker, I said it was irrelevant to the question.

The Speaker (Mr. Slade): Order, order. It is for the Speaker to say what is relevant and what is not relevant, but it is for the Minister to decide whether or not he wants to answer.

The Minister of State, Prime Minister's Office (Mr. Murumbi): Mr. Speaker, the money was not wasted, it was being used for a good purpose, in order to bring them to co-operate with the Government.

Mr. Kamunde: Mr. Speaker, Sir, could we know from the Minister why the Government was reluctant to act the way it was advised by the Administration and the police at the right time, long before these forest fighters went back to the forests?

The Minister of State, Prime Minister's Office

(Mr. Murumbi): Government has taken into consideration all aspects, the police advice as well as the Administration's, and the Government acted in the safest interests of all.

Mr. Kamunde: Would the Minister therefore agree with me that no single measure was taken within the district of Meru but the Government did refuse outright to take the advice that was given?

The Minister of State, Prime Minister's Office

(Mr. Murumbi): Mr. Speaker, it is not that the Government refused to take the advice, the Government reserves the option to accept advice or to reject advice and the Government has acted in the safest interests of all.

Mr. Muliro: Mr. Speaker, arising from the Minister's second reply, could the Minister tell this House what forces and active measures the Government is taking to bring these people under the forces of law and order and normal good life?

The Minister of State, Prime Minister's Office

(Mr. Murumbi): The police and administration have been instructed to use everything possible. The Government wishes to do everything possible to try to get these people back to normal and these efforts are being continued all the time.

Question No. 167

POSTAL FACILITIES FOR CHIEFS' CENTRES

Mr. Masinde asked the Minister for Works, Communications and Power if he would tell the House what plans his Ministry was prepared to submit to the appropriate authority for proper postal facilities to be made available to the following stations:—

- (i) Malava, Chief's Centre.
- (ii) Navabholo, Chief's Centre.
- (iii) Broderick Falls and Lugari.

The Minister for Works, Communications and Power (Mr. Mwanjumba): The Postmaster-General is in the process of implementing the Communications Ministerial Committee's recommendations referring to the extension of postal facilities into rural areas. A representative of the Postmaster-General has just completed an on-the-spot survey of the Western Region and made

[The Minister for Works, Communications and Power]

proposals regarding the siting of new post offices under this scheme. The hon. Member will be pleased to know that Malava and Navabholo are among places which have been recommended as being suitable for the establishment of post offices. Detailed preparations are now going ahead and, if successful, service will be introduced in the near future.

Mr. Anyieni: On a point of order, can I ask you to ask the Minister to face this way so that people behind can hear, because when the Minister faces that way we cannot hear, however loudly he speaks.

The Speaker (Mr. Slade): It is very difficult for a Member to stand in any position where there is not someone behind him. It is a question, really, of speaking up. The acoustics are very bad in this Chamber and we do have to speak very clearly.

The Minister for Works, Communications and Power (Mr. Mwanyumba): Let me face you, Mr. Speaker. Perhaps that will satisfy him.

I am not going to repeat the answer, Mr. Speaker. I will go on from where I stopped.

At Broderick Falls and Lugari, however, postal facilities are already provided. Services provided at these two places are:—

- (i) *Broderick Falls.*—Sale of stamps, acceptance and delivery of ordinary and registered correspondence, acceptance and delivery of parcels, acceptance and delivery of telegrams and sale and payment of postal orders.
- (ii) *Lugari.*—Sale of stamps, acceptance and delivery of ordinary correspondence, acceptance and delivery of registered items and parcels, and acceptance of telegrams.

Additional facilities at these two offices, and indeed any other small post office, are provided as and when justified by the available traffic as reviewed annually, but according to the present volume of traffic the facilities which are now provided are considered to be adequate.

Mr. Masinde: Mr. Speaker, Sir, arising from the hon. Minister's reply, could he tell this House what the actual traffic is which he requires so that we know whether this area qualifies or not?

The Minister for Works, Communications and Power (Mr. Mwanyumba): Mr. Speaker, Sir, I have said that traffic in these postal offices is subject to review every year. If the Postmaster-General is satisfied that there is sufficient reason

to begin a new post office, this will be done immediately.

Mr. Masinde: Mr. Speaker, Sir, arising from that reply, is the Minister aware that the people in this area have no telephone communication and it is of the highest necessity in the area that telephone communication is established?

The Minister for Works, Communications and Power (Mr. Mwanyumba): Mr. Speaker, Sir, I have said that every year a report is prepared by the Postmaster-General and if it is considered favourably postal facilities will be introduced in this area.

Mr. Masinde: Mr. Speaker, Sir, will the Minister therefore assure this House that such a report will be made available to Members of the House?

The Minister for Works, Communications and Power (Mr. Mwanyumba): If the hon. Member wants me to give that report to him or to the House, I will be glad to do so.

Question No. 181

SETTLEMENT OF FLOOD VICTIMS:
KADENI LOCATION

Mr. Okwanyo asked the Minister for Lands and Settlement to state what arrangement Government was making to settle the fifty families in Kadani Location who were made landless at Aneko Island by the rise of the lake waters and since the floods have been stranded around Macalder Mines.

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Speaker, I beg to give the following reply. The Government has bought and is buying land for the settlement of the people of the Nyanza Region as follows:—

- (a) *West Sotik Area.*—Approximately 18,092 acres of land have already been purchased, and it is expected that by June 1965 a further 16,992 acres will have been purchased.
- (b) *Muhoroni Area.*—Approximately 24,300 acres of land have been purchased and it is expected that by June 1965 a further 7,787 acres will have been purchased.

This land will be used both for low density and high density schemes, and I understand from the President of the Nyanza Region, who is solely empowered by the terms of the Constitution to nominate settlers for settlement schemes in the Nyanza Region, that energetic action is being taken to hurry through the Kipigori Settlement Scheme and priority in the selection of

[The Parliamentary Secretary for Lands and Settlement]

settlers will be given to the victims of the recent floods who were unable to reoccupy their previous land. These include the fifty families from Kadeni.

Mr. Okwanyo: Mr. Speaker, Sir, will the Junior Minister tell this House what plans he is making to comfort these people before they are settled?

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Speaker, the question asks what plans we are making to resettle them, and I have said the plans which are being made. The President of Nyanza Region is taking energetic action to see that these people are settled as quickly as possible.

Mr. Okwanyo: Mr. Speaker, is the Minister aware that in the Sotik area, only the Kisii are being settled and not the Luos?

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Speaker, I am not aware, but the President of the Nyanza Region could be approached by the Member when he goes home for weekends.

Mr. Ngala-Abok: Mr. Speaker, Sir, would the Junior Minister tell us why, when it comes to Nyanza Region, he talks in terms of land having been purchased, but not in terms of people having been settled, and yet settlement started some months, years back?

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Speaker, Sir, the answers I have given during the last few days have all come one after the other and there is no new material to be added.

Mr. Khasakhala: Mr. Speaker, Sir, arising from the Parliamentary Secretary's reply, in view of the fact that the fifty people from Kadeni have been made landless, and settlement schemes require a certain percentage of money in order to settle people on the schemes, what specific arrangements is he making for these particular people who may not have money? They have been made landless and they have no money.

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Speaker, I have nothing to add to what I have said, that energetic action and priority is going to be given to these people.

Mr. Khasakhala: Mr. Speaker, Sir, my question is that these people have been made landless. They are not living at home, and in order to settle people on settlement schemes, a certain fee

is required. Could the Junior Minister tell the House whether special arrangements are being made for such people?

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Speaker, Sir, if every Member of this House contributed to the Nyanza Flood Relief Fund, these people would be better off than they are today.

Mr. arap Moi: Mr. Speaker, is the Parliamentary Secretary aware that many of the settlers or the would-be settlers find it difficult to produce the deposits required by the Ministry of Settlement and this causes frustration?

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): I do not think that arises from this question, Mr. Speaker.

The Speaker (Mr. Slade): Not very directly. Anyhow, you have got all the answers you are going to get, I think. We will go on to the next one.

Question No. 185

OVERSEAS SELECTION COMMITTEE:
COMPOSITION OF

Mr. Ngala-Abok asked the Minister for Education to state what the composition of the newly formed Overseas Students Selection Committee was and how was its business conducted.

The Minister for Education (Mr. Otiende): The composition of the Central Selection Board is as follows:—

Chairman selected by the Government.

A representative from the Public Service Commission.

A representative from the East African Common Services Organization.

A representative from the Treasury.

A representative from the City Council of Nairobi.

One representative from each Region.

A representative from the Directorate of Personnel.

Two representatives from the Ministry of Education.

Six people nominated by the Minister from the general public.

The twenty-one-member Board has an Executive Committee to handle any urgent business between the sessions of the Board, and to carry out any preliminary selections, if and where

[The Minister for Education]

necessary, on behalf of the Board. The composition of the Executive Committee is as follows:—

The Chairman.

The Vice-Chairman.

The Chief Education Officer.

The representative of the Directorate of Personnel.

A representative of the general public.

A representative of the M.P.s on the Board.

The Secretary.

Scholarships approved by the Cabinet Subcommittee on behalf of the Kenya Government are advertised—I stress “advertise” because some people do not read—in the *East African Standard*, *Daily Nation*, *Kenya Official Gazette* with copies sent to all Civil Secretaries for circulation in the Regions and to Members of Parliament.

All applications are made to the Permanent Secretary for Education. Applications from qualified applicants may, if necessary, be reviewed by the Executive Committee and a short list produced.

Details of all students to be called for interview is produced on a large sheet for use at interview time by the members of the Central Selection Board. The details called for on the large sheet include name of candidate, marital status, age, sex, nationality-tribe, educational background, qualifications, present occupation, proposed course, institution at which the candidate is studying, proposed future profession and a big blank for remarks.

Students are interviewed and their records as well as letters from referees examined carefully in accordance with the requirements of the scholarships and the courses to be followed in each case. These are balanced against the manpower needs of Kenya as far as possible and whether or not such a course of study could be done locally. Merit is the basic guiding factor in the selection of students, but as much as possible the Central Selection Board tries to ensure spread of scholarships to all peoples of Kenya. Applicants who are not Kenya citizens are now not considered for any bursary or scholarship. This is in accordance with the decision of the Cabinet Subcommittee on Scholarships and Bursaries.

The Board recommends suitable applicants for scholarship awards. Final selection, however, rests with the donor of the scholarship, who may refuse a person chosen.

Mr. Ngala-Abok: Mr. Speaker, Sir, would the Minister tell me, since this Board was appointed, how many scholarships have been awarded?

Hon. Members: Tell us!

Mr. Ngala-Abok: Mr. Speaker, to please him, could the Minister tell the House how many scholarships have been given to students to study overseas since this Board was appointed, and tribal breakdown of these scholarships?

The Minister for Education (Mr. Otiende): With all due respect, Mr. Speaker, I am not going to answer that question.

Hon. Members: Why? Answer.

The Minister for Education (Mr. Otiende): If the hon. Member wants such heavy documents, I need notice. There is plenty of material in my office.

Mr. Shikuku: Arising from the Minister's previous reply, on the Executive Committee, he did point out that there was one person representing the elected representatives here. Could we know who this person is and who elected him?

The Minister for Education (Mr. Otiende): I do not have the name of the person, but as you will see, Mr. Speaker, there are eight Members of Parliament appointed by the various regions. The Board itself sat down and chose one. I was not there. I did not attend that meeting, but if you want the name I can produce it.

Mr. Ngala: Mr. Speaker, Sir, I rise to seek your guidance with regard to the refusal by the Minister to tell us how many students have been selected by the Board and the tribal breakdown, which is a straightforward reply and also included in the original question. I understand, Sir, that the Ministers can refuse to answer questions, but this Minister has already started replying to the question, and this part asked by my hon. friend Mr. Ngala-Abok was a part of what he had already started to reply to.

The Speaker (Mr. Slade): I have said, whether it is an original question or a supplementary question, a Minister is always entitled to refuse to answer, though he will not be judged very well by the House unless he gives some reason for his refusal. I think on this occasion Mr. Otiende gave a reason in that it was a matter of voluminous documents, of which in any case he would require notice. That is the procedure; the Minister can refuse, but is expected to give a reason for it.

Mr. Ngala: Arising from the explanation, can the Minister give an undertaking to this House that he will circulate the voluminous reply in writing?

The Minister for Education (Mr. Otiende): Mr. Speaker, I asked to be given notice—

Mr. Ngala: I have given notice.

The Minister for Education (Mr. Otiende):—and the only fear I have got, Mr. Speaker, is that when I circulate nobody cares to read.

Mr. Masinde: Mr. Speaker, Sir, arising from one of the Minister's replies, we have been told here that the Selection Board consisted of twenty-one members. Could we be told, since the Minister is in charge of this Ministry, the names of these people?

The Minister for Education (Mr. Otiende): Mr. Speaker, Sir, with all due respect—

An hon. Member: Name them.

The Minister for Education (Mr. Otiende): I am not supposed to be an encyclopaedia. I can produce the names, it is not very difficult, but I cannot be expected to carry everybody's name in my head.

Mr. Bomett: Mr. Speaker, Sir, is the Minister aware that in some areas of Kenya people do not get newspapers and therefore they do not know that there are scholarships which are offered by the Kenya Government, and the best method would be to announce this over the radio?

The Minister for Education (Mr. Otiende): I agree, Mr. Speaker, that that would be a very new way of publishing scholarships, but, as I have said in my reply, copies are sent to Civil Secretaries with the request that they be circulated in every location. If that is not a good way my Ministry can consider other ways.

The Speaker (Mr. Slade): We really must move on, we have a good many questions still to get through.

Question No. 189

COST OF BRITISH FORCES: LANET MUTINY

Mr. Omweri asked the Minister of State, Prime Minister's Office, whether, because of the result of the recent disturbance at Lanet, the Minister would state:—

- (i) The cost of hiring British forces for dealing with the incident.
- (ii) The estimated cost of the subsequent Commission of Inquiry.

The Minister of State, Prime Minister's Office (Mr. Murumbi): Mr. Speaker, Sir, I beg to reply:—

(i) British troops were not hired and so the question of the cost of hiring them did not arise. The assistance given by these troops was completely free and without any conditions.

(ii) No Commission of Inquiry has been held into the incident, although the Intelligence Service of the Army in conjunction with Special Branch have naturally investigated the causes. Their investigations have not entailed any identifiable additional costs.

Mr. Anyieni: Mr. Speaker, will the Minister tell us why it was possible for London to know that there was a mutiny in Lanet before Nairobi did?

The Speaker (Mr. Slade): That does not arise out of this question at all. Nothing to do with this question.

Mr. Kiprotich: Mr. Speaker, Sir, could the Minister tell the House why the British soldiers were used instead of African soldiers to stop the mutineers proving mutinous?

The Minister of State, Prime Minister's Office (Mr. Murumbi): Mr. Speaker, I think the questioner will appreciate that it is a matter of time; because the incident happened at Lanet where there was a British force, they used the British force to save innumerable lives.

The Speaker (Mr. Slade): I do not see how we can spend any more time on this question because it is about costs, and there have not been any costs.

Question No. 199

LIVESTOCK INDUSTRY FOR N.F.D.

Mr. G. Godana asked the Minister for Agriculture and Animal Husbandry whether, in view of the fact that the greatest livestock population exists in the N.F.D., the Government will establish at Lake Rudolf in Marsabit District an industry consisting of a canning factory to process tinned meat and fish, and a factory for tanning hides and skins for the purpose of increasing the national income and providing labour for the unemployed.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, Sir, I beg to reply. There are in fact not large numbers of cattle in the Lake Rudolf area of Marsabit District, which of course is in the Eastern Region. The proposal to establish a canning factory to process fish is one to be answered by my colleague the hon. Minister for Natural Resources. In order to run a meat canning factory, it is necessary to have

[The Minister for Agriculture and Animal Husbandry]

an assured regular supply of cattle, and these cattle must have grazing and water when being moved, and when being held prior to slaughter. The hon. Member is aware that these facilities exist only seasonally in the Lake Rudolf area. Government is therefore unable to consider seriously at this stage the proposal that a meat canning factory should be established at Lake Rudolf.

Over and above that, Mr. Speaker, an efficient meat factory needs at least 60,000 head per year and costs well over a million and a half pounds.

Mr. G. Godana: Mr. Speaker, Sir, arising from the Minister's reply when he said that there is not enough stock to market, is he aware that from the financial year between Marsabit to Moyale, we have only one sale, which consists of about 1,000 bulls. Meanwhile we want to sell more than 20,000 bulls in our financial year.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, Sir, it is impossible for twenty bulls to give 60,000 calves a year.

Mr. G. Godana: Arising from that reply, Mr. Speaker, Sir, if that is so, will the Minister give an assurance that the twenty bulls we want to sell now—20,000 bulls we want to sell now—should be sold this month?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, I am terribly sorry, I did my best to listen, but I honestly could not hear what he said.

The Speaker (Mr. Slade): Will you repeat the question, please?

Mr. G. Godana: I said we have 20,000 bulls for sale between Marsabit and Moyale and we will only be able to sell 1,000 bulls instead of selling 20,000 bulls in this district. Will the Minister give an assurance that these bulls we want to sell in Marsabit District which is now stopping our schools and even personal taxes which we will not be able to pay because of shortage of sales. Will the Minister give an assurance that the Kenya Meat Commission will buy the bulls from Marsabit and Moyale?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, I am not aware of these animals, these steers, being available in this area, but I have accepted the point given to me by the hon. Member, and if they are

available they will be bought within the next thirty days for delivery to the Kenya Meat Commission.

Question No. 222

CONTAMINATION OF RIVER KUJA

Mr. Okwanyo asked the Minister for Natural Resources—

- (1) if he was aware that copper-impregnated waste from the Macalder Mines formed a poisonous solution in the River Kuja;
- (2) if so, what measure was he prepared to take to eliminate this danger to the existence of fish there and to the lives of animals drinking the water.

The Minister for Natural Resources (Mr. Sagini): Mr. Speaker, Sir, I beg to reply.

I am not aware, Mr. Speaker, Sir, that waste from Macalder Mine contaminates the Kuja River to the extent of being a danger to the life of fish and animals.

Extensive tests of samples of water taken from various points below the mine discharge have been carried out by the Government Chemist. After a thorough investigation it was found beyond all doubt that the concentration of toxic elements in the river is so small that it gives no cause for alarm. This is confirmed by the Health Authorities.

At the immediate point of discharge, concentration is likely to be high, but after mixing with the river water, the effluent is diluted to a ratio of about 1 : 2,000 which is well within permitted limits by the Health Authorities.

Mr. Okwanyo: Mr. Speaker, Sir, is the Minister aware that just last week about 20 goats died from this poison?

The Minister for Natural Resources (Mr. Sagini): Mr. Speaker, Sir, I am not aware.

Mr. Okwanyo: Mr. Speaker, Sir, if the Minister is now aware, what is he going to do?

The Minister for Natural Resources (Mr. Sagini): Mr. Speaker, Sir, I am still not aware because I must wait for a report from the experts in my Ministry who are scientists.

Mr. Mutiso: Arising from the Minister's reply, Sir, could the Minister therefore give an undertaking to this House that he will instruct his scientists to investigate this matter and give a report at a later date to this House?

The Minister for Natural Resources (Mr. Sagini): That is fair, Mr. Speaker, I am going to query this matter, and if it is so it will be rectified.

Mr. Khalif: Mr. Speaker, Sir, arising from one of the Minister's replies, is he not aware of what was asked by one of the hon. questioners, simply because he did not take pains to investigate it?

The Minister for Natural Resources (Mr. Sagini): Mr. Speaker, I said I was unaware. I think the hon. Member did not understand what we were saying.

Question No. 248

MINISTER'S VISIT TO NORTH-EASTERN REGION

Mr. Kiprotich asked the Minister of State, Prime Minister's Officer whether the recent visit of the Minister of Information, Broadcasting and Tourism to the North-Eastern Region was made for the reasons of security or in his capacity as Minister for Information, Broadcasting and Tourism.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Oneko): Mr. Speaker, I beg to reply.

My visit to the North-Eastern Region was made in my capacity as Minister for Information, Broadcasting and Tourism, in which capacity I, in fact, led a party of journalists during the tour to ensure that the public received sufficient information on the activities of the security forces. At the end of the visit I made a report to the Prime Minister.

Mr. Kiprotich: Mr. Speaker, I would like to ask the Minister for Information why he gave this notice of the report that one of the chiefs was wounded when it was not circulated in the local papers today?

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Oneko): Mr. Speaker, Sir, I think the question is irrelevant because it was inquiring how it was that I visited the North-Eastern Region, but at the same time I do not control the sources of information to newspapers.

Mr. Khalif: Mr. Speaker the Minister for Information has just stated the fact that he went to the North-East Region in his capacity as the Minister for Information leading a party of journalists. May I ask, Mr. Speaker, why the Minister for Information and Tourism did not consult the Parliamentary Members of the North-East Region when he led the party of journalists into our Region?

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Oneko): Mr. Speaker, the Members were informed and in actual fact I met

the hon. Member who has just asked this question. I met him and we discussed things, and I even met his father.

Mr. Amin: Is the Minister aware of how important the hon. Members of this House are and he neglected to see us when he went to the North-East Region?

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Oneko): I have already answered that, Mr. Speaker. The Members were informed and even the Regional Members were informed and in fact I met the President of the Region together with the Members and addressed a very big gathering, including the two Members who have just asked the questions.

Question No. 256

SECONDARY AND NATIONAL SCHOOLS: FACTORS

Mr. Mbogoh asked the Minister for Education what factors determined the transference of a secondary school to national school status.

The Minister for Education (Mr. Otiende): Mr. Speaker, Sir, I beg to reply. Under the Constitution, secondary education in a region is the exclusive responsibility of the Regional Assembly, except in the case of seven specified secondary schools, secondary technical boarding schools and, in certain circumstances, secondary schools for handicapped pupils, all of which are the exclusive responsibility of the Government of Kenya.

The Constitution does not normally permit any variation in these arrangements. Consequently, it is not normally possible to transfer a regional secondary school to the Government of Kenya, that is, to give to it the status of a national school.

There may, however, be circumstances in which it is proposed to establish a new secondary school, or to extend an existing secondary school, in a region, with the help of development capital provided by a foreign government or an intergovernmental organization. In such cases, it may only be possible to fulfil the conditions under which the capital is made available if the responsibility for the school is vested in, or transferred to, the Government of Kenya.

In such circumstances, Parliament may pass a law, in accordance with the provisions of the Constitution, which would have the effect of placing the responsibility for such a school in the hands of the Government of Kenya, to the exclusion of the Regional Assembly; in other words, of giving to the school the status of a national school.

Mr. Mbogoh: Is the Minister quite sure, Mr. Speaker, that the national schools are not giving priority to the local pupils in the areas where they are situated?

The Speaker (Mr. Slade): I think that is a different question.

Mr. Mbogoh: Mr. Speaker, if the Minister cannot answer this, I have another question as to whether the Minister would, at a later date, answer this question.

The Speaker (Mr. Slade): No, I am afraid we cannot go wandering away from the original question. Ask another question that is relevant.

Mr. Mbogoh: Mr. Speaker, if the Minister does not know about that, may I appeal to the Minister to be quite honest.

The Speaker (Mr. Slade): Order, order. I want to hear Mr. Mbogoh. What is your question, Mr. Mbogoh?

Mr. Mbogoh: The question is, can the Minister agree with me when I say that the purpose of the national schools is defeated when the national schools are not identifiable from regional schools?

The Speaker (Mr. Slade): That is not relevant here.

Mr. Mutiso: May we know from the Minister how many national schools there are, and in what divisions?

The Speaker (Mr. Slade): I think he has already told you.

The Minister for Education (Mr. Otiende): It is all in the Constitution, Mr. Speaker.

Mr. Ngala: Arising from one of the replies by the Minister when he refers to certain circumstances, will the Minister give an undertaking that under the reference to circumstances, he would apply the Special Fund Provision in the Constitution, to enable the regions to carry out the recurrent expenditure?

The Minister for Education (Mr. Otiende): Mr. Speaker, the answer is No, Sir.

Mr. Ngala-Abok: Arising from one of the replies of the Minister when he said that the Constitution is rigid on this question, would the Minister tell us what factors were considered when the present regional secondary schools were raised to the present status of national schools?

The Minister for Education (Mr. Otiende): Mr. Speaker, if I am being asked to answer that one, it is rather unfair, but the fact that the school is a national school does not mean that it is any better off than any other school, it just so happened to be in the negotiations when certain schools were elected to be controlled by the State and they are known as national schools. It does not mean that a national school is a ladder higher than another secondary school.

Mr. Murgor: Mr. Speaker, Sir, would the Minister tell me—

The Speaker (Mr. Slade): Order, order. Mr. Somo, you know the rule that you do not pass in front of an hon. Member speaking to the Chair without bowing very low.

Mr. Somo: Sorry, Sir.

Mr. Murgor: Mr. Speaker, would the Minister tell this House whether the Government which provides from development money would make sure that whoever gets such development fund money for education, will ensure in future that all national schools are truly national in the intake of pupils?

The Minister for Education (Mr. Otiende): Yes, Sir.

NOTICE OF MOTION ON THE ADJOURNMENT

BAN ON POLITICAL MEETINGS

The Speaker (Mr. Slade): Before going on to the next order I must remind hon. Members that Mr. Muliro is to raise on the Adjournment today the matter of the banning of public meetings.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, on a point of order, I think the House should know that in fact, as from one o'clock today, the Government has lifted the ban on meetings, and so I wonder if the Motion on the Adjournment is desirable or not.

Mr. Masinde: Mr. Speaker, Sir, is it not in order that we proceed to carry on with the Motion so that we get the reasons why this ban was necessary?

The Speaker (Mr. Slade): Oh, yes, it will be quite in order to continue with the matter. Mr. Mboya had in mind that possibly he might save some people some breath, but you will not succeed, Mr. Mboya!

MOTION

BY ORDER OF THE HOUSE: ORDER OF
PRECEDENCE OF BUSINESS

The Minister for Justice and Constitutional Affairs (Mr. Mboya): On a point of order, Mr. Speaker, it is Government's wish to give precedence to the Motion on Federation and in order to effect this I beg to move the following Motion:—

THAT at this day's sitting the House orders that Order No. 6 dealing with the Motion on Federation shall take precedence over Order No. 5, Committee of Ways and Means.

I beg to move.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Oneko) seconded.

(Question proposed)

(The question was put and carried)

MOTION

EXEMPTION FROM LIMITATION ON PRIVATE
MEMBERS' MOTIONS

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, Sir, on another point of order, in order that the debate on the Motion on Federation may be as full as possible it is desired to exempt it from the limitations that have been decided upon by the House for Private Members' Motions and I therefore beg to move:—

THAT Order No. 6 dealing with the Motion on Federation shall be exempted from all the provisions of the Resolution of the House on Thursday, 27th February 1964, on the limitation of debate on Private Members' Motions. Sir, I beg to move.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Oneko) seconded.

(Question proposed)

(The question was put and carried)

MOTION

ACCELERATION OF EAST AFRICAN FEDERATION

Mr. Shikuku: Mr. Speaker, I must first of all thank the Government for having given preference to this Motion and this is a clear sign that they are also interested and I hope they will show that spirit throughout this Motion so that we can get on very well. Mr. Speaker, Sir, this Motion

ought to have come last Thursday but because of some other reasonable reasons—

I am sorry, may I move the Motion?

The Speaker (Mr. Slade): It is quite in order for you not to state its terms at the outset if you do not want to, so long as you do so before you conclude your speech.

Mr. Shikuku: That is all right, but let me now refer to it so that we get things quite clear. Mr. Speaker, Sir, I beg to move:—

THAT, in view of the fact that all the people in Kenya were promised East African Federation immediately after Kenya's Independence, this House calls upon the Government to accelerate the machinery for this purpose.

Mr. Speaker, Sir, the Motion is quite clear and short and at the same time I must admit that this was moved some time back and since then developments have taken place as far as this question is concerned and I am of the opinion that we are a bit out of date as far as the date of the Federation is concerned. Mr. Speaker, in due course, I think some of the hon. Members who hold the same views as me will have to move an amendment, and if an amendment is moved to specify a day or a year, I will be happy to accept such amendment.

Mr. Speaker, Sir, I think this is one of the most important items to be discussed in this House and I hope this is the right time for us to discuss this issue. It is not something new, it is an old story, an old story which is, I think, well over one year old, and I feel that the time has come when we must bring it to a conclusion. Previously, this country was governed by people we never invited here, by people we never accepted but who forced themselves on us, and not only did they govern us against our own wishes, but they went to the extent of splitting the country in every way they wanted to suit themselves, and I feel that the time has come when we, as independent people, have to find a way whereby we can bring about the natural situation in which the country was found before the imperialists came here. As I have already said, I know there will be interruptions, but they will not stop me. I know some people do not like this Motion. The idea is that now we are independent, the time has come when we have to wipe out all the imperialist boundaries and formulate our own boundaries, the ones we had before the imperialists came. I feel that this Motion will not have any difficulty in finding support because it is a very straightforward Motion and, of course, Members here know as well as I do that we have promised the masses

[Mr. Shikuku]

that immediately after Independence we shall achieve East African Federation. Now that we are independent, I think this is overdue and I hope today we are going to tell the masses that we are going to federate and federate now. It appears that the masses in the country have not been told the truth right from the beginning of this issue. When the talks started on East African Federation we were told time and again that the talks were doing fine, the talks were going well, everything was very green in the garden.

Whenever we brought a question here on that issue we were told that everything was going fine and it would all be reported to us. Up to this very moment I do not think we have received any specific information as far as the federation talks are concerned. I feel it is time the Government today, at least the people who are concerned on this committee, told the House so that we could tell the masses. I am of the opinion, Mr. Speaker, that the federation we are going to talk about is not the federation of the leaders but the federation of the masses. So the masses, and even more the Members, the elected representatives of the masses in this House, are entitled to know exactly what is going on. Mr. Speaker, Sir, if I may recall it, it was in 1961—if my memory serves me right—when this talk of federation started. I remember at that time the hon. Dr. Nyerere of Tanganyika even went to the extent, to show his interest, of declaring that he was prepared to delay the independence of his own country if federation was to be achieved. At that time things were very cheerful and very bright, but as time has gone on things have started dwindling. But nevertheless, Mr. Speaker, in 1963, June, this talk on federation was more or less brought to a near end—

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): What are you quoting?

Mr. Shikuku: I quote from the report when the leaders of East Africa met and declared this. I quote from the declaration on federation by the Governments of East Africa, and it reads as follows: "The following statement was issued in Nairobi this evening, Wednesday, 5th June 1963, by the President of the Republic of Tanganyika, Dr. Julius Nyerere, the Prime Minister of Uganda, Mr. Milton Obote, and the Prime Minister of Kenya, the hon. Jomo Kenyatta. We, the leaders of the people and the Government of East Africa assembled in Nairobi on 5th June 1963, pledge ourselves to the political federation of East Africa." Mr. Speaker, this very short paragraph was stated on 5th June 1963, and today it is the

17th June 1964. It is well over a year and nothing has been done. Here again is another paragraph which says: "Within the spirit of Pan-Africanism and following the declaration of African unity at the recent Addis Ababa conference, practical steps should be taken wherever possible to accelerate the achievement of our common goal." I do not know where this spirit has gone to. The spirit of Pan-Africanism used to be with us, but since we achieved independence—we who are still in this House still have that spirit and we have been waiting all this time to give the Government and the other Governments of East Africa a chance to demonstrate in practical terms the spirit they declared on 5th June 1963. Mr. Speaker, it is disheartening to find that at this very moment it is only Tanganyika which still has that spirit. In Kenya that spirit has disappeared. I am not here to speak on behalf of other Governments, but I am here to urge my Government of Kenya to comply with the declaration of 5th June 1963, which is now overdue. I thought that we had, with all due respect, recognized this not only in Kenya but internationally, and all over the continent of Africa. I felt and I was confident that Kenya would take the initiative. But this time we find ourselves lagging behind and we have just to follow Dr. Nyerere now because he has gone ahead. Mr. Speaker, I feel that there is nothing to be ashamed of and it is time that we got on to that path again and travelled along it to achieve federation and to stop just talking about it. On the 22nd October 1963 one of the hon. Members here, the hon. Mr. Mboya—who was and who is still, I suppose, one of the Members of the Working Committee—was quoted as having said this: "Points of disagreement on the proposed East African Federation are so few that we do not need months to consider them, however important they may appear to us." That is a quote from the *Daily Nation*. At that time, the points of disagreement were so few that we did not need time to think about them. If this is a report from someone reliable—and we know he is a reliable person who worked on that Working Committee—then it is time that we were told the truth. If there are so few points of disagreement, then why has the federation not come? This is very, very interesting because if the points were so few then, I do not know where the other points have arisen from. Now we must be told the truth. The truth, for us, is vital now and we do not need long stories, but simply to be told that we are going to federate before the end of this year. Once it was before the end of 1963, and we hope this time it will be before the end of 1964, because anything after that will be stale.

[Mr. Shikuku]

Mr. Speaker, Sir, what I would like to point out to this House is that we are not trying to talk about this in Parliament just for the sake of talking about it. We must realize that the people in Kenya and indeed in the world are looking upon us as independent and responsible people and they also look forward to us honouring our own pledges that we have made to our own people, and I think it is really absurd that we have not achieved this federation at this very moment and we must be exhausting the patience of our people who have elected us to this Parliament.

Mr. Speaker, on the 11th April 1964, there was a meeting held in Nairobi of the Heads of States, that is of Tanganyika, Uganda, Kenya and Zanzibar. This time the world waited for big news from the big leaders who were meeting. There was a lot of speculation about the meeting. But when these big people met, and they met for two days, what did we get from that two-day meeting? In my opinion and in the opinion of the masses, nothing really came out. As far as I was concerned, the statement that was issued after the two-day conference was empty, it was an empty statement. All it said was that they met cordially, discussed things, and that Tanganyika was not going to have her own currency and that was the end of it.

Then the final thing, Mr. Speaker, was this. After they had gone, on the 24th April, the same month Tanganyika and Zanzibar united. After the meeting! Now, Mr. Speaker, this is something which the masses are wondering about. Why was it necessary for them to meet for two days, then to give us that talk of having discussed things cordially, and then finally only to find that Tanganyika leaves Kenya and goes and unites with Zanzibar. It is obvious, Mr. Speaker, they must have realized that probably our Government was giving them lip-service and they were interested in practical politics and they were determined to apply them. Now here again we come up with a statement supporting Tanganyika and Zanzibar. Of course, that was obvious, you have to do that diplomatically. But, the point still remains, we have been found to be dragging our feet, and I think this is the House in which to find who is dragging his feet. This is the only responsible place which can decide what should be done. We gave the powers to those leaders to speak for us. We have waited well over a year and now I think, hon. Members, the time has come for us to tell them what we want and they must act accordingly because it is we who put them where they are. If they cannot do it then they must know that

we are going to do it. The power we gave them was from respect and if they cannot do what we want, we can take it over and do what we can do.

Mr. Speaker, the funny part of it is this, on the 8th May, hon. Members here in this House, the Back-benchers and the Tanganyika Back-benchers, held a meeting when resolutions, reasonable resolutions, in accordance with the pledges we have made to the people, were passed. But then the comments by the leaders who were elected to the positions they hold were very absurd. In Uganda, Mr. Obote came up with a statement saying that he was not going to be pushed. All right, I will not say any more about Uganda. But then in Kenya? With all due respect, the hon. Prime Minister of Kenya came up and described the resolutions as ill-timed. Mr. Speaker, I thought I knew the meaning of the word "ill-timed", but if it is a question of being ill-timed, surely we have waited since June 1963, and if someone asks you to act on what you said in 1963 in 1964, if that can still be described as ill-timed, then I do not know what the meaning of the word "ill-timed" is. If it is a question of changing his mind, then we must be told that he has changed his mind. But if it is ill-timed, then the hon. Minister, with all due respect, will agree with me that he is really out of date.

If it is a question of changing their minds, then we must be told he has changed his mind. But if we have got to mark time, then the hon. Minister with all due respect will agree with me that we are really out of time and we are trying to make it up. I feel, Mr. Speaker, I do not want to keep dwelling on this point, but the point here is this; elected representatives met in Nairobi and demanded federation, gave the date, then some of the elected people in this very Parliament ignored such vital resolutions, describing them as ill-timed. We cannot be pushed around like this when the Tanganyika leader accepted the resolutions.

Mr. Speaker, I thought every hon. Member in this House was just as important as any other hon. Member. I know all of you were elected and there is none among us—I am glad to say—who is a nominated Member. If this is a question of Constituency, we are all elected here and I think we speak the minds of the people and I take great exception to being described as "the responsible people sitting in a Parliament wasting time". We were doing the job—we were elected Members of this House and when we were taking part in that meeting of the back-benchers, we were doing our job, and if some of the hon. Members we have placed in the big positions in this Government, can look down

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upon us as people who are wasting time or who do not know what we are talking about, they are making a big mistake. We were even told that we did not know what was going on; surely how could we know when it was not reported to us? The discussions right from the beginning have been kept behind closed doors. How could we know that? Are we spirits? Do we have secrets, do we act their part? But this time there is no need for secrecy, because the federation is in the interest of the people of Kenya, people of Tanganyika and if Uganda so wants, people of Uganda and not a few individuals. I feel we are as important as any hon. Minister or anybody, and as such I was very hurt when I read that this question was described as ill-timed and that, more or less we were sitting here doing nothing. I think I will also quote from the hon. Prime Minister's statement where he said that—it was published on 12th May 1964 in the East African Standard, and I quote—"In any event, the whole pace towards federation must be the subject of the Governmental decision working through legislative bodies." There is the wisdom in that, and if this Parliament is not one of these legislative bodies, then I do not know which are the other bodies, since I know this is the legislative body. It depends on all the hon. Members on this side of the House, on the other side of the House too, to use this body now, the legislative body of Kenya, which is the Parliament, to decide the federation. We are going to fix here the date, time and we hope the hon. Ministers and anybody concerned will go by that.

Mr. Speaker, Sir, I think that it is no joke now. We are furious and so are our people. If I may quote from that wonderful declaration on that day, on 5th June 1963, it is one of the tribes who said, "We believe a political federation of East Africa is desired by our people." They are aware of that, and what I am saying now, and what other Members are going to say in this House, is that the desire of our people, which is paramount. My desires are nothing compared with the desires of the masses, because the leaders come and go, but the masses remain. This desire of the masses must be achieved and this is the right time, today, to make sure that the desires of the people who elected us to this Parliament are paramount to our own.

Mr. Speaker, in that long declaration there is one of the most important clauses here, or paragraphs. "A Working Committee is being established which will prepare a framework of a draft Constitution for the federation of East Africa. It will report back to a full conference of East African Governments. In its work it will

confer with the three Governments, and with their consent make constitutional or other reports. The East African Common Services Organization will be associated with this federation."

Mr. Speaker, a Working Committee was appointed in June 1963, since then we have heard nothing. They have been paid allowances, they have been flying from here to Dar es Salaam, to Entebbe, Entebbe to Embakasi airport, and that is out of the taxpayers' money. It is really hurting that the ordinary man's tax should be enjoyed by so few, doing nothing. I say they are doing nothing, because we have not received any report from them. The only thing when they met recently in April, they said, "We are forming another committee, an emergency committee." Where that emergency committee has ended, I just do not know. God knows. But if the federation is for the people, then, Mr. Speaker, we are entitled, as representatives of the people in this country, to know what is happening, and not to have our money spent and not be told what is happening. Mr. Speaker, we would like to have a full report of the talks from those responsible.

If I may come to another point here, Mr. Speaker. It is the question of the nature of the federation. It is very important at this stage for the masses, and indeed those who are interested in the federation, to know what is happening, and what type of federation we are talking about. Certainly we have made it very clear time and again in this House that we are not going to have a confederation, for confederation have always failed, and you can learn from other peoples' mistakes and we do not wish to repeat those mistakes here. What we want, Mr. Speaker, is the federation of the people in the interests of the people and for their well-being, and not in the interests of a few at the expense of the many. Here, Mr. Speaker, we are talking of a federation and, if the members or those concerned, will work hard and achieve it, it will be a federation of over 25 million people. This is what we are talking about; we are not talking of federation of the leaders. But this federation should come about whereby we shall get the Tanganyika people and Kenya people and Uganda people coming together for the same purpose and working together to ensure that each and every person, in a population of 25 million, enjoys the fruits of their hard labour. We had to kick out the imperialists from our three territories, and I think the time has come for the masses to enjoy the fruits of that independence. That can only be brought about when we have a real federation for the people and in the interests of the people, and that federation should

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not be a confederation or a federation of the leaders, but a federation of the people. I feel that if we are talking seriously about the federation, we have got to surrender our sovereignty, Kenya sovereignty, Tanganyika sovereignty, and Uganda sovereignty, so that we have one Government with one head with one cabinet and one flag. That is the federation we want.

Mr. Speaker, I wanted to explain on this issue—some people are taking advantage of what I am saying—but I want to make clear that what I am talking about is a real federation and not a confederation, but this must be a genuine democratic federation. We are not going to accept any dictatorship from anybody; it must be democratic. Therefore, Mr. Speaker, I feel that democratic federation will safeguard the rights of each and every individual to do, to organize, to speak, to express his or her own feelings in a way she likes, provided it is not against the law of the country. That is all. The trade unions shall have their freedom to organize and demand some higher standards of living, even if it means striking, when it is legal, it should be allowed.

Mr. Speaker, the other point I wanted to mention is this, that the federation we are talking about will have to respect the Constitutions of the various countries that are going to federate. Here, Mr. Speaker, if this is not going to be respected then that federation will find itself in a very hopeless mess, because the Constitutions of the various countries must be taken into account very seriously. Otherwise, that federation might as well be meaningless.

Mr. Speaker, the other point I wanted to mention is this: it appears, Mr. Speaker, that in the talks now going on, the difficulties we hear about, are not just the difficulties of East Africa but the difficulties of a few individuals in Kenya, those in Tanganyika—not so much Tanganyika—and in Uganda, particularly these two countries. The difficulties we have—and we suspect and I think we are right—those concerned know that when federation comes some of the people we have elected here or are in high posts here, may lose their jobs. That is what is happening. They know they have the responsibility of bringing about a federation, but here they are working very slowly on it, trembling, dragging their feet, saying “If this comes, what shall I be in that federation?” This is the time, Mr. Speaker, that we must now make it known to the leaders—those concerned with this question of federation—that the interests of the people are not going to be subjected to their own interests. We have pushed out the imperialists of this country

because they thought of their own interests, what they were going to get out of here and we are going to push out anybody who puts his interests first, before the interests of the masses. I feel, Mr. Speaker, that is the main problem, because you could hear the Uganda people say, “Well, if the federation comes what is the Kabaka going to be?” The other people say, “Well, if the federation is going to come where will the headquarters be?” What the ordinary man wants, is not who is going to be the leader—the hon. Minister for Information—

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo): Mr. Speaker, Sir, is it in order for the hon. Members to refer to Heads of State of other countries in speeches like this; when particular Heads of State are not sure what they are going to be in the federation?

The Speaker (Mr. Slade): It is not in order for hon. Members to criticize the conduct of Heads of States of friendly countries, and I am glad that the hon. Member has reminded the House of that.

Mr. Shikuku: Thank you, Mr. Speaker. I just did not quite criticize. I think I made it very clear that some of the people concerned might be considering their positions in the federation, what they are going to be, and that is quite true. The hon. Minister for Information says the headquarters should be in Butere. Well, he is the Minister for Information and he knows Butere is a part of Kenya and in East Africa, there will be no trouble if the headquarters can be there. I hope he knows that.

Mr. Speaker, may I touch on the benefits of federation? The benefits we expect from the federation are, first, to have economic stability, and I feel there is no need now, if we are all that sincere, for us to be talking in terms of imbalance as regards the trade between the three territories. Let us federate, and the Federal Government, the Federal Cabinet, will have to work out an economic policy, a foreign policy and all other policies which will be of benefit to all the three territories and citizens, and so on. Those are the benefits. We would not like to get ourselves into a mess whereby we quarrel over something we have not agreed on. First of all, let us federate, agree, and then these things will come out, because it is in the interests of the masses that this federation should be achieved.

Mr. Speaker, if I may say so, the other point is that we in the Opposition do not look upon this Motion as a Motion of the Opposition but a Motion in the interests of the nation. People in

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this House should not consider that I am taking it on myself to champion the federation at all; all I want to do in this House is to put it to the people, to the ordinary elected Members here so that they can speak freely. If need be, if it comes to a question of voting, they should speak and vote according to what they feel, because this is what we told our people—

Mr. Bala: On a point of order, Mr. Speaker, is it in order for the hon. Member for Butere to go on talking even though he knows that he has exhausted all his points?

The Speaker (Mr. Slade): By resolution of the House today, there is no time limit for each individual speech or for the debate, but of course there is a rule that hon. Members must not repeat themselves. I do not think the hon. Member has done much of that so far.

Mr. Shikuku: Thank you, Mr. Speaker, for your ruling. I have not repeated myself, and the hon. Member is probably one of the few individuals who does not like federation, but today he is being shown.

Mr. Speaker, I feel that the Members here should vote according to what they feel. The federation we are talking about is for us, for the whole country, and is in the interests of Kenya. Therefore, we would like to know—and this is a challenge—to those who are for the federation theoretically and those who are for the federation practically. This time, Mr. Speaker, I do not wish to take up much time because a lot of hon. Members want to speak. I have a lot which I will keep for when I am winding up the Motion. Therefore, Mr. Speaker, I feel I must give a chance to the other Members to speak so that they make their positions quite clear in this legislative body through which the federation is to be achieved.

With these few words, Mr. Speaker, I beg to move.

Mr. ole Oloitipitip: Mr. Speaker, Sir, I rise to second this Motion and I support it wholeheartedly. I also hope, Sir, that this is not a Motion which will be looked upon as an ordinary Motion; it is a very important one, and I think it will have the support of all hon. Members in this House.

Sir, I support this Motion for the following reasons. First of all, the hon. Prime Minister of Kenya is the one who introduced the national slogan of *Harambee*. If *Harambee* means, Sir, in Swahili they say, "*Sote pamoja, gufu sawasawa, taifa moja ngumu*," which means, "Let us build

one solid and big nation." I think, Sir, the building of a nation, whether it is against *Majimbo* or not—I know that they are all against *Majimbo*, but they also signed for it, Sir.

The Speaker (Mr. Slade): I do not think you need take any notice of *Majimbo* in this debate.

Mr. ole Oloitipitip: I do not intend to talk about *Majimbo*, Sir, but they keep on saying *Majimbo*.

The Speaker (Mr. Slade): Do not take any notice if hon. Members interrupt you.

Mr. ole Oloitipitip: Mr. Speaker, Sir, if we are to follow our Prime Minister when he said *Harambee*, I think this Motion fulfils the Prime Minister's call of *Harambee*.

Secondly, Sir, our Prime Minister is known to be the Father of the Nation. I do not think he deserves to be called only the Father of the Nation, but I would say he is the Father of Africa. At the same time, Mr. Speaker, Sir, he is the founder of Pan-Africanism which means the unity of East and Central Africa, and I see no reason why, as he is the founder of Pan-Africanism he does not bring his old dream to reality. I think this Motion also fulfils his goal of African unity.

Mr. Speaker, for those two reasons, everyone in this House will be reasonable with regard to this Motion.

Thirdly, Sir, this Motion cures the old wound. I do not know what medical terms I can use; perhaps I can refer to leprosy, or a tropical ulcer. What are these? They are arbitrary lines which have been placed by the British colonialists and German colonialists to divide our African brothers including the Jaluos. Mr. Speaker, Sir, the boundaries were put there without our consent, without our knowledge, and they divide the Masai from other Masai. There are more Masai in Tanganyika than there are in Kenya; there are more Luos in Tanganyika than there are in Kenya; there are more Baluhya in Uganda than there are in Kenya; there are more Teso in Uganda than there are in Kenya. We have our friends, the Jalucs, and it is only fair that the Kikuyus were not affected, but those who went to Mpanda must be unified with those in Kenya.

Mr. Speaker, Sir, that is the third reason why I support this Motion. We do not require these boundaries within East Africa. They were imperialistic boundaries, and if we are to place any boundaries they should be those from our own Government but not from the Imperialist Government.

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Mr. Speaker, Sir, the fourth reason why I support this Motion, and am seconding it, is because we in Kenya only achieved our independence six months ago. Nearly all these African territories are newly independent countries. Of course, there is a lot to be done to make these countries really prosperous. The only way we can achieve our goal is by federating these countries and combining the few useful brains we have, combining the brains of our hon. Prime Minister and those of Dr. Nyerere in Tanganyika; to do the same with Mr. Mboya and Dr. Obote in Uganda. If we combine these brains, and if we combine Mr. Ngala's brains and those of Mr. Kambona, we will have a chance of getting somewhere.

Mr. Speaker, when I say that, Ngala is an Elected Member; he has been Leader of Government Business in the previous Government; he is the Leader of the Opposition today; and he is well known in this Parliament to be a very good parliamentarian, and I think you all accept that. I do not mean that the few leaders I have mentioned are the only people with brains. We have a lot of people with them, even to the Government Secretariat and among members of the public. We want to combine their knowledge, so that we really achieve our goal. That, Mr. Speaker, is my fourth reason. I feel very strongly that we need anyone who is going to be constructive; we all know that we are a very young country, we have just achieved our independence and we need skill to achieve our goal. I think the only way to achieve this goal, Mr. Speaker, is by getting our federation right now.

Mr. Speaker, the fifth reason why I support this Motion is because Kenya is a leading country in East Africa. It is a leading country politically, economically and socially. Therefore, I see no reason why we should lag behind.

An hon. Member: What about the Masai?

Mr. ole Oloitipitip: Yes, the Masai are within Kenya. Therefore, if we are the leading country, there is no reason why Tanganyika should get started and we should lag behind. This is very shameful. I wish to draw the attention of the hon. Members in this House, Sir, to the fact that Kenya today is a leading country and we must keep the dignity of our country. All these promises of saying that "the committee is working, we have done this, we have done that". We know about it, but now we must have an end and they must come out in their true colours and say, "Gentlemen, there you are, this is what we have done." That is the fifth reason why I support the Motion.

The sixth reason, Sir, is that we all know that leaders come and go. Nobody knows of tomorrow. I might be away, the Prime Minister might die tomorrow, but I wish that during our time in this Parliament, as parliamentarians, we will lay the foundation stone for African unity if we really mean business. I do not think it is right just to raise one finger like this and say "*Umoja*", and no action. If we are to follow our Prime Minister or the party which is the Government today, which goes like this with one finger, they must win our confidence. I believe the only way they can win our confidence is by showing us with actions, and that means we must federate tomorrow. That is the sixth reason, Mr. Speaker, why I support this Motion.

The seventh one is that the Opposition here and our hon. friends, the Kanu Parliamentary Group, have met. We are supposed to be the leaders of this country. We have met, we have come to an agreement. We have urged and told our Government several times that this is our wish, this is what is in the minds of our people, and we have kicked the ball to the Cabinet. It is up to the Cabinet now also to direct the ball into the right goal.

Mr. Speaker, Sir, the eighth reason is that there have been rumours that perhaps the Ministers do not want federation because they want to maintain their positions. I do not believe this. It might be true, or it might not be true, but I do not know so I cannot commit myself to something I do not know. However, I believe that every Elected Member here is supposed to be a true nationalist and not a true opportunist. Therefore, Mr. Speaker, even if it means dissolving the Parliament in order to achieve the federation, let this Parliament be dissolved tomorrow. That statement does not mean that I ask the hon. Ministers to surrender their positions. I say that even if it means ole Oloitipitip has to go and be an ordinary man in the field, that is all right as long as we have achieved our goal.

Mr. Speaker, Sir, there is a Masai story which illustrates my ninth reason. This is the story of a hyena. He was passing along a road, and there were two Masai *kraals*, one on his left and one on his right. He smelt the smell of meat on his left as well as that on his right, and he wanted to get both. He went on, he did not decide to follow only one, but he followed both. Before he went, what happened to the hyena? The bone *here* on his chest just cracked and he was finished. We do not expect hon. Members to try and behave like that hyena. They must be decisive and follow one thing and do it rightly. They should not want

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to maintain their positions here and also in the Federal Parliament. This will never do. I do not think they are doing it, but it is up to the public to judge.

Mr. Speaker, it is well known—this is my tenth reason—that in the Kanu Manifesto they promised the public that as soon as we achieved independence in 1963 they would federate. The same thing applies to Kadu, the same thing applies to my own party in the Opposition. We also promised our electorates that we as Elected Members, hon. Members, leaders of the country, would work for unity. If we keep from fulfilling those promises I do not think there will be a chance for us. If I am not mistaken—my advisers tell me this—it is on page 24. They ask me, but they know. They are the ones who contributed to it. Mr. Speaker, that is my tenth reason why I support this Motion.

The eleventh reason is that we must unify our forces. We are being terrorized by a small group of *Shifita*. Then we go as far as Britain and ask them to help us. If there were a federation of East African territories, there would have been no need for our Prime Minister to ask for aid from overseas which will cost Kenya a lot of money, or even from Ethiopia which, I believe, is not in East Africa. We are going to extend our federation even up to Ethiopia, and if possible to the whole of Africa.

Before I sit down—because I believe I have given enough reasons why I support the Motion—I must come out and tell the House that the country is waiting to see what is going to be done today towards federation. Here, in our country, Sir, we have a Ministry of Pan-African Affairs. What is this Ministry doing towards Pan-African unity?

[The Speaker (Mr. Slade) left the Chair]

[The Deputy Speaker (Mr. De Souza) took the Chair]

We would like, when the Minister replies, the Minister for Pan-African Affairs, to tell us what he has done since he formed that Ministry. They should not just sit in their Ministries and consume a lot of money. Just the day before yesterday, Sir, I invited the Minister for Agriculture to come to my own constituency to speak to the people. He gave them an assurance that he would do this, he would do that, he had done this, this is the money he had given to our district. I think the Minister for Pan-African Affairs today should also tell this House what he has done.

Mr. Deputy Speaker, before they tell us what they have done, it is not necessary for us to ask them to resign. We must be truthful.

The other thing is about the Constitution. I believe, Mr. Deputy Speaker, that after we gain our federation we must have a new Constitution. I should think it would be right for us to have a Constitution whereby all parties in these three territories are equally represented. The parties you know: Tanu, Kanu, Kadu, Kibaka Yekka and U.P.C. Mr. Deputy Speaker, we must have equal representation at the constitutional conference, if our leaders really mean business. The Constitution is the means by which the people will demand a true federation and not a confederation. We must be realistic here. If we are the leaders, we must be realistic. You must give people a chance to play their parts and to express their wishes. We are not going to accept any form of Constitution which is dictatorial to our people, and you know what I mean by dictatorial. If you are going to introduce a one-party system in the federation. I do not think it will last.

Mr. Deputy Speaker, Sir, this is a very important Motion. We are not going to joke about it in this House. If we really mean business, Mr. Deputy Speaker, we should be serious about it, and all hon. Members must try to frame their ideas and put them well so that the results will be what we all desire. The Father of the Nation is here and I am very glad. That is why I have been a long time. He is the founder of all these things: African unity, *Harambee*, Father of the Nation, Father of Africa. We are waiting for him to give us federation.

I believe, Mr. Deputy Speaker, we will not fall down on his words.

(Question proposed)

The Prime Minister (Mr. Kenyatta): Mr. Deputy Speaker, Sir, I am very happy today to hear the two Kadu Members speaking in the manner they have spoken. With regard to the federation they talked about, I would have done just the same as they have done if I were moving the same Motion. I do not think we can argue, we have very little differences, I think, on this matter. The only question here is the question of ignorance of what has been done by the Heads of State on the federation. I think if the Mover of the Motion or the framer of the Motion had done a little homework to seek information, he would not have brought the Motion before the House, because what he is asking the Government, I think, is to accelerate the machinery to achieve the federation. Therefore, we have no arguments, because this is exactly what the three Governments have been doing. Some of the people, Mr. Deputy Speaker, say, "Let us federate today, let

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us federate tomorrow." Federate tonight if you like, but remember, gentlemen, that anything in any organization, even a small village organization, needs some machinery to effect that organization. A federation of three territories, that is Kenya, Tanganyika and Uganda, is not a joke and needs a lot of work. The Mover of the Motion, Mr. Deputy Speaker, has said people go to Tanganyika, people go to Kampala, wasting money, having a good time. I would like to include him in these committees, and see how he will work, because the people who have been working have not been enjoying themselves. Some of them have sat for hours, sleepless, trying to solve this problem of federation. You talk about Tanganyika and Zanzibar getting together. There is no comparison, my friend, between Kenya, Uganda and Tanganyika and Zanzibar, so do not try and compare the three countries with the Tanganyika-Zanzibar Federation.

Gentlemen, I think somebody has said *Harambee*, and I hope you will stick to *Harambee* in sincerity, because if it was not for a Kadu nuisance we would have federated a long time ago.

Hon. Members: Question. question.

Mr. Masinde: Mr. Deputy Speaker, Sir, on a point of order, will the hon. Prime Minister substantiate this when he alleges that if it were not for Kadu we would have federated?

The Deputy Speaker (Mr. De Souza): That does not require substantiation.

Mr. Shikuka: On a point of order, is the hon. Prime Minister in order to refer to Kadu as a nuisance?

The Deputy Speaker (Mr. De Souza): I think the Prime Minister is quite in order to refer to policies of Kadu as being a nuisance, and that is in fact what he was implying.

Mr. Masinde: Mr. Deputy Speaker, it will be better if we get this point clear, because we are a political organization and Members in this House, and is it in order for the hon. Prime Minister to refer to us as a nuisance?

The Deputy Speaker (Mr. De Souza): It is not in order for the hon. Prime Minister to refer to hon. Members sitting opposite as a nuisance, but it is in order for the Prime Minister to refer to Kadu policies as a nuisance. I think the implication was clear, the hon. Prime Minister was referring to policies.

Let us not have points of order on the points of order on which I have already made a ruling.

If it is something different that is all right, but not on a ruling I have already made.

Mr. Ngala: I would like to know on a point of order whether it is in order for the Deputy Speaker to interpret what the Prime Minister is saying, without the Prime Minister himself explaining what he meant?

The Deputy Speaker (Mr. De Souza): Yes.

The Prime Minister (Mr. Kenyatta): Mr. Deputy Speaker, I think the last few seconds will confirm what I have said. If they want the federation they would not behave as they have been behaving, I think on the opposite side there is no gentleman whose name is referred to as Kadu. Who is Kadu? There is an organization called Kadu. There is no man there who is called Kadu. I am Kenyatta, I am a member of Kanu, but I am not Kanu myself. Therefore, Mr. Deputy Speaker, if they want to learn I think we can teach them one or two things, and I think when I said, and I repeat, if it was not the introduction of *Majimbo* by Kadu, the federation would have been much easier, because here in Kenya somebody has said *Harambee*. Are we calling it *Harambee* here? No, because every Region and each President thinks he is a small king in his domain, and when you speak about federation you are thinking of a little *Majimbo* and federating with another Government; this cannot be done. The time has come when you must be told the truth. It is bitter but you can swallow that pill.

The Deputy Speaker (Mr. De Souza): Mr. Kenyatta, will you address your remarks to the Chair?

The Prime Minister (Mr. Kenyatta): You see I do not keep cool. I say this is a question of *Majimbo*: this question of division. You talk about Uganda having this and the other thing, you have it right here, and I think you should appreciate the idea of cleaning our doorstep first before you try and cry here for us do this, that and the other thing. If you really want *Majimbo* you want it. Do you want it?

Hon. Members: No.

The Prime Minister (Mr. Kenyatta): If you want *Majimbo* you cannot have two things, *Majimbo* and federation at the same time. We are going to strip the *Majimbo* away and have proper federation. We are going to tell you the truth and I am very glad that it is Kadu that moved this Motion which I may tell you from the very beginning I am going to welcome with both hands. Nobody ever opposed federation. I and my Government have been working for

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federation night and day—you do not know how much. It is not my fault that you do not know. Therefore gentlemen, go and think about this so that you will not say: "Well, Mr. Prime Minister, you promised us that you would not scrap *Majimbo* Constitution and what are you doing?" So if you want federation the *Majimbo* Constitution must be scrapped. This is what we must do in order to achieve a better federation. We cannot have a *Majimbo* federation.

Gentlemen, I warn you that I am going to tell you the truth and the truth is bitter, so prepare to swallow it. You cannot have your cake and keep it at the same time. You come here and say to me "*Mzee*, we want *Majimbo*, we want *Harambee*," while you yourselves are tearing away the unity that you sing about. You say—let us unite. Are we united here? No.

Hon. Member: Nor are you.

The Prime Minister (Mr. Kenyatta): Let me tell you a little, gentlemen. Kanu sings for unity, for one finger, one nation, one government, one flag—that is what we sing—and one Africa. You bring your hand and say "*Pole pole*." Are you now going to accept that we support *Harambee* and that we shall build one nation, Kenya, first and then we move into the world and a United Africa. No one denies this, or the other thing. I am telling you the truth that today we have a *Majimbo* Constitution. We are going to change this and be a republic whether anyone else likes this or not.

An hon. Member: Delaying tactics!

The Prime Minister (Mr. Kenyatta): They are not delaying tactics. Let me ask you something. You think you are so clever, so capable, can you bring me tomorrow—you Kadu Members—or any other Members, a Federation Constitution, then we will federate.

Mr. Masinde: We can do it.

Mr. Shikuku: Right away.

The Prime Minister (Mr. Kenyatta): Mr. Deputy Speaker, Sir, let me tell hon. Members that this is not the time to have advisers whispering in your ear "do this or do that". They are not there now so how are the hon. Members going to present such a Constitution?

Hon. Members: Where are they?

The Prime Minister (Mr. Kenyatta): You know very well where they are. One is somewhere in Switzerland and one is somewhere else.

Hon. Members: Another one in India.

The Prime Minister (Mr. Kenyatta): Hon. Members, you can talk and I am very happy when I hear you talking because you give me a chance to know that you mean nothing, that you do not mean business, that all you do is talk. When it comes to acting you do not act because you know as well as I do that within six months this Government has done more—not just singing but doing—than you and others thought possible and you cannot deny that.

Hon. Members: What about federation?

Mr. Shikuku: On a point of order. Is the Prime Minister in order to wander around?

The Prime Minister (Mr. Kenyatta): I am in order to do so.

The Deputy Speaker (Mr. De Souza): It is a point of order.

Mr. Shikuku: On a point of order, Mr. Deputy Speaker, Sir, is the Prime Minister in order by wandering round? We are not speaking of what the Government has done in the past.

The Deputy Speaker (Mr. De Souza): We are in fact talking about accelerating the policy of the Government towards federation and I think the Government in giving a review of its policy in general is, in fact, talking about federation.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Deputy Speaker, Sir, would it be in order for you to rule that nobody should raise a point of order until the Prime Minister has spoken?

The Deputy Speaker (Mr. De Souza): Order, order. According to Standing Orders I cannot rule that no Member can take a point of order, but I can rule that, as the Speaker has said very often, that anybody who takes what is known as a fraudulent point of order—namely a point of order which is quite irrelevant and which does not hold any water—can be asked to leave the Chamber. That I will do.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): On a point of order, Mr. Deputy Speaker, can we as a House, bearing in mind what you have just said, resolve that no one is to interrupt the Prime Minister until he has finished?

The Deputy Speaker (Mr. De Souza): That would have to be an amendment to Standing Orders I am afraid. The Prime Minister remains in this House at the moment as any other Member of the House, and any Member of the House

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can, if there is a point of order, raise a point of order. I do not think we could merely by a resolution, certainly not passed impromptu, of this nature amend Standing Orders. I would appeal to hon. Members not to raise points of order just for the sake of interrupting the Prime Minister and anybody who does raise fraudulent points of order will be asked, by me, to leave this Chamber.

The Prime Minister (Mr. Kenyatta): Mr. Deputy Speaker, Sir, sometimes the Members go to the extreme, because sometimes they interrupt for the sake of interrupting. Sometimes they disturb my thoughts, but I am ready for them so that they will not be able to disturb me.

I wish to tell the House, as I have said before, if the Mover of the Motion had done a little work and asked the Government how far we have gone into the preparations for federation, he would have known and would have no need to come to this House to ask for federation. The three Heads of Government are in agreement as we were in 1963 that we are for the federation, but what we forget is—and I hate repeating old sayings—that Rome was not built in one day. Federation is not a thing which you can achieve through magic. You have to work, you have to prepare. There are economic factors which have to be sorted out; there are political factors which have to be sorted out. You cannot just say “federate” and then be able to federate today. I have said that if you can federate tonight, do so by all means. Kenyatta will not prevent you, because I am for the federation. However, to have a proper federation, you must work out details, and that is why we have various committees. The Heads of State are meeting next week here in Nairobi to discuss the report of the Working Committee which met in Kampala a few weeks ago. The Economic Committee is working, doing its duty, now, to try and sort out the differences in this, that and the other thing.

So, gentlemen, if there is anyone who has been in doubt as to the need for federation, you would do better if you removed your doubt because it is not Nyerere, not Obote, not Kenyatta who is against federation. We are all for it, and as I say we are meeting here next week. Some people ask us why we do not tell them what we are discussing every day. The Government is not run like a newspaper office with public meetings.

[The Deputy Speaker (Mr. De Souza) left the Chair]

[The Speaker (Mr. Slade) resumed the Chair]

We have done many things which we do not tell you about. Sometimes you see the actions. It is true that we told you or we made a declaration that we are going to federate before 1964 or at the end of 1963. That is what we said in this declaration. No one was keener than ourselves to do so, but it was impossible to do that at that time.

An hon. Member: We are in 1964.

The Prime Minister (Mr. Kenyatta): We are in 1964, yes. Somebody showed us this manifesto. We, as a Government, have laid down our plans. We cannot do all the things that we have promised here overnight; we cannot do it. Even angels cannot do it.

An hon. Member: Question.

The Prime Minister (Mr. Kenyatta): It is not a question. You bring one and let us see!

Gentlemen, I do not think we have any quarrel at all, because I say on behalf of my Government that I accept wholeheartedly your Motion. I am very thankful for your speeches, especially the Masai.

An hon. Member: And the Kikuyu.

The Prime Minister (Mr. Kenyatta): Not the Kikuyu, he is a Masai. I think you are coming nearer and nearer to reality, and that is a very good sign. It is impossible—I am telling you the truth now—for me to give you the date when the federation will be. As I said, next week we are meeting to discuss the report of the Working Committee which met in Kampala about two weeks ago and that of the Economic Committee, so we must do all these things first before federation comes.

If I give you a date now you will say: “Oh, Kenyatta, you will give us a date, but where is it now?” All I can tell you is that we are doing what you have asked of us in your Motion. We are accelerating the machinery to effect federation. We are doing that. If you want more information then this will be given in private because it is a Government document and not to be made public before it is finalized. Any of you who want to know how far we have gone will be given such information.

The Speaker (Mr. Slade): Mr. Kenyatta, I must remind you to address the Chair.

The Prime Minister (Mr. Kenyatta): I am sorry, Mr. Speaker, Sir, I was thinking I was addressing an audience. Mr. Speaker, Sir, the only remarks I would like to correct are those which were

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repeated by the Mover of the Motion. He kept on saying "We put you there, we elected you there." I could not understand who "we" were. As far as we on this side are concerned, we were elected by Kanu Members, but not Kadu. So the Kadu Members do not have the privilege of saying again and again "We elected you there, we want you to do this, to do that, and if you do not do these things we are going to 'Fagia' you, we are going to remove you." By all means let them do it. I would like to see them do it. So Mr. Speaker, Sir, having accepted the Motion I do not wish to continue talking, but I would like to call the attention of the House to the fact that we have reached a stage, Mr. Speaker, where we must keep the confidence which we have created, because unless we create confidence people will get jittery, people will be afraid of bringing their money here if they see that we are not united, and then we would be without business. I say to everyone that we should work together—Kanu and Kadu should work together—so that we can build a new nation, a strong nation, and have a prosperous country rather than grumbling among ourselves and Members meeting here and saying that the Government are doing nothing. Be patient and I think Gentlemen—

An hon. Member: *Pole. pole.*

The Prime Minister (Mr. Kenyatta): All right, all right, all right. I remember once in this House when we were moving an Emergency resolution, somebody was opposing it, but as soon as he was hit by *Shifta* than he came running to me, saying "Prime Minister, what are we going to do?" All I can tell the hon. Member is to trust his Government. We are working hard, not for the sake of individuals, not for the sake of self, but for the country as a whole. That is what we are doing. I am very thankful to have a team of Ministers who are working very hard, not for themselves, but for the country as a whole. Some people have said that we do not want to federate because the social position will be lowered. This is not good to have such suspicions of your own brothers because we are really working for the country as a whole and you should trust us. There is nothing to prevent you reviewing things, criticizing the Government, but let us have, Mr. Speaker, constructive criticism, not destructive criticism.

Now, Mr. Speaker, I would like to refer to this, if a few people were listening at one o'clock when we announced the lifting of the ban on public meetings. If I am allowed, Mr. Speaker, to go a little outside this thing.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): They do not listen.

The Prime Minister (Mr. Kenyatta): They do not listen to the news, some of them do not read the papers, therefore they allege that we do nothing. I think we have prevent it because we have reason to do it. I understand there is a Motion coming—

Mr. Muliro: Do not anticipate my Motion.

The Prime Minister (Mr. Kenyatta): I will not anticipate it.

The Speaker (Mr. Slade): Quite right, Mr. Kenyatta, it should remain until we reach it later on this afternoon.

The Prime Minister (Mr. Kenyatta): As I was saying, Mr. Speaker, we have lifted the ban on public meetings because the Government has reviewed the situation and we have found that there is no need any more to control meetings or to ban meetings.

Mr. Muliro: Just one word, Mr. Speaker. Is the Prime Minister in order knowing that there is a Motion on the Adjournment to be talking about the banning of public meetings?

The Speaker (Mr. Slade): Mr. Muliro is quite right, Mr. Kenyatta, I am afraid you will have to leave this subject from this debate.

The Prime Minister (Mr. Kenyatta): Mr. Speaker, Sir, I was not going to raise a question at all, but the Leader of the Opposition brought up the question, not me. Anyway I will leave the question.

The Speaker (Mr. Slade): I think you have made your point, Mr. Kenyatta.

The Prime Minister (Mr. Kenyatta): I think I have said enough on the Motion and all I can say is that we accept your Motion wholeheartedly and I think you will be patient and the Government will produce the goods. Thank you very much.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, Sir, I am going to be very brief because what, in fact, the Government ought to say has been said, except, perhaps, merely to emphasize and to bring out a few important points arising from the remarks made by the Mover of the Motion. The Prime Minister has already made it clear that Government accepts the Motion. Government agrees that we should accelerate the procedure and processes that will bring about federation. The

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Seconder of the Motion, I believe, should be congratulated by the House for the logical and clear manner in which he presented his arguments. In fact, Sir, the Mover made the very case which we in the Government have always made in support of federation and it was very interesting to hear these points repeated so well by the Member from the Opposition, and to demonstrate that on this, at least, both sides of the House are united.

Now, Sir, I think one of the criticisms which has been made and is perhaps being made in the minds of hon. Members on both sides, is that, since the 5th June declaration, federation has not come, and that Government has not seen fit to give out information as to the stage reached in the negotiations. The Prime Minister has already clearly indicated that some of these negotiations, of necessity, must be kept within the negotiating groups and as between the Governments. I think the House must, with respect, accept this position. It would be an impossible situation if we, members of the Working Party, were to return from the Working Party meetings every time, hold a Press conference and reveal all aspects of the discussions that we have taken. In the first place, we, members of the Working Party, were charged with a certain task. Under the terms of reference provided for in the 5th June declaration, we were also expected not to report to the Press, but to report to our Governments and these Governments, having considered the extent of our discussions would, in time, bring out the essentials of the agreement reached which would form the basis for the federation. I do not, therefore, have to labour on this question as to why we in the Working Party have not published regularly a resumé of the discussions that we have had. I was surprised to hear the Mover of the Motion suggest that in our travels to the different capitals of East Africa we were merely wasting public funds and enjoying ourselves. Mr. Speaker, anyone who has been in any of these capitals during these meetings will know that the few days spent in these capitals are spent entirely in meetings, quite often right through the night, and we attempt to spend as little time outside our own territories as possible in these meetings. Anyone who has followed the results of these meetings will know that our own Prime Minister has, as a result, been very active in getting the other Heads of Government to meet with him here in Nairobi quite often and himself going to the other capitals to pass you these discussions and within six months the number of meetings of Heads of

Government that have taken place are in the region of ten, if not more, of these meetings. Now, Sir, that is almost a record of two meetings per month. That cannot be regarded as any attempt on the part of our Government, or the other Governments for that matter, not to accelerate their discussions or to waste time and the House must take into account the fact that in that same period of six months many other things have been happening including preparations for Independence and various other things. This I think the House will bear in mind when judging the question of how soon or what speed we have adopted; what speed we have adopted in our discussions. Maybe I am anticipating a question from somebody—I do not know. But it is necessary to make it clear. The other point which it is necessary to clear is that hon. Members tend to ignore that the 5th June declaration clearly anticipated that there would be a number of territorial problems to be taken into consideration. In fact, Sir, if one reads the 5th June declaration one will see that the signatories to the declaration clearly anticipated and expected that a number of delicate questions affecting each individual territory and the need for harmonization of the different constitutions and different problems within each territory would have to be taken seriously into consideration in bringing about the East African Federation. It is no use thinking that merely because everybody is committed to federation and to unity there is no need therefore, for careful consideration of the foundations on which it has to be built.

Mr. Speaker, if we are serious about an East African Federation, then we must look upon it as if it were a Catholic marriage in which there is no divorce. There is no question of some people taking the simple view that we might as well just go ahead and federate and hope that it works well. It is necessary to be as sure as it is humanly possible to be that when we federate there is no question of disintegration. If the preparatory stages are not carefully considered and looked after, the chances are, and it has happened in other countries, the chances are that we federate today and disintegrate the week after and we become a laughing stock. It is necessary to take a little bit more time to consider the implications and avoid possible mistakes and weaknesses rather than rush in and then find that it cannot work and then disintegrate. We would rather that we spent a little more time.

Now, Mr. Speaker, this brings me to the second point.

Mr. Shikuku: Seven years?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, there is no point in the Mover of the Motion shouting at me about seven years because nobody has suggested seven years. What we are talking about is, in fact, what has not happened in six months, not even in one year, and it is no use trying to make a joke out of this. When somebody stands here and says Kanu in its manifesto pledges federation, he avoided to read what Kanu said. Mr. Speaker, this is what Kanu said: "We shall build on the foundations of the East African Common Services Organization and of the East African Common Market to bring the peoples of Kenya, Uganda, Tanganyika and Zanzibar into closer political association." Now, Sir, when were the elections? In May of last year, and the House must be realistic—after the elections Kanu formed the Government on the 1st June and in accordance with its manifesto the Prime Minister convened a meeting held on the 5th of June, four days after forming the Government, to put into effect the promises made in the manifesto. That is the record. It is not just a matter of saying things for the sake of saying them, so, as far as Kanu is concerned, this point Kanu has done—from the 5th of June the question of federation was no longer a unilateral question of the Kenya Government, it was a multilateral question of the East African Governments. It was a question of discussion by the East African Governments and we members of the Working Party have, in fact, for the information of the House, in that period engaged the services, with the agreement of the East African Governments, of a constitutional expert from Britain, of economic and fiscal experts from the United Nations, to be held with discussing and deciding on some of the technical questions.

Now, Sir, if we were not serious on federation, we would not have gone to the trouble and the expense of engaging experts from Britain and asking the United Nations to give us experts on things like the fiscal structure, the economic structure, the public service and so on and so forth.

Mr. Shikuku: You are joking.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): I am not joking, and if the Mover of the Motion wanted to joke he should have done it outside the House. These are serious steps and steps which have been taken and steps which are continuing, but the Prime Minister has said that there is a meeting next week to consider the report of the last meeting of the Working Party. No one can say that that is a delaying tactic. If the Working Party met only a week ago

and within a fortnight the Heads of Government are meeting to consider its report, surely these Heads of Government must be very serious about the matter. If they were not serious they would not be holding the meeting next week.

Now, Sir, there are those who say that the Kenya Parliament today must give the country a date for federation, that if we do not do so then we are not serious. Sir, I would like to say in all seriousness that if we are talking of federation, it is not for the Kenya Parliament to give the date for federation. It is for East African Governments, meeting together, to give the date for federation. We cannot pretend to overlook that right of the Government of Uganda, and of the Government of the United Republic of Tanganyika and Zanzibar, to be fully consulted and to have full agreement with whatever date is in mind. The most that Kenya can do is for members of the Working Party to discuss with other members and to report to the Heads of Government on possible dates, but for this House to be committed to a date for federation would be to suggest that the Kenya Parliament thinks that only it and nobody else can determine the date for federation. That, Sir, could not be done.

Mr. Agar: On a point of order, Mr. Speaker, I do not see any date mentioned in this Motion and I do not see how it is relevant?

The Speaker (Mr. Slade): Order, order. There does not have to be a date in the Motion for the Minister to talk about it. If, however, there has been a suggestion that there should be a date, either in the course of the debate today or even outside on another day, it is quite in order to refer to it. It is quite in order for the hon. Member to anticipate proposals for a date.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, I have the greatest respect for the Members who are rather worried about my anticipating, perhaps, their questions, but Members who have spoken previously have clearly suggested that we were delaying things, that we should give them something definite. This is what we were asked and all I am saying is that date for federation must be the outcome of a meeting of the three Governments, and it must be agreed by the three Governments. It cannot be a unilateral decision if we are talking about federation. Sir, may I disabuse those Members who want to suggest that Kenya must be the leader in this matter. Sir, our Government's approach is not that we are leading anybody. Our Government's approach is that the other Governments, the other leaders in East

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Africa are as much committed to federation as ourselves, that this is a matter of mutual interest, of mutual commitment. It is not a question of Kenya trying to lead somebody because that is not the basis of unity. Unity cannot be on the basis that Kenya is leading somebody. Unity must be on the basis of equality. It was said by those who talked before me.

Mr. Speaker, both in East Africa and in the Pan-African field, we do not pretend to be the leaders. On the contrary, we merely seek to make a contribution, however humble it may be, towards the securing of full unity in East Africa and full unity in Africa and even if that contribution means taking a back seat, we will take a back seat, but help to move towards unity. We do not want to take a front seat.

Now, Sir, it is therefore, unfortunate that some Members should stand here and say that Ministers are afraid of losing positions. Mr. Speaker, this is a very naive way of looking at this problem. There will, if there is an East African Federation, still be State Governments and State Parliaments. There will be a Federal Government, but even if there was none, the question is, are we or are we not committed to unity and to federation? And I say that by all the actions that we have taken, by the record of our actions in the last six months, there can be no question, there can be no doubt, as to our commitment, and, Mr. Speaker, I would like to take this opportunity especially to say, as a member of the Working Party, that we have been impressed by the sincerity and willingness of our colleagues from the other Governments to come forward and discuss frankly their difficulties as well as our difficulties and to place before the Working Party, or the Working Committee, all the issues very frankly and very bluntly. Now, it is only in this way that we can ultimately forge the basis of federation which is the sound foundation that is necessary before we embark on it. I would also like, Sir, to suggest that the House surely should express its appreciation on the vigorous effort which has been taken by the Prime Minister in fulfilling the Kanu commitment in the Manifesto and at election time, without dragging our feet, and so soon after independence.

In conclusion, Sir, we would readily agree that in this matter there should be no room for procrastination. We would readily agree that if we delay too long we will, perhaps, come up with new problems, but new problems are bound to come. But, Sir, the fact that you are likely to encounter new problems and difficult problems

is not a reason to reduce to see the necessity and the need for a sound foundation. It is not an argument for rushing without considering carefully all the issues involved. It is a matter of accepting that this is a possibility and therefore moving with haste, but at the same time, being careful that certain pitfalls are avoided. I would concede, personally, that perhaps the problem we are faced with today is that previously we have not had a debate of this kind and that perhaps we have not given more information to Members of Parliament on some of the points discussed. It may be a question of anxiety arising from lack of information. But the Prime Minister has made it clear that from now on for those who do not know it, the information would be available for private discussion if those Members wish to know more. That, Sir, is the only way we can proceed. I hope that we will ourselves avoid saying things or doing things which might themselves wreck the chances of federation by falling victims to rumours, speculation and propaganda. If we ourselves avoid becoming victims of rumour, speculation and propaganda we will help more than if we begin to swallow the rumours and act on them. Intelligent guesses are always useful when they are intelligent but not when they are supposed to be intelligent. Mr. Speaker, I do not wish to go into a discussion of the individual points discussed in the Working Party or those on which there is disagreement because on these we have reported to the Government and as the Prime Minister has said, they, the Heads of Government, are meeting to consider them and a discussion of them here, the proportioning of blame on this or that Government or person, is not going to help facilitate those discussions and we, as we are still committed to federation, do not wish to do anything that might in any way prejudice discussions on federation in the future.

Mr. Anyieni: Mr. Speaker, Sir, it is unfortunate that we have delayed so long, that it is now necessary for us to speak on federation in 1964 instead of having finished with it according to the declaration of the Heads of States in 1963. Mr. Speaker, as you know and as the House and as the world at large knows, we of the ruling party, the Members of Parliament of the ruling party, have of recent times been very deeply concerned with the problems of the discussions of federation. We welcome the statement by the three Heads of Government on 5th June 1963. Then we waited and the discussions that they had were carried on very, very secretly. Later on the Minister in the Prime Minister's Office, Mr. Murumbi, made a statement disclosing the contents of their discussions. At that time, Mr. Speaker, we were

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not even informed and we were very furious and thought that he was wrong, but at last, Mr. Speaker, he proved to be right. He was only wrong because he was honest at the right time. Mr. Speaker, what has followed, and what has made the Parliamentary Group, as is already known, worried, is that when we demanded an explanation from the Working Committee, and asked for the Minister for Commerce and Industry—who unfortunately is not here with us today—to brief us on how far the Government had moved, the Minister came to us and informed us that they had a meeting and that they had considered that Tanganyika should be making Land-Rovers, Citroens, and all these things, including all the tyres that would be used by East Africa.

Mr. Speaker, then we were also told that Uganda will be making bicycles and fertilizers and we asked what we in Kenya would make, and we were told we would manufacture electric bulbs. Mr. Speaker, this we were told—

Mr. Gichoya: Is it in order for a Member to disclose information given in good faith *in camera*?

The Speaker (Mr. Slade): As far as the Orders of this House are concerned, yes.

Mr. Anyieni: The hon. Member is probably ignorant of the fact that Mr. Nekyon of Uganda made his statement that there was agreement, and Mr. Kambona of Tanganyika gave this out and it was published in the papers. Any hon. Member can quote what has been in the papers.

When we heard that all Kenya was going to manufacture for the economy of our country was electric bulbs, we were very worried. So we elected a Parliamentary group, a committee of ten, to look into this. Mr. Speaker, as you already know, we got in touch with Uganda and Tanganyika. Tanganyika sent ten members here and I am very happy to disclose that while we, the ten from Kenya came through our own resources, the members from Tanganyika were sent by the Tanganyika Government. They were told, "When you go to Nairobi all you need to do since you are not constitutional experts—do not discuss the features of the Constitution. All we want you to do is to go and agree with them, that we want federation." The President was waiting for them to tell them so, and that we believe is true. It is necessary for me to narrate this, Mr. Speaker, because then the facts will be known. After the conference we agreed that we should send representatives, two people from Kenya and two from

Tanganyika; unfortunately we did not have delegates from Uganda, so we did not send two from there. So we sent two delegates from Kenya and two delegates from Tanganyika, to see *Mzee* Kenyatta and to see President Nyerere and, alas, I was one of the unfortunate ones who was sent to Uganda.

When we went to Uganda, we were surprised to find that the Prime Minister of Uganda was furious even before we had told him why we had come to Uganda. He was furious, but then as we explained the situation to him calmly, then he confessed that he had to have the support of 75 per cent of the members of the Uganda National Assembly before he could accept any federation. He also told us that he had to have 75 per cent support of the members of the Lukiko. He told us it was practically impossible now. This was the truth he told us.

Mr. Speaker, now we realize that Uganda was not and is not ready for federation. So we came back to Nairobi, and when we came here our friends from Dar es Salaam told us how they were treated. They were treated almost as State guests. Their stay was organized by the Ministers of the Tanganyika Government to receive a delegation from Kenya. It is reported that the President of the United Republic of Tanganyika and Zanzibar told the delegation that went to see him, "Gentlemen, I know that Kenya is ready. We also are ready, but we know that Uganda is not ready, so go back to Nairobi and tell *Mzee* Kenyatta that I am ready for federation. If he wants, let him phone me at any time he wishes. I will come to Nairobi, we shall sign these documents and we shall be federated."

Mr. Speaker, when we returned, we went to *Mzee* Kenyatta, and *Mzee* Kenyatta, with all due respect, told us that he was trying to help Uganda. Tanganyika and Kenya come together so that we could have a federation of three and not of two. So we had some points of disagreement. We have the truth; we got it from Uganda. We did not go there only to see the hon. Prime Minister Obote; we met some people and we were told that even though Mr. Obote wanted federation, he could not get enough support to enter into a federation. I do not think anybody, even *Mzee* Kenyatta, will enter into a federation, so as to be ousted in Kenya, so that someone else represents Kenya. In other words, I do not expect any leader to federate his country when he knows he does not have the mandate to do so.

So, Mr. Speaker, this means that Uganda is not ready. This you must agree; Uganda is not ready today. That does not mean, Mr. Speaker, that the

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United Republic of Tanganyika and Zanzibar and Uganda and Kenya will not be able to federate. We can federate. After all, the United States of America was never created in a day. There are about fifty states in America now; were these fifty states created in one day? They were not. We want this to be the nucleus of the United States of Africa. If Uganda cannot be incorporated yet, why not Tanganyika and Kenya? Mr. Speaker, in Tanganyika we know that Nyerere is ready, they have said it. Mr. Kambona told us in the papers that they are ready. They have also told us that there is complete agreement between Tanganyika and Kenya. They agreed on everything, but they disagreed with Uganda on the fundamental essentials of federation.

Now, Mr. Speaker, the wish of the Kanu Parliamentary Group is that the *Mzee* should know he has the support, not only of his Back-benchers, but also of his Opposition. When we find two who are ready, nobody who is sensible enough should tell us that it is not a matter for Kenya alone, because we have two countries ready. All that we need to do is to effect it. We, the Members of the Parliamentary Group of Kanu, have been hearing rumours; I would like to take note of the hon. Minister when he says that we should not work on rumours, so I will not quote any rumour at all. But, Mr. Speaker, there are a lot of difficulties which we are expecting, which we are facing now, and which will become more serious as the days go by.

Mr. Speaker, I have quoted here information from the Minister for Commerce and Industry that they want to meet these other people so that they would quell some of these imbalances in trade which I have already quoted, and so that the federation could be effected. However, we have learned very recently that that was not right; the Minister was not telling us the truth. The truth is this, that when Tanganyika saw that we were not all that enthusiastic about federation, that we were not ready for federation now, Tanganyika said, "You export to my country goods worth £10 million; Uganda, you export to my country goods worth £2 million." Now, if there is no federation, then this imbalance of trade must be righted. So the Ministers who went to Dar es Salaam did nothing to effect the federation. They went there to pave the way for no federation whatsoever. We have got the truth and this nobody can deny, Tanganyika says, "I am not worried about the balance of trade, if we can federate today, because a factory in Nairobi will be a factory in Dar es Salaam, in

other words we shall be sharing whatever money comes out of the factory." If there is no federation, then this imbalance must be righted.

We would like to hear about this from our Ministers. They should be able to tell us that this situation, this imbalance of trade, this surrendering of what we may attribute to the fortunate legacies of the colonialists—if this is what our Ministers are telling this House, then we tell them we are not with them.

Mr. Speaker, Sir, there are a lot of difficulties which we are going to have to face if there is no federation. One of them is that Tanganyika is going to have its own central bank, it is also going to have its own currency. Passports will be a necessity for those who wish to go there. No Nyerere, no Obote, no *Mzee* Kenyatta, will be able to ignore these developments; everybody is planning for development. Tanganyika is going to have this year's plan as part of a five-year plan. When our hon. Ministers went to agree that this is all we are going to manufacture, we wanted them to account for how they were going to use the money that they have borrowed, the £60 million that they have received from Britain. Is that all going to make bulbs?

Mr. Speaker, Sir, we want them to account for the money that they have received from Russia. Are they going to use it correctly? The money they have received from China. Nobody should be able to tell us that any two people or any two States will be equal at any time given. Today, if the truth was spoken, even the greatest nations of the world, America and Russia, if there was a fair judge, I am sure one of them must be a little bit bigger than the other, just as you may agree, Mr. Speaker, that no Member here is as strong and as big as every single other Member. We are all different, which means that when we accept federation, we shall equally want to develop our country as fast as we can. Uganda will be trying to develop their country as fast as they can and Tanganyika the same. If you go to the United States you can tell us, Mr. Speaker, that in the United States of America, each state is as wealthy as any other state. This is not possible. This cannot be. It cannot be all over the world. In Kenya alone, the regions are not equal. There are some regions which are richer than others. Our people should know and our Ministers should know that a federation at this time is very important. Otherwise it may happen that we may never have a federation. We have a lot of people from Uganda who are living in Kenya today, we have a lot of people from Tanganyika who are living in Kenya today. We have equally got some of our people living in Tanganyika and

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Uganda. If there is no federation, Mr. Speaker, all these people may have to be returned to their home countries.

Mr. Speaker, we shall be having border disputes. We have now border disputes with almost every country. We had to agree with Ethiopia on our border problem. We have not agreed with Somalia. What guarantee have we got, Mr. Speaker, that when there is no federation and when Kenya and Tanganyika and Uganda break up completely, we shall not have the problem of Uganda saying, "Our land was up to there." We shall not have the problem of Mr. Oduya saying, "I am one of the Members of Parliament in Kenya Parliament. My brothers are in Uganda." How do we know he may have to do this? How do we know that the Masai will not say the same? How shall we know? How shall we know? How shall we know if the hon. Mr. Maisori Itumbo, who is the lonely voice here, will not demand to join his brothers in Tanganyika?

Mr. Speaker, the only thing which can help our country today is that we should have a federation. I would like to quote here, that there are some differences which are very unique differences between Kenya on one side with Tanganyika and Uganda on the other. We have heard, Mr. Speaker, that Uganda says that they want us to maintain three seats in the United Nations, so that the Africans will have more votes. But, I would like to ask the hon. Members if the voice of the United States of America or that of Russia equals the voice of Kenya in the United Nations? Is it really equal? Is there anybody who can tell us that our voice in the United Nations is the same as that of America? No, it is not, because these people have got bigger backing. When a delegate in United Nations stands, he speaks for all the people of his country. We, in Africa, if we say that that is the case, then we should not be talking of the United States of Africa, because that would bring together about 50 votes to make it one vote. But I believe that one vote will be more powerful than the million votes we may be having in the United Nations.

So, Mr. Speaker, I would like to say that one of the hon. Ministers has just said that we must—I think it was the hon. Prime Minister who said this—sweep our house first before we can go to think of other peoples' houses. I think our house is very clean. I would like to believe so because, Mr. Speaker, the Opposition here have introduced a Motion in Parliament today asking for the Kenya Government to effect a federation.

The Opposition is not going to sit in the conference where the Constitution is going to be written. This is going to be the responsibility of the Governments. Mr. Speaker, so the responsibility for this federation will lie in their hands, and I think it already is in their hands as the hon. Ministers have told us that they have almost completed a draft Constitution of the Federal Government. This was given to us in the papers and they have also shown us the points of disagreement, so I think the Constitution has been written. The only thing is that Kenya is trying to wait for Uganda and we shall have to wait for Uganda for all the days to come.

Now, on the question of the republic, Mr. Speaker, this is immaterial to us. The question of the republic is immaterial. We have now been free for six months and a Constitution does not take six months to be written. We know that our leaders went to London the last time, they sat there for about three weeks, and they wrote a Constitution, and a very, very long Constitution. But they did not stay there for six months, Mr. Speaker. It was only for a very short time. So, Sir, our Ministers in Tanganyika, in the United Republic of Tanganyika and Zanzibar and in Kenya have agreed that they want a federation. All they need is to get the experts and this, I understand, they have done. They have hired someone from the United Nations. They have done all these things. Then why is it that we are only basing our stand today on a few differences between three people? Why do not we and the two who are already united, Mr. Speaker, form a federation? The question we are asking our Government today is not that we want a federation. We know they have also said they want a federation so that is not the question. The Motion reads, "That, in view of the fact that all the people in Kenya were promised East African Federation immediately after Kenya's independence, this House calls upon the Government to accelerate the machinery for this purpose." Yes, Mr. Speaker, we agree that our Government has been accelerating this, but the acceleration has taken us all this time and so we say that we would like some time limit when we can say that if there is no federation after that we might just as well sit back and watch it happen slowly. Mr. Speaker, this is important. It is important because if we do not have a date how can we ever get anything accomplished? I would like to say that we want a date from the Government and I here want to disclose that the Parliamentary Group has proposed a date. I know, Mr. Speaker, that when the Minister stands to reply, he will say that we cannot fix a date here because this is a matter for the three

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East African territories. But that question does not arise. All we agree is that Tanganyika is ready; we know now and they must tell us that we are wrong. Tanganyika is ready now. This is the first thing, and the second thing is that we want our Government also to set a date. If after they have settled these things, they tell Tanganyika that their Members and their Government have accepted this thing, they can ask if they can make it sooner or later. We can then come here and we shall be told, "Hon. Members, we cannot effect the date you gave to us." But if it is a question of talking, talking, talking, talking, this talking may never get us anywhere at all. Mr. Speaker, we had a statement recently from the British High Commissioner, Sir Geoffrey de Freitas that he had come here to be the East African High Commissioner for Britain, in an East African Federation, but as the federation is still so far away, he cannot stay as the High Commissioner for Kenya only. Has there been a change in the thoughts of our Government? This is what we would like to know, Mr. Speaker. This is what we would like to know because this is a responsible man. We have had him sometimes issue statements more or less on behalf of our Government, and we suspect that this one he issued may also have a lot of truth in it. Mr. Speaker, I do not want to speak all day because I think we have a lot of Members who would like to speak also.

Therefore, Mr. Speaker, I would like to propose an amendment to the Motion that was moved originally. Mr. Speaker, I want to propose that after the words,

“. . . for this purpose . . .” these words be added, “. . . to such effect that Instruments of Federation be ratified by the Kenya National Assembly not later than the 15th August 1964 . . .”

Mr. Speaker, what we want—

The Speaker (Mr. Slade): Order. You do mean August? On the Paper I have, it is July.

Mr. Anyieni: It is August, Mr. Speaker, 15th August 1964.

Mr. Speaker, in amending this Motion we are not trying to control our Government. All that we are doing is that we have a Parliamentary Group which asked me to propose the amendment saying that we are the supporters of our Government and we are not introducing anything new. If we are saying anything worse than what has been said before, how can it be said that we have? When the Heads of State met,

our own Prime Minister included, in the statement of 5th June 1963, they made it clear that they wanted federation before the end of the year 1963. So, all that we are saying is that we want a federation not later than the 15th August 1964. All we want is, if the Government finds it impossible to accept that date, they should tell us how long it is going to take them. They must not tell us they are discussing federation for ever and ever, Amen. We want them to tell us which date and if they do not tell us here, it will be necessary for Parliament to vote against the Ministers. They should tell us that they are ready now, and they should be able to tell us that Tanganyika is not ready now and that is why we cannot federate now. Mr. Speaker, Sir, with these few facts I have given, I propose the amendment.

The Speaker (Mr. Slade): Mr. Anyieni, you have made that point a number of times.

Mr. Anyieni: Thank you very much, Mr. Speaker. I think other hon. Members would like to speak, so with those few words I propose the amendment.

Mr. Oduya: Mr. Speaker, I very much support the amendment which has been proposed by my hon. friend, Mr. Anyieni. The issue before us on federation is not a new one. The other day, Mr. Speaker—the Minister for Justice is here to witness what I am going to say—we people of the Western Region gave a mandate to the Kenya Government to implement the promises which we had given them during the General Election about federating the states of East Africa.

The Minister for Home Affairs (Mr. Odinga): On a point of order, Mr. Speaker—

The Speaker (Mr. Slade): Sit down, Mr. Oduya.

The Minister for Home Affairs (Mr. Odinga): I would like to have your ruling, because the speaker who has just sat down was talking about the federation of Kenya and Tanganyika, and the Motion here talks about East African Federation. I wonder whether we are in order to talk about the federation of Kenya and Tanganyika and go away from the Motion.

The Speaker (Mr. Slade): Order, order. It is quite a nice question which Mr. Odinga has raised, but I suppose even a federation between the two territories would be some kind of East African Federation.

Order, order. I have not finished my ruling yet! It would not be a complete East African Federation, but I would not like to interpret the Motion

[The Speaker]

so strictly as to rule out the sort of alternatives which are being discussed even though it is rather important that when the Motion is finally carried people know whether they mean the larger or the smaller federation which they want at a certain time. I think hon. Members should make that clear when they are speaking, if not by an amendment or further amendment at a later time.

Mr. Oduya: So, Mr. Speaker, I will continue. Even the other day, we people of Western Region gave the Kenya Government a mandate to go ahead with the implementation of the federation policy. I understand that in Nyanza the Minister for Justice was given a resolution demanding that federation should be effective this year, so I do not see why this Government should just go on talking, talking, talking, for years without listening to what the public is saying outside. I think here we are the people who speak for the public, because we were elected by them and we must be for them. This Government must always listen to us, and not say that Members shout, Members shout. I do not think we are shouting; I think we are reasoning, after first listening to the public. It is we who say the demands of the public in this House and that is why this is called the Parliament, the supreme power of this country.

We Members should not be told that we are making a noise. We are supposed to know every single thing which is going on in this Government. The question of federation is a political issue, and we Members are entitled to participate in it and contribute to it. We Members on this side, and I think Members of the Opposition too, have taken measures because the Working Party of the Government on federation is so weak. They are very, very weak indeed, let me say, so we thought it was better for us to take the issue into our own hands as the representatives of the people. We thought that if we left this matter with only a few people, it might take another ten years without us seeing the federation we are talking about. That is why the Members of this House, irrespective of party differences, decided to make a move, that federation must come immediately, and it must be this year, 1964.

My hon. friend, Mr. Anyieni, has mentioned what has been taking place, how these things went on between Tanganyika and Kenya, and all these other things. This Government here will not fool the country any more. I think a few Members of the Cabinet, who are in the Working Party, will not at any time fool this House any more. I say, Mr. Speaker, that we are mature enough to decide the future of this country, to

decide the future of Africa, therefore, not merely a few people should think that the power has been vested in them just because they have ministerial responsibility, that they are going to decide the future of this country without consulting other leaders elected by the people popularly to this Parliament.

I am not going to support anybody from the Government side trying to say that this Motion was brought by the hon. Mr. Shikuku and as he is a Member of the Opposition it has another motive behind it. We are speaking only on the promises which are contained in this document. This document contains the promises through which we are elected to this House. That is why this Government was elected and that is why these Cabinet Ministers are sitting here with the Prime Minister, because of this document. The federation issue is contained here; immediately after achieving power, after achieving independence, the federation will be there. Why should we argue again? We must move according to the date that has been given, that by 15th August there will be a federation between those states which have agreed, Tanganyika and Kenya. If our Prime Minister goes and asks the President of the United Republic of Tanganyika and Zanzibar and says, "My Government, that is, the Parliament of Kenya, has empowered me to see you and they have given me a date so that, while Obote is still deciding, you and I together with Zanzibar should go ahead. What do you say?" Let us hear what the President of the United Republic of Tanganyika and Zanzibar will say. He will say, "Hon. Prime Minister Jomo Kenyatta. I am ready, bring a paper, let us sign it." Mr. Speaker, there will be no more quarrels between us. We will welcome that and we will move ahead with our federation.

It is very unfortunate that our own Government is trying to confuse the issue, because since the Working Party started moving ahead with everything, they have not been in touch very much with the Members of this Parliament to brief us on the actual work of the federation. This is not an issue which should be hidden; it is a political issue whereby the Members of Parliament, the leaders of the country, should always be kept briefed and should know what is going on. This Government has been trying to treat this as an administrative business and they want to hide behind their noses. Why I say this, Mr. Speaker, is because the Government of Kenya has not been frank, those members of the Working Party. They have not been very frank with us in Kenya. The Tanganyika Ministerial Working Party on Federation and the one in Uganda have been very frank

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with their countries. There was a recent statement given by the Tanganyikan Minister who is responsible for these talks, and that made it quite clear even to the people in Kenya and showed us the position with regard to the discussions which have been taking place. But our own Ministers did not brief us. The Uganda people made it very clear that Uganda was not ready for it. Tanganyika made the differences quite clear. Our own Government here says there are no differences. When we called on them to brief us at our Parliamentary Group meeting, they were not ready, they said that it was Government business.

Now, Mr. Speaker, the matter is before this House and it is only this House which can decide and not any individual or any group of people who think that they are the power in the country. It is this House which carries everything.

Therefore, Mr. Speaker, I agree with the amendment which has been brought forward from the Government side; it is the people who keep this Cabinet in power, the people who keep this Government in power have moved the amendment that the federation must come on 15th August 1964. I think our own Government will honour the decision that the Members of this Government have reached, supported by Members of the Opposition, that the federation must be effected by August this year without fail. I think I may quote and remind Members of the statement made by our own Prime Minister, which has caused us to say that the Government has been very unfair to us over this federation and were not sincere with us. This statement said that our discussion on federation was ill-timed. The Prime Minister comes and tells us that they have been working on this issue, and of course we have seen that there is a committee working on federation, but recalling his statement he condemned the Members very seriously. That was a very bad approach. I have been very frank; I am not trying to criticize the Prime Minister, but I am trying to mention that this is not a procedure for any Government or any leader of Government to carry out against his own supporters. They are part of the Government, and whatever decisions they take which are wrong, they must be told they are wrong, and it must be done on a more sensible and frank basis. When things are put in the Press they become completely prejudiced and do not get the public anywhere. That statement accused Members that they were almost becoming traitors of African unity, because it said the discussions between Tanganyika and Kenya were ill-timed. I do not think that these Members are

so irresponsible as to waste time and knowledge discussing these things, only to have our own Government say it is ill-timed. I must be very frank. These are some of the things we have been worried about and that is why we have decided to bring this Motion to the House. Our Government say this today, another day they say that, and we do not know who is speaking for this Government; the Prime Minister gives one statement and then another Minister gives another statement. Tomorrow again the Prime Minister changes it. We do not want this kind of thing to continue. I am not criticizing the Prime Minister, but I am trying to put things right. In future, we are not going to tolerate this. Whether inside this Parliament or outside the Parliament, I will always honour my promise to the nation. If I see something wrong, I will speak my mind.

It is unfortunate that the delay with regard to federation has been spoken about from private circles, and that some of our members in the Working Party—I do not say all of them—when they went there tried to forward their own personal interests. First of all, they want to know what their positions are in the federation. When they went to these discussions, Kenya must have been very unfortunate in trying to put this kind of thing because we are not going to get anywhere if we do this as a country. We must also be respected by other States, and the leaders who attend these discussions must accept the responsibility that they are representing Kenya, that they are not there as individuals. Whether you are there as an individual or not, Kenya will go ahead, and that is the thing. We are not going to have people who are so selfish as to think that if they are not going to be in a certain position the federation will not come about. Any person, or any Member of our Government, who attends these talks and thinks like that, I warn him that Kenya will not tolerate it, that sort of activity.

The Speaker (Mr. Slade): Order, order. Mr. Oduya, I know you are only following what another hon. Member said in suggesting that Ministers have been actuated by selfish motives in this matter, but I must point out that there is a Standing Order which prohibits imputing improper motives to other Members except on a substantive Motion for that purpose, so I think we will have no more of this suggestion that Ministers have been actuated by improper motives.

Mr. Oduya: Thank you for your correction. Mr. Speaker, but I was only trying to put them right. But I will forget that now, because I have said enough.

[Mr. Oduya]

Now, Mr. Speaker, let me now support my friend. We have already come out in our true colours to demand a federation, while we were still waiting for Uganda to go ahead. I hope we have decided now in this House to tell the public of Kenya that we are going to meet their demands and we are now authorizing our Prime Minister, as he had already mentioned, to tell Dr. Nyerere, the President of the United Republic of Tanganyika, when he meets him very soon in Nairobi to discuss this subject of federation. Since we have given him the date, we hope that the talks will contain this message and that he will hand over the Motion that this House is passing and tell Nyerere that this is the date he has been given. He will say, "Please, can we now start working on this and let the countries, Kenya, Tanganyika, Uganda and Zanzibar, know whether we are taking the Motion as accepted by the Parliament or do we need to change the date?" If they decide to change the date they will agree on that immediately so that we are prepared to move towards federation on 15th August 1964.

I do not have any more to say because Mr. Anyieni has outlined everything. The committee, which is working on our Constitution after the passing of this Motion, will speed up their work and see that the Constitution is completed by the end of July so that by August our federation will be introduced. However, Mr. Speaker, it is also true that in Kenya there are certain circles, because of tribalism and this and that, certain differences to which the Prime Minister was referring. There are such things as *Majimbo*, and so on, but I hope the machinery has been introduced. Our own friends, who still maintain certain powers on *Majimbo*, will have to relinquish certain things so that the federation will be more effective. We are not going to criticize only one side, the Government, but we must also request our hon. friend, the Leader of the Opposition, to see that once they have accepted this Motion and see that it is going to work, they should be in a position to say to the Government that this and that will be surrendered with regard to *Majimbo* to the Kenya Government, so that the powers are with the Central Government and there is a very effective federation. This is what we want in the interests of our own people in East Africa.

Mr. arap Choge: On a point of order, is it in order for the hon. Member to talk on *Majimbo*?

The Speaker (Mr. Slade): Earlier in the debate when there were interjections concerning

Majimbo, I did doubt whether it was relevant to this Motion, but since we have proceeded with the debate, it is quite clear that some hon. Members think that the question of regionalism is relevant to federation in so far as it may have made federation more difficult. If that is their opinion, they are entitled to say so.

Mr. Oduya: Thank you, Mr. Speaker. I think we are all agreeable to that, so there is nothing which is worrying us since we are going to have federation where I shall have more voice. I shall meet nearly 1½ million Teso in Uganda behind Mr. Obwangor. I am not worried about telling Kenya that somebody is going to sit on that because this is not a matter for one group, person, or groups of people. When Uganda comes in, I will be proud because I will speak with pride, and I will go and say, "Hallo", to Mr. Obwangor, the Teso leader. We shall be working from the central part, that is from the corner of Tanganyika to the corner of Uganda and then to the corner of Kenya here, and everyone will see that African unity has really come into being. I think this is our policy, that is uniting Africa and not creating some regions and another federation there. I think we are all in agreement that this Motion should go through so that by the 15th we are federated, and that will be the position. Thank you, gentlemen, Mr. Speaker.

(Question of the amendment that the words proposed to be added be added proposed)

The Speaker (Mr. Slade): I think debate on that amendment must be limited to the amendment itself, that is to say, to the narrow question as to whether or not you want to include in the final resolution any firm date, and if so this date. It does mean that hon. Members speaking on the amendment are still free to speak on the main question after the amendment has been disposed of. Those who have spoken already are free to speak again on this amendment so far as it raises new material.

Mr. Ngala: Mr. Speaker, Sir, I see that I have two minutes, but in these two minutes I would like to welcome the amendment very much. I welcome the amendment because the Government has been given sufficient time to accelerate the bringing about of the Federation of East Africa, but because the Government has dilly-dallied and because the Government has prolonged the acceleration, it has not brought anything to fruition so far. I think it is very important that the Government should have a target so that it can accelerate towards that target. This is what I support the amendment by the hon. Member, Mr. Anyieni. I hope the Government will come

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to its senses and support this because they are given too much opportunity to put forward all these things and come to some agreement.

I disagree with the Prime Minister when he says that he must scrap *Majimbo* before we can go into federation. This would be very unrealistic. You cannot wreck your own house and expect to get union with other houses. If you want a federation of East Africa, then you must keep your house clean and united. If you do not keep your house united, you will be responsible for a very long delay and perhaps there will be no possibility of getting a Federation of East Africa.

I would like to say that I agree very much with the idea of constitutional unity: it is important. I disagree with all the people who wake up and declare all sorts of things which will wreck the whole of Kenya or the whole of East Africa.

Mr. Speaker, Sir, I will reserve my other material for another opportunity because it is now.

(Interruption of debate on the amendment)

MOTION ON THE ADJOURNMENT

GOVERNMENT BAN ON PUBLIC MEETINGS

The Speaker (Mr. Slade): It is now time for the interruption of business, so I will call on a Minister to move that the House do now adjourn.

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, I beg to move that the House do now adjourn until tomorrow, Thursday, at 2.30 p.m.

The Minister for Justice and Constitutional Affairs (Mr. Mboya) seconded.

(Question proposed)

The Speaker (Mr. Slade): When the question is put or the half-hour has expired, it will be until Thursday at 2.30 p.m.

Mr. Muliro: Mr. Speaker, Sir, I must congratulate both the Minister for Constitutional Affairs and the Prime Minister on their ingenuity in trying to avoid this Motion on the Adjournment today. I think, Sir, the integrity of the hon. Members in this House is being eroded every day; the ban on public meetings throughout the country coupled with the long absence of the Members from this House are things which this House and the hon. Members cannot stand.

Sir, there has been a ban on public meetings for a long time and we doubt any reason which has been given to the hon. Members, because when

we asked the Prime Minister if it was an indirect way of declaring an emergency, a general state of emergency, throughout the country, he just kept mum. This is not the way in which the Prime Minister and his Government can trick the hon. Members in this House. The most tedious way in which they wanted the plan to work was that when a Member wanted to have a public meeting, he had to apply individually and in person directly to the Prime Minister. How could people, a member of the county council, a member of the Regional Assembly, living in the remote corners of Kenya, come all the way to Nairobi in order to ask for a permit from the Prime Minister who does not know him so that he could hold a public meeting. In the meantime, convoys and convoys of Cabinet Ministers have been going round the whole place under the guise of Ministerial tours holding public meetings. Hon. Members have not been allowed to hold public meetings, but the Cabinet Ministers who are equally elected by the same mandate as hon. Members in this House have been holding meetings everywhere in the country. Was this, Sir, the way in which the Government wanted to have a free go at various areas when hon. Members of those constituencies were debarred from addressing their own constituencies?

Sir, today the House would like to know the exact reasons that led to the ban on public meetings. We do not know up to this day, up to this minute, why meetings were banned. We have never been told what was at stake in the country.

An hon. Member: Security.

Mr. Muliro: What security? The Minister for Constitutional Affairs, who is in charge of this debate possibly, is going to give us the reasons why the Government banned meetings.

An hon. Member: It is Home Affairs.

Mr. Muliro: Security, Home Affairs, the whole lot is under the same man.

Sir, we do not want the only venue to be in this House where the Members can air their views and discuss things with their constituencies closed to them. The best venue for hon. Members of this House to generate confidence in their own electorates is through public meetings. If one does not have any public meetings that is a definite disqualification for him next time he wants to stand, and I do not think, Sir, that there are hon. Members in this House, who were elected in this House to join the business called politics, who want to get themselves away from that job, because the Government bans meetings being held in their respective constituencies.

[Mr. Muliro]

Sir, the reasons which I can advance, I know the Government will not accept. The main reason why the Government banned public meetings in my opinion was because they took too long in calling the House to meet in this place. So they thought the best way to stop this talk completely was not to give them the chance to have meetings. In those meetings they would demand that the House should reassemble.

Sir, if meetings have to be banned, and they were banned even under the colonial régime, there was a Minister responsible to the people in various districts to call Parliaments. But, this time there was nobody in the district. Even the Regional Commissioner of Police would not give an answer. I went to the Regional Commissioner of Police and he told me to go to Mr. Kenyatta, the Prime Minister of the country. He will give you the permit.

With these few remarks, Sir, I beg to move the Motion.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, this is one incident in which the Motion on the Adjournment was moved merely for the sake of being able to speak—

Hon. Members: Question.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): The fact of the matter is that as we speak now public meetings are impossible, and we are overtaken by events, but if the Opposition insists on speaking I might merely make the following observations. First, that the Government in its own wisdom has considered it opportune to lift the ban on public meetings. But, I do not want just to speak of the past. I want to speak of the future. In doing this we have made it quite clear that this privilege, or right of assembly or speeches at public meetings must be merited by responsible conduct on the part of those who will be applying for licences. I am sure that the Opposition is as much interested as we are in ensuring security and stability in the country and in ensuring that public meetings, and for that matter anything else, will not be used as instruments to try and undermine the authority of an established Government. In the event that this is not recognized by any person, then, of course, the normal legal processes will have to be taken firmly. In the event that there is a general abuse, not individual, a general abuse of this privilege, and in the event that people fail to recognize their responsibility to Kenya, then any Government, not only this one, any Government will have to take immediate measures to ensure security and stability.

Now, it is only in this regard that Government will ever consider imposing any restriction on public meetings, on freedom of assembly, and on freedom of speech. These rights of freedom are not absolute rights. In any democracy or any country, they are bound to be curtailed by the necessity to ensure that they are only used for as long as they promote the national interest and for as long as they are used responsibly. I therefore hope, Sir, that whilst Members will now welcome the fact that Government has lifted the ban on public meetings, they will heed the Government's plea to them and to others that what is now needed in these public meetings in future is not just slogan and empty speeches, destructive criticism. What is needed now from all of us, from the Government downwards is that public meetings and the position of elected representatives will be used constructively to help create a spirit and an attitude of co-operation and to help emphasize the need for nation-building throughout the country. If we use this as the yard-stick, then there can be no question of our making a mistake in the future. I have said that I do not want to go into the past, but I want to say this, that the only reason—there is no other reason—why Government felt there was a need in the last few months to restrict this privilege of holding public meetings was in consideration of the necessity, in the period immediately following independence, to ensure respect for law and order, to ensure general security in the country and what is more to ensure that the excitement following independence was not used as the occasion to undermine stability and established authority. There was no question—Mr. Speaker, it is not good enough for an hon. Member to shout "colonial language". The hon. Member concerned and all hon. Members in this House must recognize that independence has given us a Government such as we have always fought for, but now that we have it our task is to consolidate it, to establish orders and to build upon it in order to achieve the aspirations, fulfil the aspirations of our people, and it is only in this regard that Government has acted, and it has acted in the interest of the people of this country. As regards the future, I say the Government puts that responsibility entirely in the hands of the hon. Members of this House, the other elected representatives and the other people. If they use the opportunity constructively to help build and promote progress and stability, nobody is afraid of criticism, but we want criticism to be always constructive and forward looking. The judge is the Government, you should know that.

Mr. Ngei: Mr. Speaker, Sir, I rise to support the Minister for Justice and the Government. It has been the practice in the past of shouting slogans and we have seen in the past that certain people have not been very responsible in keeping law and order. I would like to thank the Minister for Justice for taking up this very active and very positive view to lift the ban on political meetings. I would like to say to the Opposition that if they behave responsibly they would even have got their meetings when there was the ban. I got twenty-one minute meetings from the Prime Minister, and I conducted my meetings in the right way and successfully. Therefore, Mr. Speaker, Sir, I would like to tell the Government one aspect which must really—

Mr. ole Oloitipitip: Opportunist.

Mr. Ngei: Mr. Speaker, on a point of order, when a Masai warrior says that I am an opportunist—

Mr. ole Oloitipitip: On a point of order, Mr. Speaker, is it in order for the hon. Member to refer to an hon. Member as a warrior in this House?

The Speaker (Mr. Slade): It is not in order for hon. Members to use insulting language about each other, but I would have thought it would be a term of respect to refer to an hon. Member as a warrior. On the other hand, it is quite out of order even by interjection to call an hon. Member an opportunist.

Mr. Ngei: Thank you, Mr. Speaker. What I was trying to emphasize was to draw the attention of the Government to some administrators who are really trying to keep two identities. That means they are regarding the Members as the former political demagogues of the colonial times, and instead of knowing that we are responsible for bringing peace and stability to this country, they would render to the Minister of Justice or the appropriate Ministry, or my good friend the hon. Minister for Home Affairs, some malicious reports and trying to show that the Members of this House are working against the Government, even if they are backing up this Government, and they form the party, or the Parliamentary Group, which forms the Government. These have been visibly seen, whereas the administrative officers have been the former loyalists who supported the Colonial Government and who were responsible for so many murderous activities. Once they have achieved the position of administrative officers, they see their former opponents, the die-hard nationalists, as they are called, as people who are

endangering their position, and therefore they are adopting an attitude of revenge to render to the Government malicious reports saying that a Member is creating a situation which can cause a breach of peace and thereby they are trying to shirk the voice of the majority of the people who form the Government. I am very serious about this, Mr. Speaker, because an incident has already occurred where a District Officer, a well-known man, a Mr. Maria, who is known very well, is supposed to be backing up people who are opposing the Government, and who are indulging in activities which are *ultra vires* against the good Government.

Mr. Speaker, I would like the Minister for Justice and the Minister for Home Affairs to keep a watch on the activities of these administrative officers who are causing great harm to this present Government.

Mr. Speaker, I think if that could be looked after then we shall have confidence in our Government and we can expect the smooth running of any political meeting that is going to be held.

One other thing that I would like to emphasize, Mr. Speaker, Sir, is the question of co-operation between the Administration and the politicians. This is very vital because the two go together. Even if our friends here, the Opposition, have a political meeting, there is no need for a District Officer or a Regional Government Agent to try and oppose these people if they are keeping within what the Government wants. It does not matter that they do not form the Government. They do represent the people, they were elected to this House to say something for the people, and therefore the Government must also take the view that the Opposition has the right to represent their own people in the right way. But if my hon. friend from Masai goes up and tells the Masai warriors to take up spears against the Government, then the Government must be careful to see that such actions do not take place. Therefore, Mr. Speaker, I see that my hon. friend is talking about oath-taking. Well, Mr. Speaker, Sir, unless he is speaking on oath-taking matters, I think such disturbances do reflect once again what the Prime Minister said, that there is a group of people who are creating nonsense and I am not referring to any particular person, but I think it is high time we took the matters of this country more seriously than just playing a game of snooker. Mr. Speaker, Sir, I support the Government with the contention that the Government is going to look at these administrative officers who are spreading malicious propaganda and who are trying to break up some defeated politicians. Thank you, Mr. Speaker.

Mr. Ngala: Mr. Speaker, Sir, I think the Mover of the Motion made his point very, very clear indeed. First he wanted to know the reasons why the Government banned public meetings. The Minister responsible for this Motion has not replied to that. He has not replied to that. He has, in his usual manner, gone round the edge, because Kenya is not the first African country to get independence. Many other countries around Kenya have their independence. There was no question of people being refused the right, and I repeat the right, not privilege—as Ministers put it—of reporting back to their own constituencies what was going on here in Parliament. I think if that is what is being done we will not oppose it, but all that we are asking for is the reasons and we want intelligent explanations as to why the Members are refused this right. I would like to reject completely what has been given by the Minister as a cover for the excuses for banning these meetings.

The other thing is that the Minister is talking about undermining the Government. As long as we have two parties, three parties or four parties in Kenya we must criticize the Government. We must criticize the Government. If that is called undermining the Government, then I give up.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): I do not call it undermining at all.

Mr. Ngala: Thank you. I hear that he does not call it undermining. But he must take it well in his mind that when we have two parties we have to speak our language and they have to speak their language. Mr. Speaker, Sir, when somebody gets up here and says that to support the Government the Members of the Opposition say what the Government want, what does he mean? What does he mean by Members saying what the Government wants? We are elected on a different mandate from the hon. Member and therefore we agree that we have to build a nation, we agree that we have to co-operate, and we respect this Government which is popularly elected in Kenya. But if the Government is behaving unfairly we shall criticize it. If the Government gives false promises of free education, free medical treatment, and that is not fulfilled, we shall criticize it. If the leadership of the Government is wrong we shall say so, and we shall say so the loudest. The Minister for Constitutional Affairs has his courts. If he has any reason to take anybody up into the courts he is free to do so. The Colonial Government also did that, so why is he not doing it? He is just undermining the appointments of the various Members in the different parts of Kenya. We

protest very strongly against the Ministers who on ministerial excuses go round and hold meetings and the Opposition are refused permission.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): We are going tomorrow to Kajjado.

Mr. Ngala: They go all over the country, they claim they are holding meetings as Ministers, but in fact they are holding Kanu meetings, they are holding Kanu meetings and I want the Minister for Justice to be Minister for Justice and not Minister for Injustice. He must keep the justice of this country in order. If he is incapable of keeping the justice of this country in order because of political ribbons, let him decide today.

Mr. Speaker, Sir, I can take it over very capably as you know!

Mr. Speaker, the Member has said that out of its own wisdom Government has now lifted the ban. It is not out of its wisdom, it is out of this Motion. They feared facing the Opposition and that is why they did this. I know the Government could have had this wisdom two weeks ago, three weeks ago, why did it not do this then? Why have they lifted this today? It is because of the Opposition's wisdom. That is what it is. We have no intention of creating any attitudes which are contrary to the building of the nation, Sir, and what I want to make clear is that we have the spirit of building up this country. I am glad to see that my friend the hon. Minister for Home Affairs is here. I would like to make it quite clear that we shall support his activities in the country as far as the Governmental side is concerned, but any political manoeuvres the Opposition will oppose to the end.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): But you have no people left!

Mr. Ngala: I have a name. We, Mr. Speaker, see that our Government needs an Opposition to build the nation, and no Government can build a nation without the Members of Parliament having a chance, an opportunity, to report to their members.

I see that my time is over, Sir, but I very much appreciate that the ban on meetings has now been lifted, and from tomorrow I hope we shall be able to hold meetings. Thank you, Sir.

ADJOURNMENT

The Speaker (Mr. Slade): We have now had our half-hour. The House is adjourned until tomorrow, Thursday, 18th June, at 2.30 p.m.

The House rose at Seven o'clock.

Thursday, 18th June 1964

The House met at thirty minutes past Two o'clock.

[*The Speaker (Mr. Slade) in the Chair*]

PRAYERS**PAPER LAID**

The following Paper was laid on the Table:—
Report of the Controller and Auditor-General, in accordance with section 23 (2) of the Exchequer and Audit Act, on certain advances made by the Paymaster-General.

(*By the Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo) on behalf of the Minister for Finance and Economic Planning (Mr. Gichuru)*)

NOTICES OF MOTIONS**LEADER OF GOVERNMENT BUSINESS:****APPOINTMENT OF**

Mr. Khasakhala: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT, in view of the fact that the Prime Minister and Ministers are fully engaged every day, this House urges the Government to appoint a Leader of Government Business who can closely co-ordinate and will be charged fully with the business of this House.

Mr. Komora: Mr. Speaker, Sir, I beg to give notice of the following Motions:—

FEDERATION: KENYA/REPUBLIC OF SOMALIA

THAT, in view of the fact that this country has pan-African unity at heart, this House calls upon the Government to take the initiative in opening negotiations to federate with the Republic of Somalia before the end of 1964.

NATIONAL INSURANCE COMPANY:**ESTABLISHMENT OF**

THAT this House urges the establishment by the Government of a National Insurance Company to make provision for the insurance of all citizens in the country.

MEASURES TO PROTECT LOYAL SOMALIS

Mr. Khalif: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT this House urges the Government to take immediate steps to prevent the security forces killing loyal Somalis claiming them to be *Shifta*.

ARMS LICENCES TO RESIDENTS OF NORTH-EASTERN REGION

Mr. Amin: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT this House urges the Government to grant arms licences to the innocent and loyal citizens in the North-Eastern Region, especially those merchants who are losing their lives daily, so that they can purchase arms for their own protection.

ORAL ANSWERS TO QUESTIONS*Question No. 179***BUSH SURGERY BY CERTAIN TRIBES**

Mr. Okwanyo asked the Minister for Health and Housing if he would tell the House what steps Government was taking to stop the bush surgery practised by some tribes, for instance circumcision, the removal of lower teeth and the piercing and ornamentation of the ears, or to place such operations under proper medical supervision.

The Minister for Health and Housing (Dr. Mungai): Mr. Speaker, Sir, I beg to reply. The practices which the hon. Member for Migori refers to have in some cases deep roots and significance in the customs and traditions of those tribes or communities which practise them. They are considered as ritual rights or "graduation" ceremonies to adult manhood. It is not the intention of Government to interfere, but services of my Ministry and of medical practitioners generally are available for those who wish to take advantage of more modern methods of carrying out these operations.

Mr. Okwanyo: Mr. Speaker, Sir, in view of the serious pain that the patient has to undergo during this operation, will the Minister assure this House that he himself and the Government will collect these surgeons and teach them how to use an anaesthetic?

The Minister for Health and Housing (Dr. Mungai): Mr. Speaker, Sir, I have just said that general practitioners and medical services are available if people would like to use them. We have no intention of collecting them and teaching the theory.

Mr. Murgor: Mr. Speaker, would the Minister make sure whether the hon. questioner himself does not practise such methods?

The Minister for Health and Housing (Dr. Mungai): I have no intention of answering that question.

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): Mr. Speaker, Sir, would the Minister agree with me that the younger generation is not being trained to take this so-called bush surgery, and that it should be taken into their education?

The Minister for Health and Housing (Dr. Mungai): Mr. Speaker, Sir, I do not, and my Ministry does not, undertake to train people in their customs, their tribal customs.

Mr. Masinde: Mr. Speaker, would the Minister assure this House that the traditions and the customs will not be interfered with by any Government?

The Minister for Health and Housing (Dr. Mungai): That, Sir, has been answered.

Mr. Choge: Mr. Speaker, Sir, arising from one of the Minister's replies, would the Minister assure this House that such questions should never be asked in this House?

The Speaker (Mr. Slade): I think we will go on to a more serious question now.

Question No. 182

EMPLOYMENT RELIEF SCHEME: OFFICERS

Mr. Mbogoh asked the Minister for Labour and Social Services if the Minister would assure the House that his Ministry's Unemployment Relief Scheme was not being misused by recruiting officers to favour and select the best jobs for applicants of particular tribes?

The Parliamentary Secretary for Labour and Social Services (Mr. Odero-Jowi): Mr. Speaker, I beg to reply. Yes, Sir, provided it is understood that even under this scheme the employer has the right to select whom he wants to employ.

Mr. Mbogoh: Mr. Speaker, can the Parliamentary Secretary tell this House whether the Government has met with some dishonesty or some corruption in the operation of this scheme?

The Parliamentary Secretary for Labour and Social Services (Mr. Odero-Jowi): Mr. Speaker, I did not hear the question.

The Speaker (Mr. Slade): Speak up, Mr. Mbogoh. The Parliamentary Secretary did not hear you.

Mr. Mbogoh: I asked whether the Parliamentary Secretary or his Ministry had met with cases of corruption being practised during the operation of this Unemployment Relief Scheme?

The Parliamentary Secretary for Labour and Social Services (Mr. Odero-Jowi): No, Sir.

Mr. Lorema: Mr. Speaker, Sir, could the Parliamentary Secretary tell this House what factors are borne in mind before recruiting these people in addition to the 10 per cent which is required?

The Parliamentary Secretary for Labour and Social Services (Mr. Odero-Jowi): Mr. Speaker, that question is rather involved, would the hon. Member repeat it?

Mr. Gichoya: Arising from one of the Minister's replies, is he prepared to circulate to the Members of this House particular cases, if the man was able to find out, of misuse of the scheme?

The Parliamentary Secretary for Labour and Social Services (Mr. Odero-Jowi): Mr. Speaker, Sir, I said that we have not come across any cases of corruption and so we have nothing to circulate to the hon. Members.

Mr. Mbogoh: Mr. Speaker, if that is so, if a case like that is known, will he inform hon. Members and answer the questions when they are asked because this is known?

The Parliamentary Secretary for Labour and Social Services (Mr. Odero-Jowi): Mr. Speaker, Sir, if there are any cases of corruption, and if the hon. Member is prepared to prove it, we will take it up.

Mr. Masinde: Mr. Speaker, is the Parliamentary Secretary aware that in Nairobi the unemployment relief recruitment was mainly made among Kikuyus and Luos, the fact being that most of the members of the staff were from these tribes?

The Parliamentary Secretary for Labour and Social Services (Mr. Odero-Jowi): Mr. Speaker, Sir, I am not aware of that.

Mr. Mbogoh: But, Mr. Speaker, is the Parliamentary Secretary aware that so many people were brought from the reserves to come and register in Nairobi so as to support these individuals?

The Parliamentary Secretary for Labour and Social Services (Mr. Odero-Jowi): No, Sir.

Mr. Masinde: Mr. Speaker, arising from one of the Parliamentary Secretary's replies, saying that he is not aware, would he be prepared, in case I quote one of the incidents where Kikuyus and Luos have been employed in preference to other tribes?

The Parliamentary Secretary for Labour and Social Services (Mr. Odera-Jowi): That would be irrelevant.

Mr. Lorema: On a point of order, Mr. Speaker, is it in order for a Parliamentary Secretary to answer a question which he thinks is easy and not to answer the one I asked first? I asked one question and that was, what factors are borne in mind before a person is taken into this—

The Speaker (Mr. Slade): That is not a point of order now. On the point of order that you asked, yes, it is quite common for Ministers to answer easy questions and to leave the difficult ones.

Mr. Ngala-Abok: Mr. Speaker, would the Minister agree with me that tribalism is all over the world and that any person of whatever tribe who qualifies would be given the job whether there was cry for tribalism in this House or not?

The Parliamentary Secretary for Labour and Social Services (Mr. Odera-Jowi): Yes, Sir.

Mr. Bala: On a point of order, Mr. Speaker, it is not very clear whether the next question is No. 183 or 183 or what?

The Speaker (Mr. Slade): It is 187.

Question No. 187

LUNG CANCER CASES IN KENYA

Mr. Bala asked the Minister for Health and Housing if the Minister would give the House—

- (i) the number of lung cancer cases in Kenya since 1960 to date?
- (ii) a breakdown of the number with their ages of Africans, Europeans, Asians and Arabs who have been treated for lung cancer over that period?

The Minister for Health and Housing (Dr. Mungai): Mr. Speaker, Sir, I beg to reply. The number of known lung cancer cases in Government hospitals from 1960 to date is twenty-three. Twenty Africans (sixteen males and four females) between the ages of thirty to forty-five years. Three Europeans between the ages of fifty to sixty years.

Mr. Bala: Mr. Speaker, would the Minister tell this House what are the main causes of this disease?

The Minister for Health and Housing (Dr. Mungai): Mr. Speaker, Sir, I think to answer that question one would have to go to a medical school, and it is not a question for Parliament.

Mr. Ngala-Abok: Mr. Speaker, will the Minister tell me a specific medicine for this disease in Kenya today?

The Minister for Health and Housing (Dr. Mungai): Mr. Speaker, Sir, I would advise the hon. Member to go to a medical school and find out.

The Speaker (Mr. Slade): You are not offering free medical advice, Dr. Mungai!

Mr. Ngala: Mr. Speaker, Sir, is the Minister aware that it is very improper to avoid questions which are his responsibility to inform this House on. We cannot be told to go back to medical school when we were elected to come here and get replies from the Ministers.

The Minister for Health and Housing (Dr. Mungai): Mr. Speaker, Sir, I would say there are certain questions that can be answered in Parliament and then schools are there to teach people certain things. There are only certain things that can be taught in a medical school. Unless we convert this Parliament into a medical school the question he asked cannot be answered.

The Speaker (Mr. Slade): Perhaps I might help by intervening on this. I think the Minister is quite right that one cannot discuss in general technical things in this House. What is reasonable is that an hon. Member should ask the Minister what is the incidence of this particular disease in this country, and what appears to be the main cause of that disease in this country. That is something which it is reasonable to ask the Government to answer if they can, but not the more general technical questions.

Mr. Masinde: Mr. Speaker, on a point of order, would it be in order in case one hon. Member in this Parliament thinks that the medicine being used for that particular disease is not the right medicine, for him to try and find out from the Minister what medicine is being used?

The Speaker (Mr. Slade): Yes, as long as it refers to what is happening in this country.

Mr. Tanui: Mr. Speaker, Sir, would the Minister tell us—

Mr. Ngala-Abok: Mr. Speaker, in view of the fact that the question on the medicine being used in this case has been ruled as being in order, and has not been answered, could the Minister answer it?

The Speaker (Mr. Slade): He still does not have to answer it, you know. We will finish this question and then come back to you, Mr. Ngala-Abok.

Mr. Tanui: Mr. Speaker, Sir, will the Minister tell us whether there is any way of making people immune against this disease, and if there is any way, what steps has he taken to see that people are protected from this disease?

The Minister for Health and Housing (Dr. Mungai): There is no immunity known, Sir.

The Speaker (Mr. Slade): Now, Mr. Ngala-Abok, what did you want to ask?

Mr. Ngala-Abok: I wanted to ask whether the Minister could tell the House whether there is a specific medicine being used to treat people with this disease in Kenya today?

The Minister for Health and Housing (Dr. Mungai): The chief one is surgery, not medicine and there is nothing very specific in the way of medicine except surgery.

Mr. Anyieni: Mr. Speaker, Sir, in view of the fact that the Minister for Health is a doctor, would he advise the House on the means to prevent this disease in the masses in Kenya?

The Speaker (Mr. Slade): I would point out that the number of cases of this illness cited by the Minister are so very few that we had better spend more time on the next question.

Question No. 211

SECURITY FOR MATHARI MENTAL HOSPITAL STAFF

Mr. Ngala-Abok asked the Minister for Health and Housing what measures of security, for example—insurance, existed to protect medical staff attending the mentally-defective patients at Mathari Hospital?

The Minister for Health and Housing (Dr. Mungai): Mr. Speaker, Sir, I beg to reply. All possible measures are taken to guard against violence by patients against medical staff attending to them. Dangerous and potentially dangerous patients are segregated from other patients by being held in separate accommodation, and are nursed only by experienced staff each of whom are made aware of the history and symptoms of each patient, and where injuries occur they are of a minor nature. Government as an employer may have a common law liability for injuries suffered by servants. Medical staff can therefore seek remedy through the Government as the latter is vicariously responsible and liable to compensate or indemnify in the case of any injury sustained provided no negligence on behalf of the staff is proved.

Mr. Ngala-Abok: Mr. Speaker, I did not understand whether the Government intends to have insurance for these members of the staff or not. That answer I did not understand, is it Yes or No?

The Minister for Health and Housing (Dr. Mungai): Mr. Speaker, Sir, I said that the Government can compensate an employee who has suffered injury during the course of duty but there is no specific insurance carried out, although we are looking into it and finding out whether there is any more protection that can be given to the members of staff working in these hospitals.

Mr. Ngala-Abok: When does the Minister think this report will be established for this investigation?

The Minister for Health and Housing (Dr. Mungai): When it is ready, Sir.

Question No. 224

"MISS UHURU'S" APPOINTMENT TO THE
PRIME MINISTER'S OFFICE

Mr. Makokha asked the Minister of State, Prime Minister's Office, if the Kenya "Miss Uhuru" had been given an appointment in the Prime Minister's Office. If the answer was in the affirmative, what were her terms and conditions of service.

The Minister of State, Prime Minister's Office (Mr. Murumbi): Mr. Speaker, Sir, I beg to reply.

Yes, "Miss Uhuru" is employed in the Prime Minister's Office. She has been appointed on contract with the authority of the Public Service Commission as Social Secretary in the C6—5 scale (£633-£816) and her duties will be to organize social functions at the Prime Minister's residence at Gatundu and Caledonia Road, to act as receptionist at dinner and cocktail parties organized by the Prime Minister and to undertake secretarial work connected with these duties.

Mr. Makokha: Mr. Speaker, Sir, will the Minister assure the House that what must be "Miss Uhuru's" obvious physical qualifications did not affect her appointment to the position she now holds?

The Minister of State, Prime Minister's Office (Mr. Murumbi): Mr. Speaker, that would be a gross reflection against the Public Service Commission.

Mr. Omar: Mr. Speaker, will the Minister tell the House whether the post was advertised and what were the educational qualifications required?

The Minister of State, Prime Minister's Office (Mr. Murumbi): As a matter of fact, there were two applicants for this position, and the Public Service Commission selected "Miss Uhuru".

Mr. Masinde: Mr. Speaker, Sir, could we be told why "Miss Uhuru" is appointed on a temporary contract. Is it waiting until her beauty has vanished so that she can be replaced then?

The Minister of State, Prime Minister's Office (Mr. Murumbi): Mr. Speaker, that is very wrong, but she is on contract and there is a scale of salary laid for this post and she will go through that scale.

The Speaker (Mr. Slade): I do not think hon. Members want to pursue very far questions affecting a particular person, unless there is a real principle involved. I suggest we move on to the next question.

Question No. 225

IMPROVEMENT IN WATER SUPPLIES IN YATTA

Mr. Mutiso asked the Minister for Natural Resources if he had any plans for improving the water supplies in Yatta.

The Parliamentary Secretary for Natural Resources (Mr. Njiiri): Mr. Speaker, Sir, I beg to reply.

Generally speaking, the Yatta area is comparatively reasonably well served by eight boreholes, thirty-one small dams, fourteen subsurface dams and by the Athi, Thika and Tana Rivers. In addition, the Yatta Furrow is now flowing and results in two permanent rivers at its end.

Development of water supplies in the Yatta area is primarily the responsibility of the County Council of Masaku, advised by their District Agricultural Committee. In making their plans, the District Agricultural Committee consider the amount of money that may be made available by the County Council and request the Government for matching contributions in accordance with old-established practice.

In the coming financial year, Sir, neither the County Council nor the District Agricultural Committee have put forward any specific proposals for water development on the Yatta River. As far as the district in general is concerned, Masaku has asked for a sum of £7,300 which they propose to match by a like amount. This money will be used in general on rural areas, and the Government is now trying to contribute £4,000

to develop this area. Therefore, Mr. Speaker, I would like to inform the hon. Member that any proposal which comes forward from the District Agricultural Committee will be considered by the Government.

Mr. Mutiso: Arising from the reply of the Parliamentary Secretary, would he assure this House that when the County Council of Masaku places certain proposals before his Ministry regarding the development of Yatta, they will be considered?

The Parliamentary Secretary for Natural Resources (Mr. Njiiri): Mr. Speaker, as a matter of fact, I have already said that there have been financial proposals brought forward by the District Agricultural Committee or the County Council to the Government.

Mr. Mutiso: Is the Parliamentary Secretary aware that formerly Yatta was Crown land, and as such the Machakos County Council was not entirely responsible for this area?

The Parliamentary Secretary for Natural Resources (Mr. Njiiri): At present this is regional land, and we usually rely on the county councils as far as water is concerned.

Mr. Ngei: Mr. Speaker, Sir, when the Parliamentary Secretary says that there are eight boreholes, has he made sure that these boreholes are not defunct?

The Parliamentary Secretary for Natural Resources (Mr. Njiiri): I did not hear the question, Mr. Speaker.

Mr. Ngei: Will the Junior Minister tell us whether the eight boreholes are still functioning or are they defunct?

The Parliamentary Secretary for Natural Resources (Mr. Njiiri): So far they are functioning, and if there is any fault it can be reported to the County Engineer or who is representative who will be able to inform us.

Mr. Ngei: Will the Junior Minister agree with me that the water to which he has referred is being contaminated by the sisal factory and that water is not fit for human consumption?

The Parliamentary Secretary for Natural Resources (Mr. Njiiri): I am not aware, Sir.

Mr. Mutiso: Arising from the reply, Mr. Speaker, when the Parliamentary Secretary says there are eight boreholes, could he furnish us with the daily cubic output of water from these boreholes.

The Parliamentary Secretary for Natural Resources (Mr. Njiiiri): Mr. Speaker, I would like to ask the questioner to say specifically what he is referring to.

Mr. Mutiso: I am talking of water!

The Speaker (Mr. Slade): Order, order. You may not have heard the question, Mr. Njiiiri, but it was specific. It was: what is the output of each of these eight boreholes.

The Parliamentary Secretary for Natural Resources (Mr. Njiiiri): It is impossible, Sir, for me to find out exactly how much is there; therefore, I would say it is impossible.

Mr. Mutiso: Mr. Speaker, Sir, would the Parliamentary Secretary agree with me that out of these eight boreholes, only two are working properly and the rest are almost useless?

The Parliamentary Secretary for Natural Resources (Mr. Njiiiri): As far as we know, they are all functioning, but if they do not it should be reported to the County Council and it will be able to help.

Mr. Malinda: Mr. Speaker, Sir, arising from one of the replies of the Parliamentary Secretary that the County Council of Masaku has not submitted plans for specific proposals, is he prepared to advise the Masaku County Council to submit specific financial proposals as a result of the £4,000 which Government is contributing towards water development in Machakos?

The Parliamentary Secretary for Natural Resources (Mr. Njiiiri): Mr. Speaker, I think that is the duty of the Members in those areas.

Mr. ole Oloitipitip. Mr. Speaker, Sir, arising from one of the Parliamentary Secretary's replies when he said that there were thirty dams in Yatta, since we know that the dam water is exposed to the sun and to dust, will he tell us how it is consumable by human beings?

The Parliamentary Secretary for Natural Resources (Mr. Njiiiri): Mr. Speaker, this question relies on the County Councils and surely the Ministry of Health should be in a position to find out whether the water is good or bad.

Mr. ole Oloitipitip: Mr. Speaker, arising from that reply, could the Parliamentary Secretary tell us what methods his Ministry uses to purify this water so that it is able to be consumed by human beings?

The Parliamentary Secretary for Natural Resources (Mr. Njiiiri): So far as we are aware, the water is pure.

Mr. Khasakhala: Mr. Speaker, Sir, in view of the fact that Government spent money on this scheme at Yatta, will the Parliamentary Secretary tell this House when a member of his Ministry visited this area last?

The Parliamentary Secretary for Natural Resources (Mr. Njiiiri): Mr. Speaker, Sir, I can say that early this year—and the hon. Mr. Mutiso is my witness—I went there.

Mr. Agar: Mr. Speaker, in view of the fact that the Junior Minister has stated that the area used to be the responsibility of Central Government because it was Crown land, would the Government consider subsidizing the development of water in this area to help the County Council as it cannot afford to start anew and get this area up to date?

The Parliamentary Secretary for Natural Resources (Mr. Njiiiri): The Government is always ready to accept proposals. As is very well known, the Government works on a pound for a pound basis of, the contribution which the County Council will be able to make.

Mr. arap Soi: Mr. Speaker, could the Parliamentary Secretary specify the distance between one water dam and another to assure this House that the Yatta people have sufficient water?

The Parliamentary Secretary for Natural Resources (Mr. Njiiiri): So far the water which has been developed there is according to the shortest distance where the people can get the water, but if you want some more information and give me notice, I will be able to tell you the distance.

Question No. 229

NAIROBI CLINICS: NOTICES IN VERNACULARS

Mr. Mutiso asked the Minister for Health and Housing if he was aware that public notices and attendance cards were printed in the Kikuyu and Luo languages only in the Nairobi clinics would he take steps to remove this apparent bias in these national clinics?

The Minister for Health and Housing (Dr. Mungai): Mr. Speaker, Sir, I beg to reply. When the health centres were properly organized by the City Council of Nairobi, they found that 70 per cent of the people they were treating came from Nyanza and Central Provinces. Therefore, they thought that by including Luo and Kikuyu in their printed cards, it was helping their work. However, they have printed new cards now which have omitted these two languages and they only print them in English and Swahili. They are still using some of the old cards, but they are not

[The Minister for Health and Housing]

going to be printed again. They will only use Swahili and English.

Mr. Mutiso: Mr. Speaker, Sir, arising from the Minister's reply, could the Minister give a date to this House as to when the County Council started printing these cards to show how many Kikuyus and Luos were in Nairobi?

The Minister for Health and Housing (Dr. Mungai): Mr. Speaker, Sir, I said when the health centres were properly organized in 1959. I have repeated that although these cards which were printed in English, Swahili, Kikuyu and Luo have been used, the City Council has now printed new cards which omits Kikuyu and Luo.

Mr. Masinde: Mr. Speaker, Sir, is the Minister aware that when he refers to Nyanza, that does not mean only Luo as a tribe? In Nairobi is the Minister aware that these tribes are found at particular places; for instance, the Kikuyu are found in Bahati, the Baluyha are found in and the Luo in Kaloleni? Would he therefore arrange the languages where necessary to specify these areas?

The Speaker (Mr. Slade): All these supplementary questions are quite pointless when a Minister says that the use of a vernacular is being discontinued. Do not let us go over old ground like this.

Mr. Ngala: Arising from one of the replies of the Minister when he referred to some of the old cards still being in use, having realized that this is a wrong habit, will he assure the House about when they will stop being used regardless of the availability of the old cards?

The Minister for Health and Housing (Dr. Mungai): Mr. Speaker, Sir, I have said that they are printing new cards now and they are in use; these are cards without Kikuyu and Luo. However, some of the old ones are left and there is no point in wasting them.

Mr. Ngala-Abok: Mr. Speaker, Sir, would the Minister agree with me that the reasons which led to the printing of these cards in Kikuyu and Luo are justifiable and the cards should remain so?

The Minister for Health and Housing (Dr. Mungai): Mr. Speaker, Sir, Swahili can be read by just about everybody in Nairobi and does very well, so we do not have to continue with this.

Mr. Maisori-Itumbo: Can the hon. Minister tell the House how many of these cards were printed in quantity and how long it is going to take to finish them up?

The Minister for Health and Housing (Dr. Mungai): Mr. Speaker, Sir, I cannot give you the figures, and I cannot tell how long they are going to take. It depends on the number of patients who are going to go to the clinics.

Mr. Khalif: Mr. Speaker, Sir, arising from one of the Minister's replies, would he agree with me that when his Ministry printed cards in the Kikuyu and Luo languages, his Ministry was working on a tribalistic basis?

The Minister for Health and Housing (Dr. Mungai): Mr. Speaker, Sir, these cards were not printed by my Ministry; they were printed by the City Council.

The Speaker (Mr. Slade): I have said already that it is silly to go over old ground and I think we have had enough of this question.

NOTICE OF MOTION ON THE
ADJOURNMENT UNDER STANDING
ORDER 14

REGISTRATION OF VOTERS IN MACHAKOS WEST

Mr. Ngei: On a point of order, Mr. Speaker, I would like to refer you to Standing Order 14, section (1). I have a definite matter of urgent public importance to raise for which I would like to move the adjournment of the House. The matter is the registration of voters in Machakos West. A candidate for election was found to have a voter's card, but was not registered as a voter.

The Speaker (Mr. Slade): I have had advance notice of this matter, and I think that it is a definite matter of urgent public importance that the registration of voters should appear to be going wrong in some way or other, and so if you have sufficient hon. Members supporting your wish, Mr. Ngei—how many have you supporting?
(A number of hon. Members stood in their places)

The Speaker (Mr. Slade): Order, order. You only need ten and you have plenty more. In that case, you may move the adjournment of the House at quarter to six this evening.

MOTION

BY ORDER OF THE HOUSE: PRECEDENCE
OF BUSINESS

The Minister of State, Prime Minister's Office (Mr. Murumbi): On a point of order, Mr. Speaker, I beg to move:—

THAT this day's meeting in the House—

(a) Orders No. 6 and 7, dealing with the Motion on the Rules for the Election of Specially Elected Members and the

[The Minister of State, Prime Minister's Office]

Acceleration of Federation, respectively shall take precedence over Order No. 5 of Committee of Ways and Means; and

- (b) exempts from the provisions of Standing Order 23 (Government Business) Order No. 6: Motion on the Rules for the Election of Specially Elected Members, to permit such Motion taking precedence over Private Members' Motions.

This procedural Motion has the same purpose as that agreed to yesterday with the additional provision of allowing the House to make the Rules for the Election of Specially Elected Members so that measure may now go forward for the filling of the vacancies that exist.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Oneko) seconded.

(Question proposed)

Mr. Ngala: Mr. Speaker, Sir, I stand for your correction and explanation, Sir, whether a group Motion is a private Motion.

The Speaker (Mr. Slade): Yes, all Motions other than Government Business are counted as Private Members' Motions, though of course those sponsored by groups have special status.

Mr. Ngala: Mr. Speaker, Sir, I rise to oppose the idea that Government has of interfering with Private Members' Day on such a Motion as the method of electing Specially Elected Members. I think the Minister who has moved this knows the importance and significance of the group Motion on the acceleration of a federation and it should be a subject of much greater importance as to the method of how a Specially Elected Member should be selected, particularly because Thursday is a day where Members have an opportunity of expressing their views on important national matters. I think the Order Paper should give preference to the group Motion, particularly as this particular group Motion is supported by both sides of the House. Therefore, I would ask the Government to realize that this is the second time they have postponed the Motion on federation. The first time they did this, I agreed with the Prime Minister because there was something very urgent, that was the visit of the Emperor of Ethiopia. But I do not think the method of selecting Specially Elected Members takes first place to the Federation of East Africa. For this reason, Sir, I would, on behalf of the Opposition, oppose the suggestion that is put forward. I think if the Government is serious and wants to pass a method of selecting Specially Elected Members, we have plenty of time unless

they can move an extension of the sitting of the House. We shall be prepared to sit here until midnight if they need us, or tomorrow we can continue. I think it is a subject in itself which has very little controversy as I can see, and therefore I would ask the Minister concerned to consider the importance of the federation Motion first and the acceleration of it to the idea of discussing the Government Business at this time.

The Speaker (Mr. Slade): To avoid any misunderstanding or the suggestion that there is anything sinister about this, I would explain that it was actually on my suggestion that this was put down for today, as being something that might take very little time, but has to be finished soon in order to proceed with the election of Specially Elected Members. But if there is any strong feeling against it, it is very likely the Government will be prepared to omit (b) and deal with this particular thing tomorrow. I did want to acknowledge that it was really at my suggestion that this came forward, and not any sinister purpose of Government.

Mr. De Souza: Mr. Speaker, Sir, I think I should clarify one or two points because I was the Chairman of the Sessional Committee which decided that today was to be allotted to the federation debate. I think the first point to be clarified is that today was not a Private Members' Day. Though it is a Thursday, today would have been spent for Ways and Means because, according to Standing Orders, the first five days after the Budget must be allotted to the Committee of Ways and Means exclusively and not on a Private Members' Day. But it was the wish of both sides of the House that the question of federation should be decided and it should be debated as a matter of urgency and Wednesday and Thursday were allotted to the federation. But this is a very formal Motion which in fact needs no debate at all. In fact had the hon. Mr. Ngala-Abok not interrupted this debate, we would have been debating federation by now. My respectful submission is that there should be no changes to the Rules on the Election of Specially Elected Members, and I believe that we should proceed with this immediately, pass the particular Motion and get on to the debate.

Mr. Shikuku: Mr. Speaker, Sir, I thought that—I stand for correction on this—last week it was decided in this House that next Thursday, which is today, was going to be fully allotted to the Opposition's Motions.

The Speaker (Mr. Slade): I said that rather hastily, forgetting that Estimates would take precedence by Standing Orders. I did say that

[The Speaker]

next Thursday would be taken entirely by group Motions. It really applied to the next Thursday that became available for Private Members' Motions. Actually it has become available through Government's agreement. The only question is whether the Estimates, having been postponed, if they are postponed— This formal matter should be given precedence.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, we find it very difficult to understand the objection to the procedure. It should be recognized by the Leader of the Opposition that Government was not obliged to take any Private Member's Motion before five days after the Budget. We were obliged to discuss, in fact, the Committee of Ways and Means. But we made a promise last week to take the Motion on federation on Wednesday, which was yesterday, and we are intending to allow the House to continue that debate today. We are not obliged to do it, we are allowing the House to do it today. I am sure that with that understanding attitude on the part of the Government, the Leader of the Opposition would not have raised this otherwise very formal Motion that is being put before the House. There are three vacancies in the Special seats now and there has been a lot of activity about them and we want to dispose of them, and get the House in full strength, and get things going. It is only a matter of two minutes to pass this Motion and there is no point in taking so much time in purely a procedural and formal question. We certainly want to put the matter now.

The Speaker (Mr. Slade): Any other Member wish to speak? Does the Mover wish to reply? No?

(The question was put and carried)

MOTION**RULES FOR ELECTION OF SPECIALLY ELECTED MEMBERS**

The Minister of State, Prime Minister's Office (Mr. Murumbi): Mr. Speaker, Sir, I beg to move:—

THAT, in exercise of the power conferred by paragraph 2 of Schedule 6 of the Constitution, this House makes Rules for the election of its Specially Elected Members in accordance with the draft of the House of Representatives (Specially Elected Members) Rules, 1964, laid on the Table on Tuesday, 9th June 1964.

Sir, the Kenya Specially Elected Members, House of Representatives Regulations, 1963, made

by the Governor under the Kenya Order-in-Council, 1963, and Legal Order No. 317 of 1963, are not now applicable. They have had to be revised in order to comply with the Kenya Independence Order-in-Council, 1963, under section 29 of the Constitution and Schedule 6 thereof; Schedule 6 revised by the House making its own Rules instead of them being authorized by the Governor-General. It also stipulates, *inter alia*, that each by-election shall be held separately. These two considerations and the necessity of revising the first paragraphs of the original Rules which provided for elections, specifically after the 1963 elections, are the main reasons for the introduction of these Rules. Otherwise the Rules are substantially the same as the previous regulations.

As these Rules are approved, it will then be possible to hold by-elections to fill the three present vacancies that have occurred, though it has been thought desirable to defer such elections until all vacancies for constituency members have been filled.

Sir, I beg to move.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Oneko) seconded.

(Question proposed)

(The question was put and carried)

MOTION**ACCELERATION OF EAST AFRICAN FEDERATION**

THAT, in view of the fact that all people in Kenya were promised East African federation immediately after Kenya's independence, this House calls upon the Government to accelerate the machinery for this purpose.

(Mr. Shikuku on 17th June 1964)

(Amendment proposed)

THAT there be added to the end of the Motion the following words—

“to such effect that instruments of federation may be ratified by the Kenya National Assembly not later than the 15th August 1964”.

(Mr. Anyieni on 17th June 1964)

(Resumption of debate on the amendment interrupted on 17th June 1964)

Mr. Ngala: Mr. Speaker, Sir, before the House adjourned yesterday evening I had two minutes to speak. In the two minutes I had differed with the Prime Minister, who is walking out now, on the question of the federation. First, I supported

[Mr. Ngala]

the amendment, and I still support the amendment today. I support the amendment because in it a specific time is given, and it is very useful to give the Government, which has been dilly-dallying, a specific time which could be used as a target and help the Working Party to work towards a certain target in accomplishing a specific and very important work.

Secondly, I differed from the Prime Minister on his very firm statement that the Regional Constitution should be scrapped before we go into federation. I feel that here there is no need at all to scrap the Regional Constitution because the Regional Constitution does not stand in its way.

The Speaker (Mr. Slade): Now, Mr. Ngala, I am sorry, but on the amendment we have to stick to the desirability of including in the question a specific date. You will have a chance to speak more broadly on this in the rest of the debate if you want to. You have already supported the amendment with regard to the date, and unless you want to say more on that subject, I think that is all you can say at this point.

Mr. Ngala: Well, on the question of timing, Sir, the other point I would like to make is that it was made very, very clear yesterday that in the 5th June statement the leaders of the East African Governments have made it quite clear that they intended to go into federation in 1963, and since this timing is now well beyond 1963, I think there is all the reason in the world for agreeing to this timing which gives the Government still another further two and a half months to work in. Of course, I realize, Sir, that I will have another opportunity to talk on the main debate on this Motion as a whole, and therefore I will have an opportunity of putting forward my views on the need for the Constitution and various other important aspects. But at this stage, I only stand to support the amendment and the fixation of a time.

Mr. Gichoya: Mr. Speaker, I think it is in keeping with the spirit of this day, in keeping with the current affairs of East Africa, that of necessity we should fix a date and request our Prime Minister that when he meets the other Heads of Government of East Africa to remember that he is speaking with the authority of this House, and that he has been requested by the House to do whatever can be done to effect a federation within that specified period of time. It is easier, of course, to say that because of the many problems that are involved in drafting the Constitution, the suggestions by the Parliamentary Group of the ruling party in Kenya is not adequate. But I say it could

be adequate. If the Government feels that the time is too short it can ask the other Governments to call the East African Parliaments to debate the question of the timing and the date. It is somehow unfortunate, although I say it is fortunate, to fix a date on behalf of the other Parliaments, but I would take it as a suggestion and as a gesture of proving that Kenya is not behind in terms of federation. We have been accused many times that Kenya is not meaning to federate, just as much as Uganda is not meaning to federate. So, when we fix a date for federation, as the Parliament of Kenya, it shows those who have been accusing us that we are for federation and not against federation, though there might be some obstructions posed by other nations which are going to federate with us if we are going to form a federation. Today I believe that while voters are the authority, we are here in this House because we were put in by our respective constituents. Hence our request to Government that if the Government rejects this, this question should not arise. The question of Whips should not arise. An East African Federation is a weapon to strengthen what Kenya has been talking about for many years, that we want a united Africa, we want a united East Africa, we want to liberate the other parts of Africa.

The Speaker (Mr. Slade): Now, Mr. Gichoya, keep to the amendment, please. It is the date we are discussing now.

Mr. Gichoya: So, Mr. Speaker, Sir, I fully support the amendment as it is, word for word. Thank you.

Mr. Gatuguta: Mr. Speaker, Sir, I rise to oppose this amendment very strongly. These people who are shouting are the people who do not recognize that others have the right to speak, and I hope the hon. Members will keep quiet and listen to other people speaking. I say that this amendment is wrong fundamentally and that there has not been any substance in the arguments advanced by these people who support the amendment. We cannot—and we must have the courage to give, in this House, our feelings—commit our Government to a question of a time-table in this fashion, in this manner. This question of federation is supported by every one of us, we want federation, but we must realize that this federation is not a matter for this House alone, it is not a matter for Kenya alone. It is a matter that concerns our own country and the other countries of East Africa and we can never give a unilateral decision to the effect that the federation should be declared on the 15th August. This is wrong. In fact, if this amendment is going to be passed it is going to

[Mr. Gatuguta]

put our own Government in a very embarrassing position when it comes to the question of federation. I say this, we have to wait and we have to empower our own Government to negotiate freely with other territories. We want a federation to be implemented as soon as possible. I want it tomorrow, I want it even now, but I must have the courage to say this: the question of making unilateral decisions is wrong. It cannot be done, and I want this House to recognize the fact that whenever you have to deal with other people on an equal basis you have to give them time, you have to give them a chance to give their own opinions. This question of federation negotiations is a matter for Government and matters of Government must be discussed by the Government coolly and in a position of equality. You must never give, you must never show any indication that you are trying to dictate to everybody else. This Motion could be interpreted by states as an imposition of our decision. I do support the spirit behind the amendment because the people who brought in this Motion and the amendment are people who are concerned with the future of East Africa, people who want a federation for the good of East Africa, but when you go further and suggest a time and date, surely this is not sensible and we must realize that we are grown-up people, that we are Members of the National Assembly and that we have to know the repercussions of our discussions in this House. We must never decide anything that is going actually to defeat our own object. I do not care whether anybody knows me or not, but as far as I am concerned, it is time to express my own opinion about this fearlessly, and I want my talk to be on record.

Mr. Gachago: On a point of order, is it in order for an hon. Member to keep on shouting and calling the other one a stooge when he is speaking?

The Speaker (Mr. Slade): It is out of order for any hon. Member to call any other hon. Member by that phrase. I did not hear it. If I had I would have stopped it straightaway. Interjections are allowed, but not offensive interjections.

Mr. Gatuguta: Thank you very much, Mr. Speaker, and how right you are. I do not care for this kind of accusation. What I am interested in is the national interest of the people. Some of these people who are talking of this federation do not know anything about federation, they do not even know that what we should have been discussing in this House is the form of

the federation. Everybody has accepted federation. What is the purpose of wasting our own time in the House, telling us that we should have federation today or tomorrow or the day after when we know that the Government is actually discussing that now. What we are concerned with, and what is confronting this House is the type of federation we are going to have, because we have accepted *this* principle already.

Mr. Speaker, Sir, I say this with all due respect to the people who have moved this Motion and without speaking very much on it. I object very strongly to any decision that is likely to be interpreted by other countries that we are intending to force a federation on them, that we are taking a unilateral decision. This is absolutely wrong and I cannot support this kind of thing myself. I do not know what the Government's attitude is going to be on this, but even if the Government were to stand today and say that they were supporting this amendment, I would still say this is wrong. We cannot make a unilateral decision in matters that concern the three East African territories.

Mr. Muliro: Mr. Speaker, Sir, as we are going to have a short day today and a general debate on the Motion with or without the amendment would be much more interesting, is it not time now to put the question?

The Speaker (Mr. Slade): It is for the House to decide, but I think it is not unreasonable for me to leave it to the House to decide at this stage, because it is a short point and we have quite a good discussion on it. It is a restricted point, so I will put the question that the question of the amendment be put.

(The question that the question of the amendment be put put and carried)

DIVISION

(Question that the words to be inserted be inserted put and the House divided)

(The question was carried by 59 votes to 28)

(AYES: Messrs. Agar, Amin, Anyieni, Aremam, Babu, Bala, Barasa, Choge, Dingiria, Ekitella, Gichoya, Godana, E. D., Godana, G., Ithiari, Kaggia, Kali, Kamuren, Kase, Khasakhala, Kioko, Kiprotich, Maisori-Itumbo, Makokha, Malinda, Masinde, Mati, Mbai, Mbogoh, Moi, Mulama, Muliro, Murger, Muruli, Mutiso, Mwamzandi, Mwatsama, Ndile, Ngala, Ngei, Njeru, Nyaga, Nyauck, Obok, Odero-Sar, Oduya, Okwanyo, Oloitipitip, Omweri, Pandya, Rurumban, Sadalla, Seroney, Shikuku, Soi, Somo, Tipis, Tuwei and Wariithi.)

(NOES: Messrs. Achieng-Oneko, Angaine, Ayodo, Bomett, Gachago, Gatuguta, Gichuru, Jahazi, Jamal, Kenyatta, Kerre, Khalif, Koinange, Komora, Mboya, Mungai, Murumbi, Njiiri, Nyagah, Odinga, Okelo-Odongo, Osogo, Otiende, Sagini, Theuri, Too, Waiyaki and Wamuthenya.)

(Question of the Motion as amended proposed)

The Speaker (Mr. Slade): Debate is now general again on that question.

Mr. Ngala: Mr. Speaker, Sir. I am glad that the House has approved the fixation of timing in regard to the federation. Now, Mr. Speaker, Sir, I do not think this is a matter of a Government victory or anybody's victory around here in coming to this decision. But I think it is a matter which we should seriously consider. One can understand why the Government was anxious not to fix a time, and also understand why the Government is defeated on that, but there are very serious issues which must be considered. First, I think, Sir, it is very important that the Government should tell us in no uncertain terms the type of federation that they have in mind. Because I think from this side we have made it very clear, and this is the second time we have moved Motions on federation, and made it very, very clear as to the type of federation that we have in mind. We have made it quite clear that we want a genuine and true federation based on *Majimbo*, if possible. This is the type of federation which we think is required in East Africa to make East Africa one big unit, one big country, and to have the functions of overall importance in East Africa being handled by the Federal Government. It is not a confederation. Now, if the Government of Kenya has in mind a confederation, then we clearly are not acting for a confederation, and we will oppose a confederation any time. I hope that they are not secretly working a Constitution towards a confederation, because if it is so we would like to say very clearly now that we are opposed to a confederation and we shall not have a confederation and we shall not support a Constitution that is worked on the basis of a confederation.

Therefore, the Working Party should be fully aware of this and we do not want to forgo this when it is put forward and the Government coming forward and saying, "But you had a Motion and you asked for this." We are definitely asking for a genuine and true federation and we are not asking for a confederation. We are not asking for a Constitution which will take a little power from the regions to the State of Kenya, strengthening the State of Kenya very, very much,

and surrendering one or two powers to the centre, so as it is turning the Common Services' subjects into federal subjects and leaving the pattern as it is. We do not ask for that. We are making it quite clear so that when we oppose a confederation in the form of a Constitution this country understands, and we are making it clear that the Motions, the two Motions, which have been moved are related to a federation and not a confederation.

Mr. Speaker, Sir, we want the details of the constitutional progress made so far. We want to know what subjects have been agreed upon. We want to know what subjects have been disagreed upon. What are the differences? We read in the papers—we do not know whether the papers are reporting the truth, because we are told from time to time that we should not believe what the Press says in matters of a governmental nature. This was repeated yesterday by the hon. Prime Minister, that he does not run the Government on the Press. That is why we want definite details on what progress has been made on the Constitution. If the Minister who had replied for the Government had made it quite clear as to what details and what stages they have reached, perhaps the House would have been more sympathetic and probably would have considered the timing. But this was not done and this is why the Government is defeated. But we would like to be very much associated with the working of the Constitution.

Mr. Speaker, Sir, my side is quite prepared today to produce names of three or four very capable people who would work with the Working Party and inject more intelligence and more spirit into them. In this, Mr. Speaker, I am not implying that the Working Party has not done its job; I am not implying that the Working Party has been flying to Dar es Salaam and Entebbe and having a good time, far from that. But I think that this is an issue of great importance which should be shared by all the main parties in East Africa to determine the future of our country.

Now, we want to form a federal state, Sir. A state is born by a constitution. There is no state which is not created by a constitution, unless it is a very backward type of state. I feel sure this is being realized by the hon. Leader of Government Business, the Prime Minister, in this matter of a constitution being shared by the parties concerned.

Now, we have very much watched with interest the Government changing from one Chairman of a Working Party to another, parties called and statements being made. Now, with the experience that we have of this Government, some of the

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statements need a great deal of looking into because the nationalists's paper, for example, is reporting very differently in Tanganyika as to what the true situation is, from the statement that we had here. I think the true position of the federal differences was very well expressed by the nationalists of Dar es Salaam, Tanganyika, on the 2nd June this year, where the whole position, a Government statement, had been given. I think this is the truth because the Government of Tanganyika and Zanzibar has always been very keen to give out correct information so as not to mislead the people.

Mr. Speaker, Sir, it does not help thinking we can go to a federation in chaos. We must put Kenya on very sound foundations constitutionally first before we can move on to the federation of East Africa. Here I think it is very unfortunate that the hon. Prime Minister made a statement—I hope it was in a hurry—that he was going to scrap all *majimbo*. It is *majimbo* nuisance that has stopped federation. What a lame excuse, a very lame excuse, completely untrue. The statement here in the nationalist never mentioned the *majimbo* as being a snag, as being a drawback to the situation of the federation.

Majimbo is accepted by the hon. Prime Minister. *Majimbo* was announced first by the hon. Prime Minister himself to all the people in Kenya and he said when he was announcing it, this is the victory, not of Kadu or Kanu but the country's victory. He was announcing *majimbo* as a constitution. How is it that after four months or six months of independence the same Premier stands and says: "It is my intention to scrap the *majimbo* nuisance." It is Kadu's nuisance. Of course, *majimbo* is not Kadu's nuisance. If it is a nuisance at all, it is Kenya's nuisance. It is the Prime Minister's nuisance. He announced it, he gave it and he signed it. Mr. Speaker, Sir—

The Prime Minister (Mr. Kenyatta): I think the Leader of the Opposition is going too far when he insinuates things which I have not done, and I still call the *majimbo* a nuisance.

An hon. Member: It is not a point of order, Mr. Speaker.

The Speaker (Mr. Slade): Hon. Members are entitled to rise on points of order, challenging the accuracy of what an hon. Member says, but they may not use a point of order simply to repeat the remarks they have made. It is out of order.

Mr. Ngala: I am glad the Prime Minister is out of order.

The Parliamentary Secretary for Finance and Economising Planning (Mr. Okelo-Odongo): On a point of order, Mr. Speaker, I rise to seek your guidance. It seems to me that the hon. Leader of the Opposition is talking of *Majimbo* as such, but not in connexion with a federation which is the point under discussion at the moment. He is discussing whether the *Majimbo* system is to be accepted or not.

The Speaker (Mr. Slade): All that the hon. Member has said is quite relevant to this debate so far, particularly in view of what has already been said, that *Majimbo* is an impediment to federation.

Mr. Ngala: Mr. Speaker, Sir, I thought that I was in order, and the Leader of Government Business, the hon. Prime Minister, was not in order.

I would like to make it quite clear that here I have no personal grievance with regard to the hon. Prime Minister at all. I am speaking and commenting on his statement because it is very, very important that we in Kenya agree among ourselves. We should agree, we should clean our house and then we can go and join other people in their houses. It is very important that on the federation we should— My hon. friend is about to walk out, the hon. Prime Minister.

Having declared that I am not being personal in this matter, I would like to say that the Constitution is a very important thing. We do not want any statements in this House which might create political chaos in the country. A statement made by a Prime Minister is very, very important. It is taken seriously when it is announced in newspapers like the *Taiifa*, the *Nation*, and so on. Therefore, it is very important that the statements are made carefully to avoid political chaos within Kenya before we put our case forward to other countries in the neighbourhood.

Mr. Speaker, Sir, in Kenya we have already made a very bad impression, with regard to making constitutions and then undoing them through careless statements. This, I hope, will be borne in mind as a very serious thing, particularly in view of the intention to have the federation. If we want federation with Uganda or Tanganyika, we must show them that we are people who can make an agreement and abide by that agreement without making careless statements outside the constitutional provisions. This is a statement which may create political chaos, it is a statement which may create economic instability in the country, and therefore it was very unfortunate.

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I think it is also important that I should remind the House of a Government circular which was sent, and I believe it was dropped by air by the Government in parts of the North-Eastern Region just before independence. The Government, then, was boosting the regional Constitution. It was—

The Parliamentary Secretary for Education (Mr. Kaggia): On a point of order, is it not true that the hon. Member is trying to use the Motion on federation to speak on regionalism?

The Speaker (Mr. Slade): Order, order, I cannot see that the hon. Member has gone too far yet in view of what has preceded him in this debate. I did wonder at the start whether *Majimbo* was relevant to the desire for federation at all, but it has been urged very strongly on behalf of the Government that *Majimbo* has stood in the way of federation, and Mr. Ngala is answering that it does not stand in the way of federation, or if it does it is the fault of Government having agreed to it, and he is entitled to do that.

Mr. Ngala: I want to make it quite clear that *Majimbo* does not stand in the way of federation at all. There is something else—

An hon. Member: What is it?

Mr. Ngala: We have seen it this afternoon in the voting. If you had used your eyes, you must have seen it.

An hon. Member: Do not speak about that.

Mr. Ngala: I am speaking. You wait, you will have your chance. You do not teach me what to speak about.

Mr. Speaker, Sir, I did not quote this because it is very long, but it is a pamphlet dropped by this very Government saying that Kenya can have political calmness, economic stability, because of the regional Constitution. If I may I will place it here for the HANSARD, Mr. Speaker.

How is it that after four months all these things by the Government on the regional Constitution are out? Mr. Speaker, Sir, it is the person who aims at scrapping the regional Constitution who will be the hinderance to the Federation of East Africa; it is not the Constitution.

Moving on, Mr. Speaker, I think it should be very clear to the House that Kadu never, never thought that the Constitution would not be amended. We never anticipated that. We would have been the dullest politicians in London if we had done that. We envisaged it, and that is why the machinery for amending, changing, the

Constitution was provided, and we assert here very strongly that anybody who wishes to do so in a legal constitutional manner is welcome to do so. This business of just making a declaration when somebody gets up is quite unacceptable to the country and to the House as a whole.

I would like to say that we are not children; we know what is hindering the federation. If one particular tribe is wondering what its status will be, let us be told today. If one particular Minister is wondering what his position will be during federation, tell us. If you are afraid of going back to your profession, tell us.

Mr. Speaker, Sir, we have to make headway, and this Motion is making headway for the Government. The Government was given sufficient opportunity; the Government did not use that opportunity. Now, we do not want to be told. "Well, 15th August has been reached, here is the Constitution ready-made, the Government has delivered the goods for you." We do not want to be told that between now and 15th August. What we want is negotiations on a suitable constitution, on the type of federation that we want, to be carried out now with participants from this side of the House. We do not want to be burdened with something which is cooked up by a Council of Ministers and imposed on us. I can assure the Government that if they try to impose a constitution on Kenya, they will not have it in the way they want. We shall make quite sure, and you can take this from Kabwera this afternoon.

There is no question—

Mr. Ngei: On a point of order, may we be told who is Kabwera?

The Speaker (Mr. Slade): It is not a point of order, but I am sure the House would be interested to hear, Mr. Ngala.

Mr. Ngala: Mr. Speaker, Sir, if the hon. Members can tell me why they laughed. I will tell them who Kabwera is.

There is no question of our tolerating an imposed constitution. We want a constitution to be negotiated properly in a constitutional manner, and on the basis of equality, because we are planning a constitution, not for the Government of Kenya but for the federal government, and we on this side are the best federalists they have in this country.

[*The Speaker (Mr. Slade) left the Chair*]

[*The Deputy Speaker (Mr. De Souza) took the Chair*]

Therefore, we can give very good, intelligent, up-to-date information to the Government.

Mr. Kamau: On a point of order, Mr. Deputy Speaker, if it is true we learned that Kabwera is a witch-doctor at the Coast, does the hon. Member indicate to this House that he has consulted Kabwera on his wishes?

The Deputy Speaker (Mr. De Souza): We have said yesterday that we would not like to have frivolous points of order. Mr. Kamau you know what is meant by points of order. Please let us not have points of order of this nature.

The Parliamentary Secretary for Home Affairs (Mr. Moss): Mr. Deputy Speaker, may we take it for granted that the hon. Leader of the Opposition be now known officially as Mr. Kabwere, the name that he prefers himself?

The Deputy Speaker (Mr. De Souza): I have just now made a ruling that we shall not have frivolous points of order. That is a frivolous point of order. You cannot interrupt a speaker just because you want to have a joke or remark because you think it is funny. Any other speaker who interrupts on a frivolous point of order will be asked to leave the Chamber.

Mr. Omar: I am rising, Mr. Deputy Speaker, to seek your guidance on—

The Deputy Speaker (Mr. De Souza): There is no seeking on a point of guidance, unless you want a point of information and Mr. Ngala wants to give way.

Mr. Omar: I rise to give a point of information about Kabwera.

Hon. Members: Sit down.

Mr. Ngala: Mr. Deputy Speaker, the first point I want to make is that an imposed constitution is not going to be acceptable to us. That is why we went to so much trouble to evolve the present constitution which we are enjoying today which is much praised by the Government of Kenya, and if we need to form another constitution for the Federation of East Africa, we are prepared to sit down with the Government and the Heads of States to think out this constitution. We do not want any imposition of the constitution. There is a saying that it is the Government which is going to do this. The Parliament is the supreme authority in this country, and therefore we expect the Government to rule through the Parliament, and we expect the Government to follow the constitution.

Any type of constitution which is brought forward is a constitution which endeavours to change the present constitution. As such, we will expect the Government to obey, to observe, the machinery provided in the present constitution.

I would like an assurance that Government is not going to impose quite secretly a constitution. Members of Parliament only hear of constitutions being worked out in hotels where they stay, instead of the Government reporting about these constitutions in the Parliament. Friends, brothers and so on, are told about the constitution in funny places, such as hotels. I think this is very awkward. This Parliament has the right of hearing first the type of constitution that you are devising. We cannot have secret societies concerning constitutional matters.

Mr. Deputy Speaker, Sir, it has been alleged that the obstruction has been caused by Kadu. This is quite untrue. Kadu has demonstrated this afternoon that it is a go-a-head party. There is no question of Kadu hindering the federation at all. Kadu is a nationalist party, and it is looking forward to uniting the whole of East Africa and then on to Africa.

An hon. Member: That is a new policy.

Mr. Ngala: Not a new policy, it was there before you came here. Mr. Deputy Speaker, what I like to say is that we should not destroy our constitution completely before federation. If the intention is to destroy all internal constitutions *kabisa* before we go to federation, then I can assure the Government that they have a long time to go before they achieve their target of East African federation. Because, East Africa must be taken as it is and constitutional experts must devise a constitution which is suitable to the conditions and circumstances of East Africa. You cannot devise a constitution according to what you have in your Manifesto of last year. You cannot do that. You must take into cognizance the thinking of the people, the welfare circumstances, if the country has traditional chiefs, let them go ahead as traditional chiefs, what do you care. If a country has presidents, let them go ahead.

Hon. Members: Shame!

Mr. Ngala: There is no question of shame in this, because you should ask your Front-bench if you are shouting shame.

We are accused of being ignorant, the Prime Minister said that the Mover is ignorant of what Heads of States have done. Yes, the Mover may be ignorant, but is it his fault? It is because the Government has failed in its duty of informing us, and we are the Parliamentarians of this country. We should be informed of the progress of the constitution so that we know. We go to hotels and other places, and we are told what is going on by a very minor somebody.

The Deputy Speaker (Mr. De Souza): Mr. Ngala, I think you are repeating yourself.

Mr. Ngala: These hon. Members made the repetition before I did.

Mr. Speaker, Sir, Kenya is one country which is diversified, and when we speak of the affairs of Kenya I hold and believe very strongly that we must see what is happening in the different branches of Kenya, in the different interests of Kenya. If we overlook these interests in the different communities of Kenya, we shall be making the greatest mistake and we shall land in a very serious situation. We have offered to draft a constitution ourselves, and hand it to the working party, and we as participants with the working party can produce the draft of the constitution; in fact, we are quite prepared some time this week to submit a draft constitution as to what we have in mind for a strong federation, not confederation. We can also produce some maps. We are not new to the idea of maps, and these maps will guide you to ask what we are really thinking as to the type of federation we want. Look out for that map some time, too.

Mr. Speaker, Sir, I hope I have made it quite clear that we do not want an enforced constitution. We want assurances that Government will use this Parliament when they want to amend or change the constitution, and the appropriate machinery will be observed and honoured, and there will be nothing such as declarations which just incite the people and revive the quarrels of the past between Kanu and Kadu. We do not want that. We want to live in peace, be friends, build a country. That is why we have the slogan, *Tujenge*. Thank you.

The Minister for Home Affairs (Mr. Odinga): Mr. Deputy Speaker, Sir, I have a few observations which I thought I should put across to the House for them to note, and particularly for the original Mover of this Motion and those who have amended it to note. However, before I do so, I would like to say that I appreciate the anxiety of those people who would like to see the federation come into reality as soon as possible. I must tell them that I am with them, but let me put it to them: I think we must be realistic and we must cast our minds. We should never be driven unnecessarily by those anxieties and emotions. We know what we want. We are not going to content ourselves with a small federation in East Africa. We want unity in Africa, and the whole of Africa, at the present moment, is kept very busy trying to discuss ways and means in which they can come together.

In July of this year, there will be another meeting in Cairo to try to find out about the possibility of unity in Africa. As such, those who are anxious to go with unity, to get this as the beginning of forming even bigger units, which will be the units within themselves and which will form the union of Africa, are not wrong. I must say that I appreciate the sentiments of which I have heard from the Opposition Members. If the sentiments which they have expressed today have been sincerely expressed and that is their real, sincere opinion with regard to trying to achieve federation, I commend them for it. However, should it be that, because they had some inkling that they would like to enjoy any differences of opinion in the Government Benches, and they are trying to add fire to it, it will not help them at all.

Mr. Ngala: It was a Government amendment.

The Minister for Home Affairs (Mr. Odinga): As such, I have my doubts, because I know what has been the opinion of the Opposition all this time. I remember when they said that with regard to the question of federation, they needed *majimbo*. Any *majimbo* who wants to go to federation can go, and those who want to remain can remain. They have expressed that very publicly.

Hon. Members: Question, question!

The Minister for Home Affairs (Mr. Odinga): I am very pleased about those questions because I am competent to reply to them.

Mr. Deputy Speaker, Sir, let me put it that when we are anxious about federation, we should not begin to create disunity by being unreasonable. I remember that the Mover on this side who moved the amendment, when he moved the amendment, said that his main reason was that he was trying to forget Uganda. He wants to forget Uganda, to say that Uganda does not want federation. He is trying to convince us that Tanganyika and Kenya should begin, and leave Uganda behind. Gentlemen, let me put it to you: with regard to this—and I am now quite serious about this and no one should joke about federation—we know that the three East African territories have E.A.C.S.O. That is already functioning between the three East African territories. If somebody begins by saying that we should destroy E.A.C.S.O., and go to federation with Tanganyika and Kenya alone, I am sure the person is not working for that federation. He is trying to go backwards, and that is why I make this point. I put it that there is a clear suggestion that some people would like to

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see this. However, let me say that even if we take federation between Tanganyika and Kenya, do you think when we begin to talk seriously about federation there will not be problems among us? There certainly would be problems. Tanganyika has their problems, Kenya has their problems, and there would be problems for some time. Therefore, when one of our neighbours, Uganda posed their problems sincerely, I do not think that that alone should cause a decision, that Uganda has problems and therefore they do not want federation.

Let me put it to you, Mr. Deputy Speaker. I have seen those who have gone to Uganda and seen the Prime Minister, as the Speaker mentioned. Certainly, the Prime Minister of Uganda talked to them in the end very frankly and put across his own problems and difficulties. These he had put across to his other colleagues from Tanganyika and from Kenya. Let me say that if you want federation, and one of you poses this question, and says that these are the problems we must try to overcome, certainly it is not Uganda alone which has problems. The Prime Minister of Kenya yesterday very squarely and honestly in front of you and with his great compromising ability made it clear to you that he had problems in Kenya which he must try to solve.

I would like to say that if we are trying to pretend that we do not have problems, yet every day I see in the paper that the present constitution is so complicated that it is almost unworkable. I would like to tell you, my dears, that I have the responsibility of trying to work it which you do not have. Therefore, I assure you that if the Prime Minister says that a lot of the present constitution should be scrapped, I do not think that is really very strongly worded. It is only that we must be reasonable. We shall be reasonable in trying to consider what is workable and what should actually be put into practice.

Kenya only gained its independence six months ago. What hurry do you have, my dears, what hurry? Six months is not a long time. The Mover of this Motion tells us that we promised federation immediately after independence. We also promised the people that we would destroy *majimbo* after independence. If you say that we should put into action everything we promised, then we—

Hon. Members: You are doing it yourselves.

The Minister for Home Affairs (Mr. Odinga): Thank you very much, my dears. Mr. Deputy Speaker, if I am all allowed to do so I will go

on to make my point. Let me put it to you plainly. We should not deceive ourselves by saying that it is only Uganda who has the problems. Kenya also has its problems; Tanganyika has problems. They all have their problems, and when we come to discuss them do not think that you are going to overcome most of the problems within one year or two years, three or four. You must be patient, and if you have to overcome *majimbo* in order to get our independence next year, then it must be done. We were very patient with them and we got our independence. Therefore, I do not think to struggle against *majimbo* in order to get Federation will take us a long time. You must know that in order for us to succeed in getting ourselves out of all these problems which were created by the *majimbo*-ists, it will not be easy, and the same applies to Uganda for them to overcome the *majimbo*-ists who are there, and in Tanganyika. I certainly know that the Speaker who moved this debate said that in Kenya we were given an allocation of industries and it was only for making electric bulbs; he deplored that. If he deplored that, the complaint is also in Tanganyika because they say that we have too many industries. They want Kenya to share them with them. Will you be able to agree? Therefore, Mr. Deputy Speaker, all these problems are there. Those people who think that getting along with Tanganyika alone will be easy when yesterday they were arguing over electric bulbs, I do not think they will accept this.

Mr. Deputy Speaker, I do not want to try to amuse the Opposition or any other person. I do not blame any other person. These are problems which are national and we must face squarely and try to overcome.

Mr. Deputy Speaker, I must try to put down—

Hon. Members: Calm down!

The Minister for Home Affairs (Mr. Odinga): Let me come down to where the Opposition Members can understand me. The Prime Minister has made his point and he has expressed honestly his own problems and difficulties. He, as the man who feels the pulse of the Government of Kenya has not hidden anything from our people here. If we begin today by trying to put down the date, as you people have done, is that helping these negotiation which are going to be held next week?

You are not, because Uganda will see that you are trying to dictate to them. Is it more likely that you may tear people further assunder rather than bring them together. I would advise that at the

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same time we get on with something. . . . I am completely clear in my mind. Just as I know that the moon is up in the heavens, I am clear that it is impossible for anything to be done on the 15th August. It is impossible to get it by then. Do you just want to glorify things by putting them on paper? Do you want to be realistic and know? I know that I am anxious to get the Federation of East Africa to come. It may take two years, three years or four years, but we must be patient and work. Hon. Members, many people shout against me as you are shouting, but eventually they come as you will come, and give me their sympathy. You are shouting but in the end you will come back, and listen to what I have said this day, to what I have said in this announcement, in this statement, about the 15th August. You will find that serious negotiations have not long started. When the Working Committee has gone a little bit further, we'll be able to know more. The best thing we should have done here, is to say, as the Mover of this Motion has put properly, that we should hasten the machinery of getting the Federation working. If you wanted to add something you should have added that the progress report should be read in this House from time to time in order to keep the Members informed, but I do not think it is realistic and I am putting it to you gentlemen that a fixation of dates would put you in the same position as the three East African Heads when they signed and fix a date. You are only falling into their mistakes and you will regret it. Mr. Deputy Speaker, Sir, the hon. Mover of this Motion says that the machinery should be speeded up. Let me put the final touches to this. Let me make this observation. I have seen that from the Opposition Benches when they speak on this question of the drafting or drawing of the Republican Constitution they talk with a lot of threats, but I do not think that that should be the way we should talk now. If we want to make suggestions they are listened to if made reasonably and to the point without adding threats like Kabwera, because we know Kabwera, we are bigger Kabwera than those Kabweras. I would also give a little warning to my colleagues on this side that it always when we want to get Federation that we must hang together because as long as we stand together as one unit then that unit contributes to bigger units in the Federation. I would put it also to the Leader of the Opposition that he should not try to use some very lame excuses like saying "Oh, it is tribalism on the part of the Government as it is now", and that some people are worried about their position. I would put it to him that he must know if he is talking about somebody like the Prime Minister—

Mr. Shikuku: Nobody mentioned the Prime Minister.

The Minister for Home Affairs (Mr. Odinga): Well, I was really referring to insinuations, I was not suggesting that he mentioned him. I was only giving an example of someone like the Prime Minister who struggles for forty years, he was well educated and could have taken any position in the Government he wanted and he could even have conspired with Imperialists to get any position if he wanted. Position should not be the first thing. If some people have ingrained into themselves the idea of position, the idea of Imperialism, well I am sorry indeed to tell them that that is what our policy is. Our policy in this country is to serve our people and to serve them in the best possible way.

[The Deputy Speaker (Mr. De Souza) left the Chair]

[The Speaker (Mr. Slade) took the Chair]

We will go with the idea of Federation, but I must try and make all of you understand that there are problems and that these problems must be faced squarely. There are problems here, problems in Uganda and problems in Tanganyika. We have seen Federation in the United Arab Republic, and also federation in other areas. Where do they stand? If we want a real federation we should go slow in order to clear everything up. We do not believe that we must go on "hurry, hurry" and then tomorrow the federation breaks up. We do not believe in such hurried preparations. We want to move step by step until we find that we can make a firm and complete federation. We start with what we already have now—E.A.C.S.O.—we start with that, making it as firm as we can and by free association of what we are thinking at the present moment. I am very glad if it is today that the Kadu Majimboists urge me to go quickly towards federation. It pleases me because they are now realistic. You have seen all your mistakes and now you have come to that. It pleases me.

Mr. Speaker, Sir, I must end by saying that we do not accept anybody who suggests that it is position which actually delays the Federation. If it were not because of the great compromising ability of our Prime Minister the idea of federation would probably have broken a long time ago. But because of his wealth of knowledge, courage and liberality, the idea of federation has carried on. As such I hope that the hon. gentlemen will see sense because I do not believe if you leave this House today with the idea that the federation is coming on the 15th (August) you are deceiving yourself and everybody else.

The Parliamentary Secretary for Education (Mr. Kaggia): Mr. Speaker, Sir, it is over one year since the famous declaration which was signed by the three Heads of the Government and while I agree that there are difficulties and problems to be faced before we can federate I think that one year was quite enough. Again, Mr. Speaker, federation is not a new thing in these East African territories. Many of us, including many of the Ministers, have been thinking about federation for many years. Some of these same Ministers, are now telling us that we must wait and wait, were even advocating federation before Kenya became independent. Mr. Speaker, I am one of that school of thought which always maintained that federation must wait until all three territories were independent. In June last year, Mr. Speaker, when Kenya had already attained internal self-government, this conviction was confirmed in this declaration, because it was understood in all three East African Territories that the only thing which was holding federation back was because Kenya was not independent. Nobody at that time, Mr. Speaker, told us that there were problems to be faced and that we must wait for one, two or three years. Kenya, Tanganyika and Uganda agreed that they were only waiting for the time when Kenya became independent. Because of this, Mr. Speaker, they jointly signed this declaration calling on Britain to grant Kenya independence to facilitate the way to an East African Federation.

Before I go on, I would like to quote with your permission one part or one phrase in this declaration which reads as follows: "We believe that the day of decision has come and to all our people we say there is no more room for slogans and words. This is our day of action in the cause of the ideals that we believe in and the unity and freedom for which we have suffered and sacrificed so much." This, Mr. Speaker, was in June last year, it was the day of action; it was not the day of slogans or words. Therefore, we say, Mr. Speaker, after one year, after one full year, it is more than ever the day of action. I am glad, Mr. Speaker, that the House has given the serious consideration due to this Motion. We on this side take this Motion very seriously, and I am sorry to see that the Opposition have tried to make it a platform for enhancing their *majimbo*. We resent this very strongly because we take it as a matter of national importance. As such, we decided to see that we get this Motion through.

After waiting for one full year, this Parliament found that there was no end to discussions; the Working Committee continued to work day after day. This House tried more than once to get some

information from the Working Party as to what was going on, what were the difficulties, because everyone knew that after one year of delay there must be something wrong. This Parliament, as the supreme body of this country, was anxious to know what was hindering federation because, although there was a Working Committee, we have always maintained that this question of federation was not the interest of the Working Committee, was not even the speciality of the Working Committee. We were all interested in federation and many of us were waiting eagerly for the time when the federation would come and for this reason the Parliamentary Group decided to do something about it, to try and get some information, to try and sort out the difficulties which are hindering the federation. Because of this, a committee of federation was formed and this committee has been trying to work hard to help the Government to bring about federation. Since this committee was formed, we have been criticized many times. Some have said that we are pushing our Government; some have said we are enemies of African unity. I must make it very clear: the objective of our committee was only to accelerate what our Government had decided upon when we saw that after one year—though we were promised on that day one year ago that we would have a day of action after one year—no action came. Therefore, Mr. Speaker, we decided to know why there was no action. I must refute very strongly the impression that the eagerness which has been shown by parliamentarians of this country to see federation coming has anything to do with opposing or pushing anybody. We only found it necessary to see that action came because we were interested in this and we felt that it was our duty to do this because during the elections we were given mandates by our people, by the electors, and the Heads of our Governments confirmed this in their declaration, but when we waited to see the results, nothing came. The activities which this committee has been engaged in have only one aim, and that is helping our Government to implement their own decisions.

Again, Mr. Speaker, we have been accused of ignorance of what is going on, and even in some cases of ignorance of federation. I say very strongly that we are not ignorant, we have examples of many federations in the world. Many of us have been thinking of federation for many years and just because we are not in the Working Committee does not mean that we do not know what we want. This does not mean that we do not know what we are talking about. Because of this, we feel we have a right to contribute and to help our Government to implement this.

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I know that it is easy to say, "Oh, we don't want to rush, we don't want to do this, because there have been so many federations which have come and gone." This we know very well; at the time we came to this conclusion, we knew this, and even our Heads of Government, when they signed this declaration, knew our problems very well. They signed and gave us a date. They knew very well that many federations have come and gone. In spite of that, they signed.

One thing I would like to say before I go on is that personally I would say that I am not ignorant of federation. I know when federation is in the interests of my country and when it is not, and I say it is not a mere coincidence that I was appointed chairman of this committee, because in 1951 I was chairman of an anti-federation league. This was because in those days federation was intended to consolidate settlers' domination in the East African territories, and because I knew what I was talking about and I knew the meaning of federation; I opposed it then. Now that we are independent, I am for it because I know it will consolidate the power of the African in these territories, it will consolidate the position of the East African countries. Therefore, Mr. Speaker, I refute very strongly that we do not know what we are talking about.

As to what has been going on in the committee, Mr. Speaker, we have tried here to ask the Working Committee to inform us as to what the difficulties are, if we can help, but the committee has decided all this year to keep the discussions secret. I say that this is wrong. We, as parliamentarians of this country, have the right to know what we are going to federate and what is our position. We are not to be expected to be ushered into a federation without knowing what is going on and this Parliament has the right to know what is going on.

Again, Mr. Speaker, it has been very unfortunate that this Parliament has been occasionally informed by various outbursts, sometimes from Kampala, from Tanganyika, and even from Kenya. I think that this is very unfortunate. Instead of our being informed by the Working Committee, we rely on the Press, we rely on outbursts from various towns. Therefore, my committee worked hard until we came to know what was going on in the Working Party on Federation. We came to the conclusion that the Working Committee is not going very well. There were no agreements, although we have been given to understand every now and then that there were agreements, there were no objections, there were no

obstacles, and so on. Mr. Speaker, this came into the open when, after a long time, the Heads of States met in Nairobi and after the meeting, instead of the Working Committee going on with the federation talks, we were told that another committee, known as the Emergency Committee, was formed.

The other thing we were told was that Tanganyika was not going to quit the Common Market. Mr. Speaker, my committee at once gave objections to the formation of the new committee because we have always believed that there are problems which can be solved before federation, and others which cannot be solved until we join into federation. We cannot be told that we must wait here until every single little problem has been solved. That has never happened in any country and again, Mr. Speaker, we cannot accept that until every one of our problems is solved we cannot go into federation, because we know very well, even after federation, we shall have problems.

These problems will definitely be solved within the context of the federation. My committee objected to this, but in spite of this, this committee was formed and it went on working. After a while it gave its report. Mr. Speaker, this is a serious point. I say, Mr. Speaker, that it is up to us to decide whether we want federation and go ahead, but we cannot accept, Mr. Speaker, procrastination, waiting, delay, without knowing what is going on. This delay is ruining even our own economy. When the Heads of State met they found that they could not agree on federation and Tanganyika was becoming impatient. Because of this, Tanganyika threatened to quit the Common Market. They threatened to create their own currency. Now it was left for Kenya and Uganda to decide either to go into a federation straightaway or not. Tanganyika said that if we were not going into a federation they could not tolerate continuing with the trade imbalance, that must be corrected. I am talking in all seriousness, the imbalances are not the things which are holding up federation because Tanganyika knew about these imbalances since 1963 and they never demanded the correction of the imbalances. This only came when Tanganyika came to know that we are not ready to federate and therefore they said, "Right, we are not prepared to go on being exploited by Kenya if we are not going to federate." Therefore, Mr. Speaker, this so-called Emergency Committee, instead of saying we go ahead with federation, decided that Kenya should pay a high price for the delay so as to keep Tanganyika in the Common Market. Because of this, we are told

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that so many concessions have been given to Tanganyika and Uganda. Mr. Speaker, we oppose this very strongly, and we say this is not a price of federation, this is a price for not having federation. It is the responsibility of the Working Committee, Mr. Speaker, because if we had federation in the given time between June 1963 and June this year nobody could ever come and demand this correction of the imbalances. Mr. Speaker, we say that instead of giving these concessions which I regard as a complete sell out, the Government must decide now to go into federation. The imbalances which exist will be corrected within the context of the federation. Mr. Speaker, having said that we come to the question of date.

This is very important, and I think we are right in giving a date as the Heads of Government did in June 1963, and if this Motion, Mr. Speaker, could have gone without that it would be a meaningless Motion because how many times have we said we want federation. As I said, federation started being discussed in 1960, even before that, and every time we have said we want federation, every time the Heads of State have told us they are doing everything they can to accelerate federation.

Therefore, Mr. Speaker, as the Heads of Government saw it fit and necessary to tell us in 1963 that we must have federation before the end of 1963, we see it necessary after all this delay to give a target date.

Mr. Speaker, there is one thing which I think has been misleading us and this must be corrected because we must be clear as to what kind of federation and so on. For all these years we have known the reason for all these delays, that there has been no material difference between Tanganyika and Kenya, but there have been considerable differences between Kenya and Tanganyika on the one hand and Uganda on the other hand, and although we have been told many times that there is no difference, there are the statements from Kampala and Dar es Salaam which have made it very clear that there are serious differences, and these statements have made it very clear to us that Uganda is not interested in federation. I will give only one or two reasons. I think it is high time for our Government to see clearly the position with regard to Uganda. The Uganda delegation made it very clear that they do not want federation because of one thing, one point of disagreement, that Uganda demands to retain foreign affairs as a territorial responsibility. I think anyone who understands the meaning of federation, anyone

who knows anything about federation, will realize that this amounts to saying, "No", because there can be no political federation if every territory maintains responsibility for foreign affairs. And, therefore, the only thing is that Uganda has no guts to tell us that she does not want federation but she expects us to understand, and therefore I think it is high time that we understand.

An hon. Member: Teach your Minister.

The Parliamentary Secretary for Education (Mr. Kaggia): Therefore this side had this in mind, they have understood Uganda's position and, because there is no material difference between Tanganyika and Uganda, we say there is no reason why we should not make a go of it; because even if we recall the resolutions passed at the Parliamentary Conference between Tanganyika and Kenya delegates, we gave some dates, and the President of Tanganyika accepted this wholeheartedly. Therefore, Mr. Speaker, we do not accept saying that this is going to jeopardize the negotiations on federation. We know Tanganyika is anxious, they are prepared at any time, and they have said so, and if we are prepared we are sure that Tanganyika will not object to this; but in our minds, Mr. Speaker, we have ruled out Uganda because it has been clear to us. Therefore, Mr. Speaker, I say that Uganda, Tanganyika and Kenya have been trying to carry a very heavy burden, and I think it is high time that the two countries decided to abandon this burden. They have known for a very long time that Uganda has so many difficulties, problems and obstacles and above all other problems Uganda has constitutional difficulties which we know and the Tanganyika Government know and which we appreciate, and because of this we appreciate their difficulties and their position and that is why we say we can leave the door open for them until the time when they are ready. Therefore, Mr. Speaker, we say that it is time for this Government to decide.

I liken it with soldiers who, having their comrades wounded sit beside him, instead of deciding whether to carry him or abandon him, they sit near him, and start lamenting. This is not the way to fight because you will be overcome. All good soldiers do one thing. When their comrade is wounded they decide at once to carry him, and they carry him. If they cannot carry him they abandon him. Now, Mr. Speaker, Uganda is our comrade but he is a wounded comrade, he cannot walk. If we are good soldiers we must decide. I congratulate our two Governments because they have tried to support Uganda to walk. They have failed. They have even tried to carry him on a stretcher, but he is too heavy

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and they cannot run. Therefore, Mr. Speaker, as he cannot walk and we cannot carry him we must abandon him. That is how war goes. If we are to win the war we must abandon him instead of sitting and waiting until the time when we are all shot there, lamenting beside our comrade.

Mr. Speaker, I know there have been so many arguments against federation and they are the arguments which are brought by Uganda and I think many others who oppose federation or even support it. The arguments are that if we federate these East African territories will have only one voice in the United Nations, and in other international bodies, but if we remain apart we have three voices. I think this is a very unimportant argument. We have the examples of big federations in the United Nations, such as the United States of America, the U.S.S.R. and India. All these big countries are ten times the size of East Africa and they have one voice in the United Nations. But one thing is important for us to note, Mr. Speaker, and that is that the voting importance in international bodies does not only count the hands raised but it also counts the millions behind that hand. Therefore, Mr. Speaker, when we get this kind of argument we must say that if we federate today our voice in the United Nations will be stronger than three small voices of insignificant countries. As a united federation any country will have to think twice before playing with a strong East African federation, but today, anyone can play with Kenya individually, anyone can play with Tanganyika and Uganda the same. Therefore, Mr. Speaker, I would say that all the arguments which have been put forward by Uganda have shown very clearly that they are against federation, and it is up to our Government to decide whether we federate with Tanganyika because Tanganyika is ready. In doing this I reject very strongly the habit of saying that we are forgetting our brothers. In fact, this is the only way to help our brothers, because we know that they have difficulties, they have their Constitutional difficulties and because of this they cannot move at once but if we federate today, that is Kenya and Tanganyika, then everybody in Uganda will see sense. They will definitely support the Prime Minister in joining the federation. Therefore, the step of federating between two countries is not to forget our brothers but to help them come into the federation quickly. Mr. Speaker, another thing which has been said is that federation is against African unity, or against Pan-Africanism. This I oppose very strongly because we know

very well, and there is no need for us to deceive ourselves, it is not going to be easy to unite the whole of Africa overnight. Before we do that we must demonstrate that unity between two or three states is possible, and it is only in this way that we are going to realize our goal of African unity. Those who oppose East African federation on this ground, are only giving this as an excuse. If today Tanganyika and Kenya can federate then we can show our neighbours that this is the way and they will follow and then we shall have the unity of all Africa. That is how all other federations have come into being. The United States of America was not created one day but first of all a few states joined together and others followed. We say it is now time, for us in Kenya and Tanganyika to pave the way for other neighbouring countries to join our federation and we have said that when Kenya and Tanganyika federate the door must be left open, not only for Uganda but for any other country which may like to join. Therefore, to say that this is only a small federation and that we want a big federation is not right, Mr. Speaker. We must start with small federations and then we come to the bigger federation. Therefore, I am going to accept one thing. That there are difficulties. There are problems, and these problems must be faced and I say, as far as Kenya and Tanganyika are concerned, there are no problems, and any other smaller problems, such as the imbalances of trade, can be solved after the federation. One thing, Mr. Speaker, I must emphasize very strongly is this. It has been said that our Constitution here is the stumbling block to the federation. To that I say no, we are not federating *Majimbo*, we are federating the states, Kenya, Uganda and Tanganyika, and, therefore, our Constitution here is an internal Constitution which can be changed today or tomorrow or even after federation. Therefore, Mr. Speaker, I think we are not going to accept that until we change the *Majimbo* Constitution we cannot have a federation. We have had one year since June 1963, to change the Constitution. Many of us have been very impatient, we have been trying to change the Constitution. If the Government asked us to change the Constitution yesterday we would have changed it. If they want to change it today, we can change it. I say that Kanu has enough authority to change the Constitution. Therefore, Mr. Speaker, we cannot be told that we must wait until the time comes when we can change the Constitution. Let us change the Constitution today and by the 15th August, then we shall have federation.

The other thing, Mr. Speaker, which I must say is that some Opposition Members have said

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that when federation comes, Kadu must be in the Working Party and so on. I think that is something which is frightening some Members. But the thing is this, we are federating two countries or three countries and we have Kanu here as the ruling party. We have Tanu in Tanganyika as the ruling party. Therefore, no one could say that we cannot federate because *Majimbo* is still here. Kanu is going to negotiate with Tanganyika, the two Governments are going to prepare the Constitution and this Constitution is going to be ratified here in this Parliament when everyone including the Opposition, shall have a say on the Constitution. Mr. Speaker, I think we should not be confused. These are quite clear things, we are federating two countries, we have two ruling parties which are carrying out the negotiations. I say that the time has come and the time for action and all we are calling for, Mr. Speaker, all we are asking for, is action. We have had so many meetings, we have had so many negotiations, and now we want action.

The other thing, Mr. Speaker, is that we know very well that the Working Committee—and this was said by the Minister for Justice—has worked even now on the Constitution. They have in fact hired constitutional experts, and they have done this. Therefore, Mr. Speaker, no one can say we are not ready. I think the Constitution is ready and if it is not ready we can make it ready in the next two months. There is no objection, there is no obstacle in the way of federation as far as Kenya and Tanganyika are concerned. Mr. Speaker, all we have to do is to decide to abandon Uganda for the time being until the time when they are prepared and we will have the door open for them. Therefore, Mr. Speaker—

The Speaker (Mr. Slade): You are repeating yourself, Mr. Kaggia!

The Parliamentary Secretary for Education (Mr. Kaggia): Yes, I am just finishing, Mr. Speaker. I support the Motion as amended very strongly, and I am sure that all other hon. Members will support this Motion not as a Kadu Motion but as a Motion of national importance. Thank you.

Mr. Muliro: Mr. Speaker, Sir, I want to put one correction on record first of all. This is regarding the allegations that Kadu introduced the idea of *Majimbo* in this debate. This idea was only introduced by the Prime Minister and whoever spoke about it in Kadu was replying to the Prime Minister.

Sir, the idea of East African federation is nothing new at all. In fact it is as old as our territories are. The imperialists in this country even had a commission in 1937/38 who wanted to

operate a federation on a closer union of the East African territories and the Rhodesias. At that time, Sir, these imperialists, or the colonisers, wondered how best and how effectively could they keep and dominate the Africans for ever. They wanted to create another state such as the Union of South Africa. Today, Sir, in 1964, when we hear our own Ministers, responsible to an independent legislature, talking of closer federation or closer union, we wonder where they are leading us to. The question which is primary in the minds of many of the Ministers is strengthening the Common Market, strengthening the East African Common Services Organization. But that is not going to be long, and an economic union, however good it might be, however much you might like it, as long as it is not backed by political union, a genuine federation will never survive in modern life.

Mr. Khasakhala: Mr. Speaker, on a point of order, I move that the Mover be now called upon to reply.

The Speaker (Mr. Slade): It is quite in order for an hon. Member to seek to move the closure at any time. The hon. Member has quite good reason, because this debate will be interrupted at a quarter to six by Mr. Ngei's Motion for the adjournment of the House; and if interrupted before it is finished, it will not be resumed, I take it, until next Thursday. If hon. Members want a conclusion today, they will have to face the closure. It is over to the House.

(The question was put and negatived)

Mr. Muliro: Thank you very much, Sir, in your ruling. I would say any economic union which is not backed by a political federation will never survive the test of modern life. Whilst we have got an economic union without, we gather, political federations, the State Parliament will send electorates, who will create pressure in their respective territories, which is going to undermine any economic union.

Sir, another problem which we must accept is the idea of national sovereignty of the modern world. As long as you have got a federation which leaves a measure of definite sovereignty in member states, that federation will never last and can never do anything. What we want in East Africa today is to wipe away our narrow and self-centred motives and be interested in creating a country, a country not for ourselves but a country for our children and our children's children. It is not what we are going to be, it is how. But what we want to create for our children is what should be the main preoccupation of East African leaders today. We are told that there have been federations, like

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the Mali-Ghana or the Ghana-Guinea or the United Arab Republic. Those were never federations. These have never been federations. They are confederations. It was just a mere working arrangement by the Heads of State coming together and saying, let us say we are federated and we are one country tomorrow. That has never been the answer. We want to get a real working, genuine federation with power at the centre. Not power as it lies in a confederation.

If, Sir, that is the case, we will be much better. If that is not to be the case, we are doomed to disappointment. We do not want to create some banana republic and then tomorrow be warned of what that republic is. Today, Sir, what we are talking about is Pan-Africanism, but we can never in this House pretend that we can create a genuine spirit of Pan-Africanism if we cling to Kenya, still cling to our own territorial sovereignty. Pan-Africanism has to have a beginning and everywhere in Africa people of national importance in Africa have said East Africa has got to lead the way. If East Africa has got to lead the way, then let us lead the way by uniting the whole of East Africa. I am not at all worried, Sir, that Uganda is not going to come. As soon as Kenya and Tanganyika make up their minds to federate, Uganda will come tomorrow.

Mr. Pandya: Mr. Speaker, Sir, on a point of order, may I suggest that the Mover be called upon to reply?

The Speaker (Mr. Slade): Yes. It is rather hard on Mr. Muliro, and it was resolved very firmly by the House five minutes ago not to close, but in case there has been a change of heart—Order, order. Hon. Members will please keep silent when I am speaking. I think it is reasonable, after these last five minutes, to test again the feeling of the House.

(The question was put and carried)

The Minister of State, Prime Minister's Office (Mr. Murumbi): Mr. Speaker, on a point of order, is it right for you to change a decision which was made before?

The Speaker (Mr. Slade): I did not change a decision, the House changed its decision. It was after a lapse of five minutes and also I think after a good deal of discussion between hon. Members. The House is entitled to change its mind on the closure after a lapse of five minutes.

Mr. Shikuku, you will have to get through your reply in five minutes if you want to see a decision before the Motion for adjournment.

Mr. Shikuku: Mr. Speaker, Sir, I must first of all congratulate the Members in this House who have shown their intelligence to the world, and to the people of Kenya particularly, by facing facts as they are and telling our leaders in the Government their piece of mind based on the truth and nothing but the truth. I must also congratulate them on the fact that they have been daring enough, Mr. Speaker, to vote against those anti-federalists, and that is on the record, and that will go down in the history of Kenya and the world.

Mr. Speaker, there have been a lot of remarks here and there, but I am not going to try to go through all of them in view of the fact that the time is so limited, but I would like to make one thing very clear. We want federation and not a confederation. A federation that means countries coming together and not Heads of Government coming together, and if there is any confederation, I, and those people who are on this side of the House, will certainly oppose that confederation and that must be borne in mind.

Mr. Speaker, it is unfortunate that some of the leading Ministers in the Government were daring enough to tell us something that is not true, in this very House, by trying to create unreasonable reasons and trying to tell them to us. I am glad the Members saw this and they have given them a piece of their mind. Therefore, Mr. Speaker, I feel that there will be no excuse, and I have heard from reliable resources that the date might as well be postponed. But I would like it to go on record that once we have passed that we should ratify the instruments of federation by 15th August this year, we are going to be called to this Parliament, and this Parliament is not going to be suspended *sine die*. That is the intention of the Government, to avoid the whole issue. Therefore, Mr. Speaker, I must congratulate the speakers who have spoken on this Motion and I am sorry I could not reply to all of them. But I can tell them I accept the amendment and the federation will come into effect on that day, based not on scrapping *Majimbo* but including *Majimbo*.

With these few remarks, Mr. Speaker, I beg to move.

(The question was put and carried)

Resolved accordingly:

THAT, in view of the fact that all the people in Kenya were promised East African Federation immediately after Kenya's Independence, this House calls upon the Government to accelerate the machinery for this purpose to such effect that Instruments of Federation may be ratified by the Kenya National Assembly not later than the 15th August 1964.

MOTION ON THE ADJOURNMENT

REGISTRATION OF VOTERS IN MACHAKOS WEST

The Speaker (Mr. Slade): I will now call upon Mr. Ngei to move that this House do now adjourn.

Mr. Ngei: Mr. Speaker, Sir, I beg to move that this House do now adjourn. Mr. Speaker, Sir, as I said when I was opening my Motion this morning I regard the matter which I am trying to raise in the House as a matter of great national importance, because it entails the right of one candidate in a by-election in Machakos West, where a registred supporter, a person, a candidate who holds an elector's card according to the National Assembly Regulations, as published in Official Legal Notice No. 54 of 18th February 1964, and a man who is a candidate who is holding an official receipt for his deposit which was granted before the date of Nomination Day—and Mr. Speaker, I have a photostat of the elector's card which has been held by this very person who has been deliberately denied the right to go and hand over his nomination papers. Mr. Speaker, if this is question of administration I do not want to indulge in legality of the matter, because that is the work of the Supreme Court to determine whether the two candidates, the one who was denied the right to have his nomination papers accepted by the Returning Officer and the man who got in, as we have been told, unopposed, in the Machakos West Constituency, were treated fairly.

An hon. Member: He has not got in yet.

Mr. Ngei: Mr. Speaker, he is not in yet. If we do not tell the Members of the Machakos West Constituency what has happened, if we do not tell the world after reading the statements which were made by the M.P.s from Ukambani and from the members of the Regional Assemblies, from the councillors and the Senators, if we do not convince them as to the circumstances which made this very candidate holding an elector's card on the very day of the Nomination Day be told by the Returning Officer that his name was not in the voters' register.

If, Mr. Speaker, we could allow such a precedent to occur so that in future the courts could refer to it as one case which once happened, then every Member could be unseated in the same manner in this House. If we were to follow the legality and regulations which are the legal instruments made by the supreme body of Kenya, we shall see in regulations laid down—and Mr. Speaker, I beg to read paragraph by paragraph so that we can determine this very malicious

intention of trying to deny the right of the man who won the greatest majority in the last election.

The Speaker (Mr. Slade): Yes, Mr. Ngei, carry on.

Mr. Ngei: If we do not get a confident explanation from the Government it could be interpreted to be one of the biggest scandals of any Government in any one corner of the world.

Mr. Speaker, it is unfortunate that I have to move this Motion when I am very weak after having a spell of many illnesses, but I shall use all the force that I have even if it causes laughter in the House. The matter is of registration of voters from Machakos West. The candidate is well known, he is a Kanu candidate, a candidate who holds as I said an elector's card—I do not hold the original, but I hold a photostat copy—and this man was not told by the Returning Officer that his name was not included in the voters' roll.

Look at the cunningness of the whole matter, Mr. Speaker. You have the Nos. 2080 and 2081 which latter number is missing and which is the number registered on that card, and there is the No. 2082. Those two numbers, 2080 and 2082 are in the voters register and yet the No. 2081 is neither given to another name nor to the candidate. If the man was mature in his cunningness, he ought to have given another name to the No. 2081, but he was a great fool, he did not see this thing, he was only interested in what I could imply as cunning ways which we are trying to find out.

Mr. Speaker, Legal Notice No. 56 of 18th February 1964, regulation No. 18 (c). I would like to bring this to your notice, Mr. Speaker, I know you are very versed in these things and I know that you are the Vice-Chairman of the Electoral Commission, but, Mr. Speaker, I would like to refresh the minds of the Members as to what the subsidiary legislation is concerning this. I would start with paragraph 4, Registration of Electors, National Assembly Elections Registration of Voters, Regulations, 1964.

Paragraph 4:—

“Upon a direction being made under section 3, paragraph 1 of the Act the Supervisor of Elections shall publish in the *Gazette* a notice in Form A in the Schedule (I can show Form A here) to these Regulations calling upon all persons qualified to be registered as electors and who wish to be registered, to make application for such registration within a specified period, and which period shall not be less than thirty days. Instead of publishing in the

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Gazette one notice in respect of the whole of Kenya as provided as paragraph 1 of these Regulations, the Supervisor of Elections may, if he thinks fit, publish in the *Gazette* a number of notices each for one or a number of registration units and each specifying the same or different periods within which the application for registration may be made.”

Mr. Speaker, Sir, paragraph 4.

“Every application by an individual shall be on Form B in the Schedule to these Regulations or in that form translated into Kiswahili, and the declaration in that form shall be made before the Registration Officer.”

I move to another paragraph, Mr. Speaker.

“Where a Registration Officer rejects an application for registration which has been sent to him by post he shall return it by post to the applicant.”

This registered voter did not have his application returned to him.

“For the purpose of satisfying himself as to the qualifications of any applicant to be registered as an elector, a Registration Officer may require of the applicant such further information and may make such inquiries as he may deem necessary.”

I move to another place—Election Cards—and this is very important.

“The names of the persons registered in the Registry of Electors shall be arranged in such an order, shall be numbered in such a manner, as the Supervisor of Elections may direct.”

Now, another paragraph.

“The Registration Officer of a Registration Unit shall, when a person applies to be registered as an elector for that Registration Unit and if he is satisfied that the person is entitled to be so registered, issue to that person an elector’s card.”

Mr. Speaker, the candidate in question holds a card which he was given by the Registration Officer. How, therefore, is his name not included in the voters roll? I move a little further.

“Any elector’s card shall be in the Form C in the Schedule. They shall show the type and classes of elections in which that person is entitled to vote.”

This candidate is entitled to vote for these elections—Lower House, Upper House, Regional Assemblies, Local Government, Local Government Authority—and therefore it is beyond doubt that this candidate was eligible for voting in the Lower House.

I move to another paragraph. I come to publication now, because it is here that the candidate’s name is missing in the voters roll.

“On completion of the Register of Electors for registration units the Registration Officer shall publish the Register making it available for inspection at the office of the Regional Government Agent, within whose District the Registration Unit lies.”

This was not done.

“There should be published at the Regional Government Office aforesaid a notice that the Register is so available and specifying the manner in which, and the time within which, claims and objections may be made, which notice shall be in the Form B in the Schedule of these Regulations.”

That is the crux of the whole matter. That is why the multitude has been amazed. That is why electors of that constituency have been amazed. They have not been told, no Register has been displayed for them to call and examine to see whether their candidates had their names there. This was not done by the Returning Officer nor the Registration Officer, and therefore the electors are asking—“Why have we really missed the candidates that we wanted?”—and so they have a candidate who they do not really want and if one reads the papers, one will find out what this other candidate is.

I would like to go on to another point. Mr. Speaker, without wasting the time of the Government whom I am sure would like something to be said about this; in the Regulations we have been told that the registers are revised twice a year and there was ample time to revise this register. This was not done and in section 18, paragraph 18, this is where the whole matter lies and I would like to read from this, Mr. Speaker.

“As soon as practicable after the expiration of the period limited under paragraph 1 of the regulation 16 of these Regulations for the making of application, and in case within fourteen days thereafter the Registration Officer shall complete the revision of the Register of Electors for his Registration Unit and shall forthwith thereafter (a) satisfy the revised register in Form A in the Schedule of this regulation and (b) prepare a list of additions to, and deletions from, the register.”

If this candidate was deleted why did the Registration Officer not put the deletion in the *Kenya Gazette*? This could mean that the Government is not prepared to disclose what happened. The person we want as this candidate could be a member of any Government in the

[Mr. Ngei]

world. I do not know whether this is a special constituency—and Machakos West Constituency is a subsidiary constituency—this we have to be told, Mr. Speaker.

Here, in Gazette Notice No. 1849, National Assembly Election, Regulation of Voters, it says by annual revision of the Registration of Voters for National Elections and something, I think, in accordance with provision of Legal Notice No. 53, dated 14th February 1964, paragraph 18 (c) 1, I append list of additions and deletions made in the registered area for Nairobi as follows:—

Register A: Nairobi Hill, Westlands Estate, addition: name and address. A. 5671 Registration No. B.5696 George Summer, P.O. Box 3042, Nairobi.

Then, Mr. Speaker, Sir, when I was trying to do homework on some of these very important people, I came to a good friend of mine and I find that he was not registered the last time, but this time he was. Registration No. 09792 Osman Obajili Araru, who is known to us, P.O. Box 10647, Nairobi. If there was deletion of the candidate which the people wanted, why were the deletions not published in the *Kenya Gazette*, so that the candidate could go and verify his position instead of waiting for the last hour of this butchery?

Mr. Speaker, Sir, then I want to come to another point. Correction of Registers. Suppose we had a very sleepy Regional Government Secretary, and that he omitted the name of a voter—this is not really accusing, I am only implying. If the Secretary has spent perhaps half the night in the Equator Club doing the Twist, then we would know that the next day he would be very sleepy, and perhaps he missed a name of a candidate, but here it is provided in Part 4 of the Kenya Subsidiary Legislation which governs the National Assembly Elections, and it says Correction of a Register. Mr. Speaker, Sir, “Any amendment to the Register of Electors which is required to carry out the decision of the Registration Officer or to support any claim or objection, to correct any clerical or secretarial error, or to correct any misnomer or any inaccuracy, or to delete any name of any person who, if the Registration Officer is satisfied is dead, may be made by the Registration Officer at any time.” If my candidate went to Machakos before the Nomination Day, and he has been there before, and the Registration Officer was satisfied that his name was there, and there was a clerical error, why did he not correct it according to the regulations which are shown here? Now, Mr. Speaker, I have left no stone

unturned. After all, I am not a lawyer, but I want to deal with the other political aspect of the matter.

This, Mr. Speaker, is very serious. There is a deliberate attempt, and I am saying this firmly and I will say it tomorrow. A deliberate attempt because I must make observations. What has happened? Which particular person has an interest in trying to get his brother into the Parliament here or his friend or his supporters? We have, and the people and the electors down in Machakos and Kitui are saying that they have been victimized enough to take care of themselves. Somebody thinks he can leave Nairobi and go and do something here and so undermine a man who was well known, a man with ninety-nine per cent of the voters behind him. This candidate is so powerful, he is liked by the electors, he is so handsome. Mr. Speaker, Sir, if the candidate in question was like my hon. friend on the other side that he could scare the electors, or he had done something illegal, we could really understand, but this is a man who is liked by the electors out of—

The Speaker (Mr. Slade): Order, order. I am sorry, Mr. Ngei, I do not think the merits or vices of the particular person concerned is at all relevant to the matter of urgent public importance here. It is a question of principle, is it not? I must say also, although you are entitled to ask Government to inquire what happened, be it due to corruption or any other dishonesty, you are not entitled at this stage to assert positively that such is the case; you are entitled to suggest that on inquiry it might be proved so, but you cannot go any further.

Mr. Ngei: I am sorry for being out of order. Thank you very much, I quite agree with your ruling. What I was saying is, the electors are tired. Everybody knows the history of Machakos pretty well. We do not want this to be repeated, but we are firm enough to say, “Please mind your own business in your own constituency.” We are not prepared, because this is a contrived mistake and was in its way well prepared. I am saying it was done to split the Kamba, to try and split them so that they cannot stand united. We back up the policy of the Government, but we can never back up an individual.

Mr. Speaker, Sir, I do not want to say much more, but I am expressing the wishes of my people to the Government that we are determined to see that no dilly-dally, no question about trying to put your friends there, when the electors want the right man, the man they like, the man they will fight for, and you will go out of your way to—

The Speaker (Mr. Slade): Order, order.

Mr. Ngei: Sorry, Mr. Speaker, I would like to ask the House to back me in this Motion and to try and ask the Government whether a Commission of Inquiry could be set up to investigate what led to the omission of this person's name from the voters roll of Machakos West.

Mr. De Souza: Mr. Speaker, I rise to second this Motion of Adjournment. I do so after fully considering the seriousness of this particular case. Sir, we are a democratic society and everyone of us here who is elected, is elected because of the wishes of the people of his area. The right of a particular constituency to elect a particular person they want is not merely the right of an individual, is not merely the right of the particular constituency, it is the right of the country to select those Members of Parliament who they want and in whom they have confidence to come into this Parliament and who, in turn, will elect the Government. Sir, therefore, when we speak on this Motion, we are in fact speaking on the roots of democracy, the rights of the people to select their Government and their Parliament.

Sir, the facts of this case have been stated very clearly by the hon. Member for Machakos North, Mr. Ngei. Briefly they are this. When this particular gentlemen went up to present his Nomination Paper, he was told that for some mysterious reason in the electoral roll that existed at that office, the numbers were consecutively or serially numbered in other words to 2079, 2080, 2081, 2082, 2083, etc. and it turned out, by some queer coincidence, that number 2081, who in fact was the very important candidate, who in fact everybody in Kenya knew was going to stand as a candidate, 2081, the number 2081 (everybody knew he was going to be the most important candidate for that particular election), his name had been missed out. This, Sir, is a very serious state of affairs, because apparently, not only was the name of this particular gentlemen left out in the typed copy of the register, but also the application form of number 2081 had been removed from the office file. So it is quite obvious that somebody had gone out quite deliberately to remove both the application form and the number of this particular gentlemen from the Register of Voters. Sir, the position then remains that this particular candidate brought the person who had registered him, and that person was prepared to swear an affidavit that he had seen the person, seen the application form, and that he had registered him in the Register of Voters and given him a voter's card. This card was there, it was produced, it was obviously a correct document. The returning

Officer, I am told, inquired from some very important sources here — I do not need to name them in the House — and he was told that if an affidavit could be sworn that he in fact had been registered, his Nomination Papers should be accepted. This, I am told, Sir — and I stand subject to correction — was countermanded by an important Government department. He was told that this was not the correct interpretation.

Whatever the merits or demerits of this case, it is obvious that very deliberate mistakes took place, committed by some person known or unknown in that particular area, in the constituency of Machakos West, to deprive the people and this Parliament of the right of those people to choose their own Member.

I know, Sir, it will be stated here in answer that if something was wrong, why not file an election petition? If something was wrong, why not go to the courts? Let me make two points clear. An election petition is a very expensive affair. There was a case a few years ago when one gentleman filed an election petition and he had to pay Sh. 47,000 costs plus his own costs. These costs were not paid to the lawyers; they were paid to the Electoral Commission, as it then existed. However, in any case, whatever the merits or demerits of it, a petition is a very expensive thing, something an average person cannot afford. There is no reason why an ordinary citizen who is going to enforce his rights should go through such an expensive, laborious and tedious business as an election petition when it is quite clear for a child to see that, in fact, something was seriously wrong.

Therefore, Sir, I support the idea that the Government should appoint a Commission, preferably of one gentleman — such as a Judge of the Supreme Court, or a senior law officer of the Attorney General's Chambers — to go to Machakos immediately, tomorrow if possible, to find out what in fact happened. They should be entitled to take evidence, to make full investigations, and one of two things will come to light. Either there will be sufficient evidence to prove that a criminal offence was committed, and it may come to light that money changed hands; it may come to light that a serious matter was afoot, some serious conspiracy. If so, all those persons should immediately and promptly be tried in Court. On the other hand, Sir, it may happen, as the hon. Mr. Ngei said, that the particular typist who was typing this roll, or the particular gentleman or lady who had charge of it, suddenly in a nightmare or a dream both forgot to type out this particular name and to fill out the application of this particular gentleman, in which

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case he or she should be sacked immediately. However, whichever alternative is correct, whatever the decision of this Commission of Inquiry, this House and the Government must find ways and means of restoring to the people of Machakos West their right to select their own Member of Parliament.

Sir, the point is that this could be the thin end of the wedge. If we today, because we felt that there was a clerical error or because somebody did not have money to go to Court, just stayed idle and said, "Sorry, we realise it is a terribly bad thing, we realise somebody must have made an awful lot of nonsense down there, but what can we do? Go to the Courts", if we accept that state of affairs, what guarantee have we that in the next election or at any other time, somebody else may do this to any one of the other Members here so that when he goes to file, to place, his Nomination Papers, he suddenly finds that somebody has torn out the particular page? This is too serious an affair for us to leave it as it is.

I do request and urge the Government to treat this, not as a party affair. I want to make this point clear. I am not blaming any Minister in the Government, I am not blaming the Government. This is a matter of some individual or individuals in that particular area. I am not blaming the Government at all. We do not expect that a Government knows everything that is happening in every part of the country. They do their best, but this is true, we do not expect Ministers to know and to look into the records or the electoral registers in every part of this country. I am sure that they are not part of the conspiracy if for no other reason—and I say this if anybody has any doubts about it—than that the gentleman who was kept out was in fact the original KANU candidate. It is not because he is the KANU candidate that I second the Motion. Even if he were the KADU candidate, I would support the Motion. It is because of the principle of democracy, the principle of justice, that we stand here. I do urge the Government not to tell us that they will do what they can; I urge them to accept this idea of appointing a Commission of Inquiry and I urge them to take immediate steps to declare that particular return, if there is already a return, null and void.

(Question proposed)

The Speaker (Mr. Slade): Before inviting any other hon. Member to speak, I must point out the limit of the ground we can cover in this discussion. Mr. Ngei quite correctly kept it to

what had gone wrong with the Registration of Voters, an administrative matter. When it comes to the validity of an election, we cannot discuss that here; because it is a question for the Courts and not for this House. I must make that limitation clear.

The Minister of State, Prime Minister's Office (Mr. Murumbi): Mr. Speaker, Sir, the Government shares the apprehension of the House on this matter, but all I can say at this juncture is that the matter is now being investigated by the Registration Officer concerned. As soon as the Government is in possession of the facts, a statement will be made to the House at an early date.

Mr. Jahazi: Mr. Speaker, Sir, what happened in Machakos is a national shame.

Mr. Ngala-Abok: On a point of order, Mr. Speaker, I am absolutely sure that the majority of hon. Members have not heard what the Minister said. Could you please get the Minister to repeat his remarks?

The Speaker (Mr. Slade): It is very important that all hon. Members should hear what the Government has said. Will you repeat it, Mr. Murumbi?

Order, order. If you want to hear the Minister, you had better keep silent.

The Minister of State, Prime Minister's Office (Mr. Murumbi): The matter is now being investigated by the Registration Officer concerned and, as soon as Government is in possession of the facts, a statement will be made to the House at an early date.

Mr. Jahazi: Mr. Speaker, as I said, what happened in Machakos is a national shame. It strikes at the basis of our democratic institutions in this House and if the Government should leave it, out of consideration for the people who are involved, not one, but all those people in that department would be guilty. After having discovered that an important name has been omitted, surely anyone with even a little knowledge of clerical work could have checked the name and informed the person and have found out that a name was missing on that very day? Yet, it was left until now when the hon. Member has a reason to express this and ask for an explanation as to how this omission went undetected. This really demands the highest Government action on the people who were negligent. Mr. Speaker, I would now suggest that as there is a very big dispute over this affair, the Member who is sitting there should not be sworn in until this affair is finished.

The Speaker (Mr. Slade): Order, order. I have already told hon. Members once that they must leave that question alone. The question which I have allowed to be raised today, and the only question, is how it came about that a Voter's Card was issued without the holder of that card being registered as a voter, and you will keep it to that, please.

Mr. Ngala: Mr. Speaker, Sir, you have confined this very important Motion to a very narrow path, but I take your orders, Sir. I would only like to warn the Government that we have noticed what they have said, that this matter is now being inquired into, and that the Government will make a statement as soon as possible. I am saying this so clearly because the Minister was inaudible, in fact.

We would like to warn the Government that this having happened is a sign of inefficiency, in my opinion, of great inefficiency and of great carelessness on the part of the Ministry concerned because this man is not a small man. A man who stands in his position is not a small man. His form, therefore, his form or application, how could it be lost, how could it be lost? I could understand a Secretary making a mistake, but I cannot understand an application form missing in the office, missing in the files, missing in the drawers, missing everywhere. Mr. Speaker, Sir, this Government should not laugh. This is a very serious matter. It goes to the root of the democratic principles being alluded to here, and they should not be laughing. They should be sorry for it. They are setting up a Commission to go and spend the taxpayers' money on their own carelessness, on the inefficiency of the Government. Sir, I think we should be told here definitely when this statement will be forthcoming. The Minister should tell us whether he means next Tuesday, Wednesday or Thursday. He does not take long. We are tired of these delaying tactics of this Government. It does not take long, but it is important to get this clear. This is almost chicken food for an intelligent person to come and produce a Report. We want an assurance on the statement, when it will be coming. We are prepared, in this House, to become Youth Wingers if the Government does not come out with this statement.

Mr. Speaker, I am not concerned as to who is a suitable candidate. That is not my business, and I am only concerned with the right of the individual, the right of the electors. They may belong to the wrong party but that is not the issue. What I want to point out is that it is their right. This inefficiency, Sir, does create a lot of

misunderstanding, a lot of misunderstanding among the people concerned.

The Minister of State, Prime Minister's Office (Mr. Murumbi): Mombasa also?

Mr. Ngala: Do not say Mombasa also, because that does reflect very badly on your Government.

The people in Machakos are confused. Hatred, and all this type of bad relationship will be created, all because of who? Because of this Government. Mr. Speaker, Sir, we want here to get another assurance that this will never happen again in future in any constituency. Next time it may be in my own constituency and it is not a laughing matter. Why is my friend the Minister for Justice shouting? Why does he not sit there and listen? This is a matter concerning Justice. We want to get it very clear, Mr. Speaker, Sir. We are very grateful that Government is inquiring into this already, and we want a quick reply next week.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, Sir, Members have spoken with feeling about this matter and I want to state emphatically and categorically that Government attaches the greatest feeling and importance to this rather serious omission. Mr. Speaker, before there was any idea in the head of the Mover of this Motion to ask Government to inquire into the matter, it had been decided to inquire into the matter as soon as it became known to us that this problem had arisen. Steps were taken immediately to verify the facts and that process of verifying the facts is continuing as urgently as we can make it. As soon as the facts are verified, they will not only be made known to the House but appropriate steps will be taken to put right whatever was wrong in the situation. Now, Sir, having said that may I just make one point.

It is entirely wrong and indeed unfortunate that when such important matters come up they should be used rather superficially as issues in which to create insinuations and to try to make impressions as if it were that Government was completely casual about it and not intending to do anything about it. I think it would be useful in the House at all times in the future for Members who speak on such important matters to recognize that the Government is as concerned for the welfare and interests of the people and the country as any Member in this House. It is no use looking at us in the Front Bench and thinking that we are indifferent to what happens in any part of the country. Generalization and

[The Minister for Justice and Constitutional Affairs]

inconsidered accusations and insinuations and playing to the Gallery by the Leader of the Opposition does not help.

Mr. Speaker, Sir, the easiest thing in the world is to sit, shout and criticize. The most difficult is to be constructive and do something. At least this I can say to the House, on this issue and on any other important national issue, that Government will do what it can and do it in

the interests of the people, all the people, not just somebody's fancies or friends or factions, but for all the people.

ADJOURNMENT

The Speaker (Mr. Slade): It is time for the interruption of business now. The House is therefore adjourned until tomorrow, Friday 19th June, 1964, at 9 a.m.

The House rose at thirty minutes past Six o'clock.

Friday, 19th June 1964

The House met at Nine o'clock.

[*The Speaker (Mr. Slade) in the Chair*]

PRAYERS**PAPER LAID**

The following Paper was laid on the Table:—

Accounts of the European Hospital Treatment Relief Fund for the year ended 31st December 1963.

(*By the Minister for Information, Broadcasting and Tourism (Mr. Achieng-Oneko) on behalf of the Minister for Health and Housing (Dr. Mungai)*)

ORAL ANSWERS TO QUESTIONS*Question No. 160***SETTLEMENT: MUHORONI AREA**

Mr. Odera-Sar asked the Minister for Lands and Settlement if he would give a breakdown per district of the number of people from Nyanza Region who had been provided with land in Muhoroni Settled Area, and how many had been drawn from each location in Ugenya constituency.

The Speaker (Mr. Slade): Is the Minister for Lands and Settlement or the Parliamentary Secretary here? We had better put it to the end, and hope that he is here before we come to the end of the other questions.

*Question No. 170***AUTOMATIC TELEPHONE EXCHANGE:
WESTERN REGION**

Mr. Masinde asked the Minister for Works, Communications and Power if he was aware that the Western Region had no automatic telephone exchange facilities. If the answer was in the affirmative, what recommendations was the Minister prepared to submit to the appropriate authority.

The Minister for Works, Communications and Power (Mr. Mwanyumba): Mr. Speaker, Sir, I beg to reply.

Although it is true to say that telephone subscribers in the Western Region have not yet been given individual automatic dialling facilities, telephone exchanges in Western Region have access

through Kisumu, Eldoret and Kitale exchanges into the automatic trunk network equipment.

The hon. Member for Lurambi may be interested to know that there are only three automatic telephone exchanges in Kenya, that is Nairobi, Mombasa and Nakuru. The conversion of an exchange to automatic working must have very serious economic consideration and must also be related to the amount of traffic obtaining in that particular area. The Posts and Telecommunications Administration had in the past a very limited capital, which precluded it from converting certain telephone exchanges which could justify automatic working. It is, therefore, necessary to give an example as regards costs of converting individual exchanges to automatic working and the capital outlay which is necessary to do this. The case for converting Kisumu Exchange, for example, has now been agreed, and the cost of doing this will be approximately £140,000. As this capital is now available, the East African Posts and Telecommunications Administration hopes to complete the conversion of Kisumu to automatic working in 1966/67. The actual design data has been completed and definite steps are now being taken to proceed with this project, which it is hoped will improve telephone service both in the Nyanza and Western Regions.

Mr. Masinde: Mr. Speaker, Sir, arising from that reply, is the Minister aware that at present Kakamega as the Regional Headquarters is only served with one telephone line and it causes a lot of inconvenience?

The Minister for Works, Communications and Power (Mr. Mwanyumba): I am aware of this, Mr. Speaker, Sir, and I have asked one of our engineers in the Posts and Telecommunications Administration to go and examine the situation and to report back to me.

Mr. Masinde: Arising from that reply, Sir, would the Minister therefore consider it fit to have the direct line from Nakuru/Eldoret to Western Region, other than going through Kisumu which is longer?

The Minister for Works, Communications and Power (Mr. Mwanyumba): From the communications point of view, Kisumu is a more favourite spot than Nakuru.

Mr. Masinde: Mr. Speaker, Sir, is the Minister aware that the Kisumu extension covers Kakamega District but not the region. In other words, the whole region of Western Region is divided: one side served through Kitale and the other side served through Kisumu?

The Minister for Works, Communications and Power (Mr. Mwanyumba): I am aware of the difficulty, Mr. Speaker. I have said that I have sent one of our engineers to examine the problem and report it. We are already conducting a survey in every region to try and improve telephone services throughout the regions.

Mr. Khasakhala: Mr. Speaker, Sir, is the Minister aware that there is no electricity at Kakamega and as a result it would be impossible to install an automatic exchange there?

The Minister for Works, Communications and Power (Mr. Mwanyumba): That is another question, but we do not depend on an electricity supply to instal an automatic exchange. We have machines which can do the work quite efficiently.

Mr. Masinde: Mr. Speaker, Sir, arising from that reply, could the Minister tell this House which line has been surveyed, which part of Kakamega District, where the East African Power and Lighting Company has experienced difficulty in obtaining the line?

The Minister for Works, Communications and Power (Mr. Mwanyumba): Mr. Speaker, Sir, this is a question which probably would have been better put to the Chairman of the Works Committee of the Western Region who is dealing with this matter so efficiently at present. It is a pity that the hon. Member who comes from that Region is displaying ignorance of this matter.

Question No. 171

KAKAMEGA AND BRODERICK FALLS:
ELECTRICITY SUPPLY

Mr. Masinde asked the Minister for Works, Communications and Power if he would tell the House what recommendations he was prepared to submit to the appropriate authority for the Kakamega and Broderick Falls townships to be supplied with electricity this year.

The Minister for Works, Communications and Power (Mr. Mwanyumba): Mr. Speaker, Sir, I beg to reply. The East African Power and Lighting Company have allocated £80,000 for a mains extension and the line has been surveyed to Kakamega Township. Some delay is being experienced due to objections from landowners. Provided this difficulty can be overcome, the work will be started in June and I would appeal to the hon. Member to assist the Government in this matter. The supply of electricity to Broderick Falls Township is now being considered in conjunction with the building of the Paper Pulping factory.

Mr. Masinde: Mr. Speaker, if the Minister would be clear in this question, my colleagues from Western Region and myself would be able to offer assistance to get this line through. But what I am interested to know is, which side does the line come from? From Kisumu or Malwa or from both sources?

The Minister for Works, Communications and Power (Mr. Mwanyumba): Mr. Speaker, Sir, Kisumu.

Mr. Muliro: Mr. Speaker, is the Minister not aware that if a conversion station was built at Malwa it would serve the Western Region better than that one coming from Kisumu?

The Minister for Works, Communications and Power (Mr. Mwanyumba): Mr. Speaker, this is a question of engineering which has been studied and examined by my engineers and the conclusion is that it is cheaper and easier to work from Kisumu.

Mr. Muliro: Is the Minister not aware, Mr. Speaker, that to get a line through from the nearest possible conversion station, which is Malwa, Broderick Falls, Bungoma and Kakamega would be well served, better than if it came from Kisumu?

The Minister for Works, Communications and Power (Mr. Mwanyumba): Mr. Speaker, Sir, this is a question of labour. Engineers have studied the question and they have come to the conclusion that it is much cheaper for the benefit of the people of Western Region to have this line from Kisumu.

Mr. Mutiso: Mr. Speaker, Sir, arising from one of the Minister's replies, could he tell this House whether the landlords who objected to these electricity lines passing through their land were Africans, Europeans or Asians?

The Minister for Works, Communications and Power (Mr. Mwanyumba): Mr. Speaker, most of them are Africans and I have said if this question can be solved the electricity will be in Kakamega Township by the end of this year.

Mr. Masinde: Mr. Speaker, arising from one of the Minister's replies, is the Minister aware that this present conversion station for Jinja electrical supply is at Lessos and from Lessos by Jinja to Kisumu is about 100 miles. Now this power is going to be very expensive for the people of Kakamega—

The Speaker (Mr. Slade): I am afraid we cannot have a speech. It is becoming too much of a speech. I think you have got all you will get on this question. Next question.

Mr. Okwanyo: Mr. Speaker, Sir, on a point of order, before I ask the Minister to reply. No. "B" of this question was not really meant to be "B" here, it was a separate question to a separate Minister. Therefore I would ask the House to allow me to refer it back or to ask the correct Ministry to answer it.

The Speaker (Mr. Slade): Since it has gone forward as a single question to the Ministry of Natural Resources, we have better see whether he can answer it all. If he cannot, perhaps it could be put again to another Ministry.

Question No. 180

MACALDER MINES: ROYALTIES

Mr. Okwanyo asked the Minister for Natural Resources:—

- (a) How much in royalties did the Macalder-Nyanza Mines pay to—
- (i) Central Government.
 - (ii) County Council.
 - (iii) Location Council.
- (b) Was the Minister aware that the Macalder-Nyanza Mines had decided to ignore the recommendations of a committee of inquiry set up last year for the settlement of a disagreement between the workers and the mines.

The Minister for Natural Resources (Mr. Sagini): Mr. Speaker, Sir, I beg to reply. No royalty is levied on the mineral production of Macalder-Nyanza Mines Ltd. It is appreciated, Sir, that the mining of gold and silver invites anticipation of profits. However, I can assure the hon. Member that this mine makes no profit. The mine was taken over as a salvage operation by the then Colonial Development Corporation in 1950. The take-over was made at the request of the Kenya Government after other mining companies had declined to invest in the property. It was recognized that the small size and low grade of this mineral deposit rendered profitable development doubtful, and that capital used in bringing the mine to production would be at an unusually high risk. The company was therefore given a special mining licence which provided for the levy of royalty *only* after full amortization of capital invested in the mine. Approximately two and a quarter million pounds were expended before the mine came into production in 1956. Since then, the annual operating surplus has been insufficient to cover amortization, and in 1960 the Colonial Development Corporation was obliged to write off a sum of two million pounds in the year's accounts. Since the formation of Macalder-Nyanza Mines

Ltd. in 1964 no dividend on ordinary share capital has been declared and no interest has been paid on the loan finance provided by the Colonial Development Corporation. I should, however, ask the hon. Member to note that although the mine has operated at an overall loss, its operation has provided direct employment for a labour force of between 700 and 1,000 workers during the past ten years. In this way, Sir, it has contributed to the general prosperity of the Nyanza Region.

In reply to (b), I am not aware, Sir, that the mines have decided to ignore the recommendations of the board of inquiry set up to investigate disagreement between the management and the workers' union. Since the publication of the recommendations in June 1963, the company has recognized the Kenya Quarry and Mine Workers Union and have re-engaged some 400 employees who were at one time discharged. In addition, a qualified personnel manager has been appointed to deal with industrial relations, training and personnel policy, and a full-time training officer now conducts training-within-industry at the time. All references to race in job classification have been discontinued and all workers are paid by the calendar month. A health assistant now supervises hygiene at the mine, and a water purification plant is under construction. Housing allowances have been re-introduced for workers not accommodated at the mine. The Macalder Primary School has been upgraded to secondary school status.

Mr. Okwanyo: Mr. Speaker, Sir, as the answer has been very long and myself and hon. Members here have not been able to follow it, I would like a specific answer to how much royalty is given to the Central Government, how much is sent to the County Council, and how much to the Location Council. I only want a short answer to this question.

The Minister for Natural Resources (Mr. Sagini): No.

Mr. Okwanyo: Mr. Speaker, if the answer is no, I should like to know why because the land that was taken by Macalder Mines belonged to the Location Council. Why do the location councils not get a royalty?

The Speaker (Mr. Slade): It was in the long answer which you complained about that you got the explanation. We cannot have it all over again.

Mr. Ngala-Abok: Mr. Speaker, Sir, in view of the fact that with regard to (b), the Minister is not aware of the answer, and as at the same time the question does not fall under his responsibilities, could the Junior Minister for Labour and Social Services answer the question?

The Speaker (Mr. Slade): No. I think perhaps there has been a mistake in combining the two questions, but they were combined and they were all answered by this Minister, and we cannot have more than one Minister answering any question, I am afraid.

Mr. Jahazi: Mr. Speaker, will the Minister tell the House that there is an arrangement with regard to the operating of the mines and when they start making profits they will give something to these county councils and so on?

The Speaker (Mr. Slade): I think he has told you all about that. You might like to reiterate that particular point, Mr. Sagini?

The Minister for Natural Resources (Mr. Sagini): Mr. Speaker, our Government, including myself, is interested in profit and money, but as I said, this was a salvage operation. It is intended to work the mine to a point where it will be economic. At the moment we help it, it is not making profit.

Mr. Mutiso: Mr. Speaker, would the Minister tell this House whether these companies which operate the mine send their annual reports to the Ministry?

The Minister for Natural Resources (Mr. Sagini): Every company does. I think the position is as simple as pie. Every company does that.

Mr. Mutiso: Arising from that reply, could the Minister therefore tell this House whether these companies also supply the Ministry with the volume of mining in a particular area?

The Minister for Natural Resources (Mr. Sagini): Mr. Speaker, Sir, our Government, as I said, is interested in getting extra money if we could get it and we do scrutinize their workings and if we found that the company was cheating it would get into trouble. So far I have never come across any misbehaviour because I would take action rightaway.

Mr. Ngala-Abok: Mr. Speaker, Sir, I fail to understand why a company could continue mining over the years and not make a profit. How do they make their living? Could the Minister tell me how they are living without making a profit?

The Minister for Natural Resources (Mr. Sagini): Mr. Speaker, I have answered this question. The question he asked is very simple. This is a salvage operation. I think perhaps this is rather baffling, the word "salvage", that is. It is an operation intended to work the mine so

that one day we might hit on the right reef and once it becomes economic then we shall start to get our royalties. At the moment the Macalder Mine is not getting any profit. For the Members' information, we have applied to the United Nations. When we get the money we shall then do more research to see whether we can get more copper or get gold, and then it will be more economic. But many companies refused to work the mine because they feared they would lose money.

Mr. ole Tipis: Mr. Speaker, Sir, can the hon. Minister please tell us the net loss of the Macalder Mines over the last two years?

The Minister for Natural Resources (Mr. Sagini): I think in order to give the figures he should give me notice of this.

Mr. ole Tipis: You don't know then?

The Minister for Natural Resources (Mr. Sagini): Look, I am only being polite, I am saying that I can get him the figures.

Mr. ole Tipis: Can the Minister take it that I now give him notice and will he let me have the figures in writing?

The Minister for Natural Resources (Mr. Sagini): Mr. Speaker, Sir, he is a great friend of mine, can't he walk up to my Ministry and ask for them?

The Speaker (Mr. Slade): I think we have exhausted the first part of the question. I shall now allow further supplementaries on the second part if anyone wants to ask them.

Question No. 194

EXTENSION TO KITALE-KAPENGURIA TELEPHONE LINE

Mr. Lorema asked the Minister for Works, Communications and Power if the Minister would tell the House when he would make representations to the authority concerned for the extension of Kitale-Kapenguria telephone line.

The Minister for Works, Communications and Power (Mr. Mwanjumba): Mr. Speaker, Sir, I beg to reply. The provision of telephone service to Kapenguria has been considered on frequent occasions in the past, but the proposals have had to be abandoned on each occasion due to prohibitive costs. The nearest telephone exchange is at Kitale, some twenty-one miles away, and the cost of constructing a new telephone route to Kapenguria would be approximately £3,200.

[The Minister for Works, Communications and Power]

Expenditure of so much capital is considered to be uneconomic in view of the very small amount of traffic that would pass over this route. Cheaper methods of connecting outlying townships to the telephone trunk network are being considered. The East African Posts and Telecommunications Administration engineers are at present examining the possibilities of employing V.H.F. radio links, but it may be some time before a decision is reached. However, radiocall facilities are available, which utilize frequencies in the H.F. Band to permit remote places to be connected to the telephone trunk network through Posts and Telecommunications Radio Control Station in Nairobi. This would appear to be the only feasible way of giving telephone service to Kapenguria immediately.

Mr. Anyieni: On a point of order, we do not hear. It is like a song and we are not hearing!

The Minister for Works, Communications and Power (Mr. Mwanyumba): I am not in charge of acoustics.

In order to participate in this service, subscribers must purchase their own transreceivers and pay an annual licence fee of Sh. 260 for the use of the H.F. channel.

Mr. Lorema: Mr. Speaker, Sir, in view of the fact that I did not understand what the Minister said, would he tell the House whether he is considering the Kitale-Kapenguria telephone line or not?

The Minister for Works, Communications and Power (Mr. Mwanyumba): Mr. Speaker, Sir, I have said that the cost is about £3,200 and therefore we are not at present considering extending this line to Kapenguria from Kitale.

Mr. arap Moi: Mr. Speaker, Sir, arising out of the Minister's reply, does the Government rely on the number of subscribers and not on spreading public money to other areas which are remote from Nairobi and providing people with services which will enable the Administration to work efficiently?

The Minister for Works, Communications and Power (Mr. Mwanyumba): Mr. Speaker, if a particular place does not use a telephone, it is impossible for the Posts and Telecommunications to install a telephone service there because it would be uneconomic.

Mr. arap Moi: Mr. Speaker, is the Minister suggesting that people do not exist in Kapenguria to make use of this line?

The Minister for Works, Communications and Power (Mr. Mwanyumba): Mr. Speaker, the people who live in Kapenguria are very backward and many of them do not know what the telephone is.

Mr. Murgor: Mr. Speaker, will the Minister tell this House that he considers one farmer—I mean, there are certain farmers in the whole of Rift Valley who individually have telephone lines to their homes. Nobody has worked it out statistically, but how much does it cost to connect a telephone line to any one house?

The Minister for Works, Communications and Power (Mr. Mwanyumba): Mr. Speaker, I am not sure what farmer the hon. Member is talking about, but as far as this particular question is concerned, I think I have answered sufficiently.

Mr. Lorema: Mr. Speaker, Sir, does the Minister agree with me that this line is very important in view of the fact that a small matter which requires telephoning would be sent by the Government servants to Nairobi here and that would be a waste of petrol and public money?

The Minister for Works, Communications and Power (Mr. Mwanyumba): There are other alternatives, Mr. Speaker, but as I have said the P. and T. have provided V. H. F. facilities.

Mr. Anyieni: Mr. Speaker, arising from the Minister's reply that the people in Pokot do not use telephones, does the Minister imply that the people would use the telephone when the telephone is not there?

The Minister for Works, Communications and Power (Mr. Mwanyumba): Mr. Speaker, Sir, I am sure they are appreciative of telephones services.

The Speaker (Mr. Slade): I think we have come to a dead end on this one.

Question No. 257

EXPATRIATE CIVIL SERVANTS

Mr. Rurumban asked the Minister of State, (Prime Minister's Office): In view of past reports to the contrary, was the Minister satisfied that all expatriate officers were now working well together with their African colleagues?

The Minister of State, Prime Minister's Office (Mr. Murumbi): Mr. Speaker, Sir, I beg to reply.

Expatriate officers who were not prepared to work side by side with their African colleagues have already left the country. I am satisfied that expatriate officers who have chosen to serve in Independent Kenya are working well with their African colleagues.

Mr. Rurumban: Mr. Speaker, Sir, arising from the Minister's reply, is he aware that some African officers who work under or together with expatriate officers are not pleased with their counterpart's sincerity?

The Minister of State, Prime Minister's Office (Mr. Murumbi): Mr. Speaker, Sir, I am afraid I cannot answer that question until I know who those officers are. It is a very general question.

The Speaker (Mr. Slade): We will go back now to Question 160.

Question No. 160

SETTLEMENT: MUHORONI AREA

Mr. Odera-Sar asked the Minister for Lands and Settlement to give a breakdown per District of the number of people from Nyanza Region who had been provided with land in Muhoroni Settled Area, and to say how many had been drawn from each location in Ugenya Constituency.

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Speaker, Sir, I must first of all apologize to you and to the House for the Ministry not being represented at the time the question came up. It was for reasons beyond our control.

Mr. Speaker, Sir, at the end of May, 1964, 27 people from the Nyanza Region had been provided with land in the Muhoroni Settled Area. It was, however, the intention to settle some 99 people by the end of May. Of these, 49 were to be settled by the middle of May and the rest by the end of May. Of these 49, 40 were to come from Central Nyanza, and 9 from South Nyanza, and of these 40 from Central Nyanza, 6 were from Ugenya Constituency, two from North Ugenya, two from South Ugenya, and 2 from Uholo Location.

Mr. Odera-Sar: I would like to know from the Parliamentary Secretary how many applicants are still pending.

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Speaker, Sir, I said that only 27 people had been settled. It was the intention of the Ministry to settle 99. We have been made to understand in the Ministry that the President of the Nyanza Region would have all the people available, chosen, to be settled. We have 63 per cent plots ready which would have been settled, but the names have not been provided by those responsible for choosing. This House, Mr. Speaker, ought to appreciate that we are working at top speed in the Ministry. We are preparing

120 plots ready for settlement every month in this area, but we do not always get the number of people to be settled in time.

Mr. Bala: Mr. Speaker, what we would like to know is how many people have so far applied and have not been provided with plots.

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Speaker, Sir, I refer the hon. Member to his Region to find out. We have the plots ready but we do not have the people to settle.

Mr. Gatuguta: Mr. Speaker, arising from the Parliamentary Secretary's reply when he said that they do not get people to settle on these plots, could he tell the House whether he would be prepared to take people from other areas?

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Speaker, I will leave this question for the President of Nyanza Region to answer; if he wants to settle people from other areas, it is up to him.

Mr. Nyalick: Is the Minister aware of the fact that the Africans are not coming forward because the present rate of deposit is too great for the ordinary man to be able to afford?

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Speaker, we are not aware.

Mr. Nyalick: The fact that people are not coming forward to take settlement is due to the fact that—

The Speaker (Mr. Slade): You must ask a question, I am afraid.

Mr. Nyalick: Excuse me, Mr. Speaker. The fact that people are not coming forward—

The Speaker (Mr. Slade): No, you can only ask a question.

Mr. Ngala-Abok: Mr. Speaker, Sir, has the Ministry appealed directly to the Regional Presidents for lists of people to be sent, particularly those who are now lodging in camps through being flooded out, and the President has not applied for settlement?

The Speaker (Mr. Slade): Order, order. I am waiting for the answer to that question.

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Speaker, Sir, I have answered this question today and I did so yesterday or the day before. I want to add that all the Ministry is concerned with is to plan on the

[The Parliamentary Secretary for Lands and Settlement]

ground, and then we wait for the bodies chosen by the President according to the Constitution for us to settle them. I have already said this morning that we expected to settle some ninety-nine people and only twenty-seven came in.

Mr. Odero-Sar: Mr. Speaker, is the Junior Minister aware that in my constituency more than twenty people have applied for these settlement schemes and only six have been taken?

The Speaker (Mr. Slade): The Parliamentary Secretary can go on telling the House the same thing over and over again, that the handling of applications is not his Ministry's affair. We have had this answer right through the last year.

MOTION

LIMITATION OF DEBATE: BUDGET DEBATE

The Minister of State, Prime Minister's Office (Mr. Murumbi): Mr. Speaker, Sir, I beg to move the following Motion:—

THAT speeches in the debate on the Financial Statement on the Annual Estimates be limited to thirty minutes.

The Minister for Justice and Constitutional Affairs (Mr. Mboya) seconded.

(Question proposed)

(The question was put and carried)

COMMITTEE OF WAYS AND MEANS

(Order for Committee read)

MOTION

THAT MR. SPEAKER DO NOW LEAVE THE CHAIR

(Resumption of debate interrupted on 16th June 1964)

The Speaker (Mr. Slade): Before inviting any hon. Member to speak, I would remind the House that the question, That Mr. Speaker Do Now Leave the Chair, was moved by the Minister for Finance in the form of his Financial Statement on the Annual Estimates and was seconded and proposed. We now embark on a discussion of the Financial Statement which covers a very wide field.

Mr. Ngala: Mr. Speaker, Sir, may I claim my thirty minutes?

The Speaker (Mr. Slade): You are all getting thirty minutes.

Mr. Ngala: Mr. Speaker, Sir, I would like to congratulate the Minister for Finance for presenting the Budget so ably and clearly. This Budget is the first since Kenya became independent, so we do appreciate the difficulties that the Minister and his advisers have faced in framing it. However, all the same, the Budget has fallen very far behind the expectations of our people. I know that businessmen have called it an excellent Budget. I also know that the Press have called it a brilliant speech, but the ordinary man must call it a no-progress Budget. This is a no-progress Budget because if one studies it very, very carefully, I'll explain this when we come to discussing the Votes. It has laid down very high salaries for a few people and lets the masses, the thousands, go hungry and without jobs, which is why I call it a no-progress Budget. The Budget has not considered the hopes of our people. Immediately after independence, the people expected a Budget which would instil in them and fulfil their aspirations, and give a glimpse of what they hoped of after independence when things would improve. This has not met their expectations.

Immediately after independence the Budget which was brought about by the Minister for Finance is a no-progress Budget, considering a few people at the top, giving them high salaries and leaving thousands and thousands of unemployed and hungry people in the country.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Have you read it?

Mr. Ngala: Mr. Speaker, Sir, the Budget has rather favoured the rich and forgotten the poor. The need to give progress to the poor has completely been neglected in the Budget. Sir, I am looking forward to giving our opinion, as the Opposition, on different Votes when we come to discuss the different Votes separately.

Sir, I will at the moment confine myself to general observations of the Budget. First, I would like to start with unemployment. Now, recently Government made a statement over the Kenya Broadcasting Corporation that people who needed employment should go to the various employment centres. Various employment centres were established in different places. Already people had registered in the employment bureaux, even before the announcement of the Government. Sir, my information is that well over 250,000 people did register themselves at unemployment bureaux in different parts of Kenya.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): You are a liar.

Mr. Ngala: The Government is a bigger liar. Although over 250,000 people did turn up for employment in these centres, the Minister for Labour has made plans—they were published last week—for only 6,500 people. This makes quite a big portion, and as the Minister says, this is only the Government thing. But the Government is responsible to looking into this question of unemployment which is so serious. 250,000 people looking for employment, Government plans for only 6,500 people. Now, this is simple arithmetic, and I will leave it to the Minister concerned to work it out. In the introduction to the Development Plan, the Prime Minister is dealing with about 46,000 to be employed by 1970. 46,000 people to be in employment by 1970.

The Parliamentary Secretary to the Treasury (Mr. Kibaki): On a point of order, is the hon. Member right to speak in the House on documents that he could quote? Could he substantiate, Mr. Speaker, that we are only thinking of employing 46,000 people by 1970?

The Speaker (Mr. Slade): You must be prepared to produce documents if you are relying on them, Mr. Ngala.

Mr. Ngala: Mr. Speaker, if the hon. Member—it is on paper—would look in the Development Plans, 1960 or 1967—I do not think I need to quote it, apart from referring to the date. The introduction by the Prime Minister is in the first paragraph on the second page.

The Speaker (Mr. Slade): You must pick out the passage on which you rely for your statement, Mr. Ngala.

Mr. Ngala: Mr. Speaker, the first paragraph on top of page 2.

Hon. Members: Read it!

Mr. Ngala: If hon. Members will give me time, I will read it. Mr. Speaker, Sir, I will produce the papers as I go on.

The Speaker (Mr. Slade): You know, Mr. Ngala, you will have to produce them or withdraw.

Mr. Ngala: I will do it, Sir.

The Speaker (Mr. Slade): I would remind hon. Members it is a matter of order, that when they want to quote specifically what has been said, they must be armed with the evidence of what they are saying. It is not really good enough to say that it will be produced later; the Member should have it ready, knowing that others are likely to challenge him.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): On a point of order, Mr. Speaker, what do we understand to happen now? Do we understand we will be given these quotations later, or—

Mr. Pandya: Yes.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): On a point of order, Mr. Speaker, the House has in possession here the document to which the hon. Member refers. He has referred us to three different paragraphs of that document from which he is unable to quote. The House is entitled—and the hon. Member I am sure will agree—that if he has made a mistake, he had better withdraw it now rather than tell the House vaguely that he will produce it later when the document is at hand, and there is no figure to which he refers.

The Speaker (Mr. Slade): If the hon. Member believes it is there, we cannot delay his speed while he finds it, but he must tell us later, when he has found it.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): On a point of order, Mr. Speaker, what happens if he fails to find it and the House is entitled that we should specifically clear this matter. Are we entitled when he finishes his speech, and if he does not produce it, to ask him to produce it still?

The Speaker (Mr. Slade): Yes. I said that, since he does not produce it now, he will be expected either to produce the passage on which he relies later this morning or to withdraw. I do not think we will hold up his speech, meanwhile.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): I am watching him now.

Mr. Ngala: Mr. Speaker, Sir, the question of unemployment which has been interrupted by the Government side is because they are very much worried about the serious unemployment that is going on in this country.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, on a point of order, do we understand the hon. gentleman is suggesting that Government frivolously interferes with his speech?

The Speaker (Mr. Slade): I do not get that impression; but nobody likes being interrupted on a point of order, even if it is a correct one.

Mr. Ngala: Mr. Speaker, on this question of unemployment a few aspects are related to something in the Financial Statement. Government

[Mr. Ngala]

makes it very, very clear that people should pay their Graduated Personal Tax. Now, I agree that it is our duty to pay it, but how can so many people who have no employment pay their tax?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): They are exempted.

Mr. Ngala: They are not exempted. What can they earn if they are not working, not employed? This is the seriousness of the thing. Government Ministers go around the country telling the people to pay their tax and nobody is providing the employment for the unemployed people. There is a great deal of unemployment as well as a great deal of under-employment in the country. I have been very disappointed with the Ministry of Labour recently which created this publicity on the Tripartite Agreement but which, in my opinion, does nothing.

I think it is very important that that Ministry should realize how far behind it is from the expectations of the people. They mention in the statement about finance. That they have raised the wage quality for the Africans up to 15 per cent.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Where is that? Quote.

Mr. Ngala: The Minister concerned should know that even now in African industries all over the country the salaries are very, very low indeed. I am not aware of any of this increase of 15 per cent on the wage policy.

The Parliamentary Secretary for Labour and Social Services (Mr. Odero-Jowi): On a point of information, Mr. Speaker, could the Member give way?

Mr. Ngala: Give way on a point of information? No.

The Speaker (Mr. Slade): Order, order.

The Parliamentary Secretary for Labour and Social Services (Mr. Odero-Jowi): On a point of order, Mr. Speaker, the hon. gentleman has said that Government has stated that it has increased wages by 15 per cent, could he tell us where we said this? Could he substantiate this?

Mr. Ngala: Mr. Speaker, Sir, the Government will have an opportunity to reply.

The Speaker (Mr. Slade): Mr. Ngala, you know that hon. Members are entitled to ask you to substantiate what you say.

Mr. Ngala: Mr. Speaker, Sir, this appears in the Minister's own statement—

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Where is it?

Mr. Ngala: On the wage policy. On page 2 of his statement—

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Quote!

Mr. Ngala: Where he says, in other words on page 2, it is mentioned on page 2, paragraph 4. "Our development plan will create more jobs. but we must be careful to see that the benefits of future development are spread to all sections of the community. In other words we must not be content merely with a growth in the national income without paying careful attention to the need to ensure that this growth benefits to the greatest possible extent. A large section of our population is now living at a fair subsistence level. During 1963, as the figures in the economic survey show, the average earning of Africans in employment went up by 15 per cent."

The Speaker (Mr. Slade): I do not think you can have a point of order on that, Mr. Mboya.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): No, Mr. Speaker, with respect this does not substantiate the suggestion that Government promised an increase of ten per cent in wages and that in the agricultural industry there has not been such an increase. This, Sir, is a statement of fact of earnings that have gone up in the past. The hon. Member is building an entirely different story and I submit that he has produced facts to substantiate what he said.

The Speaker (Mr. Slade): This question of substantiation is always a difficult one. It merely means that an hon. Member produced the evidence on which he is relying. When he has produced it the House may think that it is not evidence at all of what he said. But they have had the test of what he was saying and why.

The Parliamentary Secretary for Labour and Social Services (Mr. Odero-Jowi): On a point of order, Mr. Speaker, what has been just quoted by the speaker refers to other facts and figures.

The Speaker (Mr. Slade): Order, order. I have just said, Mr. Odero-Jowi, that whatever you think of the value of the substantiation produced, we must leave it now. You must judge for yourself.

Mr. Ngala: Mr. Speaker, Sir, I hope this Government will learn from this Report for they must follow it. I am quite prepared for the Government to give me the figures, I am quite prepared to wait for it patiently—

The Speaker (Mr. Slade): Order, order. Mr. Ngala, you must not complain when hon. Members, in accordance with Standing Orders, ask for substantiation. It is a very important rule of our House and hon. Members must take it as being an important rule and not complain when other Members resort to it.

Mr. Ngala: Mr. Speaker, Sir, I have just stated that the percentage wage policy of 15 per cent was shown. The point I would like to come to is that even if the average wage earned increased by 15 per cent, it is not sufficient. It is not sufficient.

Mr. Shikuku: On a point of order, Mr. Speaker, is it in order for an hon. Member when another hon. Member is speaking, to go on having a sort of conversation with him?

The Speaker (Mr. Slade): Hon. Members know that it is the custom of this House to allow interjections. Straight debate would be terribly dull if we did not do so. What is wrong is interjections that really interrupt the speech. I do think we have got to that point yet in this debate.

Mr. Ngala: In fact, the Government has completely failed to solve the problem of unemployment or even help in any form the people who have not got any work. In the main townships you find these people suffering. They are only hoping that the Government will give them jobs. They are going round with red cards, green cards, blue cards, all supplied to them by the Government but they only have the cards, they do not have the work. This is not a very satisfactory point for a Government which needs the support of the people.

On capital formation, Sir, this I think accumulates on grants and loans from other countries. This is very unsatisfactory indeed for an independent country. The Government has elected on a continuity of a colonial economic policy, that is inviting foreign investors to establish themselves in Kenya, and this is not Kenya wealth in the long run. The Government is busy consolidating all foreign investments of people who are not even citizens of Kenya. How can we expect our own economic power in future? The Minister for Finance is smiling on a very serious situation. If the country has political independence, this is not sufficient. What we need next is economic power and you do not get economic power in a free country by building foreign investment here and safeguarding it without a special arrangement. This is new Colonialism in a different form, an economic form. Mr. Speaker, Sir, my submission is, political independence is meaningless without economic

independence and this is what I would like the Minister for Finance to consider and take very seriously. The way he is going on, he is completely ditching Kenya economically and unless private investors or capital from overseas investors is shared between the nationals of Kenya and the foreign investors, I am afraid we shall ditch ourselves, our country, economically. We will not be masters of our economic destiny. What I would like to say here is that we should go to work to become masters of our economic destiny. The way it is put here—

The Minister for Finance and Economic Planning (Mr. Gichuru): Give me proposals.

Mr. Ngala: I have given you proposals. You were not listening to my speech. Listen now. Unless private investment and capital from overseas investors is shared between the nationals of Kenya and the foreign investors, I am afraid we shall be ditched economically and will not be masters of our own economic destiny. That is my proposal, a very clear proposal.

The Minister for Finance and Economic Planning (Mr. Gichuru): It is included in my statement, that is where you have copied it from.

Mr. Ngala: Mr. Speaker, Sir, we want to increase the earning of the average family. The Minister said the average family today earns £29. Well, I stand for correction on this, but is this really the true figure? Look at the Africans. Who gets an average income of £29 among the Africans? Which of them work, where are they getting the £29 from? Are you sharing the Ministers' salaries arithmetically among the population?

The Minister for Finance and Economic Planning (Mr. Gichuru): And the Presidents' salaries?

Mr. Ngala: Mr. Speaker, the plan here, the development plan aims at making the average family earning £200 in 1970. I can see that both these figures mean nothing because the present average quoted at £29 is not there in realistic terms as far as the maximums are concerned.

The Minister for Finance and Economic Planning (Mr. Gichuru): In Kilifi, yes.

Mr. Ngala: Kilifi is a part of Kenya. Do you forget that? There is nothing in the so-called development plan to indicate that this target would be fulfilled as far as the African is concerned. As far as the African is concerned, the target is completely unrealistic and is not being fulfilled. I want the Finance Minister to see that and show me where the African is getting an average salary, an average per family, of £29 per year.

The Parliamentary Secretary to the Treasury (Mr. Kibaki): Not per family, per capita.

Mr. Ngala: If it is per capita it is even more serious. He should explain it. This is not the situation. The country needs a properly co-ordinate, over-all economic development plan with definite targets and times in which certain results would be meaningfully reflected. The present Government development plan is unco-ordinated groups of talk from different Ministers without them showing how they are going to be fulfilled. They are bound to add to the frustration of the ordinary man. This plan is only going to end in frustration as far as the ordinary man is concerned. It would be like the vague promises that have been given of free medical treatment, free education facilities, and free *shambas*, and so on, and we do not see them now. We do not want useless promises to be given to the country. It is a very serious responsibility to care for the people and the people must be told, too. We do want to make it quite clear that the introduction by the Prime Minister showed that the Prime Minister himself is not at grips with the economics of Kenya, of East Africa, let alone those of the world. He has taught us a policy of continuity and new economic Colonialism for Kenya. It is a policy which is going to impoverish this country, it is a policy which is going to deprive the indigenous groups of this country of the chance of creating their own economy. Well the country must know that the *Haranbee* spirit is quickly taking the indigenous African to economic doom.

Mr. Speaker, I would like to say something about the Kenya House in London. I want an explanation from the Finance Minister as to why there is a lot of complaint from students in London over the services in the Kenya House in London. We are paying money to maintain that office there so that our students and people who go there can be looked after properly. I know that the Minister is aware of the dissatisfaction of the students there and I hope he will be able to explain and tell us why—and here again I stand for correction—why the whole staff there is of Kikuyu origin and only one person is of a different origin. I would like some explanation as to why this is going on in the Kenya Office. If it is going on—this tribalism—we do not want employment to be based on tribes. We do not want employment to be based on parties even. So many people who are capable of being employed from the Coast Region, just because they come from the Coast Region, they are told that they are Ngala's people and they are not going to be given employment. This is silly because we are supporting the country and

whatever money the Minister borrows from overseas we return it in the Coast as well.

Mr. Speaker, Sir, I would like the marketing system to be improved.

The Speaker (Mr. Slade): Your time is up.

Mr. Ngala: With these few words, Sir, I would like to support the Statement and seek an explanation on the points I have raised.

An hon. Member: On a point of order. Mr. Speaker, is it in order for any Member of this House to quote from documents?

The Speaker (Mr. Slade): It is very undesirable, but not exactly out of order; but when an hon. Member is asked to quote from a document he must be prepared to do so. If he is not prepared to do so immediately it is very inconvenient for the House. Hon. Members who want to quote from documents should have them by them.

Mr. Shikuku: Mr. Speaker, Sir, I must congratulate the Minister and all those who have associated with him in producing this long document supposed to contain all that we require in this small country of ours. However, Mr. Speaker, may I, with all due respect to the Minister, point out that in this long document we have not been told something to satisfy our own ordinary man in the street. All that has happened, Mr. Speaker, right from the time we achieved our independence, is that Kenya people, the Africans, the natives, have expected far more from our own Government, the African Government, particularly when it comes to the question of their better standard of living. It appears from this statement here that nothing has been done. The ordinary man suffered during the colonial times, and voted this Government into power with all the hope in the world that his standard of living would be raised. But there are no plans in this statement. It is a long statement but contains nothing of importance to the ordinary man. Mr. Speaker, for example, during the colonial times—

QUORUM

Mr. Maisori-Itumbo: On a point of order, Mr. Speaker, are we a quorum?

The Speaker (Mr. Slade): No, ring the Division Bell.

(The Division Bell was rung)

The Speaker (Mr. Slade): We have a quorum now, you may proceed.

Mr. Shikuku: Mr. Speaker, Sir, I was more or less going to touch on this point of the taxes, the personal taxes. I recall, Mr. Speaker, during

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the time of the Coalition Government the ordinary man enjoyed himself, and he is now wondering what has happened. During the Colonial Government time and during the Coalition times they were relieved of taxes of Sh. 15, and they paid nothing. Now, Mr. Speaker, when I go Butere I am asked to tell my people the difference. During the time before we attained our complete independence they were not asked to pay even Sh. 15, but today they are paying more than they used to pay. Furthermore, Mr. Speaker, there are also old men who were exempted from taxes in those days. Today, even the very old men, in Nairobi here, if you went to look for an example you would find old men complaining. They say in the colonialist times the colonialists even had the guts to look at their cases and told them that they were so old that they would not be required to pay any taxes, they were exempted. Today, they are being asked to pay the taxes, and not only being asked to pay but to pay even more than they paid then. Of course, I am an active man and that was why I was elected to this Parliament. I know everybody must pay these taxes, but that is not going to be taken as an excuse, Mr. Speaker, to try and harass the poor man to the extent that he is almost forced to steal. There was a time here when there was a gathering of unemployed persons outside this Parliament here, Mr. Speaker, and I did my best. I remember, if I may say so, Mr. Speaker, that I did have a word with you and even went to the extent of suggesting that in order to keep this Parliament safe I was of the opinion that there should be more policemen to guard this House because there was a possibility of these jobless people rushing into this Parliament and hacking up any Member here in this Parliament. I recall that very well, Mr. Speaker. Why did these people come here? They came here because they were promised, they were told to go and register themselves as job-seekers and they would be provided with jobs. They waited, Mr. Speaker, and—if I may recall it—this is the sickening part of it, the part of it that makes an African mad. He is not even independent. When this issue of registration came about, Mr. Speaker, I was in Nairobi. What took place was terrible. There were long queues and people had been standing in those queues waiting to register themselves as job-seekers and they had to sleep on the way. Some of them broke their legs because the horses were called on them as some of them became a little rowdy. But when they got these cards they waited every day outside the Labour Exchange. I am sorry the Minister for Labour and Social Services is not here. These ordinary men, the ordinary men who

voted the African to power, have been to the Labour Exchange, waited and registered, and when they were registered they did not know where to go and sleep. But in this very long statement there is nothing mentioned about that. No camps are to be built for these people who have gone to the Labour Exchange and sat there the whole day to register, they sat there for the whole day in the sun and in the rain, and then on top of it they have to go and sleep in the drains. That is independence.

The Minister for Finance and Economic Planning (Mr. Gichuru): What are you doing about it?

Mr. Shikuku: That is what I am asking you, what are you doing about it? What are doing about it as a Government? You ought to be ashamed of it.

Mr. Speaker, I am told this is empty because the Ministers have a nice time, they change cars every day and they go on sitting being guarded in the big quarters up here. They do not know what the ordinary man is doing. Mr. Speaker, I think this is a very serious thing.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): And you, do you go on a bicycle?

Mr. Shikuku: I do go on a bicycle, yes. This is a very serious thing and I do not think the ordinary man in the street would be happy to find you joking about it when they are suffering. May I warn that history can repeat itself elsewhere. When the ordinary man—there is a limit to everything, a limit to everything, the point is reached when every human being can be exhausted to the point of any animal, and when they are exhausted, that human being, animal, no matter what it is, can be very dangerous. If we go on laughing in this House, Mr. Speaker, as I said here, there can again be a very big gathering outside this Parliament. They came here before and even demanded to see the Minister for Labour—I am sorry he is not here—because they had been asked to go out to what we call the sisal estates somewhere in the Machakos District, and on arrival there they could not find the jobs they were promised and they were forced to sell their shirts, shoes, hats, and they had to walk back.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): And where was the sale organized, who bought them?

Mr. Shikuku: The Ministers may laugh here with their big bellies but they may find their bellies open one day.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Careful, careful.

Mr. Shikuku: Mr. Speaker, I am saying these things because this is a very serious issue. If we are not going to satisfy the masses and we are not able to convince them that they are really independent—Independence, to the ordinary man, Mr. Speaker, does not mean him having his flag, it is to get a better living for himself, for his wife, education for his children, and, above all, have the freedom to move freely. He does not care who is at the top, he is not interested in who is who, as long as he has got things, but so long as those things are not going to be given to him, surely if we expect him to sit back and laugh and sing the sing-song of *Harambee*, which nobody can eat, we will get nowhere.

Mr. Speaker, I am a Christian and there was a time—and I quote from the Bible—when Jesus went to address a big rally and here, despite the fact that Jesus is and was and will be the Son of God, he addressed the people, but then he realized that though he was talking to them most of them were yawning and they were not listening to him. And do you know what he did, Mr. Speaker? He realized that these people were hungry and he asked if anybody had anything to eat there, and a boy was there who produced five loaves and two fish. And there, Mr. Speaker, he blessed them and these people consumed them, and they consumed then to their satisfaction and from that time, Mr. Speaker, may I record, people said Jesus was good. Today and tomorrow they say Jesus is good and no religion or denomination has yet been found which says that Jesus was bad. That was because the people had something in their bellies, and this is the time for the Government, instead of attacking us and shouting *Harambee*, to produce something for the ordinary man to eat. *Harambee* is not enough. Mr. Speaker, we all want *Harambee*, the ordinary man wants *Harambee*, and when the ordinary man wants *Harambee*, that *Harambee*, even the very air, the very force to shout the word *Harambee* depends very much on what is in the stomach. If we go on overlooking this and just laugh about it, some of us will talk of Communism. Communism is likely to come into Kenya, Mr. Speaker, and it will get the greatest support. Communism usually cashes in on such unfortunate situations, and I do not want this to happen. That is why I am asking our very Government, I am telling them that this is the time when they must see that the ordinary man has something to eat. If they have that, they have stops against Communism. If they have to say where they are, the ordinary man will not care

what they do, provided they give them something to eat. Therefore, I feel, in this statement, all I can say is that it pleases those who are rich and it taxes them of course, but for the ordinary man who is the backbone of this country there is nothing.

One of the items I would like to touch on, Mr. Speaker, is the one concerning the increase in tax on items like meat, soap, fish and razor blades. These are the things the ordinary man uses.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Which ordinary man buys tinned meat and tinned fish?

Mr. Shikuku: The hon. Minister for Constitutional Affairs does not seem to be quite steady—

The Minister for Justice and Constitutional Affairs (Mr. Mboya): The ordinary man.

Mr. Shikuku: —but he is going to have it today. Mr. Speaker, the ordinary man eats meat. From a medical point of view, he has to eat meat. I am sorry the Minister for Health is not here, because he would certainly agree with me that meat is a part of a man's diet. The ordinary man is supposed to eat meat.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): You, yourself, do not buy tinned meat?

Mr. Shikuku: Mr. Speaker, I am talking of ordinary men.

Mr. Ngala: He is an ordinary man.

Mr. Shikuku: The ordinary man in Butere and elsewhere buys—

The Speaker (Mr. Slade): Order, order.

Mr. Shikuku: Thank you very much for your ruling, Mr. Speaker. I can see the hon. Members on the other side of the House, and particularly the Ministers and Parliamentary Secretaries, are really taking this as a joke, but I would like to warn them that I am speaking the minds of the people, the minds of their own people, the ordinary men, therefore, I would like them to take this seriously. The ordinary man uses soap, and the tax on that has been increased.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Only imported soap.

Mr. Shikuku: Soap is soap; when it is put in the shops it is not written on it imported or otherwise. You should know that better. There is

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no fixed price for the ordinary man and for the rich man. Everything is the same price. What the Minister buys in the shop today, if it is a shilling, the ordinary man pays his shilling, too, and that has been increased. I think this is very, very unfair because it affects the ordinary man whose standard of living has not been touched seriously in this so-called statement of theirs.

Then we have fish. They say fish. I do not see why the tax should be increased on fish. Fish. That has also gone up. My poor ordinary man on the Kano plains who has no land, and what little land they have, whenever it rains, it is flooded, and yet their fish has been increased. This is suffocating and doing away with the livelihood of the ordinary man. It is absurd that fish in Kano, Lake Victoria, has been taxed. This is the livelihood, of these people from day to day. During the time they have the floods, funds are going to be raised to meet such disasters, but they must understand that those people on the Kano Plains and in the hon. Odinga's constituency and many other constituencies round the Lake, depend on fish. Now fish has been increased. How is the ordinary man in the Kano Plains, Nyando, and so on, going to live? when he has no money? This is absurd, Mr. Speaker. It is not a laughing matter. You may laugh here, but the ordinary man at home, the ordinary man in the bush is listening, and you should not be deceived into thinking that the ordinary man remains stupid and will know what is happening for ever and a day. It is always worse when that person who is considered to be illiterate and stupid becomes wise because he becomes more dangerous.

Now I come to another point, Mr. Speaker, and that is the question of razor blades. Unless you are asking us to shave no longer and have beards, this is absurd. The tax on razor blades has been increased, and they are used by the common man. If we are going to harass our own men in every way, and then when we go to public meetings expect them to shout, "*Harambee*", if they are hungry they will not shout, "*Harambee*", because the Israelites would not shout, "*Harambee*", until Jesus gave them food. This is the time when we should also give food to the people. When the tax on razor blades is increased, that affects the pocket of the poor man.

Another point is that petrol has gone up—

The Minister for Justice and Constitutional Affairs (Mr. Mboya): To the ordinary man?

Mr. Shikuku: I do not say that this goes for the ordinary man. This applies to those who are able to own cars, those who have Mercedes Benzs and Rolls-Royce, and Peugeots and so on—

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Right.

Mr. Shikuku: Mr. Speaker, I do not—and I want to make it very clear—wish to say much about that because to a certain extent it is quite in order, but with regard to the people who have been taxed on the other items I have mentioned, this honestly is completely unfair. Even vests, they too have been taxed. This is wrong. I thought the Government would be more merciful to the ordinary people, but this Government is just walking in the very footsteps of the imperialists who were here.

Mr. Speaker, may I touch on one item again, and that is the one of economics in this country. We talk of *harambee*, we talk of people having to work together to build this country. Politically, I must admit that we have done very well, we have worked very well with all our brothers who now govern this country. Unfortunately, Mr. Speaker, I would say that we have not worked together very well economically. So far we have attained political independence, but with all due respect we are certainly not independent economically. We are still under the foreign yoke. I say this because when we go to the shops today, we see that the ordinary man, who thought that when we come into power he would have more hand in trade is still in the bad position he was in imperialist times. Today, there are a lot of people in this country, who are not even citizens of this country, who are not even loyal to this country, who owe their loyalties elsewhere, who run the economy of this country.

I will prove that, Mr. Speaker. With all due respect, I do not want this to be contruded to something else.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Contruded?

Mr. Shikuku: What I was going to say was to be contruded to something else.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): What kind of word is that?

Mr. Shikuku: Mr. Speaker, that is a South African word. I was taught it by a South African friend.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Well, he taught you wrong. He took your money for nothing.

The Speaker (Mr. Slade): Order, order.

Mr. Shikuku: Thank you, Mr. Speaker, for your ruling.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Which ruling?

The Speaker (Mr. Slade): My ruling is that the House is behaving like a kindergarten at the moment.

Mr. Shikuku: Thank you very much, Mr. Speaker. You are not very far from the truth. I have never had any training in addressing or teaching kindergarten students; that is why I am finding it very difficult today with these kindergarten kids here.

Mr. Speaker, if I may go on, I would like to say this. Just recently something unfortunate happened in India. We regret the death of the famous leader, Mr. Pandit Nehru, the late Pandit Nehru, and the Prime Minister of this country ordered that our National Flag was to be lowered to half-mast, the greatest respect we can show to anybody. That was done, Mr. Speaker, but what happened? All the shops were closed, all the hotels were closed, all the cinema theatres were closed. It was a sad day in the streets. We could not even get a cup of milk.

Hon. Members: Question.

Mr. Shikuku: That was the time I realized that here we are independent politically, but our economy is being controlled by thieves.

Hon. Members: Question.

Mr. Shikuku: If this question is not going to be remedied, it is absurd to talk of independence when it is controlled by other people who can order the shops to close, and the ordinary man has had it. If this is the independence we are told to support by the Ministers here and the Parliamentary Secretaries there, then they are betraying their own people, and I must say, with due respect, on that day you could not get anything from all those shops. One thing was clear: the loyalty of those who closed their shops was not in Kenya, but in Delhi.

The reality here is to get the money and prosper Kenya, but not yet, and most of those people are not even citizens of this country. Then we are told about the economic plan; would you touch that, Mr. Minister for Finance? This is the thing in which the ordinary man wants to take part.

in the economic development of Kenya, but you cannot have economic development when the indigenous people of Kenya are not taking part; it is a complete waste of time. Changes are required, and very quickly. Mr. Speaker, to make the ordinary man believe that he is independent. Today, as far as I am concerned, and since public meetings are now allowed, I am going to say in no uncertain terms that we are not independent yet and we have to fight for economic independence. That is my campaign, and I am going out to make it very clear to the masses.

Mr. Speaker, I understand my time is running out, but another point I want to make concerns the question of markets. Poor producers do not benefit at all because the people demand benefits. What is happening is that the ordinary African who is trading buys something. Trade is so organized, but we are told that we must compete with those people who are already in the field. This is a very interesting question. We have not been given a chance during colonialist times to trade and compete efficiently with other people. These people have had a long time doing this, but when we are told to compete how can I compete with Patel who has been trading for thirty years? He has the capital, and what happens is that when I put my shop next to Patel and want to compete in all fairness, he reduces the prices of items in his shop. People go into his shop and after two months Shikuku will not be able to go on, so I close the shop. The competition is completely unfair.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): You are a bad businessman.

Mr. Shikuku: You can never be a bad businessman. It is asking a kid of five to run a race against somebody of eighteen years of age. Can you expect him to win the race?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): So you are a kid of five. We did not know that.

Mr. Shikuku: In business I am a kid of one, not five. We must protect the Africans, that is important, and I would like to take this opportunity to point out that the time has come when the Government should re-rationalize the economy, not nationalize, rationalize, to give change to the ordinary man to come on. This will help the ordinary, poor man. I feel that the poor man must be protected, but if we are going to tell him to compete with somebody who is well established you are asking too much of him. He

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will end up in frustration. If it is our responsibility to frustrate our own people who elected us to this Parliament, then I disassociate myself from this idea.

With these remarks, I wish to warn the House that I shall speak very vigorously when the time comes on both the different Votes, and I beg to support.

The Speaker (Mr. Slade): Mr. Ngala, are you ready now to produce the document to which you referred?

Mr. Ngala: Mr. Speaker, Sir, I was referring, not to the introduction by the Prime Minister but to the Statement by the Minister for Finance. On page 2, paragraph 3, it says: "The two factors in the 1963 picture which were not satisfactory were the level of employment and the level of capital formation. According to the figures of reported employment, the numbers fell between June 1962, and June 1963, by some 46,000, whereas at the same time the total number of men of working age in the country must have increased by a similar figure. It is, however, pointed out in Chapter 6 of the Survey that the position may not be quite as bad as the figures suggest, as it is not possible in an enumeration based on a postal inquiry to cover the large number of persons employed in small businesses and on small farms."

Mr. Speaker, Sir, I realize that it was a mistake to refer to the Prime Minister as having stated this. I was referring to that section and I withdraw the section.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, Sir, we have listened to two speeches from the Opposition which clearly misunderstand the purpose of this Budget Debate, and even the purpose of the Budget itself.

[The Speaker (Mr. Slade) left the Chair]

[The Deputy Speaker (Mr. De Souza) took the Chair]

The hon. Member who is just leaving has treated us to a lot of elementary schoolboy ignorance—

Mr. Masinde: On a point of order, is the Minister in order to refer to the hon. Member as a schoolboy?

The Deputy Speaker (Mr. De Souza): He did not refer to the Member as a schoolboy. He said he had treated us to elementary schoolboy ignorance, which is a different matter.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): He himself said he was one year.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): May I repeat, Sir, that the hon. Member who has just left has treated us to a lot of elementary schoolboy ignorance which is unfitting to the maturity expected of this House and the Members.

Now, Sir, the hon. Leader of the Opposition had to speak because it is customary that he must speak, but if you examine the content of what he said you are left in no doubt that here is opposition for the sake of opposition.

Hon. Members: Question, question.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Deputy Speaker, what do we have before the House today and what is being discussed? First, we have the first Budget of independent Kenya, the first Budget since independence. In this Budget prepared only six months after independence, tremendous efforts have been made to grapple with the problems of the country, and to utilize its resources to the maximum capacity, as a means of beginning to move in the right direction. However, Sir, the Opposition does not accept that position, the Opposition believes that after six months of independence, we should have brought to this House a Budget which solves the problems which Kenya has accumulated over seventy years. The ignorance and naivety of the Opposition in adopting this approach is not necessary to define. The Opposition must read the Budget in conjunction with the Development Plan, and in conjunction with the aims and objects as defined in the Minister for Finance's speech. The question which the House must ask itself is not so much whether in this Budget we have solved all the problems that Kenya has accumulated over the last seventy years; the question which has to be asked is whether we have started moving in the right direction. The only thing that the Leader of the Opposition sees is one problem, one problem. I suggest, Sir, that this country has more than one problem, and that this narrow thinking ability of the Opposition is the reason why they are in the Opposition. One of the Members from the Opposition came here—

Mr. Ngala: It was the Leader of the Opposition.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Well, Sir, the Leader of the Opposition has only one function left in this country and that is to make noise.

Mr. Deputy Speaker, the hon. Member who left the Chamber a few minutes ago kept telling us about the ordinary man, how the ordinary

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man needs this and the ordinary man needs that. What does he take this Government to be? This Government is a Government of the ordinary man, elected by them and put in this House by them, and these ordinary men in their wisdom decided that Members of the Opposition were not fit to govern this country. Sir, who speaks for the ordinary man? The popular man they want to govern, or the man they rejected? That remains to be seen.

Sir, what is the evidence of the ordinary Member when he says that the Budget bears heavily against the ordinary man? He says that the Budget is unfair to the ordinary people because it will make them buy tinned fish and tinned meat. Mr. Deputy Speaker, the ignorance of the hon. Member is incredible. He refuses to read the Budget itself, and the Leader of the Opposition refuses to read the Budget. In fact, Sir, I am informed, and I do not know whether I am right, that the Leader of the Opposition was going to read a speech prepared by the hon. Mr. Alexander, but maybe this—

Mr. Ngala: Not true.

The Deputy Speaker (Mr. De Souza): Order, order.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Deputy Speaker, I said I may not be well informed, I may be wrong, but this is my information.

I will gladly withdraw; if it was written by somebody else, I do not know.

Mr. Ngala: I just wanted to have him substantiate, Mr. Deputy Speaker. The hon. Member has alleged that the speech I have given was written for me, or he was informed. Can he give us the source of his information?

The Deputy Speaker (Mr. De Souza): I think he has already withdrawn. I think he has already withdrawn it; I accepted that as a clear and unequivocal withdrawal, that it has not been written by somebody else.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, may I say that we were treated by the hon. Leader of the Opposition to a lot of fictitious figures, which if, in fact, he is the author of the speech, then, Sir—Well, perhaps the best thing is not to say more than that.

Now, Mr. Speaker, on a serious note, what are the taxes, the customs duties that go up in this Budget and which the hon. Member from the

Opposition wanted the House and the country to believe would bear heavily on the ordinary man? The Budget speech was very clear. It referred to increases in customs on imported textile piece-goods and certain imported foods and soap. It does not refer to the meat slaughtered at Athi River, as we were being told; it does not refer to the fish caught in Lake Victoria, as we were being misled here. Sir, how many people of the lower income group go into a shop to buy fish imported from Australia or from Europe, or soap imported from all these other countries with scent? How many of these people are going to buy an imported vest when there is a local vest which is cheap enough for them to buy. Mr. Speaker, the fact of the matter is that the hon. Members from the Opposition are pleading for themselves and not for the ordinary man. They are wondering how they are going to buy this tinned fish in future.

Mr. Ngala: We are ordinary men.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): You are a general, I have heard!

Mr. Speaker, let there be no mistake about it, therefore, that as far as this Budget is concerned it has not touched on the foodstuffs of the lower income groups or, for that matter, their normal clothing market. Fish tinned, meat imported, Athi River meat is not imported, for your information. It is exported.

Sir, what is the other aspect of these taxes? It is right, I agree, with the last remark of the hon. Member who spoke from the Opposition about the fact that we have inherited an economic structure which has not been just to the indigenous people of this country. We have inherited an economic structure in which most of the trade and business was in the hands of the non-citizens of this country, and this must be changed. Now how do you change it? It is not changed by slogans and words, but by action, prudent action. The first step that has been taken in this field and in this Budget is to raise taxation so as to discriminate against imported goods where there are goods manufactured locally of a similar type. You have got to encourage local manufacture, local production, so that local people can participate. There are two methods of doing this process. You cannot, Mr. Deputy Speaker, the hon. Members cannot on the one hand shout about unemployment and its threats and on the other hand shout empty slogans.

Mr. Deputy Speaker, there are two methods by which Africans can be helped to compete more effectively with the non-African businessman in

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this country. The first one is by Government action, to give them greater facilities and encouragement. The second one is by the initiative and effort of the African himself. This cannot be done by just legislation or by some empty slogans. Sir, if one reads the Budget as well as the Development Plan one will appreciate that in fact these two processes are very much emphasized in both the Budget and the Development Plan. It is important to realize that you cannot create a new economic structure to take over the place of the old economic structure in a matter of six months, or in one Budget speech. This must be a continuing process and trend in our Development Plan and in the Budget speeches in the years to come. If the application of both these methods of correcting the imbalance is energetically continued from year to year, we will in a very short time begin to show the African not only competing but taking the lead in the management of the economic affairs of this country.

Sir, the Government has never disputed the fact that political independence must be followed by economic independence. We have always emphasized in fact that political independence will have to be strengthened and consolidated as the basis and the means to pursue the goal of economic independence. That, Sir, is the policy of the Government and that I submit is reflected quite adequately in this first year's effort in the Budget speech and in the Development Plan.

Now, Sir, if the Leader of the Opposition, and the Opposition, and the hon. Members of the House have read the Development Plan and the Budget speech carefully they will see that, in fact, we have started to move in that direction. What is now needed is that contributions in the House, speeches made in this House and elsewhere, must in themselves facilitate this trend. It is not good enough for speeches to be made which do not recognize the importance of the contribution which each Leader and hon. Member of this House is bound to make. There must be a climate of opinion in the country, an atmosphere in which development can take place uninterrupted. There must be an atmosphere created in which the maximum effort will come from the people themselves; in which the attitude of mind will facilitate initiative among the people themselves. This, Sir, is what is needed today from this House and the country generally. It is necessary that our businessmen, our farmers, our workers, in fact everybody in this country begins to recognize that they have just as much to contribute towards this general effort of creating a

new economic structure by their own efforts assisted and aided by the Government. If that is destroyed, if that atmosphere and attitude is destroyed, then, Sir, we will not have made our contribution.

Now, we are confident that given the position that this is our goal and that we are working towards it, that very soon we will begin to see the main streets of our towns and cities increasingly reflecting the true nature of what should be the economy of this country.

An hon. Member: Grogan Road!

The Minister for Justice and Constitutional Affairs (Mr. Mboya): I mean the main streets, and if you are ignorant of the main streets, you are not worth sitting in this House.

Now, Sir, there has been reference to foreign investments, and the fact that people who may not be citizens of this country carry on business in the country. Mr. Deputy Speaker, I was not quite sure what the two hon. Members of the Opposition were really driving at. Were they saying that we should pursue development without any foreign investment, or were they saying that we should legislate here today that no one who is not a citizen of this country may take part in the economic life of this country? What were they saying? Sir, the fact is that we were treated to yet negative, empty words. Words, words, words. The fact, Sir, of the matter is—and that is why some of us wonder sometimes whether it is worth having an Opposition. Fortunately, we do not have to legislate because it is dying a natural death.

An hon. Member: Are you worried?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): I could not care less. The fact of the matter, Sir, is this: that it does not matter what party is in power in this country, there will still be need for foreign investment. There is no country in the world today, not one East or West, that does not exist in the context of interdependence in trade and economic life. There is not one.

Now, Sir, what is it that we are saying? What is it that we are saying? Mr. Deputy Speaker, what the Government is saying is that whereas in the past, foreign investment might have come into this country purely for extractive purposes, to take away and not to put in anything, but in the future foreign investment shall be a facility to promote development.

Mr. Ngala: On a point of information.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): I refuse to give way.

Mr. Deputy Speaker, I doubt whether there is any worthwhile information that I can get from the Leader of the Opposition. All information that the Leader of the Opposition had was given here and we all know the value of it: it was useless. Mr. Deputy Speaker, foreign investment that we invite into this country must be a facility, an instrument to help to promote our own economic ideas and achieve the economic pattern and structure which we want for Kenya.

An hon. Member: It depends what you mean.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Sir, now what does this mean? In the first place we intend that there should be investment to generate employment, to see more of our people get jobs, wages and something to eat. Secondly, through our taxation policy it makes a contribution to the general revenue of this country. By jobs also it helps in the training of our people, skilled jobs and executive jobs. Sir, lastly, it acts as a basis by which or through which our own people, either a company, a co-operative society or as individuals, become associated with business organization and begin to take over the more important aspects of business organization and the organization of our economic resources in the country. Now, Sir, any country in the world, call it socialist, call it whatever you like, is bound to advance its own interests in this form in the modern sense. That, Sir, is what the Government is trying to do. The Opposition merely talks against foreign investment vaguely, but does not tell us what they have as an alternative.

An hon. Member: We have given it to you.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Empty words. Those are not good alternatives. Mr. Deputy Speaker, Sir, from Giriama-land we would get a lot of mangoes, but how much employment it would give, I do not know. Now, Sir, the other point is regarding citizens.

An hon. Member: What are you doing to develop Giriama-land?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): You always ask what we are doing. May I ask what you are doing for a change?

The Deputy Speaker (Mr. De Souza): Order, order. Let us get on.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): I am glad you know that.

Mr. Deputy Speaker, on the question of citizens, the Government is committed to promoting an economic programme which will see more and more citizens of this country taking a leading role in the economic life of this country. This must be the object of any independent African state, and we do not have to be lectured to about the need for citizens to take a leading role. That is precisely why Government has seen fit to create bodies within Kenya that will assist local citizens to begin to compete and participate more effectively in this whole process of economic development.

Mr. Deputy Speaker, I am sure that when the Minister for Commerce and Industry speaks, he will indicate very clearly which are the bodies that have been set up for this purpose. Now, Sir, the speaker, one of the hon. Members from the Opposition, told us about Jesus and the loaves. Clearly this dramatized the bankruptcy of the Opposition thoughts. They are still thinking in the age of the loaves and miracles. They are still thinking of the age of manna from heaven. All you need to do is to kneel down and pray and the loaves will come. Well, if that is the Opposition economic policy, I say to them that they have got many years of prayers to come.

I say to them that they have many years of prayers. This Government does not pray for loaves but for much more important things. Your ignorance is appalling. There is no question of telling our people that all they need to do when they are unemployed is to kneel down and Jesus will bring the loaves. There is no question of telling our farmers, "pray hard, pray hard, and there will be moneys from heaven". This Government believes in an economic policy based on initiative and hard work, not on prayers. Mr. Speaker, we have been told about unemployment as the only problem of this country. Now, Sir, in all humility I say that this country has shown many other countries a unique example of how to treat with urgency a national problem. The fact of the matter is that whereas a few months ago there were hundreds of thousands of unemployed people in this country who saw very little hope and who would not be employed today we are to wait for the natural economic growth of the country. We took immediate emergency measures which have put into job today as a result of the Tripartite Agreement, well over 30,000 people. Well over 30,000 people, with approximately 20,000 people more to come in the next three months. Now, Sir, that is outside the normal economic growth of this country,

[The Minister for Justice and Constitutional Affairs]

I would like to take this opportunity of thanking the employers and the trade unions who have co-operated in making this possible. If necessary the Ministry for Labour will give an analysis of the jobs that have been given out under the Tripartite Agreement in the last few months. 30,000 people have been given jobs and that is not a fictitious figure, throughout the country. It is true, Sir, and we do not deny it, that there are some people who are still unemployed, it is true that people from the rural areas have been worse off than some people in the urban areas, it is true that there still people walking the streets of our country, but it is also true that something has been done and that we are concerned about those who are not yet employed.

Mr. Masinde: How many do you employ?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Sir, I employ more than you employ, and I will employ you if you like!

Mr. Speaker, I am sure that the House would like to thank the Minister for Finance for this Budget speech, for the realistic assessment of our problems, and for the practical approach that he has taken, both in the formulation of the Budget and also the economic trend. I am sure, Sir, that if Members of the House and the country, heed the call that he has given all of us, that we shall begin to move and that we shall move fast. Thank you.

Mr. Oduya: Mr. Deputy Speaker, I do not think I was going to speak but I just wanted to make it quite clear to the Minister that as well over 30,000 people have been employed in this country, and this is a very serious issue, we, the Members here, want the breakdown outlining the numbers from each district, from each Region, that have been employed because we do not want a responsible Government to make statements without giving us the figures and the number of people that are employed in each district. So, I will speak later, Mr. Deputy Speaker.

The Deputy Speaker (Mr. De Souza): You cannot do that.

Mr. Oduya: All right, let me go ahead now then. I was not ready to speak and I will not enjoy this speech very much, but I will say a few things.

First of all, although I am not very happy with the Budget, I think I congratulate the Minister for introducing this Budget in this House and I

hope all of us are convinced that it has been hard work for the Minister, and he has made it in such a short time, and brought us such a wonderful Budget to the House. But there is only one quarrel I wish to have with the Minister here. I do not know whether it is a mistake in his development plan which has caused this. I am talking for the Western Region because I represent that area, that is where I come from. The Region, Mr. Deputy Speaker, is not covered in this Development Plan for six years. I do not know whether this is a mistake on the part of the Treasury or mistake on the part of the Regions, but I want to draw the attention of the Minister to it, it is completely lacking in this Budget, that is any development for the Western Region. Whether I am perhaps blind, I do not know, I think perhaps the Minister will have to correct me, but I can only see very little mention of the area, that is the Bunyala irrigation scheme. That is the only thing I see which is in the Western Region which is mentioned. When it is my turn to speak, it is my turn, and I think hon. Members must remember that. I am addressing this, Mr. Deputy Speaker, for the Minister to hear what we people in Western Region think about it, this Budget, and it is not for the Members here to continue shouting and shouting. I think they should behave.

Now, Mr. Deputy Speaker, the Bunyala Irrigation Scheme alone is not enough. The problem of Bunyala is known to all the people of Kenya right from the beginning. It is not a new thing and the Government has been thinking what to do about this area. But as a whole Western Region has been forgotten. We have not seen anything in this Development Plan for six years to show what other arrangements or plans the Minister has in mind for this Region.

Indeed, Mr. Deputy Speaker, we are worried and we do not know what to go back and tell our people at home about the six-year Development Plan that the Minister has already announced. It might have been a weakness of the region, and if it is a weakness on the part of the region, I think the Minister will be in a position to explain to us in such a way that this House will know where the weakness was, and we shall know what language we can take back to the region and how to deal with the region. I hope that the one Member of the Regional Assembly that is here, the hon. Mr. Muliuro, will be in a position to speak again when the Minister has told us exactly what is going on. We are serious that such a plan, which is going to be the life of the country, should not also include a region that is so junior that it was only created a few months

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ago. This region is not even included in this Plan, and we do not know what we are going to do. Mr. Deputy Speaker, Sir, we know that some other regions have been well represented and have been given much, despite of the fact that they are well industrialized. For example, let us take Nyanza as a whole. They have so many industries such as the sugar plantations and other things, and these are industries. But according to this Budget, more sugar plantations are going to be given to them, they are going to be expanded, and that is what the plan here says. It says by 1970 Nyanza is not going to be all that poor, it is going to be on a proper footing. But comparing it with the Western Region you will find that the Western Region has nothing, absolutely nothing to touch it, and that is what I want the Minister to tell us, to tell us exactly what he thinks about it because we are really perturbed. More things have been said here. Let me draw the attention of people to them. We people, we grow cotton. In my own area, Busia District as a whole, we grow cotton. We have three ginneries for cotton, but here in the Development Plan it does not show whether the Minister is prepared under the Plan to expand the acreage of cotton production in this area. Nothing is shown. If it is written somewhere, I have not seen it. I have gone through this document, but I have not seen it. I only want the Minister to tell me. We have told the people to expand the acreage of cotton production so that by 1970, according to this Plan of six years, we could be able to produce well over 20,000 bales of cotton. But now, as we have not been given any opportunity here, as there is nothing about it in the Plan, how are we going to produce this? People, at the moment, are running these three ginneries through their own efforts with no assistance from the Government to expand the cotton production. So I hope the Minister will do something in this year to see that if he has not included it in this Plan he produces a Supplementary Estimate immediately to make some allowance to meet this scheme to expand the cotton production in the Busia District. Mr. Deputy Speaker, I was also going to say something about the Mumias area in Kakamega District, which is, of course, an area which could produce more sugar-cane. I think 50,000 to 100,000 acres of land could be used to produce more sugar-cane.

[The Deputy Speaker (Mr. De Souza) left the Chair]

[The Speaker (Mr. Slade) took the Chair]

That would warrant the region getting a machine or a factory for white sugar. But then it seems

as if the Minister has deliberately ignored the importance of the soil in this area, and that in his Plan he has given the region nothing. This is not a new question, this question of the Mumias sugar-cane. We have always presented this case to the Government through the Ministry of Agriculture—he is away at the moment—but then when the Minister produced this six-year Plan he never mentioned anything about the Kakamega District or even the Western Region for that matter. He should at least have given them some money to expand the acreage to leave it clear for plantation of the sugar. But what they have done is again they have sent more money to Nyanza. It seems as if there is something going on, that some people are being favoured and some people are being ignored. A place which is in need is ignored and a place which is not in need is forced to have help. It seems as if the Minister has friendship with some people from the area there and he has just said to them, all right, you have this, do not worry about the Western Region, and I want the Minister to know that even if the Western Region has a Kadu Regional Assembly—perhaps it is because of that, perhaps the region has not been willing to plan properly and so give the Ministry the proper information as to the needs of the region—but I think the Minister will now take it from me that if there is nothing in this Development Plan for six years, and I hope he will look into this very seriously and try to get this region to publish him with more information immediately or else to ask his agricultural experts and the other officers of the Government to furnish him with the proper information on the needs of this region so that something can be done in his Supplementary Estimates without further delay.

Mr. Speaker, another item I wanted to mention was that there are some other areas in the Western Region which, of course, could be organized for a rice scheme. This, of course, is some parts of Busia and some parts of Kakamega and some parts of Bungoma District. These things are important. But, then we have heard from the Agricultural Society that they have already submitted to the Government the need to organize these rice schemes in the area so that some money would be allocated by the Ministry to start this scheme by 1964/65. But up to now we have not seen anything in this Plan mentioning rice schemes in the Western Region. So, I wonder whether the Western Region is within Kenya or if it is outside Kenya. I am worried about this! Here the Minister is marking where he talks about Nyanza and the cotton in the Western Region, but I do know that the Ministry is always confused because it does not know that the Western Region is a

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separate thing altogether. Nyanza is Nyanza and Nyanza alone and will remain Nyanza. Therefore, when we talk of allocating funds we must allocate so much for Western Region and so much for Nyanza. But then the Minister is trying to combine Nyanza and Western Region. These two cannot come together. If you put the two together then you will not be in a position to understand clearly the problems of the Western Region. Kisumu is an industrial town and, therefore, together with other industries such as the sugar plantations, the fish industry, and other things like sisal, there are many sources of employment in that region and the people there are very well off. They are getting on very well, and with this Plan of the Ministry I think things will be very favourable for the Nyanza Region in the next few years. By 1970 they will be in a better position. But in Western Region I do not know how we are going to get on. Therefore, that is why I feel that the Minister should consider doing something and he should not make the mistake of combining two regions together and forget the old Nyanza. They have Western Region as a new region all on its own.

Therefore, Mr. Speaker, you make plans for that Region, we need money for development too. Just recently the County Council of Busia, the Agricultural Committee of Busia, agreed that they would be in a position to negotiate, if there were money available, for agricultural development, to purchase more tractors or to make certain negotiations so that they could expand cotton plantations, rice schemes and sisal, and other things like that. It is only on that basis that our Region will be in a position to bring more income to this country. More production of cotton, more production of sisal, more production of rice, and other crops like sugar cane, and the rest of it, with more acreage, would benefit the Region and the districts concerned, and I hope the Kenya Government will be in a position to get more money by this six year Plan.

In this Budget, although the Minister has talked more of raising the prices, he is forgetting one thing. The Minister has not told us his economic policy, whether we are going to rely on this increasing of prices every year in the Budget. Has he something else to tell us later in due course? If he has, he should be in a position now to tell the country what his economic policies are. At the moment, even last year, he is increasing the price. Last year we thought it was the Colonial Government, but this year again he has increased the prices again

on certain things, razor blades, petrol, and various other things.

An hon. Member: You do not need razor blades!

Mr. Oduya: Yes, I need them sometimes, but anyway, I do not need them now but I am speaking for others too, for those who need them. But then the Minister should have done one thing, Mr. Speaker, he should have told us exactly because there are certain industries in this country which make millions and millions of pounds every year. It is important, because this money is not remaining in Kenya. This money goes abroad. When a bank is full, a single signature does one thing, it signs a cheque saying that it authorises say, £16,000 to be sent to the London bank in such and such a street, and nobody can refuse because the money is private property. That is only a few thousand shillings, but if he has now made millions and millions of pounds and he has already sent it to Bombay, it has left the country. When I went to Bombay I went down Bombay street and I saw all these lovely buildings there and all this is from money that has been sent out of Kenya and nobody can deny that. I am sure that my friend there will not deny it.

Mr. Speaker, Sir, even if—Well, anyway, I think that was going to be a bit extreme. Now, let me suggest to the Minister that one good thing that we want is that, as we mentioned in our Manifesto, we need to nationalize certain industries. It is high time our Government should come up to tell us whether the Government intends to make that move or not. Therefore, the Minister for Finance should now be in a position to tell us what plans he has in the future regarding certain industries, certain companies here which are making high profits, for example the E.A.P. & L. Instead of increasing prices all the time of local things, we must see where money can be found. For example the company I have mentioned makes a lot of profit every year. This very company has been aided by the Commonwealth Development Corporation, and that with the agreement of the Kenya Government, of course. Now the Government here gives to a private organization private industry and the money that they make, Mr. Speaker, is taken abroad. Nobody stops it. It is a private business. Therefore, I think the Minister should see that it is high time for him to come and take over the responsibility of this company. We want this company to learn by mistakes, by the mistake of us running here and there, going to London, Washington, West Germany, and so on, looking for money for

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development. We would like these companies which make profits in this country to remain here and in the next six years we shall be able to save well over £250 million and that will put Kenya a long way on the road to prosperity, we shall have money here and then we shall utilise this money to develop the country. For example, if the E.A.P. & L. Company alone can make, say roughly £10 million profit every year, then after six years how much is that? Is it about £60 million. That is a lot of money and that could be utilized for some other project, for our own use instead of allowing this money to go to London. So I think the Minister is afraid of it because we have discovered, Mr. Speaker, and it is true, that some Ministers have arranged to join certain companies as shareholders, and because they are afraid because of their positions in the Ministries, to show their names, some of them have but their wives as the directors or shareholders. Even if one is foolish enough to put a woman—

The Speaker (Mr. Slade): Order, order. I have told hon. Members before about the Standing Order against imputing improper motives to Ministers or any other Member of the House. That can only be done on substantive Motions, not casually in the course of another debate, the imputation of improper motives.

Mr. Oduya: Mr. Speaker, I am sorry, but you see, Mr. Speaker, as they are now talking on how to save money, on how to obtain money, to give Government directions on how to obtain money, we are also worried because we hear that certain things are happening in this way and in that way and then we wonder—

The Speaker (Mr. Slade): I do not want you to try and excuse yourself over this, Mr. Oduya. You were imputing that Ministers are not taking the actions they should because of being involved personally in some way. That is a very improper imputation and you must cease to do so, without trying to justify yourself.

Mr. Oduya: All right I will if I am asked. But some of these things I know because I have seen certain written—

The Speaker (Mr. Slade): Mr. Oduya. Sit down, please.

Mr. Omweri: Mr. Speaker, thank you very much. Before I congratulate the Minister for Finance on his Budget speech I would like to make a point clear here, a point which hon. Members, and particularly the hon. Member who

has just sat down, have tried to give without giving consideration to the facts and realities. The Member has said that Nyanza was being attended to more than Western Region. Well, the point is that while mentioning the particular Region he should bear in mind the activity and the returns which those particular Regions are getting. For example, if the hon. Member who has just spoken before me had agreed that there is a paper industry in Broderick Falls being planned and started, he should have mentioned it. There is a textile industry going to Busia and he should have mentioned that also. The cotton which he was complaining about is included in the Development Plan. If the Busia people, including the Teso people themselves, work hard, they could produce ten times what they are producing now. That is instead of just standing up and speaking. The hon. Member is trying to confuse the House with a wrong accusation which is not actually the practice and I am trying to give the paper information which he has not read in the Development Plan. That is that Busia is included in development. Mr. Speaker, Sir, going back to the Minister's speech, I would say that he tried very much to influence the House to agree with his plan for the 1964/65 Budget, but there is a point on which he failed to convince me particularly, and other hon. Members in this House. That is the question of the export tax on coffee and sisal. As far as those two are concerned, it is going to affect the country. They will find that this particular tax, at the moment, is rather heavy on them. I think the Minister would have been wiser if he had tried to spread it over on other crops, rather than just putting it on only two crops, particularly as they come from those areas where there are no other industries. It is considered to be a very heavy tax in my areas. One ton could yield to the Government £20, and this, I think, is a very heavy tax and the Minister should have considered reducing it or spreading it over a little bit so that not just this one section of the common man, which was referred to earlier on, suffered. Mr. Speaker, Sir, for example, Kisii District, where about 2,000 tons of coffee are produced every year, they are going to pay about £40,000 to the Government. Well, we might not complain about the heaviness of it if we were sure that from this £40,000 we are going to get properties which are going to be realized in front of us. This the Minister has failed to make plain to us in his speech, and the country at large must understand whether this would be used to improve the roads, to improve the schools and dispensaries. In fact, Mr. Speaker, this particular district is very much affected in that we find

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that in the only hospital we have there is no staff, there is no medicine, and you find that the whole district is very worried, and when they hear that their crops they are producing, so that they can buy from their own efforts what they need, are being taxed, they regret it very much. This is not the *Uhuru* they have been waiting for.

If these £40,000 were left to our own district, we could have used the money to employ people, because in Kisii the only industry we have at the moment which provides employment is the coffee industry. The Government takes that money, which should have gone to employ some of the young men who are loitering out and have no employment, and if the Government does not provide employment for those people it is a disgrace and I think the Minister should have taken note of it to see that he gave the proper return so that this money is utilized as it should be. If the Minister was aware that in that particular district and in other districts of South Nyanza there are no industries at the moment, he would have seen that the £40,000 had gone to install industries so that a number of people could be employed. In his broadcast on 1st May, when he announced this taxation, he said that the money was going to be used for employing and increasing the salaries of the Army and the Police, but when these people heard about it, they tried to go for recruitment in the Police. It was regrettable that the Government officer told them that there was not going to be any employment this month or in the near future, and they were told to go back. How are they going to support the Government if they understand that this money which they make and which the Government takes is not properly utilized to their benefit when they are told to go home because there is no work for them. This is very regrettable and I think we should have been assured by the Minister when he was speaking to the effect that provision for employment for this particular area, where there are no industries, is being taken into account very seriously by the Government.

Mr. Speaker, Sir, what we expected to hear from the Minister in his speech was that he had included properly and well-maintained roads in the rural areas, provision for medical facilities, proper housing schemes for the towns which nobody has ever thought about. In these towns, you find there are no houses and people are not happy in their day-to-day living.

We also expected to see that there was provision for expansion in the secondary schools and good water in these areas. Yesterday, when

there was a question about secondary schools, all we were told was that it was a matter for the regions. If it is a matter for the regions, the people who live in those regions should be allowed to have their own money to develop the secondary schools so that their own children, and not the Government, benefit from the money. Very little planning has been given to that particular aspect.

There was also a point which the Minister failed to convince me on and that concerned manufactured goods in our own country. Although there was an indication that tax on imported goods was to allow more locally produced articles, still we find that our own Government has made mistakes here and there. For example, whereas we have been told that there is a paper industry being developed at the moment, we still hear that our own Government is importing stationery and books from overseas; these could be manufactured and purchased from the small industries we have here. If the Ministers want these local industries to be encouraged, they should take the lead so that they buy these products from the local manufacturers.

Another point on which hon. Members touched, and on which I would like to give another explanation, concerned our own economy control. I am particularly concerned with the money in circulation which is considered as being the property of certain individuals. The money in circulation proves the loyalty of some citizens who live here and the way in which they want to have our Government and this country developed. When there was a disturbance at Lanet—this again I asked the Minister concerned—we heard that more than Sh. 20 million from Nairobi alone was sent away so that those concerned did not have their money here if the disturbance grew worse. In this case, we are inclined to think that a number of those people who are protected, and whose money is being protected are not loyal and regard Kenya as their home, otherwise, they could have their money sent away. The Minister for Finance should have thought it would be wise to have given some indication as to how the money which is made locally is going to be utilized by making it circulate in the country for more work and more investment, rather than having that money being sent out to various countries without us getting any profit from it. They get the money and it goes out. These people work all the time in these industries where the profits are made, and the profits should be left here to circulate and to help employ more people, and used in the further development of this country, rather than it being the money for an individual who, once he has

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his profits, sends it to Bombay, to London. We think the Minister should have given an indication that he is going to see that money in circulation continues to circulate in Kenya to help provide more employment.

Mr. Speaker, Sir, I would like to say that the Minister for Finance should also have given in his Development Plan an indication that more industries and more businesses are going to be put in the hands of the Africans who at the moment are coming up and who are struggling day and night to learn how to handle the business and to control the economy of the country because they are in the majority. There is very little mention of this particular section of the industries and the businesses as a whole. I would like the Minister, when he replies, to give more consideration to trying to tell us how he plans to see that the economy is in the hands of the indigenous people and not in the hands of those who feel that at one time they will have to evacuate from here.

Mr. Speaker, Sir, I beg to support.

The Parliamentary Secretary for Labour and Social Services (Mr. Odera-Jowi): Mr. Speaker, Sir, I would like to reply to a few remarks made by some hon. speakers. A lot of criticisms have been levelled against the Government and many of them are really unjustified. During a Budget Debate like this, Members are free to say what they like, but I think that the first thing is that the intentions of our Government are not understood. People do not know what our Government is doing although they have been told again and again and it is here in this document, Mr. Speaker. One of the basic troubles is answered here, and I would like to quote: "Ideological levels are of no concern to us. The only criterion will be the effectiveness of the institution in achieving greater welfare for our people. To ensure that the benefits of an expanding economy are widely enjoyed, we will promote the greatest possible participation of Africans . . ."—and I repeat, Africans—" . . . in the economy of the country." We are doing that; we have to tell you what we are doing, otherwise you will say we are not telling you what we are doing.

Mr. Speaker, Sir, in the first phase of this Development Plan, the aim of the Government in economic planning has been outlined very clearly. A lot of criticisms have been to the effect that we have no very clear idea of what we are doing, but as a matter of fact all these have been laid down and we have been told what the Government is aiming at in the field of planning.

I would like to urge Members to read this Plan because it contains a lot which we have spoken about here without proper information.

The Budget we are debating is a superb one; it is exceptionally good. I still have to find a new country in Africa which has produced a Budget that is as good as this. This Budget is good because it protects the ordinary man. It protects the ordinary man in two ways: First, it protects the ordinary man by making sure he will find employment; secondly, it protects the ordinary man by making sure that he participates in the economic development of the country.

Mr. Omweri: How, how is that?

The Parliamentary Secretary for Labour and Social Services (Mr. Odera-Jowi): Mr. Speaker, Sir, a lot of complaints have been made on the question of prices of commodities, but we have shown the country that we are not taxing locally produced commodities, because we want these to be the basis for creating employment for our people. In order to protect local industries, even next year I would like to urge the Minister, if he is here, to tax imported goods more because there is no use importing tomato juice from California and paying a high price for it, whereas we can buy our own locally produced tomato juice.

With regard to the question of attracting capital, a lot of people are complaining about unemployment, but in order to create employment for our people we have to invite investments, there is no other way out of it. In order to employ people there must be others who are ready to invest in this country, and if we do not have local capital we must invite capital to come from abroad.

Mr. Anyieni: That is the essence of capitalism.

The Parliamentary Secretary for Labour and Social Services (Mr. Odera-Jowi): If capitalism is good, then let us have it, because there is a lot of confusion over this word "socialism", and one of these days we will get down to explaining it to those who do not understand it.

Regarding the problem of unemployment, it is true—

The Speaker (Mr. Slade): Order, order, we cannot have several debates at once.

The Parliamentary Secretary for Labour and Social Services (Mr. Odera-Jowi):—and this is frankly admitted in the Economic Survey, there has been a fall in the level of employment, but at the same time we have done so much in this field that not a single country in Africa can compare.

Mr. Anyieni: Question.

The Parliamentary Secretary for Labour and Social Services (Mr. Odero-Jowi): No single African country can produce a record comparable with what we have done.

Mr. Anyieni: Question.

An hon. Member: Ghana.

The Parliamentary Secretary for Labour and Social Services (Mr. Odero-Jowi): Within a matter of six months, Mr. Speaker, under the Tripartite Agreement, we have already given jobs to 28,000 people.

Mr. Anyieni: All in Nairobi.

The Speaker (Mr. Slade): Order, order, I have already told hon. Members that we cannot have several separate debates.

The Parliamentary Secretary for Labour and Social Services (Mr. Odero-Jowi): I am told, Mr. Speaker, that these people were given jobs in Nairobi only, but that is a lie. Here is the record: Nairobi, 5,398; Mombasa area, 2,217; Nakuru area, 4,691; Nyeri, 4,921; Kisumu, 5,574.

Hon. Members: Kisii, Kisii?

The Parliamentary Secretary for Labour and Social Services (Mr. Odero-Jowi): Also, there have been squatters who have been absorbed into employment under this scheme, and these are distributed as follows: Nairobi, 59; Nakuru area, 2,692; Nyeri area, 237; Kisumu, 333.

Mr. Khasakhala: Kakamega?

The Parliamentary Secretary for Labour and Social Services (Mr. Odero-Jowi): The Kisumu area, for your information, covers what used to be the old Nyanza Province. That is the bitter truth and we have to face it.

This is a wonderful record. This month we have given jobs to 28,000 people, and right now we are planning to give jobs to another 8,800 people. This Government can and should be proud of this record.

Mr. Speaker, Sir, under the Tripartite Agreement, we are making preparations—they are already in hand—to provide jobs for 8,800 people. We have been looking to the left and to the right to find useful avenues of employment for these people, and within the next few weeks things will start; they have already been announced. Under this scheme, 200 people will be absorbed into the Forestry; already, 244 have been absorbed into the various Ministries. Mombasa Municipality

will employ 275; the Kipsigis County Council will employ 45 additional people. The Ministry of Settlement will employ 674 people. I am giving you the record. Already there are agreed schemes—

An hon. Member: What about the youth?

The Parliamentary Secretary for Labour and Social Services (Mr. Odero-Jowi): The National Youth Service will absorb 3,500 youths. The construction of the Ulu-Sultan Hamud Road will absorb 500 new people.

An hon. Member: Kambas.

The Parliamentary Secretary for Labour and Social Services (Mr. Odero-Jowi): In order to take care of the military buildings as the British troops leave the country, we are going to employ 100 guards, night watchmen, if you do not understand English!

The Speaker (Mr. Slade): Order, order.

The Parliamentary Secretary for Labour and Social Services (Mr. Odero-Jowi): The Nairobi City Council is being aided to construct an independence park in Nairobi, and this will employ 100 new people. There will be a few more projects on which we hope to employ 200 additional people. In order to increase the strength of the Police Force, the Government is providing money to absorb into the Police Force about 175 more people. In order to reconstruct the game park, we are employing 50 more people to work on the Ngong Game Park. This is the record. Also, Mr. Speaker, the Mwea-Tebere Irrigation Scheme will absorb 600 additional people and the Ministry of Health has agreed to recruit more staff who will be distributed all over the country. Various Government offices in Nairobi have agreed to increase their sanitary staff, and in Nairobi alone this will absorb over 100 employees.

The Nairobi City Council and the Municipalities of Mombasa, Kisumu and Nakuru have been asked if they have any new development schemes, and the Government is prepared to aid them with money so that they can increase their labour intakes. We reckon that this will absorb another 700 more job-seekers.

Mr. Speaker, I just wanted to give these facts to show some of the uninformed hon. Members of this House that the Government is doing a lot. Developing a country is not a very easy thing.

Mr. Masinde: It is doing a lot only in the big places.

The Parliamentary Secretary for Labour and Social Services (Mr. Odero-Jowi): It is easy for hon. Members to criticize the Government, but another thing they should realize is that Government is working day and night to fulfil the pledges made during the election.

Mr. Speaker, Sir, I support the Budget.

Mr. Masinde: Mr. Speaker, Sir, I would like to say a lot about this Budget, and some Ministers and hon. Members have raised some points which I think it is necessary for me to question. In this fully-worded document, there is a lot which gives suggestions to overcome the problems which have been in this country for very many years. However, when we want to solve the problems of this country, we have to correct some of the plans which have been in existence for many years. We know that Kenya was built by some foreigners whose interest was to create towns around themselves and that is why we find that only a few places are being mentioned as the main centres for the provision of employment. It is very important that our Government should change this and not continue with what was planned by another Government. We have been told by the Minister that the Government has only been in office for a few months. That might be true, but this is also the truth, that the Minister for Finance has been in that Ministry for more than two years, and from his own experience he must have learnt of the problems of this country. Today, he should have given us a first-class plan, not like this one. It is completely incorrect for a Minister to come here and say that Nyanza and Kisumu or Nyanza and Western Region are one. This is completely incorrect, Mr. Speaker, and we must correct it. That is where we are going to confuse the development in this country.

The Minister for Finance and Economic Planning (Mr. Gichuru): On a point of information, I did not say that Nyanza and Western Regions are one. What it says here is that on the question of cotton boards, "The idea is to raise the average production from 15,000 to 30,000 bales in Nyanza and Western Regions." That is what it says.

Mr. Masinde: Mr. Speaker, Sir, I am glad that the hon. Minister is trying to clarify the point, but it is still confusing.

Mr. Anyieni: On a point of order, is it in order for an hon. Minister to refuse to hear what the other Ministers have already said, and when the Member stands up to interrupt him, taking into account only what has been said?

The Speaker (Mr. Slade): As I understood it, the Minister—what is it you are saying, Mr. Anyieni? You are complaining at Mr. Gichuru for interrupting, or what?

Mr. Anyieni: The point I am making, Mr. Speaker, is that several Ministers have already spoken, and the Parliamentary Secretary has already said that Nyanza and Western Regions are one.

The Speaker (Mr. Slade): Are you referring to what Mr. Gichuru has said?

Mr. Masinde: Mr. Speaker, I was referring to what was said previously by the Minister for Constitutional Affairs and the Parliamentary Secretary for Labour.

Mr. Speaker, if you will allow me to carry on, that is the problem. If the Ministers keep moving around when this important issue is going on, they will get confused and they will not know properly what has been said here. The problem then will be that they will not go back and read HANSARD, and therefore whatever we say here will just be shouted and nothing will be taken in.

There is a point here in the introduction of this Budget which says that the Government of Kenya is dedicated to the creation of a democratic, African socialist Kenya. These are words, but we must get down to the meanings. When the Minister replies, he must dwell on this particular sentence or phrase and explain it so that we are not confused and know what all these, democratic, socialist and so on, mean. Mr. Speaker, it is not words which are going to help this country. What is important here is that Kenya is one, and if we want to look at Kenya as one country, the Ministers in their central offices must throw their eyes all over the country, and particularly to those areas which were neglected. They should be given first preference.

The Minister for Finance and Economic Planning (Mr. Gichuru): Remove the regions.

Mr. Masinde: The question of removing the regions is immaterial to the development of Kenya as a whole, because even if we remove them the problem will still remain. We shall have the county councils, we shall have Nakuru County Council, we shall have the County Council for Turkana. Therefore, it does not answer the plan.

The main point I wanted to raise here concerns the development of this country. For this, we have to look at various things and develop them, if we want to satisfy the population of this country. We have run co-operative societies for quite a time.

[Mr. Masinde]

but they have not been doing well. This is the only means by which an ordinary African in the reserve can own, and if we want to run this country properly we must make sure that we protect the co-operatives. We must protect the co-operatives from the rich Indians who have money and who have exploited the co-operatives. I will quote one case, that of the Elgon-Nyanza Co-operative Union, which has asked the Kenya Government to provide money for various projects. They have talked a lot, but nothing is doing, nothing is doing. What they are doing is to try to encourage—

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Interjection.

Mr. Masinde: Mr. Speaker, Sir, if the hon. Ministers will keep mum, I will make my points. You will have your time to reply.

An hon. Member: Address the Chair!

Mr. Masinde: Mr. Speaker, Sir, I say that the co-operatives have been ruined, and it is worth encouraging the co-operative movement in this country. Unless we plan right out from the villages to come to the top here, we shall be singing slogans which cannot solve the problems of this country at all, because we shall remain as employees, remain with unemployment, and who is providing the employment today? You will find that those who are providing the employment today are people who are threatening our Government, and because of this the Government is not in a position to speak the truth. The question has been asked in this House about what happened during the Lanet incident, and we are told that this cannot be revealed because of security. These are the things we do not want. Our Government is an elected Government, elected by Africans, and they must be able to tell us everything. Those who are honest will remain and those who are not honest will go because Kenya has problems. But if we refuse to listen to the truth—

The Minister for Finance and Economic Planning (Mr. Gichuru): Even the Kanu Government has never refused.

Mr. Masinde: I only came to the Parliament to tell my people the truth.

Mr. Speaker, farming in this country has always rested in the hands of Europeans. What has happened is that the farming industry is causing a problem, and that is why the Ministers have been flying all over the country, worrying about balancing the Kenya Budget. What should have happened, particularly if you look at the dairy industry, is that Africans who have co-operatives should

be approached. It is up to the Kenya Government to assist these people to run their co-operatives properly and to make some arrangements with the Kenya Creameries Commission. But that does not mean we should sit and see high-grade dairy cattle being slaughtered by the Kenya Meat Commission without doing anything.

Uganda has started buying our grade cattle. Any European who wants to leave the country just auctions them at any price and our Government has kept quiet about it. What is going to happen is that you will find some of the established industries—such as the dairy industry which contributes a lot to the economy of this country—will collapse because Africans have not been given a chance to run them. What will be done, Sir, is that in those areas in the African rural areas, most of them do not have land title deeds, the land is still communally owned. Now for this matter, it makes it very difficult for Africans to borrow money from Government or from the banks. What should happen is that through the Agricultural Finance Corporation they should finance the co-operatives, because they are registered societies and they can produce enough crops to enable the members of that particular co-operative to develop their farms awaiting the registration of their land. What would have been important would have been something to see that each and every area of land is going to be properly utilized, but the Minister who spoke today did not say how he was going to ensure that each and every acre of land is utilized. Unless all land in Kenya is registered, it will be difficult to ensure that this land is being utilized. For instance, when you look at Kakamega, you will find it very hard to discover who is the owner of this land. It is for the Government to recruit more land officers in the employment we talk about. The question of the Kenya Government employing some people in dairies or the plantations or things like that, it is not necessary now. What is necessary is to recruit a team of people to go in the fields and to see that all land is registered. That is one point.

For my second point I will come back to the utility of land. Look at the Masai area, it is all dry. Masai land is very good and it would be very, very useful if we could have a proper plan from the Government.

The Minister for Finance and Economic Planning (Mr. Gichuru): They refuse.

Mr. Masinde: We are told that they refuse, but what is happening to the dry land? Water is a problem. We are now trying for land development but we know they have already developed

[Mr. Masinde]

land. Developed land is not going to absorb all our problems. What we need in this country is water, but, Mr. Speaker, when I touched on this water problem some hon. Members or some hon. Ministers said that the Masai have refused. If they have refused as individuals they have not refused their land being developed on a clan basis. What is important, Sir, here is not to talk of the old established municipalities, not to talk of the old established towns and cities in Kenya. We have to look at the rural areas because our population is not working class. Our population is the self-employed class, and that is what we have to concentrate on. People have talked about employment. Employment I know is a problem, but it is becoming a problem because whoever has land does not know how to use it. It is the duty of the Government and of this House to tell them how they can make use of the land, but we cannot do that unless we have definite projects to absorb some of the crops they are going to grow.

Here we have talked about cotton. Some hon. Members mentioned the cotton industry. The cotton industry is actually doing very well in the Western Region, but the Government is not making any effort to encourage it because at present all ginneries are owned by Indians. What we want is the Government to encourage the present and existing co-operatives by loaning money to them to take over these ginneries.

Thirdly, with regard to cotton, Sir, in my own constituency we are growing cotton, but do you know the problem we have to get cotton seed? We get it from Uganda. When we bring this into Kenya, we get planting instructions which do not indicate whether it is the right seed or not. But they have failed to find the right seed for us to plant. These are the things, we tell people, "Please plant this, we are getting a factory here," and when our people go out to get seeds, they do not get them.

With regard to sisal, Sir, that is another promising industry in the Western Region. But the problem we are now facing is where to get sisal plants to plant. The Government has kept quiet, without doing anything at all, and inside a year we see the region has planted 40,000 acres of sisal. We told the Agricultural Committee that Kakamega District in two years' time will have 40,000 acres of sisal, and to ensure that people had plants.

The Speaker (Mr. Slade): Will hon. Members please discontinue their private conversations. We can hardly hear Mr. Masinde because of all the private discussions going on.

Mr. Masinde: Mr. Speaker, Sir, I am getting on to my point. We have tried to estimate that in two years' time Kakamega District will have planted 40,000 acres of sisal, but the problem which is facing us and which Government does not realize, is how to get suckers. Here we might go anywhere by railway to any part of the country, but you will find that the Government coming in and saying, "Look, this is not the right stuff. We will provide you with the right stuff." But the right stuff does not come. If this is what is going to be done by this Government, then our people are going to suffer more, and that is why I think it is necessary that our Government must not look at the citizens in the beautiful towns, they must go to the rural areas. There is where we are going to support ourselves and we love getting something that we can export, and we can get a lot of goods for export not from the towns but from the countryside. But the problems which are facing us are the problems which I have already mentioned. If the Ministers will read the reports from their officers, if at all they read, they do not use them. If they were using them we would not have a very vague thing like that which talks about a lot of investment. We do not object to foreign investors, but such foreign investment must not go very high. Look at the oil companies. Oil companies are making wonderful profits, but where does all this money go? Some to New York, some to Italy, and so on. Some of the companies must be nationalized.

The Minister for Finance and Economic Planning (Mr. Gichuru): How much income tax do they pay?

Mr. Masinde: I do not know: I know they pay income tax, but if the Kenya Government nationalized the whole thing the whole profit would come to our country, without relying on the income tax—

The Minister for Finance and Economic Planning (Mr. Gichuru): Where would we get the oil?

Mr. Masinde: Mr. Speaker, if I can continue. The interruption of the Minister when he asks where we would get the oil, what would you do with the money, what will you do with money?

The Minister for Finance and Economic Planning (Mr. Gichuru): Give it to you.

Mr. Masinde: You buy it.

An hon. Member: Address the Chair.

Mr. Masinde: Mr. Speaker, Sir—

The Minister for Finance and Economic Planning (Mr. Gichuru): But he will still make profit.

Mr. Masinde: Mr. Speaker, Sir, what is important here, and what I want to mention before I finish concerns the question of the distribution of industries. Mr. Speaker, we have been told by the Parliamentary Secretary how employment is going on in the country, and whatever he has mentioned here actually reflects the need of distributing industries all over Kenya. We have got problems all over Kenya and some people here possibly think that it is all in Nairobi because there are very many people, but when you break down the figures of population for every place, you will see that nearly every place warrants an unemployment plan. We have been told so far how many people have been employed, but we have not been told how many people were registered, who registered themselves looking for employment from district to district, and out of that how many have been employed in every district. We do not want vague suggestions with the figure that we have employed 20,000 people. It is not helping us. What is important, Mr. Speaker, Sir, is that when we ask people to go out to register themselves in employment, we must know that at least we are going to provide a certain amount of employment in every area.

In my own constituency, Sir, they brought a registration centre right up in the rural area, and many people were registered, thousands and thousands. But out of all these thousands none of them have been employed, and here we are being told that 20,000 people have been employed. To make it worse, Sir, for the whole of Western Region, registration went up to 20,000 people.

The Parliamentary Secretary for Labour and Social Services (Mr. Odero-Jowi): On a point of information. Mr. Speaker, the speaker says that

20,000 people were registered in the Western Region alone. This is wrong. The figure is about 5,000.

The Speaker (Mr. Slade): Have you much more to say, Mr. Masinde, because it is time for the interruption of business now.

Mr. Masinde: I will continue, Sir.

The Speaker (Mr. Slade): You will continue another day?

Mr. Masinde: Yes.

NOTICE OF MOTION ON THE ADJOURNMENT

CLINICAL ASSISTANTS' TRAINING SCHOOL: MACHAKOS

The Speaker (Mr. Slade): It is time for the interruption of business. Before adjourning the House, there is one matter I should mention. I should have mentioned earlier, I am afraid, the question of the matter to be raised on the adjournment on Tuesday. Out of the many notices I have had from hon. Members, the oldest is a notice from Mr. Ngala-Abok in which he wished to raise his question No. 12 of March last concerning hospital assistants and clinical assistants status and training, and I will allow that to be raised on the adjournment on Tuesday.

ADJOURNMENT

The Speaker (Mr. Slade): The House is now adjourned until Tuesday, 23rd June at 2.30 p.m.

*The House rose at thirty minutes
past Twelve o'clock.*

Tuesday, 23rd June 1964

The House met at thirty minutes past Two o'clock.

[The Speaker (Mr. Slade) in the Chair]

PRAYERS

ADMINISTRATION OF OATH

The Oath of Allegiance was administered to the following Member:—

William Mbolu Kiteki Malu.

PAPERS LAID

The following Papers were laid on the Table:—
Vote on Account—Financial Year 1964/65.

(By the Minister for Finance and Economic Planning (Mr. Gichuru))

Report of the Working of the Public Service Commission of Kenya for the year 1963.

(By the Minister for Health and Housing (Dr. Mungai) on behalf of the Minister of State, Prime Minister's Office (Mr. Murumbi))

Kenya Cultural Centre—Report for the nine months ended 30th September 1963.

(By the Minister for Health and Housing (Dr. Mungai) on behalf of the Minister for Education (Mr. Otiende))

NOTICES OF MOTIONS

VOTE ON ACCOUNT

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT, in accordance with section 124 of the Constitution, the withdrawal from the Consolidated Fund of the sum of £21,523,980, made up in the manner set out in the Vote on Account laid before the House of Representatives, be authorized for the purpose of meeting expenditure necessary to carry on the services of the Government of Kenya during the year ending on the 30th June 1965 until such time as the Appropriation Act for that year comes into operation.

The Governor-General's consent has been signified to this Motion.

BREACH OF THE CONSTITUTION

Mr. Pandya: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT this House deplores the breach of section 122 of the Constitution which has been

revealed by a report of the Controller and Auditor-General dated 7th May 1964, and calls upon the Government to acknowledge its default and to assure the House that there will be no recurrence of any such illegal expenditure or other defiance of the constitutional authority of this House.

Mr. Komora: Mr. Speaker, Sir, I beg to give notice of the following Motions:—

INSTITUTE OF FIRE ENGINEERS: MOMBASA

THAT this House urges the Government to take steps to have an Institution of Fire Engineers established this year at Mombasa so that the people will know that fully qualified and able men are available to safeguard their lives and properties.

CONSTITUTIONAL REVIEW: MEMBERS OF REGIONAL AND NATIONAL ASSEMBLIES

THAT, in view of the very heavy burden placed upon the taxpayers of this country in providing sufficient funds to meet the salaries of unnecessary Members of Parliament and of Regional Assemblies, this House urges the Government to consider a review of the Constitution for the purpose of reducing the numbers of the former and abolishing the existence of the latter.

REGIONAL BOUNDARIES: NORTH-EASTERN REGION

Mr. Khalif: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT this House urges the Government to consider provisions for amending the Constitution to remove the irrelevant boundaries created by the former colonialists in the North-Eastern Region, and so enable the Somali nomads to move freely in search of water and pasture without incurring the heavy penalties they now suffer.

ORAL ANSWERS TO QUESTIONS

Question No. 134

MAGADI SODA COMPANY: DISMISSALS

Mr. Kali asked the Minister for Commerce and Industry if—

(a) the Minister was aware that the Magadi Soda Co. Ltd., which was a subsidiary of the Imperial Chemical Industries, had dismissed over 50 per cent of its labour force;

[Mr. Kali]

(b) having regard to profits made by the Magadi Soda Co. Ltd., during past years, would the Minister inform the House whether any action was contemplated by way of forcing that Company to play its part in solving Kenya's problem of unemployment.

The Parliamentary Secretary for Commerce and Industry (Mr. Mohamed): Mr. Speaker, Sir, this question should have been referred to the Ministry of Labour, but as such I beg to reply. I am aware that the Magadi Soda Co. has had to dismiss some of its labour, but it is not 50 per cent or anything like it. They have had most reluctantly to do this as a result of the boycott on sales to South Africa which was imposed by this Government with the full support of this House, and I am sure of the whole country. If anyone thinks we can take effective action against South Africa without having to bear any loss or suffering ourselves, then that person should ask himself what sort of a world he thinks he is living in. It is no use talking loudly about fighting South Africa if people are going to cry out at the first little bit of pain. We are confident that with Government's help the Magadi works will be able to build up their sales again, and get back to their former position, but I should like to make it clear that we would have imposed the South African boycott even if it meant closing down the Magadi factory altogether.

Replying to Part (b) of the question, I know that at no time has the Magadi Company which is only a very small part indeed of the Imperial Chemical Industries and its associates made very large profit and that prior to 1939 it made little or no profits at all. I do, however, know that the Company has an enlightened and progressive labour policy and is doing its best to help in solving Kenya's unemployment problem. I have said, for instance, that nothing like 50 per cent of the labour force has been dismissed, as the hon. Member alleges. The fact is that in December of last year only seventy-six men were declared redundant as a result of the South African boycott, and despite the need for still further redundancies, none have, in fact, been declared since 1st January 1964, because the firm have again and again expressed the desire to help the Government in its problems. I should like formally to deplore uninformed attacks such as this upon major industrial units. If employers are really at fault let them be blamed, but there should be no wide and unsubstantiated attacks such as this.

Mr. Kali: Mr. Speaker, is the Parliamentary Secretary aware that this company is a part of an Anglo-American company which has connexions in South Africa and that they are so rich that they can afford to pay anything. Secondly, does he agree with me that we should nationalize the company?

The Parliamentary Secretary for Commerce and Industry (Mr. Mohamed): Mr. Speaker, even if the company had to be nationalized we would still have to sell its soda ash and as I have said earlier, Sir, the Government was even prepared to close down Magadi Soda Company in which case the results would have been more disastrous. The redundancy of seventy-six men is so negligible that I do not see why this question is being raised at all and the company has been very, very tolerant and they have carried on with almost their entire labour force.

Mr. Masinde: Mr. Speaker, Sir, arising from one of the Parliamentary Secretary's replies, does he agree with me that as a result of this redundancy it jeopardizes the Tripartite Agreement?

The Parliamentary Secretary for Commerce and Industry (Mr. Mohamed): Mr. Speaker, Sir, the seventy-six men who were declared redundant were so declared before the Tripartite Agreement and this was taken into consideration at the time.

Mr. Masinde: Arising from that reply, could the Parliamentary Secretary tell this House whether the people discharged from the Magadi Soda Company, if the company returned to its normal function, would be re-engaged?

The Parliamentary Secretary for Commerce and Industry (Mr. Mohamed): Mr. Speaker, Sir, I have said this earlier, I am sure that as and when the Magadi Soda Company comes into full production again, and if these men who have been declared redundant apply again, they will certainly be considered.

Mr. Anyieni: Mr. Speaker, arising from the Parliamentary Secretary's reply, and in view of the fact the United Arab Republic wanted to trade with Kenya on this soda ash and the company would not do so because it was under private ownership, would the Minister take steps to nationalize this industry immediately?

The Parliamentary Secretary for Commerce and Industry (Mr. Mohamed): Mr. Speaker, this is quite a different question and I do not think that the information is true at all.

The Speaker (Mr. Slade): I think it is a different question.

Mr. Malinda: Mr. Speaker, Sir, arising from one of the Parliamentary Secretary's replies, what steps has his Ministry taken to secure soda ash markets outside South Africa, elsewhere in the world, to facilitate the re-employment of these seventy-six men who were discharged?

The Parliamentary Secretary for Commerce and Industry (Mr. Mohamed): Mr. Speaker, Sir, if the hon. Member would read the newspapers he should know that the first consignments of soda have started going to Japan and this export is going to expand and it is expected that before very long Japan will be taking a substantial quantity of soda, if not all.

Mr. Masinde: Mr. Speaker, on a point of order, I would like your ruling. From time to time we have been told that we should not actually rely on newspapers, yet now the Parliamentary Secretary replies that we should rely on newspapers.

The Speaker (Mr. Slade): I do not think hon. Members have ever been told not to rely on newspapers though sometimes they have been told that newspapers are wrong. There is a particular restriction on asking questions as to whether newspaper reports are accurate, other than reported statements of Ministers or Parliamentary Secretaries. That is another matter. It is quite in order for a Minister to point out that there has been public information already given by way of newspapers or otherwise.

Question No. 168

ESTABLISHMENT OF KENYA ELECTRICITY BOARD

Mr. Masinde asked the Minister for Works, Communications and Power what arrangements were being made by the Ministry towards establishing an Electricity Board of Kenya.

The Minister for Works, Communications and Power (Mr. Mwanjumba): Mr. Speaker, Sir, I beg to reply. An Electric Power Advisory Board is already in existence. This Board is advisory to me and its terms of reference allow it to make recommendations on all aspects of electric power policy and development in Kenya. Government Notice No. 905 of the 12th August 1950 defines the powers and duties of the Board.

Mr. Masinde: Mr. Speaker, Sir, arising from that reply, is the Minister aware that the Advisory Board is only an advisory board to the Minister and not to the electrical company, and for that reason we should have the electricity board and an advisory board?

The Minister for Works, Communications and Power (Mr. Mwanjumba): Under the present circumstances, Mr. Speaker, Sir, the Board has to be advisory to the Minister in charge of electrical power. It has also representatives from the East African Power and Lighting Company.

Mr. Muliro: Mr. Speaker, Sir, would the Minister agree that since electricity is so important to the development of Kenya, electricity should be nationalized in Kenya?

The Speaker (Mr. Slade): That is another question.

Mr. Shikuku: Arising from the Minister's previous reply, could the Minister tell the House the composition of this Board he is talking about? Could he give us the composition of it?

The Minister for Works, Communications and Power (Mr. Mwanjumba): Mr. Speaker, the Board consists of a Chairman and six other members.

Mr. Masinde: Mr. Speaker, arising from one of the Minister's replies, would he assure this House that the need for electricity for the development of this country makes it important for the electricity to be established and become one of the statutory boards of Kenya?

The Minister for Works, Communications and Power (Mr. Mwanjumba): Mr. Speaker, this body is functioning very efficiently and the Government has not thought of having a statutory board to control it.

Mr. Godia: On a point of order, Mr. Speaker, we cannot hear what the Minister is saying.

The Speaker (Mr. Slade): Could you reply again and repeat it?

The Minister for Works, Communications and Power (Mr. Mwanjumba): Mr. Speaker, the reason is that because when we speak here hon. Members do not listen very hard and therefore sometimes when they keep on talking they find it difficult.

The Speaker (Mr. Slade): No, Mr. Mwanjumba, I do not think you can blame anyone entirely, the acoustics are not very good in the Chamber and everyone has to speak up.

Order, order, if you want to hear the Minister you must keep quiet.

The Minister for Works, Communications and Power (Mr. Mwanjumba): Mr. Speaker, I said already this Board is functioning very efficiently throughout Kenya, it is trying to meet the needs

[The Minister for Works, Communications and Power]

of this country as far as power development is concerned, and Government does not contemplate for the moment having any statutory board.

Mr. Mutiso: Mr. Speaker, Sir, arising from one of the Minister's replies, could he, in this House, give a breakdown in the racial groupings in the composition of the Electricity Advisory Board?

The Minister for Works, Communications and Power (Mr. Mwanyumba): Mr. Speaker, Sir, I do not have the names of the members of the Board but if the hon. Member wants I could supply them at a later date.

Mr. Masinde: Mr. Speaker, Sir, could the Minister tell the House what is going to happen because the Power and Lighting Company is not prepared to carry out the projects of Government decisions.

The Minister for Works, Communications and Power (Mr. Mwanyumba): It is not true, Mr. Speaker, to say that the East African Power and Lighting Company are not prepared to carry out the Government's decisions. To the contrary, we have been working very satisfactorily indeed with the East African Power and Lighting Company in all projects concerned with the supply of electricity and Members will appreciate that only last week we told them that they are supplying electricity to Nyeri.

Mr. Ngala-Abok: Mr. Speaker, if this company is an East African Power and Lighting Company, and it is a company in which the Government has an influence of some sort, as the Minister is now trying to tell us, could the Minister now make it clear that the decisions of this Government will be accepted by that company at any time?

The Minister for Works, Communications and Power (Mr. Mwanyumba): Mr. Speaker, Sir, Government has always controlled the policies of the East African Power and Lighting Company in the past because Government has large shares in the company.

Question No. 191

COURSES FOR LOCAL TRADERS

Mr. Njeru asked the Minister for Commerce and Industry if the Minister was prepared to organize short courses every year in every district, in order to train local traders how to keep simple account books and to explain to them the functions of his Ministry.

The Parliamentary Secretary for Commerce and Industry (Mr. Mohamed): Mr. Speaker, I beg to reply on behalf of my Minister. Short courses of the type referred to by the hon. Member, but run far more frequently than once a year, were instituted by the Ministry of Commerce and Industry in 1956 and were run by the Trade Officers in the districts. We also ran a number of residential courses at Maseno and Kabete, lasting about two weeks each at which simple book-keeping, Company Law and other subjects were taught. Under the new Constitution, Trade Officers have been transferred to Regional establishments, but I am pleased to say that they are continuing to run these short courses. The frequency with which short courses can be arranged in future must depend on the establishment of Trade Officers in any particular Region and this, of course, is now a matter for Regional Assemblies to consider. However, my Ministry fully appreciates the need for traders' courses to teach traders, particularly in the African sector, sound business methods and I am hopeful that this Ministry in co-operation with the Regional Authorities will be able to work out a comprehensive training programme for traders at an early date.

Mr. Mbogoh: Mr. Speaker, arising from that reply, could the Parliamentary Secretary tell this House when the last course was run at Kabete, and when he expects another one to be run in conjunction with the Regional Trade Officers in Meru District?

The Parliamentary Secretary for Commerce and Industry (Mr. Mohamed): Mr. Speaker, Sir, I have explained that the short courses are the responsibilities of the Trade Officers and the Trade Officers are under the jurisdiction of the Regional Assemblies. However, Mr. Speaker, Sir, we in the Ministry are planning to organize a Middle Management Training School.

Mr. Mbogoh: When?

The Parliamentary Secretary for Commerce and Industry (Mr. Mohamed): If you listen carefully, Mr. Speaker, Sir, I will explain. There is a proposal from the local branch of the British Institute of Management that they reconstitute themselves as the East African Institute of Management and start again the course in Management Training and examinations which they previously held. The courses were discontinued when the British Institute of Management decided not to examine overseas. This proposal is being considered by my Ministry. One Chamber of Commerce in Nairobi has started a new Committee on Business Manage-

[The Parliamentary Secretary for Commerce and Industry]

ment and is also considering financial assistance for such courses. The University College is in the process of filling out its Management Curriculum. In the light of the above, I am in the process of setting up a working party to examine the proposals with a view to starting a Business Management School. However, Mr. Speaker, Sir, there is no reason why the Regional Assemblies should still not continue the original courses which were conducted under my Ministry.

Mr. Mbogoh: Mr. Speaker, Sir, arising from that reply where the Parliamentary Secretary gives a long list of the qualifications—

The Speaker (Mr. Slade): Never mind what he has done, you ask your question.

Mr. Mbogoh: Does he imply that small traders are capable of employing the labour of graduates trained at technical colleges?

The Parliamentary Secretary for Commerce and Industry (Mr. Mohamed): Mr. Speaker, Sir, I have outlined two points. One is that we would like to start a Business Management School here which will cater for those people who want to have a better business management training, but I also said that there is no reason why the Regional Assemblies should not continue or restart the original small-scale business courses within the region, and this is the responsibility of the regions, as such, as the Trade Officers have been transferred to the regions.

Mr. Makone: Mr. Speaker, the Parliamentary Secretary has said this is a matter for the regions. Will he tell this House how much money from this budget from his Ministry has been put to one side for the running of such courses for the area in question?

The Parliamentary Secretary for Commerce and Industry (Mr. Mohamed): Mr. Speaker, that is quite a different question, but I can tell the hon. Members that we have transferred all the Trade Officers to the regions as such.

Question No. 201

ELECTRICITY FROM LAKE VICTORIA

Mr. Ndile asked the Minister for Works, Communications and Power if the Minister had explored all possibilities for generating electricity from Lake Victoria for development purposes in Kenya.

The Minister for Works, Communications and Power (Mr. Mwanyumba): Mr. Speaker, Sir, I beg to reply. The full exploitation of the potentialities of Lake Victoria and the Nile Waters for

the generation of hydro-electric power is a large and complex problem. Some of the factors involved are the evaluation of the hydrology of the drainage area, the agreement on the use of the Nile waters, Kenya's agreement with Uganda on the purchase of electricity generated at Owen Falls, and the development of our own hydro-electric potential. In view of Government's decision to proceed with the development of the Seven Forks Hydro-Electric Scheme on the Tana River, no immediate development of the hydro-electric possibilities of Lake Victoria is planned at the moment.

Mr. Okwanyo: Mr. Speaker, Sir, is the Minister aware that the falls at Gogo in South Nyanza are capable of supplying the whole of Kenya with hydro-electric power if exploited?

The Speaker (Mr. Slade): That is not Lake Victoria, is it?

Question No. 215

LOANS TO AFRICAN TRADERS:
MACHAKOS DISTRICT

Mr. Kioko asked the Minister for Commerce and Industry if the Minister would give the House a breakdown of traders' loans given to Africans in the Machakos District in 1962/63.

The Parliamentary Secretary for Commerce and Industry (Mr. Mohamed): Mr. Speaker, Sir, I beg to reply. During 1962/63 the Machakos Joint Loans Board issued seventeen loans totalling Sh. 31,000. These loans were for the following amounts:—

1 loan of Sh. 500.
6 loans of Sh. 1,000.
1 loan of Sh. 1,500.
6 loans of Sh. 2,000.
2 loans of Sh. 3,000.
1 loan of Sh. 5,000.

The loan of Sh. 5,000 was granted to a progressive trader who had repaid an earlier loan of a smaller amount.

These loans were granted to a variety of businesses throughout Machakos District. The types of business which received loans were:—

General Traders	7
Bakeries	3
Butchers	2
Carpentry	1
Cycle Repairer	1
Shoemaker	1
Upholsterer	1
Stock Trader	1

[The Parliamentary Secretary for Commerce and Industry]

The Machakos Joint Loans Board has suffered from the high number of defaulters and for this reason an embargo was placed on new loans in 1963. I am sure the hon. Members realize that unless loan recipients repay their loans the revolving loan funds cease to operate and many deserving traders are unable to obtain financial assistance. Despite the fact that economically the Machakos District made a rapid recovery from the natural disasters in 1961 the traders have shown reluctance to repay their loans and now sixty-six traders owe over Sh. 200,000 in arrears to the Machakos Joint Loans Board.

Mr. Kioko: Mr. Speaker, Sir, arising from the Junior Minister's reply, does he agree with me that the figure given was very low and that Machakos African traders were ignored?

The Parliamentary Secretary for Commerce and Industry (Mr. Mohamed): Mr. Speaker, Sir, Machakos District has been one of the first offenders as far as the repayment of loans is concerned. If I may give the hon. Member the percentage, it is 77.33 per cent which have not repaid their loans.

Mr. Speaker, even this exception which was made for the granting of Sh. 31,000 was given by consideration for special purposes. However, if the hon. Member wishes more loans to be given to the members of his constituency, he must speak to his own members in the district to repay their original loans.

Mr. Lorema: Arising from the Parliamentary Secretary's former reply, would he tell this House why a progressive trader should be given a loan and yet he is progressive enough to support himself?

The Parliamentary Secretary for Commerce and Industry (Mr. Mohamed): Mr. Speaker, the hon. Member must interpret the meaning of progressiveness. I referred earlier to the fact that this trader had a smaller loan and he repaid it and he wanted to make a better business. After all he was only given Sh. 5,000, which he deserved very much.

Question No. 223

SARE BRIDGE: INCREASE OF HEIGHT

Mr. Okwanyo asked the Minister for Works, Communications and Power what provisions the Government was making to increase the height of Sare Bridge—along the Kisumu-

Mwanza Road—which was submerged during rainy seasons and which was dangerous to traffic and travellers.

The Minister for Works, Communications and Power (Mr. Mwanyumba): Mr. Speaker, Sir, I beg to reply. There are at present no plans for the replacing or raising of the Sare Bridge as this road has not at present a sufficiently high priority in relation to other urgent road and bridge works required elsewhere in the country.

Mr. Okwanyo: On a point of order, Mr. Speaker, I am not able to hear. I wonder if the Minister would speak a little louder.

The Minister for Works, Communications and Power (Mr. Mwanyumba): Mr. Speaker, Sir, may I repeat the answer.

The Speaker (Mr. Slade): Yes.

The Minister for Works, Communications and Power (Mr. Mwanyumba): There are at present no plans for the replacing or raising of the Sare Bridge as this road has not at present a sufficiently high priority in relation to other urgent road and bridge works required elsewhere in the country.

Mr. Okwanyo: Mr. Speaker, Sir, I would like to know from the Minister how many vehicles he would like to pass over the bridge before it is raised high enough?

The Minister for Works, Communications and Power (Mr. Mwanyumba): It is not only a question of vehicles passing over a road, Mr. Speaker, which warrants the building of a bridge. There are other priorities also which have to be considered. The most important one is that it has to be considered in relation to other roads.

Mr. Ngala-Abok: Mr. Speaker, Sir, this bridge is actually in my constituency, and the bridge is so dangerous that even one vehicle alone should warrant the repair of the bridge. Would the Minister agree with us that the dangerous situation existing should be put right rather than saying that the density of the traffic does not warrant its repair now?

The Minister for Works, Communications and Power (Mr. Mwanyumba): Mr. Speaker, at least there is a bridge at Sare at the moment. There are other places in the country where the bridges have actually been washed away by rains during the floods and, therefore, we have to take those roads as first priority before we go to improve these bridges already existing.

Question No. 236

DISCRIMINATION IN SETTLEMENT: RIFT VALLEY

Mr. G. Kariuki asked the Minister for Lands and Settlement if the Government was aware that in some areas in the Rift Valley where settlement had taken place people had been discriminated against on the grounds that they were not originally residents of a particular Region? If so, what remedies was the Government considering where such practices existed.

The Minister for Lands and Settlement (Mr. Angaine): Mr. Speaker, Sir, I beg to reply. Under the Constitution the responsibility for nominating settlers to holdings on settlement schemes lies with the President of the Regional Assembly in which the scheme is situated. This provision was designed to ensure that the settlers should be acceptable to the Region concerned. The Government would like to see the Regions settle those who are resident in a Region regardless of tribe and is endeavouring to persuade Presidents of Regional Assemblies to do this, but so far with little success.

Mr. G. Kariuki: Mr. Speaker, Sir, in view of the fact that the Regional Presidents are not co-operating, it is very clear that they are not, what remedies is the Government considering where such practices exist? Answer. Answer part of the question.

The Speaker (Mr. Slade): A question does always demand an answer, whether or not the questioner says so.

The Minister for Lands and Settlement (Mr. Angaine): I think, Mr. Speaker, Sir, I have told the hon. Member that the Government is looking into this matter. If there is any discrimination at all in any Region—

Mr. Masinde: Central Region.

The Minister for Lands and Settlement (Mr. Angaine): I am not aware of it, but if there is any discrimination at all in any Region, the Government will look into this matter and put it right.

Mr. Seroney: Mr. Speaker, is the Minister aware that Kalenjin from the Western Region have been settled in the Western Region and that the Kikuyus from the Central Region have been settled in the Rift Valley Region?

The Minister for Lands and Settlement (Mr. Angaine): Yes, Sir, I am aware.

Mr. Masinde: Mr. Speaker, Sir, is the Minister aware that the question of settling settlers in any given Region depends on how long the person to be settled has been in any given Region.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Could we have an explanation on the question?

The Minister for Lands and Settlement (Mr. Angaine): Mr. Speaker, Sir, the selection of settlers entirely relies upon the President of Regional Assemblies, and the Minister has nothing to do with the selection of settlers at all.

The Speaker (Mr. Slade): The House has been told that so many times, now. We will go on to the next question.

Question No. 238

KENYA QUALIFIED DOCTORS FROM MAKERERE

Mr. G. Kariuki asked the Minister for Health and Housing to state:—

- (a) How many Kenya Government-sponsored students had qualified as doctors in the years 1963 and 1964 from Makerere University College or other university.
- (b) Where had they been posted for their internship.

The Minister for Health and Housing (Dr. Mungai): Mr. Speaker, Sir, I beg to reply. In the year 1963/64 there were eleven doctors who qualified from Makerere. There are no Kenya Government-sponsored students who qualified as doctors overseas in the same year. With regard to the second part of the question, nine of the doctors who qualified from Makerere University College this year have been posted to the Kenyatta National Hospital and to the Coast General Hospital, Mombasa, for internship. The remaining two doctors are at present in the Nakuru and Nyeri General Hospitals awaiting to fill internship posts which will fall vacant at the Kenyatta National Hospital in July this year, that is next month.

Mr. G. Kariuki: Is the Minister aware that one of the doctors who went to Nyeri to do his internship there was transported on an Overseas Touring Company bus?

The Speaker (Mr. Slade): Order, order. I did not hear Mr. Kariuki.

Mr. G. Kariuki: Is the Minister aware that one of the doctors who was sent to Nyeri was taken on an Overseas Touring Company bus?

The Minister for Health and Housing (Dr. Mungai): Mr. Speaker, Sir, the doctors can choose their mode of transport, either train, Overseas Touring Company or car. Whatever they choose to go to Nyeri in is their own business.

Mr. Gichoya: Mr. Speaker, Sir, arising from one of the Minister's replies, that some of these doctors are to be sent to remote areas, and others are sent to the Kenyatta National Hospital and the other at the Coast Hospital, could the Minister tell us exactly that when these people have vacant positions, they will be taken in and will no longer lose their positions and will be employed in the large hospitals in the country?

An hon. Member: Speech.

The Minister for Health and Housing (Dr. Mungai): Mr. Speaker, Sir, for one I do not consider Nyeri and Nakuru to be remote, and for the other those positions at the Kenyatta National Hospital are reserved for them and those places are approved for internship by the University Council.

Mr. Okwanyo: Mr. Speaker, Sir, will the Minister assure this House that he will persuade those doctors who deserted their practices and became Ministers to go back to their practices?

The Minister for Health and Housing (Dr. Mungai): No, Sir.

Mr. Anyieni: On a point of order, we did not hear the reply from the hon. Minister who is a doctor, Sir.

The Minister for Health and Housing (Dr. Mungai): The answer was, No, Sir.

Mr. arap Kamuren: Can the hon. Minister tell this House how many Kalenjin, Kikuyus and Luos are among these doctors?

The Minister for Health and Housing (Dr. Mungai): Mr. Speaker, Sir, although it may satisfy the hon. Members to break down these doctors into tribes, in the medical practice we do not like to do so. We like to serve the country as a group of professional people.

Question No. 239

NAME OF SPONSORS OF STUDENTS TO
CZECHOSLOVAKIA

Mr. Lorema asked the Minister for Education to inform the House who sponsored the team of forty students who left Kenya in March 1964 for further studies in Czechoslovakia.

The Parliamentary Secretary for Education (Mr. Gachago): On behalf of my Minister, I beg to reply. I am not aware that a team of forty students left Kenya in March 1964 for further

studies in Czechoslovakia. Consequently, it is not possible for me to tell who sponsored these students.

I would, however, like to point out that a group of forty-nine students left Kenya on 26th April 1964 for further studies in India. These were sponsored by the Ministry of Education.

Mr. Lorema: Mr. Speaker, Sir, is the Parliamentary Secretary aware that there are many groups of students who leave this country without his knowledge and that it is his responsibility?

The Parliamentary Secretary for Education (Mr. Gachago): Mr. Speaker, Sir, the Ministry is aware that there are so many students who are leaving the country in search of education through channels other than Government channels, but the Ministry refuses to accept responsibility.

The Speaker (Mr. Slade): I do not think we will pursue that aspect any more. We discussed it at length the other day. If you have supplementaries about these particular forty students, all right.

NOTICES OF MOTIONS ON THE
ADJOURNMENT

TRIBAL BASIS OF RECRUITMENT FOR ARMY

The Speaker (Mr. Slade): I have to remind hon. Members that at the close of business today, Mr. Ngala-Abok is to raise on the Adjournment the matter of the reply to Question 12, the status and training of hospital and clinical assistants. I have also to give notice to hon. Members that on Thursday the 25th at the closure of business, Mr. Masinde will raise the matter of recruitment to the Army on a tribal basis.

COMMITTEE OF WAYS AND MEANS

(Order for Committee read)

MOTION

THAT MR. SPEAKER DO NOW LEAVE THE CHAIR
(Resumption of debate interrupted on 19th June 1964)

(Second day of the Budget debate)

Mr. Masinde: Mr. Speaker, Sir, when you adjourned the House, I was speaking about employment and the ways of creating more jobs outside big towns. To continue with this, I had already said that the problem we have in this country is not one of solving the unemployment problem because our population does not rely on those who are in employment; it relies on those who are self-employed. In this regard, Sir, with

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reference to the speech given by the Minister for Finance and the Development Plan for the next years—copies of which we are in possession of—it does not seem as if in this next six years we are going to deal with any practical problems which are facing us. If I can go back to the Western Region, one of my colleagues has just tried to mention the Development Plan, but I will go into a little detail and challenge this lovely book with its good written English; it does not say anything at all. If it does, then it is for some other part of Kenya, but it does not look to Kenya as a whole.

One important aspect, Mr. Speaker, Sir, is the agricultural industry. Tea today is grown largely by European farmers on big estates. About ninety-eight per cent of the tea we get is grown and processed by European industry. Africans only contribute probably 1.8 per cent. In this book, the Minister does not show how Africans—more than seven million people—are going to contribute to the economy of this country through this industry. I come from Western Region, in Kakamega District. On page 49 in this book we are told that Kakamega in the Western Region is going to grow in the next six years 1,800 acres only, which cannot warrant a factory. After waiting six years we shall not have a single factory for tea in the Kakamega District. We are not given enough encouragement.

The Speaker (Mr. Slade): Order, order. I am sorry to interrupt you, Mr. Masinde, but I sometimes see hon. Members wishing to move from side to side of the House. I must ask them, when they do so, either to do it at the Bar or behind my chair, but not right across the middle of the floor.

Mr. G. Kariuki: I am sorry, Sir.

Mr. Masinde: Mr. Speaker, Sir, the Minister must be aware that when we are planning the economic strength of this country, we must know some of the practical problems which are always on the ground. The growers want to grow more tea, but they have no facilities because they must get plants through the Ministry of Agriculture and these plants are not available. Secondly, they are restricted as to how many bushes they have to plant in every year, and that is why in this book they have estimated that Kakamega will grow within six years only 1,800 acres, Bungoma District will grow in six years 400 acres. This brings the total to 2,200 acres in six years. The same Government says that for any given area, Sir, even if they are growing tea sufficient to warrant a

factory, it must grow up to 5,000 acres. In the six-year Development Plan, we will have waited and we will not get a factory. That is just one part of it.

To go further with regard to pyrethrum, we have been told in the past, and it is on the record, that we would have a detailed programme showing how pyrethrum is going to be distributed in this country. We know we are controlled by the world market and we have already said that what we want is to divide the present quota among the different regions which can qualify for growing pyrethrum. However, in this book nothing is said about the Western Region. This means that some of the people are going to be poorer and poorer just because they do not get assistance for some of the crops they grow. They are deprived by the Government, but this is not what we want. That is on page 50, Sir, if you want to find out what I am talking about with regard to pyrethrum.

The Minister for Finance and Economic Planning (Mr. Gichuru): Are you talking to Mr. Speaker or to me?

Mr. Masinde: I am reminding you where it is. I am telling you hard facts which are in black and white.

The Speaker (Mr. Slade): You must remember to address the Chair.

Mr. Masinde: Thank you very much, Mr. Speaker.

Sir, we are trying to improve the economic stability of this country, and when we are doing this it is not just those who are here—we are 124 or 128 alone—but it is for us to direct what the Government should do for the country. The Government has done a lot, they have said a lot and they have given the people a wonderful book in wonderful language.

The Speaker (Mr. Slade): You have had your time, I am afraid.

Mr. Masinde: Mr. Speaker, I had a lot to raise, but—

The Speaker (Mr. Slade): You have had half an hour.

Mr. Muliro: Mr. Speaker, Sir, first of all I will join the other Members who have thanked the Minister for Finance in presenting his first independent Kenya Budget, but I have some disappointments.

The other day we listened to the Minister for Constitutional Affairs telling us that the problems accumulated for seventy years could never have

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been dispensed with in the first year's Budget. Sir, that is all very well. Nobody in this House, no hon. Member in this House, could say that we should remove all the problems that have accumulated for seventy years in six months. Any such person would be completely wrong. But, the problem is this. We must have a definite starting point. The starting point in my opinion, Sir, in Kenya today is that we have the "haves" and the "have nots". As long as in our society we have few "haves" and many "have nots" we are heading for very serious trouble. In the Development Plan it says, "The Government of Kenya is dedicated to the creation of a democratic African socialist Kenya." That sounds very good. But, in other words, the Government must tell us how best we are to bring about that socialist state. In any socialism all socialist systems aim at bridging the gap between the bottom and the top. Therefore, Sir, to make Kenya a proud nation we would have liked—and I think the Minister for Finance is capable of doing this—to see a deliberate step taken by the Government to bring more Africans to controlling our economy. Unless we do that, Sir, unless our development programme aims at increasing the share of the Africans in this country in industry, in commerce and in agriculture, all that effort we might try to put into it will be for nothing. The first thing, I think, Sir, is how best can we bridge the gap? Those expatriates, those foreigners, in this country who have come to invest their money here must know that their best guarantee and the only security they can hope for is to see that the African is well placed in the economy of this country. Unless the African is well placed in the economy of this country we might get all the good laws passed in this House but those laws one day will mean nothing. One thing, Sir, again, in the development programme, on which the Government has placed an emphasis—and rightly so too—is the replacement of manufactured goods from outside by locally manufactured goods. I think there they place their finger on the right point. In order to create wealth in this country we must shift away from buying imported goods in Kenya and buy from local manufacturers. But, Sir, there again, quality is of very, very great importance. Our local manufacturers should not take it that because the Government has given them protection they can produce anything and the people of Kenya, or East Africa, would buy it. We want good quality, Mr. Speaker, so that whenever we have a surplus we will be able to export it and earn foreign exchange. Therefore, Sir, I think the Government should work hard

and insist that the standard of manufacture should be high enough.

The Minister also talks about securities of the foreign capital. The best security, I say, Sir, is the participation by the people of Kenya in whatever investments that come into the country, either as individuals or as the Government, but any project, any new ventures in Kenya, must be shared between the people of this country and whoever is coming to set up such a venture. I think the Government should insist whenever they are making any decision, that we should have a controlling share, or if we do not have the controlling share we should after the first three or four years then have the controlling share. So then within the next six or ten years we will eventually find that we are masters of our own economic destiny in this country. But those who want to invest here, and say, unless you give us X, Y and Z guarantees they are not going to invest in our country, they can keep their own money in their own country. Today the Americans, the British, are investing in Russia. Why should they invest in Russia when they have entirely different systems of Government and yet they say if Kenya does not attract them to come to Kenya they will never come. They are telling lies. Whoever wants to invest in this country must know very well that Africa as the latest continent to relieve itself from exploitation and imperial domination is still the best continent to exploit economically, and therefore, to invest money in Africa is more worthwhile than investing money in America, Russia or Britain.

What we want, Sir, is that the Government or the people of this country must take an increasing share in whatever investment we take in this country. Even if those people have money to lend us, let them lend it to us and they can recover it through profits, which ought to come to us, but which can go to them for a number of years until they are repaid. But then, Sir, the economy will be ours. We do not want to be told in this House that investors are all right because Africans are going to get jobs. Africans are not interested in getting jobs, Africans are interested in the eventual ownership of the means of production in their own country. I have no more to say. Those who are controlled by the machinery of production to be free must control that machinery of production. So, Sir, these problems must be taken very seriously.

Another point, Sir, which is very, very vital, is the question of education. Education, in my view, is a very cardinal issue today in Kenya. We have so many tribes in Kenya, who are very, very backward. Some of them have never seen

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a school at all, some of them have never seen a building known as a school. Those, Sir, all of them, should be given the chance to go to school. In fact the Government should try to introduce free education as they said themselves, and in particular they should introduce it in Turkana, in Masai, in Samburu and in parts of the Coast Region, so that these people appreciate the beauties of what citizenship means. As long as people are backward you can never teach them what citizenship means.

An hon. Member: What does *Majimbo* do?

Mr. Muliro: Oh, give *Majimbo* the money and *Majimbo* will carry out the work for you much more effectively. Sir, we find that to teach anyone any good business we must get good education. Therefore, the emphasis on education should never be over-emphasized.

Another issue, Sir, which is of vital importance in our economic development is the question of co-operative organization. The co-operative organizations today are all, to a very, very high degree, corrupt. Therefore, good and sound education of people engaged in the co-operative organization would be of very great benefit to Kenya. We require some locally owned co-operatives, we require some locally owned industries, but the people who do not know anything about those things are the ones who are doing serious harm. Therefore, this portion, Sir, in the development programme, the question of the organization of the co-operative organization, is very important, and here I also thank the Minister for the good work he has done.

On the question of the "*duka ya wahindi*", the people suffer. Here I want to make a point. The Tanganyika Government, in their desire to see that the people had a definite share in the distributors' market and in business in Dar es Salaam, set up an organization run by the Government. What happened? The efforts by the Government were undermined by the *duka wallahs* in Dar es Salaam. We do not want the efforts here in Kenya to be undermined similarly. If the Government is doing anything to help, any Asian businessmen who come out to sell cheaper than the price which is proper, and which the Africans are selling at, they should prosecute them. I know some of these Asians are most unscrupulous people in business. They are prepared to sell at even a quarter the price in order to wipe out any Africans from business, and then the next morning they will sell it at twice or thrice the price. In two days they will recover what they lost in three days. That, Sir, we should guard against. That any efforts

which we want to make in this country are not defeated by some unscrupulous *duka wallah*.

Sir, another point I would like to talk about is the question of credit, particularly to the African farmer. We have today, Sir, two main organizations, the Agricultural Finance Corporation and the Land Bank of Kenya. These two organizations, Sir, are in addition to the commercial banks. These two organizations, or three rather, that lend money to the Africans demand security. I say to anyone in this House that there are hardly any Africans in Kenya today who can produce all the security that is wanted. If someone wants to borrow Sh. 200,000 they have to show that they have Sh. 200,000 in liquid assets. Where can any African who only wants to join in the farming business now produce Sh. 200,000 from in liquid assets? There are very few. If he has any money at all he would never have gone to this bank, he would never have gone to the Agricultural Finance Corporation to be borrowed money.

An hon. Member: To be lent.

Mr. Muliro: To be lent money by them. Therefore, Sir, the main problem here is that there must be a definite move by the Government to try to bring up the African, in trying to transfer the economy of the country from the hands of the Government the Europeans have assisted to the hands of Africans. A deliberate effort must be made to assist these people as long as they appear, or are able, to be good farmers. That is what ought to be done. Unless that is done, Sir, I think we will stop here and people will consume the surplus. The commercial banks should ask the African for as little as possible because they have no security. Therefore, the only two institutions which could lend the African money, the Agricultural Finance Corporation and the Land Bank of Kenya, ought to assist the Africans in this country to come up. I say this particularly because whether Kenya goes West or East ideologically, the African is part and parcel of that East or West move. Any other person in this country can run from Kenya if there is trouble in this country. It is the black man who is going to try and live in this country and, therefore, these should be helped.

Now, I come to the Budget, and that part of the development programme. When I turn to the Budget, Sir, I say I am very disappointed that the Minister actually failed to make the point this time that Africans should be given, or farmers in Kenya for that matter, should be given rebate for the fuel they have used in trying to grow crops and in trying to work their land. The Colonial Government went out of its way, and deliberately too.

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to assist the European farmers at that time. Today the African farmer comes along who wants to do something for his own country, and the Minister, the African Minister, in the first independent Budget, does not even dream that he could be given a rebate on fuels. This, Sir, I hope the Minister will consider. It is an issue on which the Minister for Agriculture and the Minister for Finance should put their heads together and see what they could do in order to alleviate this headache to many farmers in Kenya. We cannot say we want to Africanize the farming industry and at the same time not encourage farmers by giving them some liberal conditions like rebates.

Another point, Sir, which is of great disappointment, is the question of the export tax on sisal and coffee. This Sir, the hon. Minister must accept was a very, very serious mistake and he should reconsider it. The problem now is that for the first time the Africans are being told that they can plant sisal. Before that sisal matures it is already taxed, there is already an export tax on it. When they put that export tax on sisal they should only have put it on the large plantation farmers, the large plantations which should be—

The Minister for Finance and Economic Planning (Mr. Gichuru): That is discrimination.

Mr. Muliro: Well, discrimination should be done in order to bring up the African in this country. You must make a deliberate effort to bring up the African by discrimination.

Now, Sir, I was saying that plantation sisal should be taxed and even plantation coffee should be taxed. But the African peasant-grown coffee and peasant-grown sisal, from which he gets a few shillings, should not be taxed. Eventually it is going back to the small African producer and not to the man who speculated in buying coffee and sisal. This man will push it back to the smaller man. So, Sir, I feel that the Minister should reconsider his case in favour of taxing the plantation and not the African who is growing sisal or the small farmer's coffee. That would help the African to a very, very high degree.

One of the last points I would like to mention to the Minister is that there are some large industries in Kenya which could better be nationalized than be left in the hands of private owners.

The Minister for Finance and Economic Planning (Mr. Gichuru): Examples?

Mr. Muliro: For example, the East African Power and Lighting Company is one example, the East African Breweries is another example,

Lord Delamere's one-million-acre farm is another one, and you will find quite a number of large companies that could be nationalized. The Nairobi Bus Company, which also operates in Mombasa, Kisumu, and all these places, they could be nationalized, all the bus services, the road transport companies, the Overseas Touring Company, they should all be nationalized. I do not understand why the Railway is nationalized when high transport companies like the Overseas Touring Company is not nationalized. I do not think we would scare anyone by taking over these companies. We would take over the buses and we would pay for them, and that would be the end of the whole thing. So, if we do not touch anything, if we do not nationalize some of these public facilities, we talk rubbish when we talk of African socialism. We cannot preach to the Government as long as someone earns huge salaries during the year and someone else gets nothing.

With these few remarks, Sir, I beg to support the Motion.

Mr. Kaggia: Mr. Speaker, Sir, before I come to the points which I want to raise on the Budget, I would like to congratulate the Minister for Finance for one of the best Budgets which he has proposed to this House.

During the last Budget, Mr. Speaker, we could not speak a lot because we knew that the Budget was prepared before this country attained internal self-Government. We did not expect a lot of changes or many changes in what was going on previously. But, after one year in Government we had expected a lot of changes in the economy of this country. Therefore, I think the Budget has fallen short of our expectations. One of my biggest quarrels on the Budget is the lack of ways and means which could assure quick and really active participation of Africans in trade. Although we are told that the Government is doing everything it can to see that Africans participate in trade, we do not see how this would take place and when it would take place. Mr. Speaker, I would like to remind the House that during the colonial time the Government of this country was always run, or worked under the influence of the European settlers and other foreign investors. This was not because they were really ruling this country but because they controlled the economy of this country. Even the British Government feared the settlers of those days. We remember very well when we used to demand many things from the British Government and the British Government sometimes were inclined to accept our proposals and, if the settler community raised one objection, the

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Government dropped its plan. So it is clear that our previous Government was controlled by the European settlers and other investors. This Government must do everything possible to see that this economic domination of foreigners in this country will not continue after we have attained our independence. Mr. Speaker, throughout the Budget I do not see any immediate steps to change this position, and I am afraid if nothing is done to change the position we can continue singing of political independence while European foreigners still control our own country whether we like it or not. I think, Mr. Speaker, that this is one of the things we would not like to see and that is why I say, after one year in Government, we were expecting to see drastic changes which would ensure that the economic control of this country will be transferred from foreigners into the hands of the indigenous people of this country.

The Speaker (Mr. Slade): Mr. Muliro has already spoken at length on this subject. We must avoid repetition, and I do not think that you can have much more to say about it.

Mr. Kaggia: Mr. Speaker, it is not enough for us or for the Government to say that we inherited a bad economic system without doing something to change it. Therefore, I think the Minister should start thinking of what we are going to do to change the situation. I am going to give a few suggestions on what we should do to change the situation.

Mr. Speaker, Africans are doing everything they can and are struggling against very difficult conditions to strengthen their positions economically. It is not easy for them to do this because in this country there are so many big monopolies, companies and institutions which cannot allow the Africans to come up economically. I think to change this situation, Mr. Speaker, the Government should start some sort of state trading corporation which could control the imports and exports trade in this country. Today, all the big trades of imports and exports are controlled by big foreign companies, and whatever our small companies do they will always be at the mercy of these big foreign investors. This kind of trading corporation has been tried and proved to be a great success in Guinea, Ghana, the United Arab Republic and Mali, and I do not see why we should not try them in this country. This will see to it that all the import and export trade is in our own hands, and this would be one way of transferring the control from the foreigners into the hands of our own people.

Another suggestion, Mr. Speaker, while we are told a lot about Africanization in many departments and firms, I am afraid to say, Mr. Speaker, that Africanization in trade and commerce has only been concentrated on the lower grades and I think the best thing to do is to see that Africanization is implemented on the executive and other higher grades in commerce and industry. I suggest that legislation should be enacted by the Government to ensure that this Africanization comes quickly, because unless we do that some foreign executives will continue to hold the positions and our people will continue to be told that they are not fit to hold this, and that they are not capable, and that they are not this and that. I think legislation of that kind has been introduced in Pakistan and India which makes it impossible for foreigners to be employed in certain executive and higher grade positions. This will safeguard our interests and it will also ensure that all important positions in commerce and industry will be held by our own people who have the interests of this country at heart. If we can do that, Mr. Speaker, it will help to transfer the control of the economy to the Africans.

The other thing, Mr. Speaker, we have been told of these so-called people's shops. This is a very good idea and I think it will help, Mr. Speaker, but before I fully agree with this suggestion I would like to know from the Minister whether these people's shops are supposed to be co-operative shops or private shops? Even if they are either of the two, I would like to know from the Minister how the Government is going to protect these small co-operative shops or private shops against the competition of the great monopolies in this country. As I said, Africans may start trade here privately or as co-operatives, but they will find it very difficult because of the great competition that exists in this country. How do we expect small industries or small shops to compete with big industries or shops which have been functioning in this country for many years? Therefore, Mr. Speaker, I think this cannot succeed unless the Government decides to give them some kind of protection. If a kind of protection is given, then the people's shops can have some future, but if nothing is done I think there will be no future for this kind of shop.

Another point, Mr. Speaker, we have talked a lot and we have told the country and the world that the Kanu Government is going to follow socialistic lines, and ever since we attained independence our people have been waiting to see some indication as to that line towards socialism. I was listening carefully and very attentively, Mr. Speaker, to hear new suggestions which we can

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show to our people to show them that now our Government has embarked on the road to socialism, but what I have seen is only strengthening of the old capitalists who have been exploiting us for so long. Mr. Speaker, I was expecting the Minister to suggest nationalization of some industries. I would not expect the Minister to have a wholesale nationalization programme but I was expecting him to indicate that the way to socialism was by nationalizing one or two big industries. Mr. Speaker, I am afraid that unless something drastic is done on this line, then we will never get to socialism, and even when we come to decide to embark on socialism it will be very difficult because many of these big monopolies will have sucked all the blood from the veins of this country.

Therefore, Mr. Speaker, I think it is high time for us to indicate to the world that we are prepared to fulfil what we have promised to our people and for this, Mr. Speaker, I would like to suggest a few companies, which I think, in my own opinion, are overdue for nationalization. The first of these, Mr. Speaker, is the East African Power and Lighting Company. This is one of the companies which is sucking a lot of money from this country and taking it to Europe or any other country where the company belongs. Electricity is one of the commodities which our people use more than anything else and is one of the most costly commodities, and therefore, I think, Mr. Speaker, to nationalize the East African Power and Lighting Company will be a good beginning and our people will see that we mean business.

The other one which I would like to suggest is the Kenya Bus Company. Our people are struggling every day to have more buses running here and there, and these big companies have money, even try to stop Africans having routes in our own Reserves. They are always prepared to come forward and tell us that a certain road is fully catered for, because they have the money to spread buses throughout the country, and our poor people who are trying to raise the economic standards through the transport business cannot do that. These people who have collected millions and millions of shillings from our poor Africans spend a lot of this in engaging lawyers to fight poor Africans who cannot afford to engage a lawyer. Therefore, Mr. Speaker, I think this is a great shame to our country which professes socialism and, I think we should go ahead and nationalize the Kenya Bus Company.

The other one, Mr. Speaker, is the Magadi Soda Co. Some of the previous speakers have

spoken on this. I do not want to labour on this, Mr. Speaker, but I think this is one of the companies which is due for nationalization. My last industry to be nationalized, Mr. Speaker, is the big estates. We are suffering, our people have suffered for years through lack of land. We have wasted our lives fighting for land which was stolen by European settlers. We all expected that after Independence our land would be returned, but up to now, Mr. Speaker, it has not been returned. I think to start with—I do not say that all land in the hands of Europeans should nationalized—but there is a lot of land which is not used fully even by the owners, and therefore, if the Government could decide to nationalize these big estates as a beginning, this will help the country in two big and important ways. The first, this is going to solve one of the biggest problems which is unemployment. If these estates are run by the Government they can be one of the first-class estates and can employ thousands of our unemployed people today. The other way that this nationalization can help our country is that today although a lot of land is changing hands from Europeans to Africans this is not improving the production of this country because these big farms which are split into small farms cannot produce the equivalent production of what the big farms used to produce. If these big farms are only transferred from their present owners into the Government hands, they will continue to be run as they used to be run and they will maintain the production of our agricultural produce. Therefore, Mr. Speaker, on that point I think that the Minister should consider as to how many of these industries if not all of them he should nationalize for the benefit of this country and to help to check this situation which is very dangerous; to remove the control of our economic strength from Europeans to Africans.

The other point I would like to make on the Budget, Mr. Speaker, is the Land Settlement Schemes. In the last Budget, Mr. Speaker, I very strongly criticized the Settlement Schemes, and I was doing this, with all good faith believing that now that we have got an African Government, changes will be made on this scheme to see that the scheme does not only benefit the European settlers, but does also benefit our poor Africans. It is true, Mr. Speaker, that the scheme was first introduced by Sir Michael Blundell, who was then the Minister for Agriculture and who was himself a settler. This policy was not really planned for the benefit of our people, but its main object was to benefit the outgoing settlers because it became clear to anyone and to everyone that there was very little future for

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European settlers in this country after independence. Something had to be done to see that they did not lose their money, and that is why the scheme was started. Therefore, I have been expecting to see changes, to see the emphasis transferred from the benefit of the Europeans to the benefit of the African people, but I am surprised, Mr. Speaker, that up to now there is very little change on the whole situation. This country continues to labour on big burdens or big loans which our Government continues to take from foreign countries, and all these big loans come and go back to the European settlers, and go straight back to England, while our poor Africans get small *shambas*, with very little loans and which in many cases have become inadequate, and many of them have even failed to produce enough to eat. Many of them have failed to repay their loans and they get their *shambas* taken back by the Ministry of Settlement.

Therefore, Mr. Speaker, I think this is another field in which the Government must do everything possible to change and see that the poor Africans get something out of this. Unless something is done on this question, and unless there is a drastic change, we will come to one conclusion, and that will be this. The Government will have all these big debts to pay for many years to England, America and other countries. They will come to see that by the time we pay all these loans, we still have all the thousands of landless Africans because if one gets land today, he cannot pay the loan, and the land is taken away tomorrow and it is given to another one if he cannot pay. So the land goes to the Government. This will be an exercise without end which will not help anybody.

An hon. Member: Shame on Government policy.

Mr. Kaggia: Therefore, I think the Government must do something to see that in all these transactions, the Africans get the benefit of every scheme in the country, get the benefit of all the trade transactions, instead of only concentrating all benefits on the European community.

Mr. Speaker, I have always felt very strongly on this question of land settlement because as many farms are sold by settlers to the Settlement Board, many of our African squatters and workers are evicted from these farms to facilitate the sale of the land. After the land is bought by the Settlement Board, only very few of these evicted Africans can be resettled on the land. It shows that instead of the settlement scheme helping the Africans, the Europeans use it to exploit the situation, to harass our people, to

evict them daily from the farm. If I want to sell my land, I want to get rid of every worker in this land, and that is what they are doing, and this is one of the greatest problems which we have to face, because all land which is sold for settlement gives us more landless and homeless people in the street, and the Government finds it very difficult to resettle them. They do not know where to put them. Mr. Speaker, Sir, it is up to the Government to solve this kind of problem. Because I have very strong feelings on this matter, I have criticized the Ministry of Settlement, I hope constructively, because I have always felt something must be done, this is why I have lost my position.

Hon. Members: Shame, shame, shame!

Mr. Kaggia: Mr. Speaker, I have decided not to sell my conviction for position or salary because I feel very strongly and it hurts me to see thousands of Africans being evicted daily from these farms after Kenya has attained independence. I am even ashamed, Mr. Speaker, to say that the number of evicted persons today has risen by more than 50 per cent than it was before independence. My constituency and many of our people who have suffered with me, struggling for independence, are today being victims daily of this racket of the settlers, and because of this I have raised this question many times with the Ministries concerned. I have expressed my heartfelt sorrow, because of what is taking place. After seeing that no changes are being made, and the settlers continue to be more big-headed, evicting our people every day and destroying their crops. One day I wrote a statement to the Press to appeal to the Government and the settlers themselves to stop this for the sake of our people. In this statement, Mr. Speaker, I reminded them that our Government has been very, very kind, more than any Government in the world. After knowing what the settlers have done to our people for seventy years, our Prime Minister was so kind that he said no settler is going to be evicted, you remain here, but farm well. So, Mr. Speaker, I expected that this would be repaid by the settlers by the same or equivalent or better treatment of our people, but instead they have continued to harass our people. Instead of saying a big "thank you" to the Prime Minister they have continued to harass these people to create more problems for our Prime Minister, to create more homelessness, landlessness, for the Prime Minister. I thought this was too much and I asked the Government to reconsider the position, to reconsider the Government's attitude towards the settlers, if they were not prepared to repay what they were given by the Prime Minister.

The Speaker (Mr. Slade): Mr. Kaggia, we have rules about allegations against people in this House or outside. You are making very general allegations.

Mr. Kaggia: Mr. Speaker, Sir, I am moving from that now.

Again Mr. Speaker, I have had another quarrel with the Ministry of Settlement, and I was hoping that this would be changed and help us to get things right. During the Emergency, Mr. Speaker, land belonging to Africans who were in the forest fighting for our independence was confiscated by the colonial government. In August last year, after we attained internal self-government I opened correspondence with the Ministry for Settlement. I wrote a letter asking Government to make a ruling whereby this land would be returned to the original owners. I demanded this land in the belief that the people were fighting for *Uhuru* and the colonial government were against us attaining our independence and therefore I expected the new African Government to return this land to the original African owners. Mr. Speaker, Sir, since August up to now this land has not been returned, and our people who fought for *Uhuru*, many of whom have lost their children, their families, fighting for *Uhuru*, are still landless and unemployed in the reserves, just because our Government is not prepared to change something which was done by the colonial government. Therefore, Mr. Speaker, I have criticized this aspect of the whole thing, as I thought it was wrong for our Government to forget the people who have fought for *Uhuru*, who have suffered with us over all these years demanding independence for this country.

Because of these two things and especially before I come to the other one, I felt very strongly in this question, particularly in my own constituency, because in Fort Hall we are doing land consolidation again, because there were some mistakes in the last land consolidation. Therefore, the clans and the people themselves want to return the land to the original owners, because they do not call them terrorists now, but they call them Freedom Fighters. This question arises in my district more than any other area now, because these people cannot get the return of their land until the Government has revoked the Confiscation Order. As a result of this Mr. Speaker, I was warned that I was criticizing the Government, and I made it very clear that I was not criticizing the Government, destructively but that I was criticizing the Government constructively. My criticisms were only aimed at helping the Government to fulfil

some of its promises. After several warnings, Mr. Speaker, I got a letter from the Prime Minister which asked me to stop criticizing the Government. In fact, the letter accused me of three things: one was that I was criticizing the Government through that statement which I have just quoted because it is Government policy to prohibit illegal squatting on private farms. The other one was that I have been interfering with land consolidation in Fort Hall just because I have demanded the return of this confiscated land to the original people who fought for independence. The other was that I have been criticizing land settlement. The letter asked me to give an assurance that I would not pursue the above. I refused to give this assurance and, consequently, I was asked to leave.

The Speaker (Mr. Slade): You have had your time, I am afraid, Mr. Kaggia.

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): I would also like to join in the chorus of those who have spoken in this debate in congratulating the Minister for Finance for his Budget Speech and for the very good Budget which he has laid before us in this House.

Sir, in contributing to this debate on the Budget, I would like to touch on a very few points concerning several Ministries which are set out in the Estimates.

Before I do this, Sir, I would like to make a few remarks in answer to what has been said by some hon. Members in their speeches in the course of this debate. The hon. Member for Butere, who unfortunately is not here, commented very strongly on unemployment and said that our Government has not considered this question. This, Sir, is something which requires mention because the hon. Member has failed to appreciate what the Government is trying to do by way of the projects which have been started to try to absorb the unemployed. Credit should be given where it is deserved and some little appreciation was required and is still required from hon. Members as far as what the Government is trying to do to alleviate the situation.

Sir, the very hon. Member for Butere said that in the development plan there was nothing definite for his region or for his constituency. He failed to point out to this Government a development plan formulated by his region for his region, and that he did not see it in the development plan. I think it is only constructive that when one wants to blame the Government for not including a project in the development plan to point out that a certain development plan was formulated by

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him or by the region and was not included. In failing to do this, I think he should not blame the Government whose policy at present is to consider all development plans brought to them by the regions.

The hon. Member went further. I think he has misunderstood this point and unfortunately he is not here. He went on to accuse the Government and the Minister for Finance, for that matter, with regard to the price of fish being increased. He hammered on this, that the price of fish in Kano had been increased, the price of fish in Bunyala had been increased. I do not know what fish he was talking about. In reality, according to the printed estimates, only tinned fish and tinned foodstuffs have been increased in price. It does not affect fish as such. If Tilapia fish has been costing a shilling, I think that is still the price. I do not see where the hon. Member got this allegation from.

Sir, I would like to make a few remarks—and I hope there is somebody taking notes for the Minister for Finance—on the Budget as such. He has raised the price of cotton goods, blankets, socks and so on, and I think this is good, but the hon. Minister must make sure, particularly for the traders, that the prices which are going to be put on by the Asian traders are not going to be exorbitant. In saying this, Sir, what I am referring to is an African going to an Asian to buy some of these cotton piece-goods on which the price has been raised. He will be told that it is your Government which has raised the price, and it is this kind of remark which has frustrated many people, particularly the Africans in this country.

Mr. ole Oloitipitip: You are criticizing.

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): Yes, I said I would criticize. I said I would criticize the Government and also pass a few remarks for the Minister to note.

There should be some information given to these traders, that remarks like, it is your Government which has raised the price yesterday, your Government raised the price the other day, telling them that this should be stopped, because when an African hears such a remark he gets very frustrated.

Sir, with regard to cotton piece-goods, I was wondering if the Minister included fishing-nets in this. Being a fisherman myself, I would like to see the price of fishing-nets being controlled. When there are plenty of fish, Mr. Speaker, the Indians exploit the African fishermen by raising the price:

if there are only a few fish, nobody buys the nets and the Indians lower the price and say that there are no fish. I think it is high time these particular goods in the shops had a fixed price because fishing-nets have the same trade mark for those sold in Uganda, Tanganyika and Kenya. The lake is one, and there is also the Coast fishing ground, and I think the three Governments should consider imposing a fixed price on fishing-nets.

Sir, turning to another point which was included in the Estimates, I would like to refer to the rise in the price of petrol and amber oils. This does not only affect those capitalists, as my hon. friends call them, who have cars, but in a way has also affected the ordinary person in the street. How has it done this? It has affected him because bus fares are going to be increased. This in a way is going to interfere with the ordinary person. The bus owners are right to raise their fares, but the amount they have increased them is not equivalent to the amount Government has put on this petrol. One would think, for example, that going from here to Kiambu might be Sh. 3 at this time, but in fact you will find that the bus owners might increase this fare to about Sh. 4; this means he has increased it by I do not know how much per gallon to an ordinary person who travels by bus.

The millers in the reserve to whom the ordinary man or woman takes his or her seed for grinding are going to raise their charges. I have seen this when I visited my constituency, that the millers explain to the women that the price of petrol has been increased, and therefore the amount which was milled previously for Sh. 4 is now going to cost Sh. 6. Thinking of the mathematics here, where they have calculated and arrived at Sh. 6 I just do not know. I think the Minister for Finance should consider directing these people in the reserves so that they do not exploit the ordinary person. I know that it is a hidden increase, the ordinary man does not know that he uses petrol, but he does use the petrol in a way.

Also, the paraffin sellers, the ordinary *duka wallahs*, as the hon. Member called them, have now made the small tin in which they measure paraffin very small and they have increased the price from 10 cents to 15 cents per small tin. I think this is a big gain for these small *duka wallahs*. On a tin of four gallons they are going to make an exorbitant profit from the ordinary person. These two things have definitely interfered with the ordinary person in this Budget.

Mr. Speaker, Sir, in making some remarks about some of the Ministries, I would like to say something about the Vote on the Judiciary, Vote 2. I see that there are some points put down about

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African Courts under Subhead H. I remember the Minister for Justice announcing that there will be no African Courts as from the beginning of next month. In the present Estimate, something is again mentioned about African Courts. I do not know whether the Minister, when answering this, is going to say that these courts are to be called Primary Courts or whether the Minister has decided to continue calling them African Courts.

I hope somebody is taking a note of this. I would like to touch on Vote 3, the National Assembly, and the reason is that there are many Votes which we do not reach when we are considering each Ministry. I think it is the duty of hon. Members, and of myself, for that matter, to pass a few remarks on those which might not be discussed. I am pleased that my Ministry is going to be discussed second; it has been given second priority by the Sessional Committee. All those points which have been raised in the course of the debate by hon. Members will be discussed when we come to the Votes to which they have given priority. In the National Assembly Vote, Sir, Vote 3, I think, the Parliamentary Secretaries should not be limited in the number of journeys they make to their constituencies. I say this, and I declare my interest because I am a Parliamentary Secretary, as we have been limited to twenty-six journeys to our constituencies. We find it very difficult. The Parliamentary Secretaries finish the twenty-six journeys they have to their constituencies, and still travel there without receiving any other payment. They are very busy people, working in their Ministries, and they do not have a chance when the House is in recess of visiting their constituents and staying with them. I think it is high time the Government considered not limiting the number of visits they make.

Under Subhead D, something is mentioned about travelling expenses. In the National Assembly, Sir, I do not know who travels, because under Subhead E there are salaries and allowances, etc., etc., for hon. Members of the National Assembly. I think that includes the travelling expenses of Members of the National Assembly, but with regard to the travelling charges included in Subhead D I do not understand who travels. Apparently, also, in this very Vote, there is an increment on leave expenses, that means overseas leave. It may be because of the good ladies who take our HANSARD, their numbers have increased. That is probably why that particular subhead has been increased, but it has been greatly increased comparing it with last year's Vote.

Turning now to Vote 4, Audit and Exchequer, the Minister has decided to put it very vaguely without showing exactly what expenses each region is going to incur. I think the auditor should charge the regions according to the work they do for the regions. There are some regions which apparently are given very little finance from the head office here, and the charges they should pay the auditors should be proportional to the amount of work the auditors are going to do. I see some figures have already been calculated in this Vote, and I would question the Minister, when he answers, how he reached these figures.

Coming to the next point, Sir, it concerns Vote 5, the Public Service. Under Subhead Z, Regional Reimbursements, I have the same remarks to make, because unfortunately the Minister does not show what the regions are going to reimburse the Government.

I think here, too, when the Minister answers he will tell the House that the reimbursement has been made proportionately with the work the Public Service Commission gives to the regions concerned. Other regions should not be victimized by paying for services which have already been done by other regions by the Service Commission.

Sir, in Vote 9, the Police, here I have something to say too, and I hope there is somebody taking notes so that the Minister when speaking on this will reply to the various points I have to raise. I see, Sir, that in Subhead J they have provided some money for the Criminal Investigation Department. Now, this Criminal Investigation Department actually does a lot of work, I agree, but there was an incident which took place in my constituency in connexion with which I came here and saw the Minister concerned, and he, I think, directed the Inspector-General to investigate this particular case. What happened is that the police went home in uniform and carried one member of the Criminal Investigation Department in a Government Land-Rover, collected the suspects and went and questioned them. Now, I am wondering how far this is right as far as investigation work is concerned. The police questioned these people, allowed them to go and then came and complained to the Minister that they did not find any truth in the allegations that were made from my constituency. Sir, I think it is high time the Minister concerned with the police told them that when a case is alleged, investigations should be made fully and in a manner to warrant the truth being told. The police should not merely go and collect people and say they are sent to investigate a case and just question the suspects on this and that. Naturally, that is no investigation.

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Mr. Speaker, Sir, there is also an allegation that some officers of the Intelligence Branch when they go to Kiganjo, the Police Training School at Kiganjo—some of them go there for a course prior to promotion—remarks that are of such a bad nature are made by the tutors that some of the students do not like these remarks and some of the students have run away because of the remarks made in that place. Some of them from the so-called Kadu tribes are told that since they are Kadu they are not going to get promotion and therefore it was useless their being sent to the school for further training. Sir, this is very frustrating. We are all constituency elected Members and when our constituents are concerned with these cases, they have to bring such cases to us, and the Government should take such matters very seriously and find out why such remarks are made by responsible officers in a school such as the Police Training School at Kiganjo.

I also see, Sir, that in the same Head, Head 9, there is a subhead about the General Service Unit Company being recruited. I hope, as hon. Members are always insistent on tribal breakdown, that when recruiting this Company the Government will, of course, consider the tribal imbalance that now exists.

I now come to Vote 11, Home Affairs. I see no colleague of mine here to take notes but I hope that another Minister will be taking notes for him. Under Subhead B (1), I see that Chiefs and Subchiefs are excluded. Of course, all of us were left to inquire where all these gentlemen were left to come in because, looking at the whole Vote 11, I do not see where these gentlemen come. I do not know whether they are going to be the responsibility of the regions or the responsibility of the Central Government, or whether by the next financial year we are going to have no Chiefs and Subchiefs. In Subhead B (4), Sir, I see there is a note on famine, and this concerns my constituency very much and I will show particular interest here by saying that I would like to tell the Minister something with regard to this subject. Now, famine is a very touchy issue as far as I am concerned because my people, the Banyala, have suffered from famine for a long time. If the Minister and the House remember correctly, in last year's Budget I stressed very much the fact that these people need attention with special regard to the famine relief. It was only a few weeks back that these people have been affected again by floods and up to very recently they have not had any help at all, not until I came and complained here to the Minister for Home Affairs who then

made an effort to visit this area. I am now pleased to say that at least 300 bags of maize have been sent to them. Actually, the number of people affected, as I told the Minister, was 5,000 families and 300 bags of maize is a comparatively small amount for such a big number of people. In this Vote I hope that the Minister will consider these people who have been very seriously affected by floods.

[The Speaker (Mr. Slade) left the Chair]

[The Deputy Speaker (Mr. De Souza) took the Chair]

Coming now to the next point with regard to the Ministry of Home Affairs. The Minister will remember that when the hon. Member for Elgon South-West—I think that is his constituency—or the Member for Bukhayo spoke in the Budget Session last year, he insisted on Busia having an approved school. Looking through the Budget I see that under Subhead J no item is included to include this approved school in Busia District. There are children in this place who have not gone to school and whose parents have no control over them. I think, therefore, that a school should be established to help such cases which are most deserving and important. I am sure the Minister will say he is considering this problem and I do hope he will give it serious consideration.

In this connexion I would like to say something with regard to Government vehicles travelling in the reserves. Mr. Deputy Speaker, Sir, I have seen, and I think complaints have reached the Ministers, that Government vehicles, since independence, have not been properly organized and are not being properly used. I refer particularly to those which belong to the Ministry of Home Affairs. There are a few cases where some of these officers concerned have misused these Government vehicles.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): On a point of order, Mr. Deputy Speaker, I merely want your guidance on a specific matter, I do not want to interfere with the progress of the debate. It seems to me that the material which is being given just now should come in at the time we discuss the different Heads in the Budget. We are going into details of each Vote at the time when we should be spending this time in discussing policy. Perhaps you could give us a ruling on this.

The Deputy Speaker (Mr. De Souza): It would, of course, be advisable for hon. Members to discuss policy, generally speaking, now. However, it is in order for an hon. Member to speak on almost anything under the sun. In fact this is the only time when hon. Members have a chance

[The Deputy Speaker]

to speak on matters that they consider come under their constituencies, because everything comes under finance. Everything, all policy whatsoever, be it a very small matter, comes under finance. However, it is in the Members' own interest to use their time, which is a very precious half-hour here, on general debate and then to criticize a particular Minister when his Vote comes up for debate, because then he is more likely to get an answer from that particular Minister.

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): Thank you very much, Mr. Deputy Speaker, but I think the Minister for Justice was not here when I started to speak, when I said that it is possible that many of these Votes will not come up for discussion and the guillotine might be applied before we reach all these subjects. That is why I am speaking on the various subjects.

Now I come to the Ministry of the Minister for Justice and would like to say a few things here. I know it is possible that Vote 24, Ministry of Justice, may not come before the guillotine and, therefore, I think the Minister when speaking in the course of this debate will reply to what I have asked him. Registration of births and deaths come under this Ministry and I think the Minister should consider very seriously of establishing this registration in many other districts. I say this, Sir, because I have found it very difficult to obtain a passport for one of my constituents whose birth had not been registered. Therefore, Sir, I think the Minister should consider establishing offices for the registration of births in all districts. It so happens that Nairobi and a few other districts have got offices for the registration of births and these offices also give the requisite certificates, but I think this should be considered by the Minister. I see him nodding and hope he is in agreement with me.

I come now to Vote No. 15A—Health and Housing. This is also a very important point. I see that my friend is not here, but I have something to ask him to consider. I see that he has stated that all regional hospitals are under the Central Government. Now, one wonders when one goes to Kakamega Hospital, which is a regional hospital, whether it is a regional hospital or not. In this hospital, Sir, the buildings are very small and very old, and I think the Minister should have considered improving the regional hospital at Kakamega. If I may, I would draw the attention of the hon. Minister to the conditions of some of the staff. I will quote an incident, Sir, in which my baby daughter was recently scalded by boiling

water and was taken to the Kenyatta National Hospital and was not attended to for three hours—this concerned my daughter, a baby of six months. This was a very serious issue and I think if the doctors—for whom I have a lot of respect—are interested in serving our people they should try to render their services rightly and with honesty to our people.

Sir, I have received a warning that I had only five minutes to go, but I have had a lot to say as far as this Ministry is concerned, so before I sit down, Sir, I would like to mention something about sleeping-sickness caused by tsetse fly. I have already approached the Minister that in my constituency there is a lot of tsetse fly passing on sleeping-sickness and trypanosomiasis in humans and animals and the Minister does not seem to have put in a provision to the effect that he is going to deal with this question. It is a serious question, Sir, as many people are now dying from sleeping-sickness in mine and many other constituencies. I hope the Members will be able to help with information as to where this disease is threatening population in other districts. I hope the Minister will think of something to help these people who are suffering from sleeping-sickness.

May I come in this Ministry, Mr. Deputy Speaker, Sir, to the question of private hospitals? I see that the Government have reduced the amount of grants they give to private hospitals. I thought private hospitals were now increasing—though I do not think that they should be encouraged—I think that the help they give to people is very important and I think the Government should not have thought it wise to reduce the grants they give to private hospitals. One of these hospitals got a doctor recently—it is in my constituency—and therefore just qualified for a grant and the Government has just decided to cut this Vote down. Probably the Minister will tell us why he has cut this down.

Concerning this Ministry too, Sir, and also referring to what I said about the disaster caused by floods, I would like to make a few remarks. My constituents, particularly the young ones, are suffering greatly from mosquitoes and I wondered if the Minister would consider assisting the Minister for Home Affairs in his famine relief fight on the insect side to help these young people, the children, who are suffering greatly from the mosquitoes. I would also ask the Minister to consider giving these children who are victims of floods some milk so that their diet can be balanced.

Sir, before completing I would like to say something about the Ministry for Education. Of course, the hon. Member for Trans Nzoia, Mr. Muliro,

[The Parliamentary Secretary for Agriculture and Animal Husbandry]

said the Government should consider building schools in remote places which have been forgotten before; the hon. Member for Kajiado congratulated him on saying this. But I think the hon. Member for Kajiado is very happy that it is only three or four days ago that the Minister opened a school in his area, so I think here the Government is considering some remote places. but I think the Ministry should consider taking over primary, intermediate and secondary schools from the local governments because I have seen that a county council like Busia which is new is having difficulty in paying salaries for teachers in their schools. And, bearing in mind that people like the Abanyala are finding difficulty in paying fees, the county councils cannot get money, and I think the Ministry should consider taking over these schools and managing them in the interests of this country. Of course, there was a threat in my district that teachers were not to be paid their salaries because fees were not forthcoming and taxes were not forthcoming. Now, this is a suggestion that the Minister should consider very, very seriously and decide on how he is going to help such poor districts.

Lastly, Sir, I would like to say something about higher education bursaries and I hope the Minister here is going to consider that higher education and bursaries for higher education will be spread across this country in all different districts.

Mr. Deputy Speaker, Sir, I see that time is running out and with those remarks I beg to support the Budget.

Mr. Gichoya: Mr. Deputy Speaker, Sir, I must give credit where it is due. Every speaker has been praising the Minister for Finance for presenting the Budget very squarely and for that matter I also thank him for doing so. The national Budget reflects the national policy and as you have already made it clear to us that one can speak on anything under the sun which involves the national Budget I think I will start with national unity.

We talk of *Harambee* which is very good, meaning national unity, and national unity should be reflected by the national distribution of responsibilities in the country because, in the final analysis, this responsibility will also constitute the expenditure of the nation. We have been accused many times, and personally I feel humiliated, Mr. Deputy Speaker, when I hear people talking and saying that the Government of today is a Government of the Luos and the Kikuyus. I am a Kikuyu and when I hear that we are also part of that

very Government of the Luos and Kikuyus I feel somehow humiliated. What I want to say, Sir, is this: if we examine the national Cabinet which was formulated on the spur of the moment, because of various conditions, one does not even argue, one admits there and then that it is a Kikuyu/Luo Cabinet. It is not a completely Kikuyu/Luo Cabinet—it involves some districts of Kikuyu, namely Kiambu and Muranga—and one finds Luos from perhaps Nyanza South and Nyanza Central. They are the people who share the booty of independence. I have decided to speak on this, Mr. Deputy Speaker, because the Government of Kenya means the Government of a party. Government of a party meaning Government of Kanu. I am a member of Kanu and other districts apart from the four mentioned, i.e. Nyanza Central, Nyanza South, Kiambu and Muranga are also part and parcel of the Kanu Government, the Kanu party. I do remember, Mr. Deputy Speaker, that during the Emergency when we were talking of the Kikuyus who were fighting the imperialist Government it was those in Embu District, Meru District, Nyeri District and Fort Hall District. Those were the exact districts which fought and suffered during the Emergency. Today I have been told that the people of Kiambu, the people of Fort Hall who were the fighters for independence deserve the lion's share over the Government. The Luos too say that they also have produced the hon. Member for Nairobi Central and the Member for Bondo, who have given us independence and they therefore deserve the lion's share. I ask myself, Mr. Deputy Speaker, Sir, what is the state of the other parts of the country? *Harambee* is the national motto and is derived correctly from the workers' motto whereby one worker puts his hands there, the other one on that side and finally they say "*Harambee-hee, harambee-hee*", and pull the log with their hands and the bridge is made. It means it is not one man's responsibility; it is a concerted effort of every person in Kenya; a concerted effort of the Kanu Members to make the Government a success. To strive for the success of the State should mean the concerted effort of every citizen, in other words, in the matter of employment the Government must open its eyes and look at every part of the country and think what could be done to bring *Harambee* there, there and there. When it comes to a question of political responsibilities the party in power must also open its own eyes and see how *Harambee* can be executed politically. Put a hand there, a hand in one corner, a hand in the other corner and in the final analysis this is on what the bridge for happiness of this country is going to be based. The bridge for the

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success of our Government is also going to be based on this. I can never be misled by any person living today into believing that today's *Harambee* has the real meaning of *Harambee*.

Look at the Civil Service. The people who are really enjoying the sweat of others are the people from the very districts I have mentioned and they are prepared to thwart the concerted efforts for our success. In the Kiambu District today, Mr. Deputy Speaker, apart from the victim of the Emergency, the Member for a particular area of Kiambu, the hon. Mr. Kamau, there is not a single other Member from that area in the Lower House, not a single one, who is not holding a portfolio. It means that if it were possible that the hon. Mr. Kamau were a member of the "Royal Family" he would have got his at the expense of the others.

Mr. Kamau: I am going to be a Governor-General.

Mr. Gichoya: It is a fact that the Prime Minister, under the Constitution, has the powers to select his own Cabinet but that Cabinet is expected to be a broad-based Cabinet so that *Harambee* gets its real meaning. Some time ago we gave the Prime Minister latitude so that he could form his Government and his Cabinet on the spur of the moment since there was pressure from England that the Cabinet had to be formed by June 1st so that it could be approved by the supreme authority of England, the Privy Council. Hence he had to do it and any mistakes that were made in the formation of the first Government were completely forgiven by the members of this party because we said, mistakes are bound to occur and are bound to be corrected. One year has elapsed and consequently what we saw a few days back was the question of concentration of Ministerial responsibilities in a particular district.

I quote, and if anybody wants, we can demand it. Muranga had, if I am correct, a Minister, two Junior Ministers and when one Junior Minister was dismissed because he disagreed on certain policies, as he has already stated here, what happened was that an hon. Member from the same district was picked and placed there. Is that a family problem? In other words we are told that by actions, not by words, if you have been a Minister in your district, or your district has a Minister, for all times that district has been guaranteed the continuity of Ministerial responsibilities. Is it a family problem, or is it a national problem? Then we come again to a changed situation. When the Government was formed we had the A.P.P. in Ukambani. Now

there is no A.P.P. whatsoever. When the Government was formed we did not have actually Kanu Constituency Members from strong Kalenjin/Kadu areas, but we induced them to cross the Floor and join the Government so that they could become part of the very strong Government. *Harambee* means let us also share. I expected that one good turn deserves another, that one seat ought to be given to a Constituency Member from Kalenjin whether to a Senator or a Member of a constituency and not to a man for whom I voted here after he has been brought by the National Secretariat of Kanu and now I am told this one must be given a portfolio. We are quite aware as to what happened exactly when we were voting for the National Members, some came directly, having been guaranteed Ministerial positions here, and with regard to this issue I say we had the hon. Mr. Marrian, the hon. Mr. McKenzie, the hon. Jan Mohamed, the hon. Chanan Singh. All of them had been guaranteed by the party somewhere, by a few individuals within the party. They were all promised positions in the Government and after stepping in got portfolios, and the actual nationalists who really fought for independence were definitely kept outside the national circle which determines the national policy.

I expected that a mistake should not be repeated, in other words, after the first mistake had been made and one year had gone a change in personalities within a Government was necessary. Many times this House has expressed dissatisfaction of individual Ministers. This ought to be an indication to our Prime Minister. Also, on this latest development the Prime Minister should have given the people from Borana something to feel that they were part and parcel of the *Harambee* Government. The Wakamba on that side who really joined the *Harambee* were never given any positions. This must be stopped, if the Government of today has to stand international prestige and national prestige as well.

I have dwelt on the Ministerial distribution because one finds from experience that the people from where a Minister comes, they are really the Permanent Secretaries, the Civil Secretaries, they are even the Parliamentary Secretaries and ambassadors, secretaries, attachés at the Embassies and so forth. Then what happens? The rest are kept behind watching. From where will the change come? From this National Assembly or from Heaven? It is the national policy which reflects any change, what is more or less at that side of the national policy today. It is more or less, as we used to say in the Railways, brotherization, favouritism, in the Civil Service of Kenya, in the Civil Service of the Common Services

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Organization. These things ought to be changed before the Budget is given a clear assent. We have to sanction our money so that it benefits the greater number of the contributors. Not a family problem, it must be a national problem. You go to offices, and you will notice that even a sweeper—my area had quite a reputation for producing the most sweepers—must come from the Minister's area. Today the sweeping career has changed because it means now better conditions, a better salary; trying to alleviate the unemployment in one's constituency now where there is a Minister. Not every district should have a Minister, that is a fact.

Not every district should have a Parliamentary Secretary, but I cannot rule out the possibility whereby every district could have a civil servant in a particular office on the basis of merit, not favour. Promotions in some places are considered on the basis of who is at the top. What do you think of the reputation of a particular Minister? Are we running a Government or a family? These are the things which I would request hon. Members in this House to consider first. In order to strengthen the confidence which this House has in our Prime Minister, the blunders which are made should be corrected. I say so because, Mr. Deputy Speaker, I am in this House on the basis and the strength of Gichugu voters. Those are the people who can tell me, "I kick him out." I have heard many times somebody saying, "Well, Gichoya and another Member, and another Member have been earmarked to be put in a detention camp." That is wonderful, I say it is wonderful. Putting me in a detention camp does not change the people; they will still say that there is something wrong somewhere, because even the fool who comes from Gichugu next time will still say, "Yes, something is wrong somewhere and must be changed."

There was a stage, Sir, when we were told that we were correcting the imbalance in the Police and in the Army. Surprisingly enough, the imbalances, as I say, were not confined to the Kikuyus, because I would rather say that those who did it were not Kikuyus. I am a Kikuyu first and a Kenya citizen second. The imbalance was corrected in four places: Nairobi, Kiambu, Muranga and Nyeri. The imbalance question originated from the fact that during the Emergency people of Kikuyu, Embu and Meru origin—Embu is now divided into two, Kirinyaga and Embu—were completely removed or else prevented from joining the forces by the imperialists.

Again, my own Government now is using the same formula. After telling us that they are going

to correct the imbalance, leaving the people of Kirinyaga, Embu and Meru aside, what is the difference between the old and the new? All those people who are taken into the forces, whether the Army, the Police or the City *Askaris*, are going to be paid from what we are demanding from the National Assembly to be given to the Finance Minister: in other words, through our own contributions. The next time when we are told that you can come and get in the forces, it means that if Kamau got there first, a man will find Kamau already up-graded, and he will have to be a junior man. Even in the Government here a junior man in the service of the country, like my own father, my own mother and my own brother, is also paying for the running of those services. Why should we be denied the opportunity of rising according to our own ability?

[The Deputy Speaker (Mr. De Souza) left the Chair]

[The Speaker (Mr. Slade) resumed the Chair]

Then we have the situation of small industries and commerce. The concentration of these facilities is directed to the places where Ministers come from, the places where we do not have a voice, Mr. Speaker, where we do not have a chance of saying something. I can cite a very good example. We have two very good schemes in Kirinyaga District: one is a rice scheme, the other is a sisal scheme. We have already put it to the Minister for Agriculture and the Minister for Commerce and Industry that we, the people of Kirinyaga, have money to set up a factory so that our rice is not sent to Thika, to Nairobi and to Mombasa so that we create employment facilities for those people in the places where the raw materials are so that they get the goods at a cheaper rate where they are processed as finished goods.

An hon. Member: All the Ministers are going.

Mr. Gichoya: I do not mind if they go out. This is not their House; it is the House of the people.

We have contributed Sh. 200,000 to set up a factory and the Minister for Commerce and Industry cannot decide whether we should or should not have it. I wondered, Mr. Speaker, whether to go to the Prime Minister and tell him that we need a factory so that he advises his two Ministers who cannot agree that the tenants in the rice scheme who have contributed over Sh. 200 should set up a factory. Instead of giving us a chance, a loan to add to our efforts, the idea in the minds of these Ministers is to allow a Asian to expand his own industry in

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Thika. Why should we produce the raw materials and yet not be allowed to be the producers of finished goods? We must enjoy the fruits of our labour; in other words, if we are in a position to pay for the services, why is it not made possible for us to have them? We are not begging because we do not have a cent for it; we have money and are contributing more than that, but instead of encouraging us they, the Ministers, have discouraged us. We are told that what should be done is to encourage foreign investments. When a trouble comes here it is changed into East African currency; the dollar is changed into East African currency and likewise a yen. The work it can perform is the same as that money which is contributed by our own poor efforts when it accumulates for a substantial amount.

I believe that the Government should reorientate its own policy as far as African industrialists, African developing areas, are concerned so that we will welcome the foreign investors. However, priority must be given to the local people.

Turning now to the other industry, that is the sisal industry, we were told that the Government of Kenya contracted with a particular individual, a particular Asian company in Embu, or the Embu District, to operate a sisal scheme, and that contract had certain conditions. Unfortunately, the company did not care an inch about fulfilling the conditions of the contract. The grower said that the conditions must be fulfilled as he had been told it was part of the contract. That the very *entrepreneur* did not care an inch. A meeting is carried out between the Government and the employer and they agree on certain terms but for tomorrow when the Government Officer is gone. The Asian behaves in the same old-fashioned pattern of exploiting the poor farmer.

Mr. Mbogoh: He gives them drinks and they go back satisfied!

Mr. Gichoya: The hon. Member for Embu North has confirmed it, corruption in the services.

Most of the sisal which is feeding the factory at Embu comes from Gichugu District, and when we say that the existing sisal societies in Gichugu should be aided, should be assisted by the Government, nobody cares about it. That is why we say we should be aided, should be assisted by the Government, nobody cares about it. When we say we want to set up a factory in our area, with our own contributions, we are told, under the terms of the contract which is binding between the Government of Kenya and

the Meka Sisal Development Co. Ltd., not a single man other than that could be licensed, no matter how badly the company misbehaves, no matter how the company speaks, I say, as the other hon. Members said, the courtesy extended to the foreign *entrepreneurs* in this country, that courtesy has been abused and it is taken as a right and not as a privilege, and it is exploited to the detriment of our rights as citizens of Kenya. I believe the Minister for Agriculture who accounts for what I say—I wish the Junior Minister was here—would tell this House that the contract that was given to the Meka Sisal Development Co. Ltd., will have to be altered and the local people be given the opportunity.

Time being short, Sir, I have to rush to put a few points forward. Educational facilities too, on a overseas basis have been utilized on a sort of prestige basis by certain Ministers of our Government. In the past that was all right but in the present, when we have a national Government, it is difficult to comprehend what we mean by taking students, under-graduates from overseas, from one area only, utilizing one's position as a Minister to get those places. I believe the Minister for Education ought to resign and another Cabinet Minister put in his place. With the local educational facilities we are told certain schools are national. National because they are properly financed, and yet in the areas which are remote not a single national school exists. I demand from the Minister for Finance that he should produce criteria which will make certain schools national and others regional.

Then we come to the one technical problem in the hospitals. There are people dying like rats in Kerugoya Hospital. There are big Health Centres with no beds, with one doctor, with no nurses, with no adequate medical staff in Kirinyaga District. With all the doctors there are in Kiambu, one at least should go to my area and see for himself the conditions, and to assist the one doctor we have. Patients in my area are being removed from their beds because they cannot afford the fee. I witnessed one of our County Councillor's wives being removed from the bed by the hospital authorities when she could not walk. We had to use my cousin's car to take her home. Free medical attention, free education, where are they?

The other thing, before I end, Sir, is that being inhuman in a place where man is not regarded as a man is not inhuman. That is the policy.

I am giving you the policy on the Tripartite Agreement. Here an agreement between the workers, the employers and the Government was made with the intention of employing more people

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and the Government of Kenya said it was a very good idea and they would get more people employed. We had an employment programme and it was the Government's duty to see to it that industries were created to absorb these unemployed people. Today, the employers, some of them say that they are prepared to pay money to the extent of ten per cent of their present staff, to the Government, because they do not need the additional manpower. So, I would like the Government to change the policy of the Tripartite Agreement and the trade union movement must be re-examined. Before a trade union is accepted and allowed to operate as a trade union, the Government must take the responsibility. It is not a question of having ten per cent membership of a union in an industry which has one hundred per cent people. Ninety per cent of the population is not represented in the union. For that reason, I demand a good explanation from the Finance Minister as to why he should finance the railways. The Tripartite Agreement does not apply to the railways and yet people have to produce a shilling for nothing, for no purpose but to keep certain individuals in office because of the Tripartite Agreement. Yet, when they say they want to form a trade union movement, a particular Minister says, "Well, you are breaking the Tripartite Agreement." Was it meant for the people? Was it made for the people or for the employers?

I have experienced a very bitter lesson, Sir, from some of the district administrators and some of the members of the permanent staff of the Ministries. They feel that they are too big, too educated and highly paid to bother about us, the Members of this National Assembly. We are poorly paid, and yet we are the makers of the laws. This must be corrected, it is a very bad attitude, and must be corrected, Sir. Thank you.

Mr. ole Oloitipitip: Mr. Speaker, Sir, I also rise to congratulate the Minister for Finance and Economic Planning for the way in which he presented the Budget and I must not miss the opportunity to congratulate also the Ministry as a whole because it shows that they worked very hard for the benefit of this country. However, Sir, that does not mean that I am not going to criticize the Budget whenever I think it is necessary.

Mr. Speaker, Sir, first of all I am going to speak about the Development Plan which has already been presented to us. As usual, Sir, I start with my own constituency, and my own tribe, the Masai, and I am not going to get upset about it because I believe that I was elected by these people and I feel that I must represent

them in this House. In the Development Plan, Sir, on page 63, it shows that those districts of Masai, Narok and Kajiado have been allocated £207,000 for development. This sum of money I do not understand. I do not think it is sufficient to develop such a neglected tribe as the Masai. Mr. Speaker, Sir, if you take this £207,000, in Masailand today you find that people are suffering a lot. They say in that Development Plan that most of the Masai have lost a lot of their cattle and as a result of that rehabilitation for the Masai is necessary. At the same time they say that ranching must be introduced in Masai land. Then they say that water potentiality is also necessary as we all know that that country has no water. They also know that most of the areas are affected by plague and this is because of the river. So, we need also to eradicate the district from disease. At the same time, we need to train most of the Masai people in veterinary science so that they know what to do with their cattle. But, they need also to establish rural training centres. Mr. Speaker, I fail to understand how we are to do all this that I have just mentioned with the sum of money £207,000, that is all that is allocated to both the districts, Kajiado and Narok. I believe this money is too little because the Prime Minister has said, and repeatedly, and even recently when he visited Kajiado, that he intends to keep that promise that he gave that he would give first priority to the neglected tribes of Kenya. I should like to mention to the Minister for Finance and Economic Planning that this sum of money, Sir, is not sufficient to develop the Masai who are ready to develop and become a new race of people. The population I know is over 200,000 in one district. That figure you know is absolutely incorrect because the Masai did not like to come forward to be counted, and I know that that figure is well exceeded. Therefore, our population should not be taken as that because it is too small, and I believe that it is not so small. Therefore, Mr. Speaker, before we speak of the size of the population, what about the size of the country? In Kajiado District alone it is over 9,000 square miles, and it is too much. Therefore, with this money, Sir, you cannot cover such a big area. So, on this point in the Development Plan I think the Minister should seriously consider it. Our people have now come out to see that their land is demarcated and I believe this demarcation alone will take a lot of money. Water needs to be drilled for, bore-holes must be introduced, a pipe-water system must be set up, and all this costs a lot of money and I do not think that this £207,000 is sufficient for one district let alone for the two districts. If we are not

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going to get enough money to develop Masai land we shall be accused of sitting on our land. I would like to make it clear, Sir, that is it not our intention to sit on the land. But what to do? Even the Minister for Finance today, I challenge to go to Kajiado and grow things without water. If anybody can live on bare land without water, it is not possible. It is very important, Mr. Speaker, that this Government of ours should not neglect the Masai. I feel that the sum of money allocated to the Masai of both districts is absolutely insufficient and I call upon the Minister, Sir, who has travelled through the country and who has seen for himself the land and the wish of the people, to agree that this sum of money is too small. I would like the Minister to take this and see that it is high time that the Masai should be developed and they are out for it, and I do not think that this amount of money is sufficient.

I know, Mr. Speaker, that we must have a plan. This I believe, but even if we only turned to the Loita Plain, this money would not be sufficient. Forget about Loitokitok, forget about Narok, forget about Suswa, forget about all these places, and if we get money, Mr. Speaker, I would tell the Minister that we are going to be a very, very productive race in this country and we are going to raise the economy of Kenya, and I do not think only of Kenya but in fact of East Africa as a whole.

Mr. Speaker, Sir, that was the first point I wanted to put to the Minister. The second point is about nationalization. I have heard very many Members in the House calling for nationalization of estates, the nationalization of big companies. Mr. Speaker, I fail to understand where we are heading. This spirit of *Harambee* which is, of course, unity for Africans, is also for everybody in this country. If now we say the Lord Delamere has a lot of land, such a big estate, we must remember that that land was given to him. If he took it before when the Colonial Government was in power, it is now a year since the African Government took over, and none of the Ministers have tried to reduce that amount of land. Therefore, Mr. Speaker, I do not see any reason why somebody should come here and say who gave it to him. It is the Ministers who gave it to him, the Ministers of your own Government. So, if we are going to be so envious we must remember that. The people who own estates nowadays are citizens of this country and it is this very Government of ours who has asked them to become citizens of Kenya and they are going to contribute a lot to Kenya and I should feel that, Mr. Speaker, we

should not only be envious of what other people are doing for us because, Sir, if we are going to nationalize all these places, say the transport systems, the land, the estates, I do not know whether we are going to be able to do what these people are doing now. We must not forget this point that I want to make, we must not regard these people who own these places as enemies of ours, they are not, they are brothers because you have made them citizens of this country. Our Government made them so. My dear friends, you know me, I just come from a remote area of Kajiado and I have never been out of there, but we must face facts as they are. Therefore, if our Members want to nationalize every estate, they should start from the ones their Ministers are holding today. But I will not side with anyone here who is coming forward and saying that the estates owned by Lord Delamere, the estates owned by Indians, just because these people are not Africans, should be nationalized. This is absolutely untrue. There are people here today who have even more land than most of the settlers and most of the Indians, and if you want to nationalize these places you must begin with your own Africans then it will be showing a light to people and they will follow. But you cannot just discriminate and say well, estates and so on must be nationalized. This is wrong.

Mr. Speaker, Sir, that is the second point I wished to make. We must be realistic, we hon. Members here. Mr. Speaker, the other point I wanted to touch on is about unemployment in Masai land. We also want to be employed, Sir. Most of my young men, the Moran, have come forward to register themselves as requested by the Kenya Government, Sir. But what happened? Some of them have "A" cards, some have "B" cards, some "C" cards, and every time I pass through Kajiado and Loitokitok they just show me their cards and they ask if there is any work for them. You can send them to military, you can do anything. You can send them to build roads if you like, you can send them to estates, you can even make them sweepers, if you like. But they are after employment.

Mr. Speaker, Sir, since these people have registered themselves I do not remember that a single Masai has been taken in or given a job. They come to Nairobi with their cards and try very hard to find jobs but they never get them. As my hon. friend who has just spoken said, I think there is some favouritism somewhere in all these things, even in the Ministry of Labour. If one puts all Mr. Mwendwa's friends all over the place in the various jobs then only his friends will get the jobs.

The Minister for Finance and Economic Planning (Mr. Gichuru): On a point of order, Sir, can the hon. Member substantiate this statement?

The Speaker (Mr. Slade): I have said very often that hon. Members should not make allegations of this nature, imputing improper motives to other Members. I have pointed out several times that such allegations are not allowed except on a substantive Motion; you have to move a Motion expressly alleging these things and justify the allegations when moving the Motion. Otherwise, you have to leave them alone.

Mr. ole Oloitipitip: Mr. Speaker, Sir, I am sorry if I have hurt some person because it is not my intention to do so.

The Speaker (Mr. Slade): Yes, I did not believe that that was your intention.

Mr. ole Oloitipitip: Mr. Speaker, I will be very careful but I merely wanted to give an example. If people register themselves and they come along for jobs and they do not get any what other conclusion would one arrive at? This is the point I wanted to make but I did not intend to cause hurt and will now leave the point.

I understand the Minister for Labour is due to visit our area on the 25th instant and I would like him to go to Kajiado or Narok with offers of vacancies to be filled by the Masai people.

Another important point I want to make is in connexion with, and which concerns the Masai, the Veterinary Department. This, to us, Sir, is a very important department, a lot of people have come forward to be trained in this particular field at Kabete and Ngong. We have veterinary assistants and so forth but since the country is going to be modernized and developed we need a lot of veterinary scouts, veterinary assistants and such people to be trained so that they can be useful in the field. This is a very important point on which I would like the Minister for Finance and his colleague the Minister for Agriculture to take great interest because there are very few people who are trained in this special line. I believe that all these ranching systems which the Government is likely to introduce will need people who have received adequate training and who can work for the benefit of their own people and their own country.

I turn now to the subject of education. In the first place I would like to thank the Prime Minister for the offer he has made to the Masai people when he visited Kajiado. He said, Sir, that he was going to provide Kajiado District with one secondary school. He also said that he was

going to get Masai people ten scholarships and that he would also provide the district with a hospital. For these three big offers I would like to thank and to congratulate the Prime Minister of Kenya and I sincerely hope that he is going to fulfil his promises. The Prime Minister said he was also going to give Sh. 30,000 to the Kajiado County Council and I think this was a very generous offer for which we are most grateful. However, Mr. Speaker, Sir, I do not understand whether the Prime Minister has a separate Vote or whether as a Leader of the Government he can make these offers, or whether he is free to do as he likes. In case the Prime Minister is in a position to fulfil his promises I would urge him to do so. I am sure the Minister for Finance is going to try his level best to see that the promises made by the Prime Minister are going to be implemented.

Mr. Speaker, Sir, in Kajiado today we have a hospital and that is the only hospital for the whole district, and it is absolutely shocking to find that in the operating theatre there is no light. The doctor operates with the aid of a lantern and not a proper light, and I think this is very serious. When a patient is rushed to the hospital for an operation all the assistants and dressers have to come running in with their lights and it is with the aid of these lights that the doctor performs the operation. What is the use of having a second hospital in the district when the first one is not properly fitted with the necessary lights. I have been watching when operations have been performed in that hospital and it is sad to see the doctors working with such bad lighting conditions. Surely this is not a good thing because the theatre ought to be equipped with good and proper lighting. The facilities offered in other hospitals should be provided in the hospital in the Kajiado District. The hospital should be a clean and decent place so that the doctor can see what he is doing and can enjoy working in such a place. I do not think it is true to say that there is sufficient light through ordinary lanterns. Therefore, Mr. Speaker, when the second hospital is going to be built, as promised by the Prime Minister, I would urge the Government that both the hospitals in that district should be provided with all the facilities and amenities provided in other hospitals.

I would like to expand a little on education. We need a Teacher Training College because we know that the only key to progress is education and we cannot have sufficiently well-educated people if we do not have good, qualified teachers. In this connexion I would urge the Minister for Finance that it is very important that we have a Teachers' Training College and he should make

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it possible for us to have at least one. Neither in Narok nor in Kajiado District do we have a Teachers' Training College whereas there are some districts that have more than one such college. There should be an equal distribution of these educational institutions and in districts which have more than one a certain number should be closed down and opened in those areas which have none. I am sure that each constituency would like to have a Teachers' Training College of its own, and I would very much like to see one in my district for the educational progress of the Masai.

Sir, those are the points I wanted to put before the Minister and I hope he will consider them all very seriously. I would like, before I sit down, to congratulate him for the way in which he presented his Budget. I am sure he will try and meet all the requests put before him not only by me but by all hon. Members in this House.

Mr. Wariithi: Mr. Speaker. Sir, I rise to congratulate the Minister for the way in which he has presented his Budget. Much has been said by my colleagues about this year's Budget. However, before I move on to what I have to say, I would like to stress one point which I think is very important. All that has been said on the Budget which has been presented, can only work and be successful for the benefit of our independent nation of Kenya if we have a stable Government.

I speak on this topic partly because of what happened in this House last Thursday. When I went to my constituency during the last weekend, and also in Nairobi, I found that there was a lot of confusion and misunderstanding as to the position of the Back-benchers. I would therefore say this: in our Parliament we have inherited a system of Government with some institutions which are new to this country, and I think, Mr. Speaker, it will take some time before these institutions become established and for them to be recognized and for us to know what they are supposed to do.

I would like to say first of all that the Back-benchers' group, of which I am the Chairman, has no grudge whatsoever with our Prime Minister. This group supports our Prime Minister and his Government, and the allegations that this group may be intending or planning to overthrow the Government is unfounded. The mistake, as I have said, Mr. Speaker, is that people do not realize or understand the position of the Back-benchers.

The Back-benchers are the Members of Kanu in this Parliament who are neither Ministers nor Junior Ministers. They are Members of Parliament like any other Member of Parliament in

this House and they have their own organization where they discuss the affairs of this country and it has been seen quite often in this House that they take a different line from that taken by a Minister. They may criticize the Government. They may, as happened last week, vote against the Government, but I would like to put it this way. In a House like the one we have in Kenya today, we have two parties, we have Kadu in the Opposition, and then we have Kanu on the Government side. It is quite definite and quite certain that in this House the Opposition can never hope to win a Motion unless the Back-benchers support them and this should not be under-rated. My group, knowing this will have to be a kind of watchdog or a pressure group to our Government. Knowing that the Opposition can never hope to win a Motion or maybe shake the Government in any way if we are not on their side, we should be failing in our duty to the Government if we do not watch what is going on and criticize and correct our Government when necessary.

What we would like the public and the world to understand is that what we did last Thursday was not an expression of distrust in our Government, but we were only reminding our Government to fulfil and stand by the promises it had given to the voters. I would like everybody in this House to realize that our group is with the Government, is supporting the Government in every respect but it must be understood that a time could come when the Back-benchers get dissatisfied, get frustrated, and when they might even vote against the Government on a Motion which might even wreck the Government. We know for certain that there are Motions, or Money Bills when, if we vote against the Government, it could mean that the Government would resign. On other ordinary Motions, although we may vote against the Government, it is only an expression of what we feel.

Now, Mr. Speaker, it is very important in a Government like ours, which is a young Government and has done very well during this one year since Kenya attained self-Government, that it should continue to be stable so that what we have promised to the voters, to the country, can be achieved. Now the question is how to bring about this relationship between the Back-benchers and the Front-benchers to such an extent that you do not have occasions whereby the Back-benchers will vote against Members of the Front Bench of the Government. I take it, Sir, that it is the duty of the Prime Minister and his Government to remove all those occasions or practices which may make the Back-benchers feel that they are not given the respect which they

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deserve. It is very important that, on some matters of national importance which may require the backing of the whole House, especially the Government side, the Back-benchers should be told beforehand and it should be discussed in a Back-benchers' group so that when it comes to this House they know exactly what is going to happen. Our friends in the Opposition in Kadu may feel that since we voted with them last time, probably we may join them and cross the Floor one day. I would like to say that there is no intention of my group joining the Opposition at any time, but on any national issue on which their ideas and our ideas may agree, we may stand together. So, Mr. Speaker, I want to make this clear because I know that there is a misunderstanding and confusion outside this House and in this House where some allegations are being made against the Back-benchers, but as I say it is a new institution which requires to be understood and its functions put in their proper place.

I have a few remarks on the Budget which I would like to make, Mr. Speaker, before I sit down, and one of them is on the question of marketing. From what I have seen from the Development Plan, research will continue to be made so that the products which we grow in this country will get a place where they can be marketed. On this aspect I would say that it is very important, when we tell our people or the voters that we want them to develop their land to grow more crops, and then you find that there is nowhere for these crops to be sold. There are some parts of this country—I do not normally talk about my place or district, but take Nyeri for an example—where you find plenty of vegetables, bananas, pineapples and things like that which are rotting. Then, when you go to a public meeting and you tell people to grow more vegetables or more fruit they want to know why they should grow them, because there is no market for what they have grown already to be sold and it is just rotting on the countryside. I think it is very important when we are talking about development that we should, at the same time, consider where we are going to sell the crops or the products which we have produced in our respective areas.

The other point, Mr. Speaker, is that about two weeks ago, I travelled to the Western Region and also to the Nyanza Region and I met a number of people, some of them Elected Members of this House, my colleagues, and I would like to say that the question of land consolidation and land registration for that matter, is very, very important. We, who come from the

Central Region, are quite aware of the benefits of land consolidation and land registration. In some of these areas like the Western Region it is more or less a question of registering the already existing land. From the Development Plan, I am not quite happy that only about 900,000 acres will become consolidated during this period of six years. I think it should be given a priority so that by the end of this Plan we should have all the land in Kenya registered, so that as we have seen in our Central Region, a person can farm on his own holding, put all his efforts into it and maybe use the title deeds as security for loans and such other things.

To go further, Mr. Speaker, there is a question of those loans which are given to the African traders to carry on business or in the agricultural aspect to buy land. I am not quite happy with the requirements of the Ministry of Lands and Settlement whereby you find that if a group of Africans want to buy land, they are asked to raise sometimes 10 per cent of the price of the land and sometimes 20 per cent, and in some cases 50 per cent. The question is, Mr. Speaker, if the price of the land is about Sh. 200,000, and we are told that this programme of resettlement is to help the poor African, 50 per cent of Sh. 200,000 is a very substantial amount. Even 10 per cent is a very substantial amount for that matter. If the programme is meant to help the landless and the poor, I think the Government should reconsider and ease the way of helping these people to buy the land and develop it. If the buyers are asked to pay a very high deposit, indirectly, you are making it difficult for them to make use of the facilities which are provided and meant to help them.

To go on, Sir, I would like to touch a bit on radio and television. We have been told, and I think there is a Bill coming to nationalize the Kenya Broadcasting Corporation and I think we are very happy about this. What I think is important is that the Government should make full use of the future Voice of Kenya. It could be made use of to publicise what the Government intends to do by television particularly.

Those who are fortunate to own a television set will realize that the programmes we have on television today are not suitable, sometimes you wonder whether you are in your own country or in a foreign country, when you see these programmes, and I think our Government should do something about this, to bring about programmes that will reflect the needs, culture and the problems of the country.

To go further, a question which I think is very sensitive but I think I should mention it also. We have many other under-developed countries

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in the world which are in the process of development and we in Kenya are no exception, but there is the question of whether the Government should control the flow of capital from the country where it is invested. This, I think, is the argument, if you allow the foreign investors to invest money and you do not allow them to take some of the profits out, they may not be prepared to come and invest the money in any particular country. I would ask the Minister to consider, if there are other countries in Africa, or Asia for that matter, where there are development plans and there are foreign investors and the Government has a way of controlling the outflow of capital, why not do it in our country? It is not that I do not want somebody who invests money in Kenya to share the benefits of that investment but at the same time, there should be a control as to how much of that money should be allowed to be sent out.

Before I sit down, Mr. Speaker, I should like to repeat what I said earlier, the Back-benchers' group is solidly behind our Government and does not intend to upset the Government but are only exercising their right as Back-benchers to express their feelings where they feel the Government has gone wrong and there is no time at any stage when that group is going to vote against the Prime Minister in this House to wreck his Government.

Mr. Mutiso: Mr. Speaker, Sir, I too rise to congratulate the Minister for Finance on his Financial Statement.

I have a few points, Mr. Speaker, which I would like to suggest to the Minister. First of all, I have to point out to the Minister for Finance that in his Budget Speech, Mr. Speaker, I personally have failed to see the plans which he has in mind to develop some parts of the country which have been neglected in the past by former régime. For instance, Mr. Speaker, we have the low-lying lands like Ukambani and Yatta in particular where, Mr. Speaker, I personally feel that the Minister could have been kind enough to make some irrigation projects, especially in Ukambani, since in that part of the country we are badly hit sometimes by natural disasters like famine and drought. I thought by making some projects in the way of irrigation that could relieve the Government's burden of having to run perhaps to America or other parts of the world to look for famine relief in the case of drought. We have very big rivers which run through the Ukambani area. We have, Mr. Speaker, the Tana River and the Athi River, and

we have, too, the Thika River. These waters, which are part of our natural resources, are being wasted because they are left idle and flow out to the ocean. These waters are running through country which, on many occasions, is attacked by drought.

Since we now have an African Government with the spirit of *Harambee*, Mr. Speaker, when the Government is planning to encourage and increase the growth of the country's economy—particularly in the Western and Central Regions where the Government is encouraging the growing of coffee, tea and other cash crops—I think in the other side of the country, where it is practically impossible to grow things like coffee and tea, the Government should think of an alternative source. This national slogan, Mr. Speaker, of *Harambee*, could very effectively be carried out and well spread throughout the country. Now, Mr. Speaker, I am very bitter about the Minister's plan. The only scheme I can see through his big book of the six-year plan is where we have a small project of rice growing on the Yatta farms. This scheme, Mr. Speaker, is supposed to begin in 1967 and end in 1969, and I think, Mr. Speaker, it is completely unfair for we people that live in that area, when the Minister was making these plans, only to consider that these plans should take place by 1969, when and where in other areas he has given very good suggestions and proposals and most of the plans or projects which the Government has in mind have already been started.

I want to know from the Minister, Mr. Speaker, whether in his own opinion he thinks that we people in Nyanza shall sit idle and wait until this project will start by 1967. We are already informed that the Government was planning to make projects in Ukambani and also encourage the citizens in that area in growing other crops like cotton, sisal and have looked through his famous book and have seen nothing of that sort. Therefore, I think the Minister should consider very seriously that we people in Ukambani have, firstly, been neglected, and also we must not be the victims of such neglect in our own Government.

Mr. Speaker, I think the Minister is also quite aware that during the time of the colonialists they used to plan their economy only to suit themselves and we find good roads running through the areas where they had their centres. For instance, Mr. Speaker, we have the Nairobi-Nanyuki Road. This road is running through all the centres, e.g. Thika, Fort Hall, Nyeri and Nanyuki. Again, we have the Nairobi-Kisumu Road and railway and these roads are made in

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such a way as to be ready for use in all weather. I have to make a proposition to the Minister so far as the Mombasa-Nairobi Road is concerned. If we try to study as to how this road was built we see that it is running through the settlers' farms to their own benefit only. We people in Machakos particularly have been complaining, many times, as to why this road should not be diverted to pass through the Machakos Town so as to make that town grow in the modern way. Communication is one of the country's facilities which facilitates the growth of a country and when we have such a big and important line such as the Nairobi-Mombasa Line and this line is running through the bush where one sees nothing but antelope and other wild animals and the road is not benefitting the citizens of Machakos, I feel very strongly that before this road is completed (and also the Railway) the Minister should think that we too wish to see this big road running through Machakos Town so that the business people of that town which, for your information, Mr. Speaker, is one of the oldest towns in Kenya, should be facilitated by encouraging the tourists and people who pass between Nairobi and Mombasa should pass through Machakos. There are, Mr. Speaker, some people in this country who have never seen a train and I think that it is high time that the Minister considered the diversion of the railway line. This is very important because if we take Kilindini as our big harbour—and we hope that people in Ukambani will in the near future want to buy big machinery and this machinery will have to be railed to Athi River and there will be further problems in getting the machinery to Machakos or Kitui and therefore I think it is very important for the Minister to think in conjunction with the Minister for Communications of making alterations in these two major communication lines. We have also, Mr. Speaker, another problem in Ukambani which the Minister has taken into consideration. For instance, a big town like Kitui has no telephone communication and I wonder for how long the citizens of Kitui will have to live without telephone communications. This too should have been borne in mind by the Minister for Finance when he was planning his six-year economic plan. Mr. Speaker, I can see that the Minister is very interested and I would like to suggest to him that his Ministry is in charge of the country's finance and he should have made money available to the Minister for Communication.

The Minister for Finance and Economic Planning (Mr. Gichuru): I wish I could.

Mr. Mutiso: I have another point to put to the Minister and which I think is important and it is the question of the wood-carving industry. Mr. Speaker, in our country, Kenya, we have been very fortunate to have the Kamba who are engaging in this industry and I as a person who has travelled widely in Europe have seen quite a lot of these carvings and know that they have very large potential markets. I think that the Minister is quite aware that he derives a lot of income through these carvings. I would have thought that the Minister should have taken into consideration, together with the Minister of Commerce and Industry, the finding of ways and means of assisting the Kamba who are engaged in this carving so as to make them better organized and to facilitate the export of these carvings to various countries. I am sure, Mr. Speaker, that this would help quite a lot in the country's economy and income. I would like the Minister to take this very seriously because I am informed, and I have seen when I walking around the city of Nairobi, that there are a lot of Asians and some Europeans engaged in this business. Because they have a big capital they are being able to monopolize the prices of these wood carvings and they are able to export them to Europe and America whereas the poor Africans who do the hard work of carving earn very little as a result. Therefore, Mr. Speaker, I want the Minister to facilitate the way of organizing these people and getting markets for them so that they can also earn their living through their own knowledge.

Mr. Speaker, I have another suggestion, and this is a general criticism as a whole. We are very sure, through experience, that any Government which is governing a country like Kenya has to know every corner of its country, and the citizens of those areas so as to know their problems. In the last year we have been watching very carefully and we have seen that the Prime Minister and his Cabinet are only interested in taking tours to the old Central Province and Nyanza and when they take these tours they make promises to the people of those areas and quite soon these promises materialize. We feel, in Ukambani particularly, that we have been very much neglected by the Government because they do not pay us a visit. We have seen that when foreign people do come to this country they are taken around to such places as Mombasa, Nakuru, Kisumu, Nyeri, Fort Hall and Kiambu. We do not know whether these are the only towns we have in Kenya. We want the people who come from overseas looking for markets or business to be taken also to Machakos and Kitui because we want to feel that the people there can have communication with the foreigners.

[The Minister for Finance and Economic Planning]

We have seen in the recent visit of his Imperial Majesty the Emperor of Ethiopia that he was taken around almost three-quarters of Kenya and he was never taken to Machakos or Kitui—

An hon. Member: Or Nyanza!

Mr. Mutiso: Or Nyanza for that matter, to see what problems are there. We have seen, Mr. Speaker, that wherever he went he made offers of help and these offers are only helping the very citizens in those areas. Therefore, Mr. Speaker, I would like the Government to make note of this so that in future when they plan visits of foreign government officials they should be taken around every part of Kenya and not only confined to the Central Region.

Mr. Speaker, my last point which I want to mention is the use of our Kenya National Army. Today we have no war and we know we only need an Army to be fully engaged on its duty in case of war, but at the moment Mr. Speaker—I personally was in the Army and I used to see that when we were not on parade the only duty we could do was to clean the camp, clean our guns and that was the end of it. I think the effort of our Army is not being used in the proper way. These people, Mr. Speaker, I suggest should be spread over the country on projects organized by the Government and these people in the Army should help the citizens, for instance, in building roads, bridges, schools and projects of that nature. I cannot think what they do at the moment. Unless there is a war we do not use their efforts, and they should only then be concentrated on their own work. At the moment they should be fully utilized and their energy should serve the people because the Army is for the country and stands on behalf of the country.

Hon. Members: What about the youth?

Mr. Mutiso: Mr. Speaker, Sir, some of the hon. Members are talking about the youth and so far nobody can speak of what the National Youth will do because we have not seen any motion yet. Therefore, Mr. Speaker, I personally believe that the services of our Kenya Army could be better utilized in making their services available to help the citizens in all the difficulties of the country because they are our defence and when there is no war I feel very strongly that their services can be utilized in other ways.

Therefore, Mr. Speaker, with these words I beg to support the Minister and hope that he has taken my points very clearly and hope that he will be able to interpret them when he answers the Budget. Thank you.

Mr. Kamuren: I beg to rise and congratulate the Minister for Finance for having brought the Budget to this House today. I would like to speak on one point, and that is on the allocation of money in some parts whereby they were neglected during the imperialist régime. These parts, Mr. Speaker, are parts like Baringo District. Baringo District is not known by the Minister for Finance, because he does not go to that part of the country. He only works here in Nairobi and confines himself to his own constituency.

The Minister for Finance and Economic Planning (Mr. Gichuru): I know it better than him.

Mr. Kamuren: I would say, Mr. Speaker, he does not know it better than I do. He is only alleging that he knows it, but he does not, and I would say he has to go and see some parts of the country, such as Baringo District, where part of Pokot has not been involved in any progress, and this part of Pokot was there during the imperialist régime. It has only one school and it has six locations. I do not know what the Minister has been doing; he has not given us any proper measures as to how to keep this part of the world progressing.

Mr. Speaker, Sir, we want more schools, and more schools will come as a result of the Minister allocating more money for development in that part of the district. Communications in Baringo District have been very backward. There is only one road which is being constructed now from Marigat to Kbegu and the Minister has the right of going to see these parts of the district where people have been suffering for a long time. People have been going for hundreds of miles from the Health Centre to the District Medical Headquarters. This has not been given any close watch by the African Government which came into being in December 1963.

An hon. Member: Were you there?

Mr. Kamuren: Yes, I was there, but you were not. Mr. Speaker, Sir, if the Ministers in the Cabinet want some parts of the country to progress, then it is their duty to go round and see these parts of the country.

Coming to my next point I have to touch on hospitals. There is no hospital for a distance of sixty-three miles from Kabarnet to Pokot. It is not a Regional responsibility, it is for the Central Government to allocate enough money to the Regional Authorities to develop these parts of the country.

Mr. Speaker, Sir, the Minister for Health is trying to answer this question, when it is not his

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responsibility, it is the responsibility of the Minister for Finance, who is in this House now. It is a long time ago since I spoke to the district hospital officer who has been there for quite a number of years, and the district hospital which is at Kabarnet at the present moment, at any rate, cannot take in or accommodate all the people being brought in from a distance and having various diseases. I would ask the Minister for Health who is also present in this House now, and see this part of the world and see that these people are given some development and are brought up to a standard to make them realize that diseases are the most dangerous thing for one's life.

Mr. Speaker, Sir, I have also to touch on another form of progress, that of schools.

We have only one school in Baringo District. This school is situated somewhere in Kenya. In Kenya and it is a part of Pokot that only allows four locations from Turo, from Koloa, from Kabeto and from Akoi. Mr. Speaker, Sir, when I am talking, the Minister for Finance does not want to listen to me, he is listening to the Minister for Agriculture. I do not know what they are talking about.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Just now you said not the Minister for Finance, not us, that is why we are not listening.

Mr. Kamuren: Mr. Speaker, Sir, I am talking about some parts which were neglected during the imperialistic régime and the Minister for Finance has to be attentive and listen to what I have to say. I can see what the Minister is holding up and showing me now.

My next point is, that we want to have development, we want to have roads built, we want to have some hospitals built and also have some dispensaries close to where people live and who are unable to walk and where there is no transport to take them. They are too ill to walk after having been ill with malaria, for a distance of at least twenty miles to get to a hospital. We want some dispensaries and we want these dispensaries to be staffed by people already trained by the Government, and who know all about the various diseases which affect people in those areas.

An hon. Member: On a point of order, is the hon. Member in order to address this side all the time and not address the Chair?

The Speaker (Mr. Slade): He has not got to look at me all the time. He can talk to me some times looking in another direction.

Mr. Kamuren: The hon. Member being ignorant as far as this Budget is concerned, has only to allege that when he is sitting down and laughing as a Back-bencher of the Government.

Mr. Speaker, Sir, I would also like to thank the Minister for Finance that he has brought this Budget to the House and he has got to consider and allocate some money for progress in those parts I have already mentioned, so that in future we are aware of developing each and every part of Kenya. If this is a nationalistic Government, then we want to see them a nationalistic Government by action and not just by talk in this House. We do not want a Government that keeps up only talk in the House and does not take any action for the people who brought us to the House.

Mr. Speaker, Sir, with these few remarks, I beg to support the Minister for Finance.

MOTION ON THE ADJOURNMENT

STATUS AND TRAINING OF HOSPITAL AND CLINICAL ASSISTANTS

The Speaker (Mr. Slade): It is now time for the interruption of Business, I will now call on a Minister to move that this House do now adjourn.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Under Standing Order 12 I would like to move that this House do now adjourn.

The Minister for Finance and Economic Planning (Mr. Gichuru) seconded.

(Question proposed)

QUORUM

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): On a point of order, Mr. Speaker, I believe we are not a quorum, therefore I was wondering whether this House is really seriously interested in this Motion which is being moved this afternoon and whether it would not be better for the House to adjourn.

The Speaker (Mr. Slade): We must find out whether the House is interested by ringing the Division Bell.

(The Division Bell was rung)

The Speaker (Mr. Slade): We now have a quorum. You may continue.

Mr. Ngala-Abok: The matter I am raising on the Adjournment concerns the question that I asked on the 10th March this year. The part of

[Mr. Ngala-Abok]

that question I am concerned about is part C, where I asked why hospital assistants were designated as such and not as medical assistants or assistant medical officers. The answer was that they have been re-designated now as medical assistants. That was all right, but when I asked what their new duties were in their designations—the difference between medical assistants and assistant medical officers—I wanted a specific difference so as to know whether these new titles have any bearing at all and have any new responsibility attached to them. The Junior Minister claimed that this was a higher position as far as the first title of hospital assistant was concerned, that it was a much higher position. He explained that first of all these people qualify as hospital assistants, then later on after a number of years they go higher still to become medical assistants, and then again after a number of years—even twenty or thirty years—they go to this promotion course for clinical assistants.

Now, what I want to know on this question is whether the designations that are now being devised have any new responsibilities, particularly as far as medical assistants are concerned. As far as clinical assistants are concerned, although these people go for a one-year course after having done five, ten, twenty, sixteen years, their positions do not change, because they still use stethoscopes, they still prescribe medicines, they still examine patients, they still make orders like doctors, they still maintain district hospitals. In the North-Eastern Region, for example you find vast districts being looked after by medical assistants, not even clinical assistants. If this new promotional course for clinical assistants has any responsibility whatsoever, they could now do something different. They could now be doing such things as D. and C., doing such operations as Herniotomy, and so on, to indicate that they are in higher positions. That will show that they have got new responsibilities, but they qualify as hospital assistants, they have the same responsibility, they stay for twenty years and they have a new designation, which has no meaning whatsoever, medical assistants or so-called clinical assistants; they do the same job. Now, where are the new responsibilities that they are claiming to have given these people? The term "clinical assistants" has no meaning whatsoever, because in Kenya we have no clinicians. We have got doctors, and these people are serving under doctors. The better title would have been "assistant medical officers", because there is no person between the doctors and these people. They are the people nearest the doctors. They should become assistant medical officers, because they are serving under these people; that would

have had a meaning. But when you call somebody a clinical assistant, that is just a word, it is not a title. Do we have clinicians here in Kenya? We have no clinicians. We should have these people designated as assistant medical officers, but if they are not to be designated so, then the only likely title would be medical assistants, in other words somebody to do with medicine. How they became designated as clinical assistants was that when the Colonialists were going away they down-graded the staff, the technical staff particularly, by giving them the appropriate terms for titles, rather than giving them a really clear title that anybody could understand. If you go to a hospital now, you are told that this is a clinical assistant, this is a medical assistant, this is a hospital assistant, and yet they all do the same job. What is the meaning of these terms? These are colonial terms. What we need now is either an assistant medical officer, or a term which has a real bearing on the country, and a term that can be understood.

For a long time this technical staff, including the engineering staff, have had such terms as hospital assistants, but you cannot assist a *choo* or building or compound, you assist an expert. If our Medical Department cannot train a person to assist another, if they only train you to assist a bush or a fence, then that is not good enough. We must have the titles that will show that this is an assistant to so-and-so, because he is serving under so-and-so. If you go to the Ministry of Works, you will find that they will tell you, "Well, we have got engineering assistants, but we have no assistant engineers." When you go to the Asian, you will find that he is called an assistant engineer, but Africans are engineering assistants. In other words they are assisting the word engineering.

Therefore, on this Motion on Adjournment, Mr. Speaker, I would like the Minister, who I know is an expert in this particular Ministry—I would congratulate the Prime Minister for ever having appointed a doctor who knows these terms and who can define these terms properly. We have such terms as "dressers". This term is never in the medical dictionary. Therefore, we want the present Minister to change the terms accordingly and to designate these people to better positions.

Mr. Speaker, before I sit down, you will see that we have professions like the nursing and the doctor's profession. You are a doctor, but whether you are a senior or not depends. You are a doctor, but you are either a senior medical officer or a medical officer. These people must also have one designation, because they have one training. They train for five years and then

[Mr. Ngala-Abok]

they are spread in the field, working. They have to be medical assistants, but they can have grades within the same profession. There should be no difference. I do not see the sense in discovering such words as clinical assistants. If I can define the word clinical assistant, you will find that a clinician is a person who assumes what disease you have, but he has no proper idea. He uses his eyes, he takes your history and then he suggests a certain medicine to treat you. He has no clear understanding. This is a clinician. But these people are treating people everywhere. If you go to health centres, hon. Members, you will find that these people are very busy with stethoscopes, with everything. Some are doing simple chemistry and so on. The hon. Member Mr. Onamu has his clinic, and he is maintaining a full maternity place, and yet he qualified like these people. Moreover, in the same category we have people with School Certificates, we have those who left at Standard VIII, and those who left at K.A.P.E. Therefore, if our Ministry has failed to train these people and to designate them properly, the same people will go to the present Minister because he is a professionally qualified person, and he should now reshuffle completely all these Colonial terms and get the proper designations for our staff. So, will the Minister now reply and tell me whether these people will now be assistant medical officers?

Mr. Agar: Mr. Speaker, Sir, I wish to support this Motion for the Adjournment. The significant thing about these terms is that they were used in the former days of the Colonial rule to prevent Africans from occupying certain positions. You find them in the Education Department, you find them in the Medical Department and you find them in the engineering services. You find that a person is called a "hospital assistant" sometimes and later on he is called a "medical assistant" and then a "clinical assistant". The senior posts of responsibility for medical workers are Medical Officers, who are in charge of administrative work in the districts as well, or are in charge of a hospital. Because these people did not want Africans, who are experienced, to become Medical Officers, they discovered all sorts of terms like "clinical assistant", et cetera, so that one is satisfied after being called a "medical assistant", being called a "clinical assistant". In other words, instead of going from "medical assistant" to Assistant Medical Officer, you just become a "clinical assistant" and you stay down. Mr. Speaker, the disadvantages of such terms is that they discourage people who have devoted their careers to important services like medicine. We find that they look after the

health of our people; they maintain some medical services in certain districts. They get discouraged because from seventeen to twenty years, you get experience, and you work under several doctors and you just stay a "medical assistant" or a "clinical assistant". We do not see why people should not climb upwards because of their efficiency, because of their experience, and if possible some further education should be given after they have served in the medical services for some time so that these people called "medical assistants" can become Assistant Medical Officers, then Medical Officers and then get a degree after having experience. We cannot create recognition some here in Kenya if others do not recognize such training and let us have them as doctors. I have seen that in some hospitals you have a doctor from overseas. He is supposed to be a doctor with a degree or something like that, and an African who has worked for seventeen to twenty years in our medical services as a "medical assistant", he does most of the things that the new doctor does not know about at all.

He even instructs a foreign doctor who does not know our local diseases and local conditions. He teaches him what to do about certain things. This man has big responsibility all the time, even though he has the name of medical assistant. Therefore, Mr. Speaker, we would like the Medical Department and other departments concerned with these old designations to leave them, to review them, and to find new designations which will encourage our young men who have devoted their lives to the medical service so that they know there is an opening in a medical career, so that we can have more people in the medical services who will know that they will be going upwards as far as pay and responsibility are concerned.

You will find that in a profession such as teaching, because a system was worked out many years ago, you do not get anywhere. You start teaching when you are eighteen years of age and by the time you are sixty-five you are still a T3 getting about the same salary you started with, and consequently now the teachers are running away.

The Minister for Health and Housing (Dr. Mungai): We are not running away.

Mr. Agar: It is the same in the medical services many of the people are running away. They are going in for illegal practices, treating people in their houses at nights.

Therefore, Mr. Speaker, I ask the Minister for Health to view this matter impartially and to

[Mr. Agar]

find out about these things which prevent Africans taking up medical careers enthusiastically and see that they are removed, and other departments concerned should do likewise.

I support the Motion.

The Minister for Health and Housing (Dr. Munga): Mr. Speaker, Sir, I fully sympathize with the Mover of this Motion because he himself was trained as a hospital assistant during the colonial days. It may be that he was given a hard time, but from my knowledge he has not had the same experience under this Government and he has not worked as a hospital assistant during the time of this Government. I would agree with him that during the time of the colonial government, there were no chances whereby hospital assistants had any advancement. There was no time when the teachers, or any other people for that matter who were Africans during the time of the colonial government, had any chance for advancing their lot, or even of becoming anything they can become today. He may claim that the hospital assistants were badly treated; I agree with him. I know some Africans who had their degrees from college. They came back here willing to serve their people, but they were told there were no openings either with the Kenya Government or in the country. They were very well educated, but they were never given a chance. So this does not apply only to hospital assistants, as the hon. Member puts it; it applies to every African during the time of the colonial days, and there is no group except maybe those who were—I did not want to use this word in Parliament—stooges who could advance.

Since this Government came into being, we have had to look and to review what was going on. First of all, let me correct something that the hon. Member, the Mover of this Motion, Mr. Ngala-Abok, put forward. Let me say that I have a very healthy respect for him and the question he puts forward on behalf of the para-medical group, the clinical assistants, the hospital assistants, the radiographers and the others. He has experienced it and he puts forward very intelligent questions. This particular one was answered by my Parliamentary Secretary when I was not here, I was out, and I do not quite know the tone, although I know the words he used, in which he answered. I would like to talk about this more broadly than just dealing with hospital assistants or medical assistants. We have a group which is trained at the Medical Training Centre, affiliated to the Kenyatta National Hospital, that is very important in the practice of medicine in

Kenya. Indeed, it is the backbone of the medical services in the villages. The ordinary villager knows the hospital assistant or the clinical assistant or the medical assistant, as you want to call them, as his doctor. When a woman has a baby who has severe diarrhoea at night, or any other kind of attack, and she is living way out in a village, she takes the baby to the hospital assistant, the first one she sees. After an injection the baby starts to improve, or after having some medicine. So this is the group which does a lot of work with regard to the health services in Kenya. This is true of a man or woman: when you develop a temperature at night, you are coughing, you cannot sleep, you have pneumonia, the first person you see is the hospital assistant. In the past, he was called hospital assistant; now he is called medical assistant. Also, when you are bleeding so badly because you have been cut, there are not enough surgeons scattered throughout Kenya whom you can go and see. This is the man you see. This group has done wonderful work in Kenya, and they have served Kenya very well when we did not have qualified medical people to go out to the villages and everywhere to work, and this Government is grateful to these people.

In the past, if I may enlarge on this so that it can be understood, because several people have never really understood what group we are talking about when we refer to the para-medical group, we have at the Medical Training Centre a group of people who have Cambridge School Certificate. They were trained over here to take bigger responsibilities, and this cadre of people is increasing. You have the Kenya Registered Nurses; the number of whom a few years ago was very small; but now we feel that we have to train this type of person in Kenya rather than trying to send them overseas so that we develop our institutions over here. They are taught under local conditions and then, immediately from the local conditions under which they are taught they go and serve the people. In the same category, we have the health inspectors, the radiographers, the pharmaceutical assistants, the physiotherapists and laboratory assistants. In the past, the group which became hospital assistants had eight years of general education to the level of K.P.E. and then they had their medical training. After that they went out. I do agree and admit that the past colonial government did not give them the chance to advance, but it is not true with this present Government. Now we have changed even the name hospital assistant; it is now medical assistant.

An hon. Member: What about the clinical assistants?

The Minister for Health and Housing (Dr. Mungai): I am coming to that because I do not want anybody to be misled by terms. If a term of past was incorrect, I am going to correct it. These people, after they have shown aptitude, intelligence and good service when they go out to the health centres, are now being taken back, and they have one year of further training, either in Nairobi, Mombasa, Nakuru or Nyeri. Then these people will have time for more training in medicine and surgery, and then we can send them out a little more qualified to do a little better, and they attain the name, clinical assistant. I would like to correct the word here which the hon. Member used. Maybe because of terminology, there could be something which was misleading. A clinician is a specialist in internal medicine, one who is very good at diagnosis and one who knows how to prescribe important medicines to heal a disease. Therefore—

An hon. Member: They use stethoscopes.

The Minister for Health and Housing (Dr. Mungai): If the hon. Member will wait he will understand. He says that they use a stethoscope, the same kind of thing they use when they are hospital assistants. It is true that a medical officer, whether he be a professor in a university, a specialist doing private practice, a hospital assistant, a nurse or any doctor at all, they all, use stethoscopes. However, what they get from that stethoscope is not the same, there is a difference. Because they are using stethoscopes when they are hospital assistants does not mean that they are going to discard those instruments when they become clinical assistants so that they are better people or we know that they belong to another cadre. It is essential and important that every doctor uses a stethoscope. This stethoscope is an instrument you use to listen to one's insides in order to find out what is happening. Sir, I, therefore, would like to correct that, so that, in future, we do not have any misunderstanding because of the use of a word. Now, when these clinical assistants go out they are not really clinicians, because a clinician is a medical officer and they are not yet medical officers. When they go out again after one year of training, then their salary is increased to a very high level so that they come to the level of one who has completed School Certificate and who has had 3½ years' training. Thus, anybody who is capable of being a hospital assistant or medical assistant now has a chance—

Mr. Ngala-Abok: On a point of information, Mr. Speaker, I would like to clarify a point. The Minister is stating that they are not clinicians

because a clinician is actually a medical officer or a doctor. However, in Kenya it is not the policy of our Ministry to train people as clinicians; it is the policy to train people to be doctors or clinical assistants. Therefore, why are these clinical assistants not actually assistant medical officers whom we are training as senior—

The Speaker (Mr. Slade): I think you ought to wait and hear what the Minister has to say.

The Minister for Health and Housing (Dr. Mungai): Mr. Speaker, Sir, that was not a point of information, it was in the form of a question. However, clinicians are medical officers and they are trained by the University of East Africa at the Makerere Medical School and in future we shall be training them in Nairobi.

Now, these clinical assistants who are not yet medical officers, therefore they are not clinicians, when they go out again after a year of training in medicine and surgery, we raise their pay so that then it is equal to that of one who has done School Certificate and has taken training for about say three-and-a-half years to four years. Anyone who is capable and intelligent enough to be of this group we offer them this chance now and they can continue going higher and higher and higher. In fact, they are not going to stop there because we feel that this group is very important and it is going to take a very long time before Kenya produces a sufficient number of doctors to go throughout the country and attend to all the sick people. We are going to pay particular attention to this group and we are even going to approach the University to find out whether they can give these people some form of recognition so that after they finish School Certificate and they go on to the Medical Training Centre, they will get some recognition from the University of East Africa, Royal College, I mean University College. They get recognition from the Kenya Government but I am asking for something higher than that so that they get some associated recognition from the University of East Africa so that—

The Speaker (Mr. Slade): Order, order. Dr. Mungai has now had ten minutes, but I think the House would probably like to hear him for a bit longer. With the leave of the House, please continue.

The Minister for Health and Housing (Dr. Mungai): Thank you, Sir.

When these people go out and they have done their work in the Medical Department and they would like to continue in order that they can have a better chance to go back to the University

[The Minister for Health and Housing]

and improve their lot and their future, and even get University recognition and qualification, doors will be open to them. It will not be merely a group of people who have attended medical school here in Nairobi, and who get some form of recognition by the Department of Medicine here and which is not yet recognized elsewhere. We would like to open the doors wide so that from the Medical Training Centre they can get their training over there and then move on to the University and if they can continue and have the requisite intelligence and are willing to work hard enough they can go on and get University degrees. In other words, we are not closing the doors to anybody, and if the University will accept that as a recommendation from the Ministry of Health it is going to be good for all.

Sir, it is true that there are some of these designations that during the colonial régime were given merely to people who acted in the posts of Assistant African Administration Officers so that by the time you get rid of all these assistants and A.D.As. you do not get anywhere and it is time to retire. This is not the position today with the present Government in the Medical Services. Today, we have a Director of Medical Service, who is a Masai, and he himself, is very conscious of these things, because at the very beginning he started as a trainee for a hospital assistant's post. From there he managed to pull himself to go up to Makerere and qualify as a doctor, worked in the Medical Department and then he came back again to help the Government. Today he is the Director of Medical Services. The man who is in charge of our Medical Services has had experience, just like the hon. Member who brought this Motion, he has had a better knowledge, he has the experience and he has suffered a lot during the colonial administration and I am sure this defect is now being corrected.

Lastly, let me mention another promotion by the Promotion Board. While a hospital assistant, formerly, now a medical assistant, has shown good work and has been in service for a long time, it is not important to get him back for the training; it is preferable to get a younger man who is more vigorous. However, we do give these men, these older men, promotion salary-wise so that they do not feel they are being left behind by the younger people in the work they are doing. We have given them promotion through the Promotion Board so that their salaries are increased and are in keeping with those other people who are going back for training. We feel this is very important because they have made their contribution which is very essential in the

development of the medical services here. At this stage, when you are developing medical schools and specialists, we are not going to forget them. This does not only apply to the men.

With the female trained medical assistants, we are taking them back in now so that they have some more years of training and they achieve the status of Kenya Registered Nurses which is on the same scale as the clinical assistants that we take back. After passing the examination, which is equivalent to State Registered Nurses Examination in England, they emerge as fully qualified nurses on the same scale as the nurses in the United Kingdom.

Therefore, this demonstrates in very clear terms that in the medical services today we are leaving the ladder in place for anybody who is intelligent, hard-working and willing to give service to the community in Kenya to keep climbing up and up. If the hon. Mover of this Motion had consulted me on this, I could have given him all the information he wanted and there is still more, in addition to what I have said, in greater detail. I can still give him this information if he so desires.

Sir, finally, there is another class of people that we value very much and their contribution to the medical service has been very important. That is the position of Enrolled Nurses and we cannot forget them for they provide the nursing care, generally assisting in health centres, district hospitals and many other areas. We are also taking these people back and we are giving them some more training so that we can improve their lot to become Ward Charge Nurses, Theatre Charge Nurses and Mental Nurses. Even with the other group, there are some who are interested in a little more specialization and we send them out for more specialized study like ear, nose, throat and eye diseases as well as in anaesthetics. Sir, I do agree with the hon. Member that in the past they may have been neglected, but under this Government, we are not going to neglect them at all. We are going to give them all the promotion necessary.

ADJOURNMENT

The Speaker (Mr. Slade): We have completed our half hour and the House is therefore adjourned until tomorrow, Wednesday, 24th June at 2.30 p.m.

The House rose at Seven o'clock.

WRITTEN REPLIES TO QUESTIONS

Question No. 142

IRRIGATION SCHEMES: BOMET CONSTITUENCY

Mr. arap Soi asked the Minister for Agriculture and Animal Husbandry what irrigation schemes were being planned by the Ministry to be carried out in the following areas of Bomet Constituency: Longisa, Chapalungu and Sigor.

REPLY

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): None.

Question No. 156

INCREASE OF STAFF FOR NATIONAL AND REGIONAL ASSEMBLIES

Mr. Mongare asked the Minister for Labour and Social Services if the Minister would tell the House what progress had been made to increase the staffs of the National Assembly, the Regional Assemblies, the county councils and area and municipal councils by 15 per cent as required under the Tripartite Agreement.

REPLY

The Minister for Labour and Social Services (Mr. Mwendwa): The 15 per cent quotas of additional employees to which the Hon. Member refers come under two Heads—Local Government quotas, which are the individual responsibility of each local council and a combined quota for Central Government and Regional Authorities. Several local councils have already engaged their quotas and others have well-advanced plans for meeting their obligations. An inter-Ministerial committee was set up to recommend a plan for the engagement of the combined Central Government and Regional Authorities quota. This committee's recommendations have been approved by the Cabinet Committee on Unemployment Relief Projects and instructions have been issued for the plan to be implemented without delay. The combined quota amounts to some 8,800 persons and the programme for their engagement has to be arranged to enable the projects to be properly planned so that the projects in which these work-seekers are engaged are financially sound in relation to the country's economy. This presents a complex problem that does not lend itself to a

simple announcement and Government intends therefore, to announce its programme stage by stage and near to the starting time of the individual projects making up the complete programme. To do otherwise, would prove misleading to those workseekers anxiously awaiting employment throughout the country—many of whom it must be realized cannot be absorbed into employment until the longer-termed development plans of Government are under way.

*Question No. 228*AGRICULTURAL DEVELOPMENT, NYANZA:
ENCOURAGEMENT OF

Mr. Obok asked the Minister for Agriculture and Animal Husbandry what encouragement the Government was giving to farmers in Nyanza to

- (i) develop the growth of cash crops;
- (ii) assist in the rearing of high-grade cattle;
- (iii) ensure that the soil was adequately tested so that tea and other alternative crops could be cultivated instead of coffee.

REPLY

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): (i) The Ministry holds, from time to time in Farmers' Training Centres, courses covering various aspects of various cash crops. Furthermore, my field staff visit individual farmers to advise them on the development of cash crops. They also hold *barazas* and meetings for this purpose. Field days are held either in Experimental Stations or on farms of progressive farmers.

(ii) Again courses are held in F.T.Cs; Field days arranged at Experimental Stations or Education Centres and furthermore farmers are provided with loans for buying grade cattle. With the help of the Co-operatives Department, more Dairy Co-operatives are being set up to assist in the handling, processing and marketing of dairy produce. Five already exist in Kisii.

(iii) Trial plots to find out where tea will adequately grow are being established in Kisii and higher-lying areas of South Nyanza. Tea cannot grow in Central Nyanza and alternative cash crops are being tried. The coffee growing zone has been well defined and there is little need of observational trials now.

Wednesday, 24th June 1964

The House met at thirty minutes past Two o'clock.

[*The Speaker (Mr. Slade) in the Chair*]

PRAYERS**PAPER LAID**

The following Paper was laid on the Table:—
East African Agriculture and Forestry Research Organization Record of Research for the period 1st January to 31st December 1963—
Annual Report, 1963.

(*By the Minister for Finance and Economic Planning (Mr. Gichuru) on behalf of the Minister of State, Prime Minister's Office (Mr. Murumbi)*)

NOTICES OF MOTIONS**LICENSING LAWS: HOURS OF SALE**

Mr. Okwanyo: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT this House deplores the incidence of increased drunkenness among the people of the country and calls upon the Government to consider amending legislation to restrict severely the hours for selling intoxicating liquor and to introduce a system where only holders of permits may be allowed to buy such liquor.

MEASURES TO COMBAT SHIFTA: TANA RIVER

Mr. Kase: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT this House urges the Government to take immediate and appropriate measures to restore to the inhabitants of the Tana River area their normal way of life which has been shattered by the *Shifta* who have left them homeless, without food and in a constant state of fear.

ORAL ANSWERS TO QUESTIONS*Question No. 148***IRREGULARITIES: ABALUHYA TAXPAYERS**

Mr. Shikuku asked the Minister for Home Affairs if the Minister was aware of the irregularity in the counting of Abaluhya taxpayers in Rubwe sublocation in Central Nyanza where some Abaluhya taxpayers were marked dead and yet in actual fact they are still alive.

The Parliamentary Secretary for Home Affairs (Mr. Moss): Mr. Speaker, Sir, I beg to reply on behalf of my Minister. I am not aware of any

irregularity in the counting of Abaluhya taxpayers in Rubwe sublocation of Central Nyanza.

Mr. Muliro: On a point of order, Mr. Speaker, could the Parliamentary Secretary speak louder?

The Speaker (Mr. Slade): You must be sure that everybody hears. That is the point of the answer.

The Parliamentary Secretary for Home Affairs (Mr. Moss): From inquiries we have made there are no Abaluhya marked on these tax registers as having died when in fact they are alive.

Mr. Shikuku: Arising from the Parliamentary Secretary's reply, is he aware that this is not the correct answer because I have a list here of those who have been listed as dead, and they are still alive.

The Parliamentary Secretary for Home Affairs (Mr. Moss): Mr. Speaker, Sir, as I have said already, I am not aware of it. The hon. Member is only too welcome to submit that list for more inquiries.

Mr. Lorema: Mr. Speaker, Sir, would the Parliamentary Secretary assure this House when he checked that there were some people who were marked dead, and this tax will be paid as at the time that they are assured dead and at the time when they are still alive? Doubled.

The Parliamentary Secretary for Home Affairs (Mr. Moss): Mr. Speaker, Sir, I have already said that we welcome any list of names for further clarification.

Mr. Murgor: Mr. Speaker, Sir, would the Parliamentary Secretary agree with me that if the hon. questioner gave him the list and if it was found that there were such people, would he agree that he did not give this House correct information? And that the Ministry is not working as well as it should?

The Parliamentary Secretary for Home Affairs (Mr. Moss): No, Mr. Speaker.

Mr. Mutiso: Mr. Speaker, arising from one of the Parliamentary Secretary's replies, if the allegation by the hon. Member is correct, would the Parliamentary Secretary assure this House that appropriate action will be taken against the authorities concerned?

The Parliamentary Secretary for Home Affairs (Mr. Moss): Mr. Speaker, there is no need to discuss this on assumptions, but we will clarify these if they are available at any time.

Question No. 175

CONTROL OF CAPITAL OUTFLOW FROM KENYA

Mr. Godia asked the Minister for Finance and Economic Planning if the Minister would tell this House what steps his Ministry had taken to control the outflow of capital from Kenya.

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, I beg to reply. A directive was issued in January this year requesting the banks to refrain from making overdraft facilities available to individuals and companies in Kenya in order to enable them to transfer money overseas. The banks were also asked not to provide overdraft facilities to individuals or companies which had recently transferred out of Kenya money which could now be brought back in order to provide them with the working capital or other resources which they were seeking from the banks. The most effective step taken by the Government to check the outflow of money was the firm action taken to deal with the January disturbances.

Mr. Mutiso: Mr. Speaker, Sir, could we know from the Minister what action he is taking to ensure that the instructions he gave to the banks are carried out effectively?

The Minister for Finance and Economic Planning (Mr. Gichuru): I do have reports from the banks regularly and I trust them. They are honest men and they do advise me.

An hon. Member: What about women?

Mr. Godia: Mr. Speaker, could the Minister tell this House how much capital was invested in this country after December 1963, and how much left the country?

The Minister for Finance and Economic Planning (Mr. Gichuru): That, Sir, I consider a different question, and I require notice of it.

Mr. Jamal: Mr. Speaker, is the Minister kept aware of the names of people who send money away regularly?

The Minister for Finance and Economic Planning (Mr. Gichuru): I am fully informed by the banks.

Mr. Jahazi: Can the Minister, Mr. Speaker, tell us the figures, tell us how much money, and what improvement he has noticed since he last issued the said instructions to the banks, in terms of monthly figures starting from January?

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, I cannot give any figures. I do not think it is in the interests of the country to give these figures.

Mr. Bala: Mr. Speaker, Sir, can the Minister tell this House why legislation should not be introduced to restrict the outflow of money from Kenya?

The Minister for Finance and Economic Planning (Mr. Gichuru): If the restriction the hon. Member means is imposing exchange control—and I think that is what he means—then exchange control could not be limited to capital transaction only. It would have to be imposed on all remittances for whatever purposes the sterling areas sent it. Arrangements would also have to be made to ensure that the profits of export were remitted back to Kenya. Neither the banking statistics nor the currency statistics suggest that there is any need at present to take this drastic step which would be likely to damage investment prospects to a greater extent than it would benefit the country by limiting the outflow of money.

Mr. Masinde: Mr. Speaker, Sir, arising from one of the replies, could the Minister tell this House how many indigenous Africans from this country earn money outside Kenya?

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, this is a personal affair that would require making an inquiry. How do I know where you bank your money? I do not know.

Mr. Masinde: Mr. Speaker, does the Minister therefore agree with this House that he is not well informed by the banks about the bank situation in this country?

The Speaker (Mr. Slade): I do not think you can say "with this House", you can say "with you". Do you want to answer, Mr. Gichuru?

The Minister for Finance and Economic Planning (Mr. Gichuru): All I would like to say is that one of the—What I am trying to get at, Mr. Speaker, Sir, is this. The banks are trusted to keep people's accounts secret and I am quite sure everybody would agree that this is the correct way to go about these things, and, therefore, when I make inquiries about money flowing out I do not insist that I be told exactly who has sent this money out.

Mr. Anyieni: Mr. Speaker, Sir, is the Minister aware that some of the people who own big buildings in Nairobi moved their places of residence and their rent is being sent to them every month through the banks?

The Minister for Finance and Economic Planning (Mr. Gichuru): I am not.

Mr. Mutiso: Mr. Speaker, arising from that reply, as the Minister was not aware and has now been made aware, could he assure this House that he is going to take action?

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, I do not think it would be right for me to interfere with people's private property. If a person has his property here and wants to move it, it is up to him. But, to what we do object very strongly is that people should do trading here and then send all the profits away instead of ploughing them back into the country. That is the money that I am taking care of to see that there is not that outflow. But if a person resigns from his job here, retires and wants to take away his money, no one has any right to stop him.

Mr. Khasakhala: Mr. Speaker, Sir, in view of the fact that there are some landlords who have left this country and have instructed lawyers or some other people to send them their rent, would the Minister assure the House that this is not an outflow of money from Kenya?

The Minister for Finance and Economic Planning (Mr. Gichuru): It is definitely an outflow and until there is legislation enacted by this House to the effect that if anybody brings in his money here he will never be able to get it out, until that is done, Mr. Speaker, I have no authority to stop it.

The Speaker (Mr. Slade): The House has had a very full answer on that question.

Question No. 204

WELFARE AND UPKEEP OF BEGGARS

Mr. Kerich asked the Minister for Local Government what action he was taking to ensure that the welfare and upkeep of the impotent and aged beggars predominantly found in the City of Nairobi and other chief towns of Kenya, like Nakuru, Mombasa and Kisumu, were safeguarded.

The Parliamentary Secretary for Local Government (Mr. ole Konchellah): Mr. Speaker, Sir, on behalf of my Minister, I beg to reply.

I am fully aware of and, indeed, concerned about the problem of distress and begging, especially in urban areas, and I can assure the hon. Member that relief measures are already under consideration.

The hon. Member may be glad to know that in the main urban centres of Nairobi, Mombasa, Nakuru and Kisumu, active steps are already being taken and assistance is given by provision of accommodation as well as in kind. Thus a beginning has been made and without doubt the extent of assistance will be increased.

There are three ways in which the problem of beggars can be dealt with, namely—

- (a) the return of the destitute man to his own home, where he would be looked after by his family and relations; or
- (b) the teaching of a trade; or
- (c) the provision of alms-houses for the really detribalized indigent person.

After careful consideration by several committees it has been found that it is necessary to introduce special legislation to deal with beggars. This is a prerequisite as it is necessary to ensure the effective operation of any beggars' institution, and the Ministry of Home Affairs are taking steps to draft an appropriate Beggars Bill for presentation to Parliament.

Above all it must be realized that the question of alleviating indigency can only be dealt with by the combined efforts of Government, local government and voluntary organizations. Such combined efforts are already at work: and the public could help immensely by co-operating and associating themselves in the country's endeavours to find solutions to social problems.

Mr. Kerich: Mr. Speaker, is the Junior Minister aware that at this time of the day there are so many beggars around the New Stanley begging, and yet he is telling us that the Government has taken steps. Answer that.

The Parliamentary Secretary for Local Government (Mr. ole Konchellah): Mr. Speaker, I have not even heard the question.

Mr. Kerich: I said, is the Junior Minister aware that at this time of the day there are so many beggars around the New Stanley Hotel begging and yet he is telling us that the Government has taken steps to remedy the situation.

The Parliamentary Secretary for Local Government (Mr. ole Konchellah): If the hon. Member was listening carefully, Sir, in my reply I said I am aware of it and the Government is taking steps. What else does he want?

Mr. arap Choge: Mr. Speaker, does the Parliamentary Secretary agree with me that he did tell the House that the Government had taken steps to take these beggars back to their homes and he is telling us that he is taking steps.

The Speaker (Mr. Slade): We do not want repetition of his original reply.

Mr. Jahazi: Mr. Speaker, would the Junior Minister agree with me that the beggars should be national responsibility and therefore the Government should take over all the responsibility for the beggars rather than leaving them to the Regions?

The Parliamentary Secretary for Local Government (Mr. ole Konchellah): Mr. Speaker, Sir, I have mentioned about three groups which are taking steps to see that these beggars are really redressed and these are the Government, local government authorities and other interested charitable organizations.

Mr. Khasakhala: Mr. Speaker, Sir, could the Junior Minister tell the House what committees, if any, the Government expects to set up to take the steps he has mentioned to the House?

The Parliamentary Secretary for Local Government (Mr. ole Konchellah): Mr. Speaker, Sir, I have a number. For example, I would say that the Nakuru Municipal Council has destitute sub-committee. The council spent £1,258 in 1963 on assistance in kind. Again, the Kisumu Municipal Council also provided assistance in kind to the poor of its area, and recently has received approval for a loan of £5,000 for the purpose of building a hostel for disabled and old people.

Mr. Murgor: Mr. Speaker, Sir, arising from one of the Parliamentary Secretary's replies, could he tell us what is being done in the constituency of the hon. Minister for Justice and Constitutional Affairs?

The Parliamentary Secretary for Local Government (Mr. ole Konchellah): Mr. Speaker, Sir, the question is not only for one Nairobi constituency alone or for the constituency of the Minister mentioned. I think the hon. questioner, as a Member of Parliament, has his own constituency and he has his own responsibility also to see that everything in his own area is done.

Mr. Khasakhala: Mr. Speaker, Sir, in view of the fact that most beggars are disabled people, could the Government tell the House whether there is a home proposed for these people?

The Parliamentary Secretary for Local Government (Mr. ole Konchellah): Mr. Speaker, Sir, I have already mentioned a number of things. There are homes. In Nairobi there is a temporary beggars' house at Bahati which houses— Mr. Speaker, Sir, I wish the hon. Member would keep quiet while I am replying.

The Speaker (Mr. Slade): Mr. Anyieni, will you please keep quiet. The House wants to hear the Parliamentary Secretary's reply, not yours.

The Parliamentary Secretary for Local Government (Mr. ole Konchellah): Mr. Speaker, in Nairobi there is a temporary beggars' house at Bahati which houses the inmates, and efforts are being made to find land at Ruaraka for a permanent house and I have also mentioned that Nakuru Municipal Council has a destitute sub-committee which spent £1,228 for accommodation of these people.

Mr. Kamau: Mr. Speaker, Sir, will the Parliamentary Secretary assure this House that the Government will do its best to see that in every constituency there is established a house for these people all over the country?

The Parliamentary Secretary for Local Government (Mr. ole Konchellah): Mr. Speaker, I would say that, even traditionally, we had beggars and each tribe had to accommodate and try to see that his own people were really at rest, and this question of saying that in every constituency there must be a hostel is out of the question. Moreover, there is this Bill I have mentioned and it is going to be brought in and it will be dealt with so that they can work out how they will deal with this problem.

Question No. 206

“LEGION OF MARY”, NYANZA PROVINCE:
DETAILS

Mr. Odera-Sar asked the Minister for Home Affairs:—

- (a) Was the Minister satisfied that “The Legion of Mary” religious and political sect which had recently come into prominence in Nyanza Region, had no subversive motives?
- (b) Would the Minister tell the House the name of the founder of this sect?

The Parliamentary Secretary for Home Affairs (Mr. Moss): Mr. Speaker, Sir, on behalf of my Minister, I beg to reply. I am satisfied that at the present moment, “The Legion of Mary” is not a political sect. The sect does not appear to have subversive motives and has not, so far, been a serious threat to security.

“The Legion of Mary” is a sect which broke away from the Roman Catholic Church. In Central Nyanza District it first came to notice in December 1963, when a woman called Gaudensia Aoko whose home is at Wangaya Market, East Kano, started holding meetings in Alego and

[The Parliamentary Secretary for Home Affairs]

South Ugenya Locations, where she attracted limited local support. There is no indication that this sect is being supported elsewhere in Central Nyanza.

Mr. Odero-Sar: Arising from the reply, Mr. Speaker, is the Junior Minister not aware that the movement was started by some people who claim that it was a national one supported by the new Kenya Government?

The Parliamentary Secretary for Home Affairs (Mr. Moss): Mr. Speaker, Sir, I am not aware of that.

Mr. Odero-Sar: Mr. Speaker, Sir, I would like the Junior Minister to tell the House exactly how these people are financed because they have a lot of money.

The Parliamentary Secretary for Home Affairs (Mr. Moss): Mr. Speaker, Sir, if you ask how they are financed, they are financed in the normal way as other associations are financed.

Mr. Odero-Sar: Do I understand from the Junior Minister that the organization is a legal movement?

The Parliamentary Secretary for Home Affairs (Mr. Moss): It is not registered, Mr. Speaker, Sir, and, as such, it is not legal.

Mr. Odero-Sar: If it is not legal, Mr. Speaker, what is the Minister going to do with those members of this movement who have built churches on some of the mission plots?

Mr. Khalif: On a point of order, Mr. Speaker, Sir, is the Minister for Justice and Constitutional Affairs, Mr. Mboya, in order to tell the Junior Minister the answer he should give.

Hon. Members: Shame! Shame!

Mr. Khalif: Do not interrupt me, gentlemen. Mr. Speaker, Sir, is—

The Speaker (Mr. Slade): Order, order. On points of order, please keep silent.

Mr. Khalif: Mr. Speaker, Sir, is the Minister for Justice and Constitutional Affairs, Mr. Mboya, in order to tell the Junior Minister the answers he is to give to hon. Members?

The Speaker (Mr. Slade): If he can get away with it inconspicuously, I know it will not be the first time. But each Minister is expected to answer for himself; and if hon. Members see that somebody else has prompted him, he loses that much respect.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, on a point of explanation, I think the House ought to understand that this is a matter which concerns jointly the Ministry of Justice and the Ministry of Home Affairs—

Hon. Members: Why don't you answer?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): The two of us cannot answer at the same time. That should be so simple.

The Minister for Health and Housing (Dr. Mungai): On a point of explanation—

The Speaker (Mr. Slade): I think we have had enough explanation. I would have said that this was something which the Minister for Home Affairs was able to answer by himself.

The Minister for Health and Housing (Dr. Mungai): On a point of order, could it be substantiated, Sir, that the Minister for Justice was giving the answer to the Parliamentary Secretary?

The Speaker (Mr. Slade): We will go on with the supplementary questions now.

Mr. Shikuku: Arising from the previous reply by the Junior Minister—

Mr. Anyieni: On a point of order, the question of the hon. Member has not yet been answered, and yet another Member is asking a question.

The Speaker (Mr. Slade): Mr. Odero-Sar, will you repeat your question?

Mr. Odero-Sar: My question is this: In view of the fact that the Junior Minister has said that this movement is illegal, what is his Ministry going to do with those people who have built their churches in the mission areas?

The Parliamentary Secretary for Home Affairs (Mr. Moss): Mr. Speaker, Sir, we are watching the movement very carefully. I have not finished. The questioner must also understand that if they are built on private land, then it is entirely the responsibility of the owner of the land to take up the matter.

Mr. Murgor: Mr. Speaker, Sir, is the Parliamentary Secretary aware that there is no law which permits any individual to build without permission from the local authority and the Government, and if so why has this sect already built some churches?

The Parliamentary Secretary for Home Affairs (Mr. Moss): Mr. Speaker, Sir, there is no law.

Mr. Murgor: Mr. Speaker, Sir, is the Junior Minister not aware that under the Local Government Act, they are supposed to submit any new building plans on land for religious purposes for approval first by the local authority and the Government?

The Parliamentary Secretary for Home Affairs (Mr. Moss): Mr. Speaker, Sir, I have already said that we are watching the situation very carefully.

The Speaker (Mr. Slade): Really, Mr. Moss, you know, if you answer at all, please answer the question, not something else. You do not have to answer, but do not answer with something quite irrelevant.

The Parliamentary Secretary for Home Affairs (Mr. Moss): When I said that we were not aware, Mr. Speaker, I meant that we are going to investigate and we are investigating in the normal way.

Mr. Khasakhala: In view of the fact that the sect has been going on for a long time, for over six months, if I am not wrong, and that they are collecting money, what steps has the Government taken to ensure that this money is collected legally and not illegally as it is now?

The Parliamentary Secretary for Home Affairs (Mr. Moss): Mr. Speaker, Sir, if I may be frank, I know that many of these people have been imprisoned for collecting money under false pretences.

The Speaker (Mr. Slade): We are getting rather far from the question now; if you look at your Order Papers, you will see that the question was whether the sect has subversive motives and who was the founder.

Mr. Bala: On a point of order, there was a question raised by the Member for Elgeyo which has not been answered by the Junior Minister, and I would like to have your guidance as to whether it is in order for the Junior Minister to evade the question and answer something else. Is it in order for us to leave it just like that or should we have the answer in writing or something?

The Speaker (Mr. Slade): There are times when a Minister refuses to answer a question that we can have it again, but it is rather a waste of time to repeat a question many times.

Mr. Murgor: On a point of order, Mr. Speaker, actually I am seeking your guidance. When I asked whether he was aware that, under the law, that anybody who wants to build a church

should have building approval from the local authority and the Government, he said that there was no law. If I bring it and lay it on this Table today and quote the number of the section, will he accept that he was not answering properly?

The Speaker (Mr. Slade): We are all human and we are all liable to be wrong at times. The right procedure, if a Member is certain that a Minister or Parliamentary Secretary has made a wrong statement in this House, is to prove it to him outside the House and ask him to come and make a statement in the House acknowledging his mistake.

Mr. arap Moi: Mr. Speaker, Sir, arising out of the Junior Minister's reply, is he not aware that about 60,000 people have joined this sect and that it is worrying parents and people who have wives, and that the country would like to know what the Government's intentions are? Is it the Government's intention to allow this sect to continue to collect money?

The Parliamentary Secretary for Home Affairs (Mr. Moss): It is not the intention of the Government, Mr. Speaker, to allow the sect to go on collecting money illegally. Many of these people, as I have said, have been imprisoned.

Mr. Mutiso: On a point of order, Mr. Speaker, would it not be in order, since the Minister for Justice said that this is a collective responsibility of the two Ministries, for that Minister to answer this question since it seems that the Parliamentary Secretary is not capable?

The Speaker (Mr. Slade): No, I have told the House before that no question can be answered by more than one Minister. You have to take whatever the Minister who is answering says. We have already gone far from the original question. We will go on to the next question now.

NOTICE OF MOTION ON THE ADJOURNMENT

UNSATISFACTORY REPLY TO QUESTION NO. 206—
LEGION OF MARY, POLITICAL RELIGIOUS SECT

Mr. Muliro: On a point of order, Mr. Speaker, in view of the fact that the Parliamentary Secretary has answered this question very badly, could I be allowed to raise the Motion on the Adjournment?

The Speaker (Mr. Slade): You will have to give me the usual written notice.

Mr. Muliro: I will do that, Mr. Speaker.

Mr. Khalif: On a point of order, Mr. Speaker, is the Parliamentary Secretary in order to come to this Parliament and deal with questions which he is practically unable to answer?

The Speaker (Mr. Slade): Treating that as a purely hypothetical question, the answer is yes.

Question No. 231

MINERAL WEALTH: HAMISI CONSTITUENCY

Mr. Godia asked the Minister for Natural Resources to state what he was doing to exploit the mineral wealth in Hamisi Constituency.

The Minister for Natural Resources (Mr. Sagini): Mr. Speaker, Sir, I beg to reply.

The Government has always been aware of the possibility of mineral occurrences in the Lake Victoria area. Surveys have not, however, been completed, and our present knowledge is limited to small deposits that cannot be worked economically.

Realizing this, Sir, the Government has now arranged for a team of geological and mineral experts to investigate mineral occurrences in this area more intensively. The investigation will be under a joint project sponsored by the Kenya Government and the United Nations Special Fund and will extend over most of the Nyanza area. The hon. Member can rest assured that what he terms the "mineral wealth" of Hamisi Constituency will be fully investigated under this project. It is only the results of the survey which will establish whether Hamisi Constituency hold any mineral wealth worth exploiting. The survey will continue for a period of 2½ years.

I would wish to make it clear to hon. Members that the Government does not, on its own, engage in hazardous commercial ventures such as mining. The Government, however, publishes reports and pamphlets which guide and encourage prospectors and miners to invest in exploiting proven deposits of commercial and economic quality and quantity. If the project I have mentioned should prove that such deposits exist in the Hamisi Constituency, my Ministry will do all it can to encourage their exploitation as soon as possible.

Mr. Godia: Mr. Speaker, Sir, will the Minister tell this House how soon the scheme is coming?

The Minister for Natural Resources (Mr. Sagini): I think I have explained, Mr. Speaker, Sir. The Member should be patient, and I think he is well off because it is going to be investigated.

Mr. Masinde: Mr. Speaker, arising from the hon. Minister's reply, would he tell this House what type of minerals are said to be found in this Hamisi constituency?

The Minister for Natural Resources (Mr. Sagini): Mr. Speaker, I am not endowed with the power of the Almighty God to know what is below the soil, but from my knowledge of geology, with regard to Kakamega, I know that something like gold used to be mentioned. Let us hope that more will be found.

Mr. Masinde: Mr. Speaker, Sir, arising from that reply, is the Minister aware that the rock found in Hamisi constituency would be suitable for the cement industry?

The Minister for Natural Resources (Mr. Sagini): Mr. Speaker, I am not aware of it. If it is going to be so, that will be most useful to Kenya.

Question No. 233

PRATT SALARIES COMMISSION REPORT

Mr. Godia asked the Minister of State, Prime Minister's Office, when the Government would announce its decisions on the recommendations of the Pratt Salaries Commission.

The Minister for Works, Communications and Power (Mr. Mwanyumba): Mr. Speaker, Sir, I beg to reply. The Kenya Government's proposals for the implementation of the recommendations in the Pratt Salaries Commission have already been announced and are contained in Sessional Paper No. 2 of 1963/64 which was laid on the Table of the House on 11th June 1964 by the Minister for Justice and Constitutional Affairs on behalf of the Minister for Finance and Economic Planning. I suggest, Mr. Speaker, the hon. Member for Hamisi does a bit of homework.

The Speaker (Mr. Slade): No, Mr. Godia, there is really no scope for any supplementaries here.

Question No. 250

RAILWAY: SAGANA/EMBU/MERU

Mr. Njeru asked the Minister for Works, Communications and Power if the Minister was prepared to make representations to the authority concerned for the construction of a railway line from Sagana through Embu to Meru.

The Minister for Works, Communications and Power (Mr. Mwanyumba): Mr. Speaker, Sir, I beg to reply. I am regularly in touch with the future planning of railway development through the Communications Ministerial Committee. If a railway were to be constructed to Meru it is probable that it would be by way of an exten-

[The Minister for Works, Communications and Power]

sion from Nanyuki rather than via Embu. At the present time, however, in view of the developments which have taken place in road transport in the area, and the heavy cost of a railway line, I do not feel justified in advocating the project at the moment.

An hon. Member: On a point of order, Mr. Speaker, is the Minister in order to read in a manner as if he is singing?

The Speaker (Mr. Slade): Oh, yes. Some hon. Members like music, I am sure. All that matters is that he should be heard.

Mr. Anyieni: On a point of order, we did not hear the reply. Will the Minister repeat it.

The Speaker (Mr. Slade): I do not understand that there is anything requiring a reply other than a point of order which I have replied to. Apart from that point of order, I think the Minister had finished his reply. If there is no supplementary we will go on to the next question.

Question No. 255

PORTS VICTORIA AND SIO: REOPENING OF

Mr. Makokha asked the Minister for Works, Communications and Power if he was prepared to make representations to the Railways and Harbours Administration to stress the importance of reopening at an early date the ports of Victoria and Sio at Lake Victoria.

The Minister for Works, Communications and Power (Mr. Mwanyumba): Mr. Speaker, Sir, I beg to reply and I hope Members will not accuse me of singing in answering a question by hon. Members.

The Speaker (Mr. Slade): Do not mind, as long as you make yourself heard.

The Minister for Works, Communications and Power (Mr. Mwanyumba): The reopening of the port of Sio, and the establishment of marine services by the East African Railways and Harbours Administration to Sio and Port Victoria, could only be justified if the traffic prospects were sufficient. Sio was closed down some years ago because of shortage of traffic. If the regional authorities have evidence which indicates that the likely traffic would now justify the restoration of steamer services, I suggest that they put the full facts before the East African Railways and Harbours who will investigate the possibility of reopening these ports on receiving this evidence.

Mr. Makokha: Mr. Speaker, arising from the Minister's reply, could he let me know when the Railway authorities found out that the traffic was not large enough? How long ago?

The Minister for Works, Communications and Power (Mr. Mwanyumba): Mr. Speaker, Sir, I am not able to give the exact date when it happened, but I have said that the Administration is reviewing the traffic in these ports all the time. If it is found to be justifiable for the reopening of these ports, it will be possible.

Mr. Makokha: Mr. Speaker, is the Minister aware that unless ships visit these ports it is not possible to know whether there is traffic or not?

The Minister for Works, Communications and Power (Mr. Mwanyumba): We know whether there is traffic or not because a lot of the traffic is carried by road onto the nearby railway stations. From there we have figures which show that the road transport from areas near Sio and Port Victoria have been so much in a year.

Mr. Mulama: Arising from the Minister's reply, what volume of traffic would be justified?

The Minister for Works, Communications and Power (Mr. Mwanyumba): It is agreed by the East African Railways and Harbours Administration that if we can have cargo amounting to say, 10,000 tons a year, that would be something to justify the reopening of one of these ports.

Mr. Khalif: Mr. Speaker, Sir, arising from one of the Minister's replies, taking into consideration the fact that both the questioner and the Minister are Members of Parliament, would the Minister agree with me that the questioner is right to ask him this question instead of him trying to direct the questioner—

The Speaker (Mr. Slade): No, no, Mr. Khalif, sit down please.

Mr. Khasakhala: Mr. Speaker, is the Minister aware that due to the lack of transport at Sio and Port Victoria most of the cotton grown in this area goes to Uganda?

The Minister for Works, Communications and Power (Mr. Mwanyumba): No, I am not aware of that fact, but I do know that most of the cotton in this area goes by road.

Mr. Murgor: Mr. Speaker, is the Minister aware that we always get ourselves involved when a Minister, instead of giving us information direct, tells us to go back to see the Regional Authorities?

Mr. Jamal: In view of the fact that the people of the area feel that there is enough traffic to justify the reintroduction of the service, will the Minister recommend to the East African Railways that they will send someone there, and check up?

The Minister for Works, Communications and Power (Mr. Mwanyumba): Mr. Speaker, I have said that we review the situation every now and then. If there is any justification for reopening the port, the East African Railways and Harbours Administration is prepared to go into it at any time of the year.

MOTIONS

EXEMPTION FROM STANDING ORDERS: VOTE ON ACCOUNT

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, I beg to move:—

THAT the proceedings on the Vote on Account be exempted from the provisions of Standing Order 144 (6) which requires such proceedings to be taken on an allotted day.

Mr. Speaker, Sir, this Motion is necessary to permit the Vote on Account to be taken today so that money may be granted in good time to enable continuation of Government Services by 1st July.

I beg to move.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Oneko) seconded.

(Question proposed)

(The question was put and carried)

BY ORDER OF THE HOUSE: PRECEDENCE OF BUSINESS, VOTE ON ACCOUNT

The Minister for Health and Housing (Dr. Mungai): Mr. Speaker, on behalf of my colleague the Minister of State, Prime Minister's Office, I beg to move:—

THAT, at this day's sitting, the House orders that Order No. 8: Vote on Account, with all subsequent orders on the Order Paper, shall take precedence over Order No. 7: Ways and Means—Budget Debate.

Sir, this is just a usual procedure, but the Government would like to have funds legally to be running the country while the Budget is being debated by the hon. Members in this House, and for the following Order No. 9 the Government has decided to nationalize Kenya Broadcasting Corporation and we feel that it is important that before 30th June the hon. Members in this House

should have a chance to debate this, so that by the following month the Government will take action on what it proposes to do.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Oneko) seconded.

(Question proposed)

Mr. arap Moi: Mr. Speaker, again we have been presented with an unprecedented matter in this House. Last time the Government suggested an amendment of the Standing Orders in order to enable us to debate the Budget because there were excuses from the Government. The Government again has put forward some other lame excuses which cannot be accepted as to why this House cannot be allowed to debate matters which affect the country. This is one of the things, Mr. Speaker, which some of us resent very much and I think the Government should have taken heed earlier on, before they present to us things which are unpalatable and which cannot be swallowed, particularly the Ministry of Information which they nationalize instead of informing the people in the country first. They are trying to make things difficult which cannot help us very much. Therefore, I oppose the Motion.

The Speaker (Mr. Slade): I should make clear here a point that was not so clear because the Motion was moved by Dr. Mungai. It is quite true occasionally that procedural Motions come out of the head of Government alone, but this is a case where I think the Motion is the result of recommendations from the Sessional Committee, represented by the Minister of State, who is not here. Therefore, it is moved by Dr. Mungai. It has been recommended by representatives of both sides of the House, actually. It is not merely a Government idea.

Mr. Anyieni: Mr. Speaker, Sir, when this Motion is going to take place are we going to allow this kind of Budget again? I did not want to say that the Budget would be closed from 1st July.

The Speaker (Mr. Slade): The House will still have, some time or other, the full periods allowed for discussion of the Financial Statement and Estimates. You will not lose any time by this in the long run.

Mr. Kamau: Mr. Speaker, Sir, I would like to say that as we are the Government we do not like to say that we are expecting that the Government could do something else. I think what the Members of this House are trying to say is that such kinds of votes be discussed. We should as Members who are representing the people of this

[Mr. Kamau]

country be very clear and very knowledgeable that if we come to allow such an order to be discussed it is going to refuse us to debate fully any item of the Accounts if we in this House say that this does not benefit the country. So we would request the Government or the Minister concerned, if we allow such a vote to be discussed, not to say that we will not debate the Budget fully. It must be very clear that whatever we vote the money for it will be wisely spent for the benefit of the people. Therefore, Mr. Speaker, I support the Motion provided that we are allowed to discuss the Budget fully.

Mr. Ngala-Abok: Mr. Speaker, Sir, I support the Motion provided that we are able to discuss the Budget fully with the Estimates and all other selected items. But there is a likelihood that we may not discuss it as such because of rumours that Parliament may be adjourned for some time and that when it comes towards the end of the year many of the items, particularly votes on the Ministries, may be steam-rolled like before. This should not be like last year, when we had to stop discussing many of the items, because the Government was busy at that time. But what I am concerned with is whether we shall discuss the votes of various Ministries item by item. Otherwise I wish to support the Motion.

The Speaker (Mr. Slade): Exactly what is provided by our Standing Orders, with regard to discussing the Budget, is this. Our Standing Orders lay down an exact number of days for discussing the Financial Statement, and then a certain number of days for discussion of the Estimates. Those days are fixed in number and you are entitled to them whatever happens, and they have to be used up before a certain date in October. That is absolutely fixed in favour of the House for all Members who want to discuss the Budget. How long you spend on discussing a particular Head in the Estimates is your concern. You may spend all the fifteen days allotted in discussing the Prime Minister's Office. If you do so there would be no time left to discuss anything else. You may spend only a day on each Head and get through a great number before the fifteen days are up. You still have fifteen days. You have fifteen days regardless of whatever comes into the House. It is only a question now of what order we take the business of the House in, because our rules do lay down that normally the debate on the Financial Statement takes precedence over anything else. But it is a question of when we do it, not how long we have.

Mr. Murgor: Mr. Speaker, Sir, I rise to support the Motion but at the same time I want to make three comments on this Motion. This debate,

Mr. Speaker, is one of the most interesting debates. This is an important Budget, and as it is for the second time, most of the Members know the procedure of this House. To cut this and get into something else will cause them dissatisfaction, because some of our friends seem to think that there were heated debates and some of our friends who want to speak on this Budget debate might lose their heads. I think in future we would rather like to have something because as my friend, Mr. Ngala-Abok, has said, we have heard some rumours that Parliament might adjourn sometime and that will again give us another delay, and we would like to know.

With these few remarks, Mr. Speaker, I would like to support.

Mr. Muliro: Mr. Speaker, Sir, I think the hon. Members in the House must decide and move ahead. This was brought before the Sessional Committee and the Sessional Committee believe that the Bill must have precedence over the Budget in order to come into operation on July 1st.

An hon. Member: But it never told us about it.

Mr. Muliro: We should be told, we are your servants.

Now, Sir, we agree that we have to take the Vote on Account because the Government—This month, Mr. Speaker, is the only one that is affected. If the hon. Members were to take down the Estimates under any head at all they have the fifteen days in which we can debate that and it is up to us how long each Member in this House would be able to speak on one particular head, as, Mr. Speaker, you have already said, and I think this system we should know about ahead. Some hon. Members are worried that the Parliament will be adjourned for quite a long time. I think, Sir, this is a worry which is in the minds of the hon. Members of this House and it is because the Government is trying to undermine the dignity of the Parliament. If the dignity of the Parliament was not being undermined, then hon. Members would not be having these serious thoughts in their minds. I think, Sir, we should put the question and get ahead with the business of the day.

Mr. Shikuku: Mr. Speaker, Sir, with all due respect, of course we have people serving us on this Sessional Committee but that does not mean that we as hon. Members here are not entitled to give our views about what we feel they have done. In this case, Mr. Speaker, I go along with those who have had that thought of this Parliament being adjourned. I have already come across this myself, Sir. But if the hon. Ministers in the

[Mr. Shikuku]

Government, particularly those who are concerned, can assure this House that this is not going to happen, namely, that the House is not going to adjourn indefinitely, then they will have no trouble with this. We would like to have that guarantee because it so happens that at the moment we can hardly trust the Government. Mr. Speaker, I beg to support.

Mr. Khalif: Mr. Speaker, while supporting this Motion I would like to say one or two things. In the first place I agree with the Government that Order No. 8, Vote on Account, should take precedence over Order No. 7, but still, Mr. Speaker, what I do not understand is why Order No. 8, Vote on Account, should take precedence over all other subsequent Orders on the Paper for today.

The Speaker (Mr. Slade): As no other Member wishes to speak, I will call upon the Mover to reply.

The Minister for Health and Housing (Dr. Mungai): Mr. Speaker, Sir, I would like to assure the hon. Members that the Government would like this Parliament to meet regularly and I would like to assure them that we are not going to undermine the dignity of its hon. Members as we ourselves are hon. Members too. We also consider that we have dignity together with the rest.

Secondly, I would like to let the House know that it is very important to have the funds to run this country properly from July 1st, otherwise, if it is not passed by this House by that time there will be no money to run the country, and I am sure the hon. Members think it is very important to have this money. Finally, we are going to follow the laid down procedure and we are not going to try to undermine anything at all in this Parliament.

Mr. Speaker, Sir, I beg to move.

(The question was put and carried)

COMMITTEE OF SUPPLY

(Order for Committee read)

[The Speaker (Mr. Slade) left the Chair]

IN THE COMMITTEE

[The Deputy Chairman (Mr. Slade) took the Chair]

MOTION

VOTE ON ACCOUNT

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, I beg to move:—

THAT in accordance with section 124 of the Constitution the withdrawal from the Consolidated Fund of the sum of £21,523,980 made up in the manner set out in the Vote on Account laid before the House of Representatives, be authorized for the purpose of meeting expenditure necessary to carry on the services of the Government of Kenya during the year ending on the 30th June 1965, until such time as the Appropriation Act for that year comes into operation.

SCHEDULE

Estimate showing the several services for which a Vote on Account is required for the year ending 30th June 1965:—

Vote No.	Service	Total Net Estimate	Voted on Account
		£	£
1	The State House	38,400	16,000
2	Judicial	303,600	126,500
3	National Assembly	316,400	150,000
4	Exchequer and Audit	71,400	30,000
6	Public Service Commission	19,200	9,000
6	Prime Minister's Office	560,900	235,000
7	External Affairs	673,500	336,000
8	Ministry of Internal Security and Defence	45,450	19,000
9	Police	3,624,900	1,510,000
10	Kenya Armed Forces	2,826,600	1,180,000
11	Ministry of Home Affairs	2,005,700	840,000
12	Ministry of Justice and Constitutional Affairs	119,000	50,000
13	Ministry of Finance and Economic Planning	620,500	210,250
14	Salaries Revision	400,000	300,000
14A	Payments to or on behalf of Regions	5,050,000	4,200,000
15	Ministry of Health and Housing	1,429,800	596,000
16	Ministry of Education	2,801,600	1,170,000
17	Ministry of Agriculture and Animal Husbandry	1,460,000	610,000
18	Ministry of Local Government	250,400	105,000
19	Ministry of Commerce and Industry	161,500	68,475
20	Ministry of Works, Communications and Power	2,087,300	870,000
21	Ministry of Labour and Social Services	666,700	280,000
22	Ministry of Natural Resources	1,097,500	460,000
23	Ministry of Information, Broadcasting and Tourism	204,100	85,000
24	The Voice of Kenya	220,000	92,000
25	Ministry of Lands and Settlement	252,000	105,000
		£27,306,450	13,653,225
	Development	15,741,510	7,870,755
	TOTAL	£43,047,960	21,523,980

Mr. Chairman, Sir, hon. Members have received copies of the Vote on Account which was laid on the Table on the 23rd June. It will be seen from this paper that the House is being asked at this stage to vote one-half of the proper sum required for the purposes of the Government during the coming financial

[The Minister for Finance and Economic Planning] year. Details of the various Votes are contained in the 1964/65 Estimates which were laid on the 10th June. The House, will of course, have full opportunity for discussion of the Vote when we go into Committee of Supply. As the Annual Appropriation Bill will not be passed until after the commencement of the 1964/65 Financial Year, it is necessary in the interim period to have authority for the continuation of the existing Government services. In accordance with section 124 of the Constitution, in accordance with the normal procedure the Vote on Account will not be used to cover expenditure on new services.

Mr. Speaker, Sir, I beg to move.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Oneko) seconded.

(Question proposed)

(The question was put and carried)

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Chairman, Sir, I beg to move that this Committee doth report to the House its consideration of the Resolution on the Order Paper and its approval thereof without amendment.

(Question proposed)

(The question was put and carried)

(The House resumed)

The Speaker (Mr. Slade) in the Chair

REPORT

VOTE ON ACCOUNT

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, I beg to report that the Committee has considered the Resolution and have approved of the same without amendment. I beg to move that the House doth agree with the Committee in the said Resolution.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Oneko) seconded.

(Question proposed)

(The question was put and carried)

BILL

Second Reading

THE KENYA BROADCASTING CORPORATION (NATIONALIZATION) BILL

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Oneko): Mr. Speaker, Sir, in moving the Second Reading of the Kenya

Broadcasting Corporation (Nationalization) Bill, it should be noted that the future of our medium of information has been discussed in and outside the House. It has been known as the K.B.C. but I hope hon. Members will take a decision to change the name to a reasonable one; one which the Members will probably have already read about, that is, the Voice of Kenya.

Mr. Speaker, Sir, before I give the full details and the historical background of the K.B.C. I would like the hon. Members to join me in recording our appreciation of the Committee of Inquiry which was composed of very capable, intelligent and competent persons who have served the people of Kenya in various capacities, under the chairmanship of Mr. Benna Lutta, who was, at that time, Deputy Legal Secretary of the East African Common Services. The members of the Commission were Mr. O. G. Wheeler, formerly Chief Accountant and later Acting Under-Secretary in the Kenya Ministry of Home Affairs; Dr. E. N. Gakuo, Economist and Public Relations Officer to the East African Tobacco Company, who is now General Manager-designate of the East African Railways, and probably will be taking over control of the Railways and Harbours; Mr. Pranlal Seth, barrister, businessman and journalist from Kisumu. The fifth person was Mr. R. E. Guthrie, formerly Solicitor-General and Permanent Secretary for Legal Affairs, who had to cut short his stay in Kenya as he was proceeding on terminal leave to Britain. It must be noted, Mr. Speaker, that the members of the Commission were persons of integrity, persons who have served Kenya in various capacities in various ways.

Mr. Speaker, the Kenya Broadcasting Corporation was created in 1961 by the then Colonial Government. It became a statutory body and was charged with grave responsibility. Its task was to form an independent broadcasting service to give information to the peoples of Kenya, and also to broadcast on educational matters, to provide entertainment and to advise the Government on matters relating to broadcasting. One may appreciate the position at that time. I think the independent corporation of that nature fitted well with the colonial day and the Members will have to ask themselves whether the independent Corporation would be capable of advising an independent Kenya; whether it would be capable of serving the nation, a free nation, an independent Kenya. It was also the duty of K.B.C. to be somewhat impartial and to advise the leading communities in Kenya. I think, Mr. Speaker, at this stage we should never forget the question of different communities, there is only one community in Kenya

[The Minister for Information, Broadcasting and Tourism]

and that is Kenyans. Therefore, the day when we had the Europeans, the day when we had the Indians, Arabs and Africans, that day is gone. Whoever is in Kenya today can only fall within two categories, the Kenyan; and those who have come to stay in Kenya for whose services are needed in one way or another. The people of Kenya know this themselves.

Mr. Speaker, Sir, at that time the House was assured that the K.B.C. would not cost Kenya more than the old K.B.S. cost Kenya to run. The cost of running K.B.S. was only about £138,401. This assurance was necessary because to run television and even the radio side was very costly. The House was given very good assurances and. Mr. Speaker, if you would allow me to quote Mr. R. O. Henning, who made a very important statement as regards the financing of the Corporation. He said: "If television is to be introduced it must cost the country nothing. If that could not be achieved, then television must wait." I would like the hon. Members to take very serious note of that because of what I am going to say. After that, there was formed a company known as the Television Network Ltd., which comprised of the following international companies. This is also very important, Mr. Speaker, because this company is comprised of outsiders or outside international interests like the Television International Enterprises Ltd. (England); the Scottish Television Ltd.; the National Broadcasting Co. Inc. of America; the Independent Television for South Wales and the West of England Ltd.; the 20th Century Fox Film Company; the Nakuru Press Ltd.; the Northern Broadcasting Company of Toronto Ltd.; the East African Newspapers Ltd.—probably the Members do not know that this is the *Nation* and the *Taifa*—and so on.

The Members will now appreciate why the Government has come to this decision. A formal agreement was concluded between K.B.C. and the consortium. Under this agreement the consortium agreed to provide the necessary capital as follows: they agreed to raise bank overdrafts to the tune of £117,000 as well as manufacturers' credits worth £115,000. They also undertook to provide equipment and programme material and to assist in the training and selection of personnel. In return, the consortium were to be paid, or they expected to be paid, as follows—and here I would like the Members to take their pencils and papers and work out the figures for themselves—first, £5,000 per annum payable in London, initially for the period ending June 30th 1963, and thereafter to

be payable to them at such a rate as would be agreed with the Corporation. Secondly, they were to receive 7½ per cent of all net revenue accruing from advertising on radio or television which they had initiated and completed. Thirdly, they were to be paid fifteen per cent of the Corporation's net advertising revenue from the television, in other words, fifteen per cent over and above the seven and a half per cent which I have already mentioned. Fourthly, they were also to receive fifteen per cent of the net advertising revenue accruing to the Corporation each year in excess of £100,000 from radio. Fifthly, this was not all, they were also to be paid a commission of six per cent of the net advertising revenue received by the Corporation each year up to £100,000. Mr. Speaker, Sir, the gist of all this, as the hon. Members have now realized, is that the Corporation originally conceived was to develop into a sort of goldmine at the expense of the taxpayers. Despite the financial difficulties which arose almost immediately after television was introduced, the Corporation has fulfilled most of its obligations. The service was introduced on 1st October 1962, and after a few months the then Government experienced some difficulties. One can attribute it to the instability at that time when there was very strong political campaigning. The other reason was due, of course, to advertising: failure to get advertising experts to help.

Therefore, this meant that advertising revenue did not reach the expected target and was in fact seventy-four per cent below the estimates during the first year of operation. These are the facts, and they were due in the first place to the political instability in the country. However, I contend that this should have been foreseen, and more realistic and accurate estimates of the likely revenue should have been taken into account before the operation started. Mr. Speaker, as things turned out, by 30th July 1963—and that was a very critical time in our history because we were all almost one month old—the operating deficit on television alone was estimated at £71,000 and on the radio side it stood at £21,000.

To offset their shortfall on radio, the Government of Kenya assisted by giving a cash loan of £20,000 to the Corporation, but no payment was received at that time to redeem the loss on the television side. By September 1963, Mr. Speaker, the financial position of the Corporation was very serious indeed, and we were faced with only one thing: and that was, to wind up the Corporation. We were taken by surprise and, therefore, the Government had to decide one way or another. That is why the Government had to consider its position, and go into details by

[The Minister for Information, Broadcasting and Tourism]

appointing a Commission of Inquiry. The Government agreed that extra payments of about £69,100 should be released from public funds to keep the Kenya Broadcasting Corporation going because if they did not do so then it would have been impossible to have proper coverage to popularize our Kenya Broadcasting Corporation in and outside Kenya. The Corporation also received a cash loan of about £50,600 from the contractors to help solve this crisis that had developed. At the same time the contractors approached Government to discuss long-term policies, but the Government thought that it was not right at this stage to have dealings on this basis, and so decided to go into the whole thing—the whole administration and the financial position of the Corporation in order to determine what had really gone wrong with the Corporation.

The Commission of Inquiry was appointed by the Governor-General in October 1963. It submitted its report after two months. At the time we received the report, we were again approached with another request and this time it was very serious because it was in the month of December when we were told that unless there were more funds forthcoming the Corporation was going to close down. Therefore, the Government agreed to advance an extra £40,000 to keep it going. This amount lasted the Corporation until January 1964, when again it became necessary for me to apply to the House to approve a loan of £200,000 to enable the Corporation to continue functioning until next week—that is, until 30th June 1964. To date the loan of £200,000 which I have already mentioned has been almost completely drawn and with the amount almost used up, we shall have to require to budget for 1964/65. Once again the House will have to approve the Appropriation.

Well, to sum up, Mr. Speaker, and please allow me to refer to my notes. Since May 1963, the Government made the following payments available to the Corporation: a loan of £20,000 to offset radio deficit during 1962/63; a sub-vention of £165,000 approved in our Budget 1963/64; a loan of £200,000 approved during 1964. This is a total of £385,000 made available within the past thirteen months.

Taking that into consideration, Mr. Speaker, and with assurances given to the House before the operation of Kenya Broadcasting Corporation on television, it means that the contractors did not fulfil their obligations. They did not respect the undertaking. Therefore, the Government was

a bit concerned and only faced with one thing, and that was, to come to the House with this Bill to have the whole thing under the control of the Government, that is, to have the Corporation nationalized. The agreement between the Consortium and the Corporation was unsatisfactory, because, for one thing, it failed to produce the necessary working capital for the television as was expected by the Government, and it also lacked, or it did not contain a break clause which would have strengthened the hands of the Corporation to terminate the agreement.

Mr. Speaker, the Government also considered that it was a mistake to have a structure like Kenya's broadcasting organization so that it became more or less a commercial enterprise for foreign financial interests. This has tended to give the Kenya Broadcasting Corporation a character which is not fully in keeping with the nationalist spirit of Kenya; a character which has been out of step with Kenya's policy of non-alignment. The official broadcasting service of Kenya must reflect the mood and the feeling of the people, as I have already said. Mr. Speaker, when I talk about the people of Kenya, I do not know whether there are some people who are doubtful of their nationality and originality. Mr. Speaker, Sir, this, in fact, means that we intend to continue to allow the broadcasting service to serve, and to be used, by both the Government and the Opposition as well as by other lawful organizations in our society.

Mr. Speaker, as regards the future, the Government proposes that Broadcasting should become a department of Government, and that it will be controlled by the Government, and Government will supply funds to run it. The old Board which was controlling it will have to be removed and we shall have a Broadcasting Committee to advise the Minister of the programme policy and the Cabinet will advise the programme and ensure that the services as a whole meet the wishes of Kenya. We propose, Mr. Speaker, that these decisions should take effect from next week, that is, 1st July 1964. This date has been suggested because it is the beginning of Kenya's new financial year, and it is convenient for other administrative purposes. K.B.C. would be required to close its accounts on 30th June 1964 and hand over to the Government at the beginning of the new financial year. The Government has made it clear that legitimate compensations will be paid to the consortium and that the Bill does make provision for the amount involved to be assessed either by negotiation or by an Arbitrator appointed by the Governor-General. I think, Mr. Speaker, this is a very generous gesture by

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the Government which shows that the Government is composed of intelligent leaders who respect the constitution of our country.

An hon. Member: How much?

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Oneko): Mr. Speaker, I do not think it is right to ask me how much because it is clear by what I have said already that the Corporation which was sometimes being advised by the Government had fulfilled most of its obligations while the consortium which was composed more or less of outsiders failed fully to meet or to fulfil some of their obligations.

Mr. Speaker, I would like to assure the House at this stage that everything possible has been done to facilitate the transfer to Government of the K.B.C. staff. A Committee of officials representing the Treasury, my Ministry, and the Directorate of Personnel has worked hard in order to effect the transfer of all existing K.B.C. personnel into Government service. The proposed terms of transfer have been worked out and discussed by the K.B.C. Board.

In conclusion, Mr. Speaker, I would like to state that it became apparent to us that the setting up of K.B.C. as an independent body was rather hasty, and it is right for somebody like myself who has worked with the K.B.C. for almost a year—Mr. Speaker, this twelve months is not a short period to study the situation. It is true that the starting of K.B.C. was done rather hastily, probably because the outgoing colonialists thought that the best thing would have been to make K.B.C. somewhat independent so that they could exploit the existence of it. There is no doubt that the Corporation was created without properly agreed capital structure to enable it to operate smoothly without frequently turning to Government for aid. The result has been that the Government has subsidized television and radio more heavily than was anticipated, when the Corporation was being formed. We also believe that for political reasons this Nation cannot afford to have its broadcasting medium controlled by an independent organization especially where such an organization has interlocked interests with outside people.

An hon. Member: On a point of order, Mr. Speaker, is the hon. Minister for Information, Broadcasting and Tourism in order in not looking towards the Chair?

The Speaker (Mr. Slade): That is the third time in the last fortnight that I have had to rule on this. Hon. Members are expected to address the

Chair, but that does not mean to say that they have to undergo the trouble of looking at the Chair all the time.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Oneko): Thank you very much, Mr. Speaker. In fact, I am looking at the House.

Indeed Kenya is believed to be the only young nation in Africa and Asia where broadcasting is controlled by an independent body. We do not agree that this should remain so and we do not agree that this should continue. In Britain, where we have been told that B.B.C. ranks as an independent body, it is run entirely in the interests of the British people for instance, today, Uganda, Kenya and Tanganyika were to organize a company to run the B.B.C. it would cause hell Great Britain, and therefore, Mr. Speaker, I think it is very unfair for independent Kenya to have its medium of information organized, advised and run by outside interests as I have already said.

I have mentioned also the question of staff. I would like to say that the position with regard to staff is being taken care of, and we shall see that they are not badly off. Everything will be taken into consideration, and they will be allowed time to opt to Government Service. They will feel secure, they will be given more security. As you know, Mr. Speaker, the Government gives more security than anybody else.

Mr. Speaker, while moving that the present K.B.C. be replaced by the Voice of Kenya, I wish to take this opportunity to pay tribute to the capabilities and the hard work of the broadcasting staff, and I know—

The Speaker (Mr. Slade): Order, order. There is far too much conversation there.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Oneko): Mr. Speaker, they intend to confuse me. Thank you very much for helping me.

I know that they will continue to apply themselves diligently to the development of a service to Kenya, and I hope they will continue to enjoy their services and be proud of their country.

Mr. Speaker, it is very difficult for some of us to realize how important the Voice of Kenya is. This medium of information is a most powerful weapon which, if misdirected as it was originally planned, can cause great damage to the country. In a young country like Kenya, radio and television are powerful weapons which should be understood that in taking over the K.B.C. our primary objective is not profit-making, but rather

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that these powerful weapons should become instruments for the constructive development of our country. We want to use them to educate our people, to popularize our Government's programme and our people's activities, and generally to keep the people of this nation adequately informed. It is not the intention of our Government to work against anybody or any loyal society; and loyal societies includes the Opposition.

Mr. arap Moi: That is lip service.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Oneko): The staff of the Corporation realize this and they are supposed to be loyal to Kenya but not loyal to individuals or to parties. They are supposed to be loyal to our Government.

Mr. Speaker, I beg to move that the Second Reading of the Kenya Broadcasting Corporation (Nationalization) Bill be passed without opposition.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): I second, Mr. Speaker, but I reserve my right to speak later.

The Speaker (Mr. Slade): Before proposing the question, I must point out that there is a serious omission in this Bill as I see it. Standing Order 87 provides that every Bill shall be accompanied by a Memorandum containing a statement of the Objects and Reasons of the Bill, and if expenditure of public money will be involved if the Bill is enacted, an estimate where possible of such expenditure. The Memorandum here, although the Bill obviously involves considerable expenditure, makes no attempt to estimate the cost. I imagine we should have noticed this earlier when the Bill was published. In any case, I think less harm is done on this occasion because we have before us the Estimates of Expenditure for the coming year in which this will doubtless be discovered. I think it would be a great pity to delay the Second Reading on account of what on this occasion is a technical matter, but I would ask the Minister to draw the attention of the Attorney-General to this point for the future. It is a rather important provision.

(Question proposed)

Mr. arap Moi: Mr. Speaker, Sir, this Bill is a very serious one, very serious because of the matter you have just raised and because of the thousands of pounds which are involved; most of us would have liked to have seen this money

used elsewhere rather than utilizing this organization as a means of propaganda for the Government.

In his speech, the Minister referred to various points. I quite agree with some of them which reflect the intention of the nation, but I cannot agree with his action in practice. That is where we differ. This is something which the Government of Kenya ought to take very seriously, not only by making statements but by action. The people in the country are fed up with propaganda which in itself is empty, it carries nothing. People hear over the radio that something is being done, but when it comes to the realization they are found to be empty slogans. The Minister for Constitutional Affairs normally refers to matters of that magnitude as empty slogans. I think this is a very good example of what the Ministers always tell the House.

I realized that the Minister for Constitutional Affairs, by saying that he reserves the right to speak later, knew that there would be arguments advanced which it would be impossible for the Minister to answer. I am not surprised at that, but there are many matters which are referred to in the Bill. I said that I agreed entirely with the Minister when he said that we should do things which are in keeping with nation building, but I want to say that the Government is not doing things which are in keeping with the spirit of *Harambee* about which they have talked so often. If the Government intention was going to be applied at the right time, they should have spent the 385,000 to enable Africans to be employed elsewhere and not to be spent on nationalizing it when nothing is happening to assist our people. This is very important. I know that some people will say that they want to know what our Government is doing, they would like to know what is happening, but I would like to challenge the Minister.

[The Speaker (Mr. Slade) left the Chair]

[The Deputy Speaker (Mr. De Souza) took the Chair]

The Minister has failed totally by not giving publicity to the activities of the local authorities or the Regions. The regional information services are not there; they say there is no money, whereas at the top level there are so many people at headquarters and I do not know what they are doing. They even have inefficient journalists.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): They do not write about you, you mean.

Mr. arap Moi: I do not care. I am still popular. I do not require his support in order to be popular. A man is only popular when he acts

[Mr. arap Moi]

sincerely and in keeping with the national aspirations. Therefore, Mr. Speaker, when the Minister stated that we want the nation to be cared for, to grow, and not to be hampered by foreign agents, I wondered. Is the Minister doing anything to destroy tribalism in his Ministry? We often talk of tribalism as if it emanates from the Opposition. It does not. It emanates from the very Government which is trying to cover, to cloud, the real issue. I said before that I do not object to any tribe at all, but I object to the intention, and I would like the Minister to answer in the House when he replies to this Motion, why out of fifteen people, ten of them are Luos. I am not against Luos. This is fifteen people who are holding executive posts. I am not against Luos at all, but I want to know the intention of the Minister, whether that is his policy. If that is his policy, then we should be told.

I also want to know why two chaps—and I want to refer to this later, and I know he will attack me although I do not know whether he will have any grounds at all—have experienced efficiency the way they have done. There were two chaps, one called Chevanga who has been working in this Ministry. He was sent down to the Rift Valley Regional Headquarters where there is nothing to be done, absolutely nothing.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Did he send you here?

Mr. arap Moi: Never, why? I made the statement. Chevanga is an individual, he is not a Kalenjin, he is an individual. Another person was called Wangohu Nganga, he was a sub-editor in the Kenya Broadcasting Corporation and he was brushed aside. When Government talks of efficiency, how can that efficiency be reflected in these Ministries? If that is the case, then we must either overhaul the Government, or they themselves should rectify all these anomalies and all these actions which reflect tribalism. If the Minister denies that, I hope he will not try to cover it up. When we talk about nationalization, I do not object to it if it comes genuinely from the heart of the Minister, in keeping with the thinking of the people generally, but we always use the word people. That is the communistic way of mentioning things.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Oneko): The Luo?

Mr. arap Moi: I have said all along that I do not care for these outside ideologies. They are spoiling the country, and instead of every individual Member worrying himself as to what

should be done for the ordinary man in the street, they are worrying about outside forces. Here we are told we are non-aligned. With regard to this question of non-alignment I do not see it. Unless one is blind, you have either to side with one person or the other, let us not kid ourselves.

The Deputy Speaker (Mr. De Souza): Order, Mr. Moi, you are going too far away from the Motion.

Mr. arap Moi: I do not think I went outside the theme because the Minister said we are trying to be a non-aligned country, and therefore we want to be independent. That is why I am saying that no one should suggest that we are completely independent of other people. One must frankly and sincerely say that; it is no use hiding, because in time when things are discovered we will look fools, so the best thing is to be frank and say things which are in keeping with the trends of events of the day.

Therefore, Mr. Deputy Speaker, I say that with regard to this Bill, when the Minister thought of nationalizing the Kenya Broadcasting Corporation, he should have first thought of the ordinary African who at the moment is lacking employment, and then subsequently in a year or two, consider nationalizing the Kenya Broadcasting Corporation, after some experience. I hope the Government will not use this organization as a means of propaganda to suppress the Opposition or other people who would like to say genuinely what they want to say. If the Government is afraid of criticism, then they must openly say today, "Gentlemen we are afraid of criticism and we must shut the mouth of everybody." If that is the intention, then the Government or the Minister himself must be ashamed of himself.

Furthermore, I would like to suggest very seriously that this Ministry should be pruned until there is one director and few staff handling the news and not three directors, a permanent secretary and three parliamentary secretaries. What are they all doing in that Ministry? Mr. Deputy Speaker, the Minister for Constitutional Affairs thinks I have gone outside the Bill. I did not in fact. I know that one of the Parliamentary Secretaries is dealing with Tourism, but at the same time, I think, the Minister ought to consider seriously pruning the staff and strengthening it at the regional level. That is a sensible suggestion.

Mr. Deputy Speaker, with these few words I beg to oppose.

Mr. Anyieni: Mr. Deputy Speaker, Sir, personally I was thinking that the Kenya Broadcasting Corporation was being nationalized on 12th

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December 1963. I say this because in the Colonial days, the Imperialists, used the radio to broadcast very abusive language to the people who are leading this country today. I did not know of the word neo-Colonialism but I knew of it when the Kenya Broadcasting Corporation was taken into private hands. The Imperialists thought once Kenya was going to have independence, they might be able to stay here to influence our people and our way of life and our ideology; what we do now is ask for help from corporations all over the world; we have people from Canada, America, Britain, all of them wanting to buy the voice the African people are supposed to hear.

Before I say any more, I must thank the Minister very much for having introduced this Motion here today. If you read of any *coups d'état* in countries, you hear that the régime that is coming first of all takes the radio. We know it from Zanzibar. Okello took the radio and Okello started to use the radio. Here, Mr. Speaker, our Government was deprived of this, and the imperialists must be very ashamed today for the iniquities they did to deprive our Government of the voice it needs to tell the masses what they want to do for the country.

Mr. Speaker, the source of information is also very important. The source of information as we have understood was from the papers, the local imperialist papers. I must call them. These imperialist papers, the owners are not Kenyans. The owners of these papers live outside our country, the big shareholders, and so they do not mind what happens to our country at all except that they can sell the papers so they can write anything very destructive to our country, just because the paper will be able to sell because people want to read something fascinating. So, Mr. Speaker, I think the Minister has done very well to nationalize the K.B.C., but the Minister now should be able to tell us how is he going to effect one thing, and that is this: in the evening the people in the country will be hearing something in the radio. How is he going to make people read the same thing the following morning? Are the people going to listen to a different thing in the evening and then in the morning the imperialist papers will write something different? We would like to know how he is going to effect this. Is he going to allow this, and then our people will be confused, because when our people see these papers, they think these papers speak the truth. And then when they hear from the radio, they think the radio speaks the truth. Now, it is going to be difficult for our people to be able to discern

what is right and what is wrong. So we would like to know what the Government is going to do with these imperialist papers.

Mr. Speaker, the policy of the K.B.C. has been very imperialistic. You hear them speak, they tell us of people who have run from East Germany to West Germany. They hammer on this, telling the people that Communism is bad, that Socialism is bad. They do not even tell us the complete opposite of Communism, they do not tell us the complete opposite of Socialism. They tell us of Socialism and freedom as if there is no freedom at all in the Socialist countries. When they want to speak of Socialism, they should be able to speak also of capitalism. We do not want the radio to be telling our people wrong things, and I hope the Minister will be able to use the radio to tell the masses what the masses would like to know.

Mr. Speaker, the policy of our Government is that of neutralism and the Minister has just mentioned it. Now, neutralism means that you do not use your radio to say something against your friends, but we have heard now and again the imperialist radio describing our freedom fighters in South Africa as being rebels, our freedom fighters in Angola as being worse; they use all the dirty names they know. Now, we would like to hear from the day we approve this Bill—I do not know whether it will be tonight—the radio refer to our freedom fighters in Angola as the freedom fighters of the African cause, and to refer to the Portuguese régime in Angola and to the Boers of Southern Rhodesia as the enemies of the devils in the African soil. We would like to hear that in the radio.

Mr. Speaker, we do not want to hear very good terms being used about these people who are molesting our people. This is very important because our people would like to know. There are two people. The other day I went home and people were asking me: "This Mandela, he is a very bad man. Why is he fighting Government? He is a very bad man. Why he is fighting Government? It is very good that he has been imprisoned, we wanted him to be killed." I told them: "But look, my friends, this Government, the independent Government of South Africa you are hearing about, is not the Government of the people. It is the Government of the imperialists." I told them that it was as if in Kenya the settlers were given *Uhuru* and the Africans were made to do these things. So they said: "Is that the case? Then this Government is very bad. Mandela is very good." These are some of the things which our people are not made to understand, and we would like our radio to be

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used correctly so that they can inform our people in the country that these people are fighting for the things that we in Kenya fought for a few years ago.

I would like also to say that there has been a lot of indoctrination in the radio, and from now, since the manifesto of Kanu, do not call it a slogan, it is written in this, the ruling party's manifesto, that this country is going to be a socialist country. I hear some people terming it African democratic socialism. We would like them to define what it is in the radio now we have got the radio. We would like them to define it so that our people may understand what it means.

Mr. Speaker, there is a reference to the languages which will be used and they will be Swahili, English and Hindustani. I oppose very strongly anybody opening his radio and then listening to the Hindustani language. He will think he is in Bombay. This is not Bombay. Our language here is Swahili and the second one is English; we have agreed. So we should be able to maintain only Swahili and English in our broadcasting. If there are some Asians who have refused to learn Swahili, to learn English, these Indians can go to India where they can listen to their own radio. If they do not want to go to India, they should buy radios, pay taxes to the Kenya Government and do not open to listen to the K.B.C.; they can open to Radio India, or whatever it is called, I do not know.

Mr. Deputy Speaker, someone is telling me racialism. You will know that we have a lot of Africans, for example in America, who have been made to speak English. They do not speak their languages there, and if these people here are a mere minority they should be able to speak the language of the people of Kenya. After all, Swahili is not my language; it is not a Kisii language. English is not my language, but these are the languages accepted by the people. So, Mr. Speaker, in the Voice of Kenya we do not want to hear someone open the radio, this is the Voice of Kenya and be very sorry to hear the Hindustani language. This will be misleading, it will be like walking into Government Road and thinking you are in Bombay.

I would also like to say that the broadcasting we listen to in the radio, most of it, 9 per cent, of the broadcasting from Kenya Broadcasting Corporation is about Nairobi, Mombasa and all the big towns only. We are here today to approve the nationalization of Kenya Broadcasting Corporation. Now, the majority of the Members here come from remote areas. If we asked those

who came from big towns to stand up, I think very few of the Members of Parliament today come from towns. The majority of the Members of Parliament today come from remote areas. Equally, Mr. Speaker, it means that the majority of voters and the majority of the people who listen to the radio are from the remote areas, from the small villages. I would like to ask my Minister to do something so that people are able to listen, so that my people in Kisii can listen to what is going on in Ngala's constituency, so that Ngala's constituents are able to listen to what is happening in Anyieni's constituency, so that they can know what is going on. But what our people are meant to learn is only what is going on in towns. We hope that the country will be given a chance now that the radio is a Government radio.

The Deputy Speaker (Mr. De Souza): I do not want to stop you, Mr. Anyieni, but the hon. Mr. Ngala and the hon. Mr. Anyieni.

Mr. Anyieni: I am sorry, I am sorry, Mr. Deputy Speaker. I did not mean to not use the word, "hon.," Mr. Deputy Speaker.

What I am saying, in addition to what I have already said, is that the Minister should listen very carefully now, otherwise a few days later we may bring a Motion here to return back Kenya Broadcasting Corporation to private hands. This the Minister must be very careful about.

Mr. Deputy Speaker, we come to Parliament here and we speak, sometimes the Back-benchers and even the Opposition make very, very constructive speeches. The country would like to hear something, but the attitude of the imperialist Kenya Broadcasting Corporation has been—I do not know whether they wanted to appease the Ministers so that the Ministers would not nationalize it—to give prominence. Even if our Ministers speak nonsense, they give it prominence, they go and correct it, they put very sweet words, and they tell the masses. We would like to tell our hon. Minister that I hope that today you are not asking us to shut up our mouths. I hope that is not what you are doing. I hope the Minister concerned will give due prominence to the views expressed in this House and outside this House, views that are very constructive. When we say views that are very constructive, who is the judge? If the Minister is going to be the sole judge, probably we should consult him before we come to speak here. I hope the Minister does not expect hon. Members to go to the Minister and consult him before they come to speak. I hope the Minister will give due prominence to the views expressed, particularly in this House. There was a period in the last

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session when a report on what went on in Parliament was given in Kenya Broadcasting Corporation. I have not been hearing it of recent time. I do not know whether it is because I have not been listening to my radio.

An hon. Member: It is going on.

Mr. Anyieni: It is going on? That is very good.

Mr. Muliro: Very perverted.

Mr. Anyieni: Very perverted? Thank you very much. Mr. Deputy Speaker, those are words which have been put into my mouth, they are the hon. Member's. We would like this period to continue and we would like every Member to be reported. Even if a Member speaks nonsense, and this is a period for nonsense we listen to, we should be able to tell the people, so that the people who elected his Member will say, "Hey, is this all our Member can speak. He spoke nothing." But please do not go and distort because you may make him lose the election next time!

Mr. Deputy Speaker, I know the imperialist papers may not go into all these things, but these things are important because our people would like to know what is going on.

With those few words, Mr. Deputy Speaker, I would like to support the Bill and I hope that this is the beginning of many things. Some of us stand for the nationalization of many, many, many things. This is only a service which has been nationalized. We want industries also to be nationalized, and I hope that the Minister will use the radio to prepare our people, the electorate, for the nationalization of all the things like Power and Lighting and all these other things. I hope the Minister will use this media of information to prepare our people for eventual nationalization of the many means of production of our own country.

With those few words, I wish to congratulate the only Minister who is willing to nationalize anything.

Mr. Muliro: Mr. Deputy Speaker, Sir, I have no quarrel whatsoever with the idea of nationalizing K.B.C. The sentiments expressed in the White Paper as a result of the Lutta Commission of Inquiry into the activities and financial position of K.B.C. are quite plain. Sir, I want to sound a note of warning to this House and to the hon. Members that the media of radio and television are very important media. There are media through which we can either build the nation, or destroy the nation, and the idea behind nationalization is that we should use these media

to build the nation. But, Sir, I hope the Minister will not give directions to the Voice of Kenya so that nothing is said about anything else said in this House by Members other than on the Government side or in the Cabinet. I listened to one or two very good speeches in this House during the course of yesterday. One was from the hon. Mr. Kaggia.

Mr. Anyieni: One was from you.

Mr. Muliro: I do not remember who the other one was. But those two speeches were not given any prominence at all on the air. Now, the hon. Member might say that they had some grudge against hon. Members, but I think the radio and the Press must be the avenues through which the public is to be informed and they must not select what they present to the public. That is one thing I wanted to say, Mr. Deputy Speaker, on this subject.

We in this House, Sir, would also like to know the amount of compensation which is going to be paid to these contractors. From the story we have heard this afternoon from the Minister I think they have mismanaged K.B.C. completely to such an extent that we should know how much money is going to compensate them in the form of compensation, because within the space of six months to spend £385,000, which is a lot of money, shows clearly that there was complete mismanagement in K.B.C. It shows a lack of duty by the contractors which involved us in such expense. So, Sir, when the hon. Minister replies, or at some other stage, he should let this House know the exact amount which will be paid to the contractors as compensation.

Another point I would like to raise is that the standard of journalism should be looked after very well because having the Voice of Kenya as the media for informing our people we will require the best possible journalists to do the work and there should be at least one senior person stationed in every Region. We want to be assured that the best journalists and news editors who today are working for K.B.C. will not get the sack in favour of possibly blackanization for the sake of blackanization, or brothernization for the sake of brothernization, or both or either. We would like to see that the best journalists are retained for the Voice of Kenya.

[The Deputy Speaker (Mr. De Souza) left the Chair]

[The Speaker (Mr. Slade) took the Chair]

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Oneko): Kalenjin.

Mr. Muliro: As long as they come under the Government they will not expect independence. I do not expect anything to be independent as long as it is Government Controlled. Therefore, Sir, the journalists should have some form of independence to record the news authentically as they see it.

I would like to talk about the question of languages. I think that if we wish to build the country we should teach the people the language which we want to be the national language. I do not see any room here, Sir, for Hindustani, or even the vernacular languages like Luhya, Kalenjin, Kikuyu and Jalu which should be brushed aside in the interests of integrating the nation. So, Mr. Speaker, Sir, I feel that the two languages, English and Kiswahili, should be the effective media and the chief languages for K.B.C.

An hon. Member: Why English?

Mr. Muliro: Why English in this House! Why should we change into Kiswahili in this House?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Some people want to be understood.

Mr. Muliro: Some people will not be understood.

Another point I would like to raise on this Bill is the question of independent organization of the people of this country so that they have their own radio services. I think that in the development of commerce and industry if a group of people in Kenya have the money and the means to establish their own independent media of informing the Kenya Government should be given that chance and not to give a monopoly to the Government and the Government alone. I know that eventually the Government vehicle is going to be completely partial and many things in this country which ought to be given to the ordinary citizens will never reach them.

With these few remarks Sir, I beg to support the Motion.

Mr. Jahazi: Mr. Speaker, Sir, this day must be hailed as the first day when the Government has started moving in the direction in which the people are expecting it to move. The nationalization of various assets in this country is the very thing which the African expected after *Uhuru* and the continuation of K.B.C. in the hands of Imperialist agents was a very embarrassing and most unwelcome situation, but today I must congratulate the Minister for Information and Broadcasting on the bold step he has taken to ensure that the Voice of Kenya will be in the hands of

Kenyans. The worries of many can be understood because they are worried that their voices will be stifled and they will not be heard again. I want to assure the Opposition that our Government, the Kanu Government, is also their Government and therefore they should not show childish fears, they should go forward as Africans to see that the voice of our country—

Mr. arap Moi: On a point of order, Mr. Speaker, is it right for the hon. Member to say that the Members on the Opposition side, have childish fears?

The Speaker (Mr. Slade): I think that hon. Members when commenting on what has been said can suggest that it shows childish fear, or something else, but it does not necessarily mean that other hon. Members think the same. It is not like a direct allegation. We cannot avoid altogether comments of this kind on what a Member has said.

Mr. Jahazi: Thank you, Mr. Speaker. I will go on despite interruptions from the Opposition. The Opposition fears something in this Bill—

An hon. Member: What do they fear?

Mr. Jahazi: I am not sure, but they should not fear at all. Mr. Speaker, Sir, we expect that after K.B.C. has been taken over by the Minister that it will not continue to have the same face because if it continues to have the same face, the same programmes, the same way of thinking, then nationalization is nothing. We expect big changes in the day to day operation of the K.B.C., in the management, in the staffing and the programmes themselves.

Mr. Speaker, Sir, since television came to this country, I fail to see the real benefit of television to the African. What we see is the importation of many cowboy films; these dominate the programmes. The type of English, with European films which an ordinary African will not understand, the continuous use of English in the majority of programmes, which the ordinary man will not actually understand or appreciate. Mr. Speaker, Sir, Africa has been divided in so many compartments whereby an African in East Africa does not actually know what is happening in the Congo, or how the Congolese live, their way of life, how we can understand them. In fact, only a few days ago, you heard that the Congolese were cannibals, this and that, this propaganda which was used by the Imperialists to divide us. Therefore, when television comes we expect to see a lot on it about how our brothers in Ghana are living, how they look, how their sisters look. That is type of information we are expecting. I

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think such information on the television is more important than the continuous cowboy films which are being shown. There are a lot of cowboys "Laramie", cattle theft, shooting and killing, and so forth. This can increase the rustlers in the Rift Valley; we hear a lot about cattle thefts and when it is shown on the television it encourages these people to adopt new methods by even organized gangs, and whereby they can be armed with guns and steal cattle because they see it on the television, therefore that is not the type of civilization we would like our Minister to import after he has taken over.

An hon. Member: Are you surprised?

Mr. Jahazi: Mr. Speaker, Sir, I would also like to join the previous speakers who have expressed their dissatisfaction of the Hindustani, the Arabic, and the other languages we are broadcasting. I would like to speak about Arabic broadcasts. We at the coast use Swahili and Swahili originated at the coast. I therefore do not see why there is any reason for the continuation of Arabic broadcasts, because all it is is a duplication of broadcasts and most of the news they give is South Arabian and this and that. At the present time I do not think we need such Imperialistic broadcasts any more. The majority of the people at the coast speak Swahili; all the Arabs, the local Arabs, in fact cannot speak Arabic, they speak Swahili. They are only Arabic by name. Therefore I think it is high time that Arabic broadcasts should be stopped when "The Voice of Kenya" starts, but this should not be confused with Muslim or religious broadcasts because in many ways of speaking Arabic and Muslim broadcasts are confused. They are two different things. There is Islamic which is religious, and Arabic, which is a language. Therefore, I expect that when "The Voice of Kenya" takes over the present K.B.C., which Bill we are going to pass today despite the Opposition; the religious broadcasts will continue.

I would like to stress one thing, that during the K.B.C. days, which are ending today, the predominantly Muslim coast has been extended during the Ramadan fasting, and special programmes during that month whereby Muslims had broadcasts to conform with the fasting of the month. Therefore, Mr. Speaker, when you are reviewing your various broadcasts or religious programmes, the Minister will not interfere with the arrangements which exist, because there was nothing Imperialistic in them, they were satisfactory. We would like them to continue, and in fact, to be strengthened.

Having said that, there are also the daily reading of the Koran and Bible on K.B.C., and I hope that our Government will not be too nationalist as to forget that people also need the word of God in "The Voice of Kenya". This should continue every day and every evening.

Sound radio should be used as the voice of the people and the voice of the Government to spread the gospel of the Government so that it reaches everybody in every corner of our country. There is a lot of misinformation from the papers. We read a great deal. Only the other day we read headlines that there was trouble in Zanzibar again. When I read my paper in the morning I saw headlines as if trouble has already started again in Zanzibar, and next day it was found that those rumours were unfounded. These rumours did a lot of damage, because most of the politicians, when they read such reports, are bound to get worried, and yet it was found that there was nothing and all evidence was just mere sensationalism, which was not justified. I expected the Minister for Information to say something about the rumours which were spread in every paper that day, but there was nothing—it was left for them to comment and most of the papers did not even trouble to comment on whether or not their information about Zanzibar was founded or not. We expect our Minister for Information to correct such rumours, and not only to correct them, but to see that although he has not proved in a Bill to nationalize the Press, today it would be most welcome and I think it would have been better to pass it with this, but since there is no necessity for nationalization of the Press at the moment, we expect our Minister to correct some of this misinformation which comes from our country, and which spreads to other countries, whereby it brings shame when it is actually known that such rumours are unfounded.

Finally, Mr. Speaker, I welcome very much the Bill. As I say, despite the opposition to this Bill, we understand that they only oppose for the sake of opposition, and the Bill will go through.

Mr. Kamau: Mr. Speaker, Sir, first of all I must congratulate the Minister for Information, and say that the Minister has started to act as the Africans would like their Government to act, and, furthermore, to add to that, I think he is an able Minister and had a very long experience when he was detained by the imperialists. He learned to know how the news was sorted. When we were very hungry in the detention camp, it used to be said that "You people are very well fed," and that was the time we were dying. We realized that the broadcasting services must

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always be the voice of the people. I would stress the fact that the words “national”, “nationalization”, must be put into practice. I do not see how anybody could be ashamed if he is living naked traditionally. He could go anywhere naked. He could display anything naked. When we say that we want to nationalize the broadcasts, we mean to show what the real life of an African is, and I take it that most of the hon. Members will bear me witness to the fact that when we say we nationalize the K.B.C., we shall nationalize it, Mr. Speaker, to show the world that we Africans in Kenya are a nation. We shall show our lives through the medium of television. Even if I am not talking of tribalism, I will just demonstrate one thing. According to our own customs, as Kikuyu, when we sing, it is not a mere singing, but we convey our message, our important thing, through singing. I think this applies to every other tribe in Kenya. When the *Moran* are singing a certain kind of dance, it is most important to be displayed on television. The whole world should see how the *Moran* or Masai pray, how they dance, how they acted as warriors, prior to the advance of the foreigners. To this effect, if nationalization continues to mean that our children, and I quote, “at present” — If you go into most of the homes, children of three years of age, take as an example my own daughter, she always says, “Father, Mother, I want Kibibero so I can twist.” That is not representative at all of the life of an African.

Mr. Shikuku: On a point of order, is the hon. Member in order to twist in the House?

The Speaker (Mr. Slade): I think the hon. Member was only doing so to demonstrate his point. It is also quite clear from what the hon. Member says that in future no one will complain of Ministers singing their answers to questions!

An hon. Member: On a point of order, does it therefore follow that an hon. Member would be in order were he to bring apparatus into this House to demonstrate his speech?

The Speaker (Mr. Slade): I did not hear you, I am afraid.

An hon. Member: Does it therefore follow that an hon. Member can use apparatus to demonstrate his speech? Does it therefore apply that it is in order for an hon. Member to use material things to demonstrate his speech?

The Speaker (Mr. Slade): Yes, it is in order. I do not know whether hon. Members remember from history that the ear of a gentleman called Jenkins was produced in the House of Commons to prove that it had been cut off.

Mr. Kamau: Mr. Speaker, Sir, I know the Members took very great interest in that. I would stress this by saying that if you go in a home and find a child of three years of age doing the twist, that does not represent the life of an African. It is a new thing which, most probably, if it continues, will mislead our whole nation. Therefore, I request the Minister for Information to see that when we pass this Bill of nationalization, the most important thing which is done is that we have a firm committee composed of all the tribes in Kenya who will, on every occasion, advise the sort of songs and music which should be produced so as to educate the whole nation. At the same time, Mr. Speaker, we should have educational films to be demonstrated so as to give the present generation who are at school an idea of our old life with its true standards because at the moment you find the younger generation have lost respect for their parents. Why? I refer again to the old custom. Take, for example, “Kamau”; you should never hear, according to our customs, a child calling me “Kamau”, but he should call me the “Father of Kamau”. This has come to be neglected, Mr. Speaker, Sir, because people have inherited the foreign, imported traditions which have misled many people. If you look at the old ways, parents were given respect, the old people were given respect, so when you met on the road, the younger man used to stand back and give you the path, but today if a young man meets an old man he just ignores the old man and pushes through. This is because he has not been brought up traditionally to respect those old people. I would like the Minister to utilize the nationalization of K.B.C. by restoring, as I would put it, our old good customs, known to us of old. If some are bad, they should be ignored, but all those that are important, that are educational, should be adopted.

Another point, Mr. Speaker, I want to stress, and I want to stress it very strongly, is the point of the news. When the news is read I think it should be only, and only in capital letters, in one national language. This House will see that a time will come when they will have to call our national language Swahili. Swahili should be the only national language of this country. Why? Because we should never be ashamed of our language. We cannot always be slaves of the imported language. We must adopt one language which is common to all and that language is Swahili. The reason I say Swahili is because if we come to economical way of life, if someone is unable to speak Swahili he will need to have an interpreter in his office and having an interpreter means employing two people in one

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office whereas if we had one we could save the money from the other man for other national purposes.

The Speaker (Mr. Slade): Keep to the point, Mr. Kamau.

Mr. Kamau: Therefore, Mr. Speaker, I would stress very strongly that we must use K.B.C. for educating the whole nation and we must see that we, as the Government, show everybody that we had no other intention in nationalizing the K.B.C. other than to educate the people and to give them the true picture of the African. I think this Minister being the first Minister to nationalize his Ministry's responsibility, is the starting point. We will, Mr. Speaker, soon have many more companies nationalized, and particularly—and I must also stress this—the nationalization of land. This is something—

The Speaker (Mr. Slade): Order, order. We cannot go over your other ideas for nationalization, when discussing this Bill.

Mr. Kamau: Mr. Speaker, Sir, to be fair I was not going to labour this very much. You can shout anything, Opposition, but you are nothing.

Mr. Shikuku: Mr. Speaker, on a point of order, is the hon. Member using Parliamentary language when he refers to the Opposition as "nothing"?

The Speaker (Mr. Slade): Hon. Members who interject must be prepared for sharp rejoinders.

Mr. Kamau: Thank you, Mr. Speaker. Mr. Speaker, without labouring this very much, I think it is high time that we should all support this Bill. With these few words I support the Bill, Mr. Speaker. Thank you.

Mr. ole Oloitipiti: Mr. Speaker, on a point of order, I rise to seek your guidance. Is it in order for say four of five Members from the Government side to speak when none have spoken from this side?

The Speaker (Mr. Slade): It is entirely up to the Speaker, whom he calls upon. I have been looking from side to side to see who wants to speak, and I think the Opposition has had a proportionate share. Two out of eight seems not unfair.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, Sir, in supporting the Bill I would like, in the first place, to apologize to the House for the omission in the Memorandum of Objects and Reasons to which you have drawn attention.

Mr. Speaker, I do not think I need the support of the Opposition in saying what I am saying.

In putting right the position I would like to have on record, therefore, the following facts. Firstly, that in so far as development expenditure is concerned, it is estimated for the period 1964/65 at a maximum of some £180,000. This is subject to acceptance, of course, by the Government development committee and the views of this committee, Sir, will be finalized at their next meeting at the end of July. With respect, Sir, it is not possible to bring out the capital costs at this stage because as an aspect of the transfer that is going to take place the whole question of the capital costs will be one of the subjects of the negotiation in this period of take-over with the consortium and, therefore, the decision or the cost will be known when these negotiations have taken place or alternatively once the arbitrator, if one is appointed, has determined what the capital cost is going to be. At that stage, Sir, the House will be informed. In so far as the recurrent expenditure is concerned, this is the position. The recurrent cost estimated for the period 1964/65 will come to some £570,000. Sir, this will be less Appropriations in Aid of some £350,000. This leaves a net recurrent expenditure of £220,000. For the information of the House the composition of this Appropriations in Aid will be made up as follows. Licences and fees on radio will bring in some £130,000 and on television some £30,000. Advertising on radio, £130,000 again, and television £50,000. Miscellaneous will be some £10,000 and that gives us the total Appropriations in Aid of some £350,000. I hope, Sir, that this will help the House to put right the omission which unfortunately occurred when the Bill, the Memorandum of Objects and Reasons was drafted, and my Ministry will take the remarks that you have made in so far as other Bills are concerned.

Now, Sir, having this rather technical position clear to the House may I join in the debate. Sir, I am glad to hear hon. Members from both sides of the House actually congratulate the Minister for the decision of the Government to take over K.B.C. Mr. Speaker, I am sure that those of us on the Government side agree that this action was long overdue. Although Members, some Members of the Opposition, not all of them—the Deputy Leader of the Opposition, I believe spoke for the Leader in the absence of the Leader—have supported the Bill. If, Sir, there is any discipline in the Opposition—

Mr. Shikuku: What about the other day?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): If the Government was voted out the other day, Sir, the hon. Member would have been sitting on this side. The fact

[The Minister for Justice and Constitutional Affairs]

is that he is not. Mr. Speaker, we were treated to a forest of words by the hon. Member—I do not even remember his constituency, it must be one of the forests in the Rift Valley. Mr. Speaker, the hon. Member spoke to some extent on other anxieties. He expressed certain anxieties which I think it is right that we ought to make quite clear in the House in this debate. In doing this I would like to make the following observations. First, he asked whether the take-over means the Government using the Voice of Kenya as a propaganda machine for the Government. Now, Sir, the answer is yes. What else do you do with a broadcasting service or information service of the Government but propagate Government policy and teach the people to understand and appreciate the meaning of Kenya's nationhood according to Government's interpretation of it? Mr. Speaker, does the Opposition expect the Government to use the facilities as a propaganda machine for the Opposition? Mr. Speaker, the word propaganda is a highly prostituted word, and I think the Opposition completely misunderstands the meaning and the use of the word propaganda. They think that the word propaganda merely means going around telling lies. This is the most ignorant interpretation of the word I have ever heard. According to us, all that it is intending to do is, in fact, to tell the truth, but to propagate the truth, to spread the truth, to educate the people to understand the truth, and all the time truth, and to popularize policies which the Government feels are in the best interests of the country. Who else can decide but the Government? Who is the Government? The ignorance of the Opposition is surprising. Mr. Speaker, the answer is therefore very simple. The Government intends to use the Voice of Kenya for the purpose of building, strengthening, consolidating the new nation of Kenya and educating its citizens to understand their duties, their responsibilities, their privileges, their opportunities, and the role that they can play in making that nation what all of us want it to be. It is not intended to be used for the promotion of individual, personal ideas. It is intended to be used for the promotion of what is and must be in the interests of Kenya. Now, Sir, if the Opposition were to make a contribution which is in the interests of Kenya it will find a very prominent place in the activities and facilities provided by the Voice of Kenya. If on the other hand the Opposition makes a nuisance of itself, then the Voice of Kenya must expose the nuisance. If the Opposition is apprehensive that this will be a means of muzzling the genuine and true voice of the people, then the

answer is No. There will still be freedom for the hon. Member right in front of me to hold his usual Press Conferences and for the Press and those responsible for the Voice of Kenya to decide whether the Press Conference was worth calling or useful in so far as the Kenya nation is concerned. This, Sir, is normal. It happens today with K.B.C., and it will continue until the take-over.

Mr. Shikuku: You are telling us.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): But, the emphasis, the emphasis that we intend to put on this has been brought out very clearly by the Minister when he moved this Bill. It is no use for me to waste any time in repeating what has been made so clear. But in case it needs repeating, and in case it needs painting so that the Opposition can understand it, it is very simply that the new arrangement will facilitate the promotion of the genuine interests and the true voice of the people of this country.

The other point which the hon. Member made was the attempt to lead the House to think that the expenditure involved in this take-over is a waste of money which could have been used otherwise in something more profitable. Now, Sir, every Government is bound to be faced with a choice between alternatives and priorities. But if the Members listened carefully to what the Minister said in his opening remarks, they will know that in the first place whether we nationalize K.B.C. or not we would have been required to provide some money for it in this financial year. That has happened all the time. Secondly, if they listened they would know that in December of last year we were faced with a situation in which broadcasting and television may have come to an abrupt end because of the unsatisfactory arrangements for its financing by the present organization. Now, Sir, no country, and especially a young country, can afford the luxury in which this very important media is going to exist, as it were, from day to day, without any guarantee of security and therefore stability and organization. There can be no efficiency until there is stability and security and the greatest security, therefore, that can be provided at this stage is the take-over by the Government and assurance that funds will be available on a regular basis through the budget of this country. Sir, this explains the Government's decision to give priority to this take-over, perhaps at the expense of one or two other services, but a very much deserved priority because once this step is taken these various other services will be equally served. I do not think it is in the interests of Kenya and that it serves the

[The Minister for Justice and Constitutional Affairs]

good name of Kenya that our broadcasting service, our television service, should be the subject of financial embarrassment every other month, and the workers in it should be the subject of anxiety as to whether they will earn their salaries at the end of the next month and whether they are securely employed every year. I am glad that the Member now agrees!

Mr. ole Oloitipitip: That was not his only point.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): It was one of his biggest points.

Mr. Speaker, the other point made was that we were told here that the top executive management of K.B.C. is all Luo. Mr. Speaker, it is fortunate that in today's issue of the *East African Standard* on page 5, a photograph, not just the name because you can confuse names, but you cannot confuse a photograph, plus names of the people who actually run the K.B.C. and who are going to be the top persons in the Voice of Kenya, was published. Sir, with your permission, I would like to read the names of these people. It says here: "Men who control Kenya's radio and television services were brought together for the above picture. They are key figures in the Kenya Broadcasting Corporation, which is to become the Voice of Kenya soon. Front row (left to right): Chief Editor, Mr. Boaz Omori, a Luo; Contoller of Programmes, Mr. John Ithau, according to the Member for (Inaudible.) that is another Luo; Special Adviser (Broadcasting and Training), Mr. G. M. Cahan, possibly another Luo; Acting Director-General, in other words the man who is going to become the Director-General, Mr. Richard Koske, another Luo; Chief Engineer, Mr. R. Davey; Contoller of Production Facilities, Mr. Walter Mbotela; Contoller of Advertising, Mr. O. Lloyd.

Middle row: Head of English Service, Mr. Timothy Bungey; Senior Personnel Officer, Mr. Fred Mbiru; Acting Public Relations Officer, Mr. Aziz Yakub; Financial Contoller, Mr. Baines; Contoller of Television Service, Mr. Mwenda, the brother of the hon. Member at the back.

Back row: Head of Hindustani Service, Mr. Harum Ahmed; Assistant Contoller of Programmes, Mr. Stephen Kikumu; Head of Swahili Service, Mr. Simeon Ndesandjo; Acting Head of Schools Broadcasting, Mr. Robert Beaumont.

Sir, out of this effective list, there is only one Luo, but according to Rift Valley arithmetic they are all Luos.

Mr. arap Moi: On a point of explanation. I did not say K.B.C., I said Information, Regional Headquarters Information Department, so if he could clarify some of the personnel there, then I would be satisfied.

The Speaker (Mr. Slade): Hon. Members are entitled to interrupt on a point of order if they think that they are being misrepresented as to what they have said.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, I have the greatest respect for the hon. Member, and that is the only reason I gave way on a point of explanation, but the Bill before the House is clearly written, the Kenya Broadcasting Corporation (Nationalization) Bill, 1964. Sir, that is—

The Speaker (Mr. Slade): But the question is what he said.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): I am prepared to read the HANSARD with him tomorrow morning. I note his explanation, only note it.

Mr. Speaker, may I take this opportunity, in fact, to congratulate the Minister for the speed with which Africanization has taken place in the Kenya Broadcasting in this last twelve months. It is quite obvious that within a very short time a highly professional and technical service has been handed to local people, and it is something which some people thought for a long time could not be done, and for many years we were told that it would need many, many years' training before Africans could take over responsibilities. Sir, I am sure the House will agree that those Africans who have recently taken over have completely justified our faith in them, and that their job is being done as well as is done by any broadcasting service anywhere on this continent, if not better. I have listened to some of the broadcasts in other countries in Africa and I am proud, myself, as a member of this Government, to say that ours is one of the best in Africa. Sir, that has been achieved by the policies of this Government over a very short period of time, a fact which the Opposition cannot ignore.

Mr. Speaker, somebody said it is likely that Government is afraid of criticism. I do not know exactly what this is meant to bring out in this debate, but if the hon. gentleman thinks that the Government is afraid of criticism, then he would have to explain why, if this Government is afraid of criticism, it has given every Member, every person in this country, the opportunity to hold public meetings freely anywhere and at any time.

[The Minister for Justice and Constitutional Affairs]

Mr. Speaker, a word was said about journalists. I think the Deputy Leader of the Opposition asked us to ensure that the journalists were independent. Now, Sir, I do not know what they are to be independent of. I would say that the policy of the Government is not to look for independent journalists, but rather to look for objective journalists. If it is objectivity we are asked for then we will say yes, and our whole emphasis has been to help in the training programme of journalists so that they acquire greater skill in their professions, and the record of the Minister in this regard is, of course, there for everyone to see, and many of these people have been given facilities to train abroad and several of them have gone for a longer training. That, Sir, is the record of the Government. If our hon. friends are looking for independence by which we do not know what they mean, then of course, they will have to define their words a little bit further.

Lastly, Sir, I was very impressed with the speech by the hon. Member for Kapenguria, I think it was, and what he said about African culture and its representation in the new Voice of Kenya. This will be done, but as he, himself, said, let this not lead some people to thinking that this country can move backwards. It is always going to go forwards and it is a question of sympathizing, getting the best from African culture and getting what is good in the new. You cannot hold back the youth of this country and tell them to march backwards when the world is moving forwards. I declare an interest in so far as television is concerned. I personally enjoy some of the cowboy films. I see very little wrong with a good Western. Some of these Westerns have morals from which, if you look at them properly, you can learn courage and law and order. All these things are there. Unfortunately, perhaps, some people just look at a film, and do not try to learn anything from it. It does not matter what film you bring, they will never learn.

Mr. Speaker, I beg to support.

Mr. Matano: Mr. Speaker, Sir, I understood from the Minister that we are going to have the Voice of Kenya.

Mr. Ngala-Abok: Mr. Speaker, it is in order for an hon. Member to come to this Parliament with a pipe sticking out of his chest?

The Speaker (Mr. Slade): I do not think he is improperly dressed on that account, so long as he keeps it out of his mouth.

Mr. Matano: Mr. Speaker, Sir, I would like to support the Minister on this Bill because I feel the time has come when Kenya should really

be able to express itself in a way that is not hindered, or is not controlled by somebody outside. The fact that there is going to be a voice of Kenya, I hope it is going to be truly and honestly the voice of Kenya and not the voice of a party or individual, and it is going to be the voice of the people of Kenya, in which case there may be times when the Minister will have to accept criticism. There will be times when the Government will have to accept criticisms, and who is going to judge as to whether it is going to be constructive criticism, that is a question which we hope the Ministers will try to find a way.

Mr. Speaker, with regard to radio and television, they are very strong media of communication for passing information from one side to the other, from the Government to the people, from the Parliament to the people, from the representatives of the people to their own people. As such, there should be quite a lot of freedom whereby everybody should be free to express themselves, responsibly of course. Radio broadcasts and television have been used for education and I hope that this will continue and here I would like to mention just a little on the subject of language. Language is very important in this country, as it is all over the world, and if we are going to make Swahili our language then for goodness sake let us make sure that the Voice of Kenya will broadcast in good Swahili. I say this not because I am criticizing the people who are broadcasting in Swahili—I think they are doing a good job—but one comes across some boring and irritating phrases like *Basi, mambo ni kama haye* and this goes on and on. Mr. Speaker, when you listen to our broadcasts you go on hearing that sentence over and over until you are fed up with it. I wish our broadcasters were told to be a bit careful with their language. When it comes to language, as with the B.B.C., they chose the best language speakers. Here in Kenya we are fortunate, most of our broadcasters could speak good Swahili. I hope that the standard will be kept up. There are a few little things here and there which need attention, but the standard is fairly good. I have come across some programmes in the K.B.C. whereby people are taught English and I hope the time will come—and it should start immediately—when Swahili will be taught. I do not say it is taught at the moment; I have heard English, but I have never heard Swahili being taught. They do not teach Swahili, Mr. Speaker.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Yes, they do.

Mr. Matano: Then I would like the Minister to tell me how many hours are devoted to the

[Mr. Matano]

teaching of Swahili when he comes to answer this because as far as I know Swahili is not taught as a subject, and, at this moment, Mr. Speaker, we see that Swahili is becoming more and more important in this country and so I hope that it will be taught properly so that our people will be able to express themselves. The other day I was talking here and I say that we have at the moment a group of people in this country, part of our population, who cannot express themselves in any language—they cannot express themselves in vernacular, they cannot express themselves in Swahili, they cannot express themselves in English—there is a community in this country that cannot express themselves in any language at all, they begin with the vernacular and end in English, and they do not know where they are. I hope people will be taught to speak one language at a time. What is worrying me at the moment, Mr. Speaker, is the question of the people who are working with the K.B.C. We are told that they are to be civil servants. These people have been working for an independent corporation and now they are being switched over to being civil servants. I hope they will not lose anything, that their terms of service will be looked after, that they will have their benefits restored to them. At the same time, I do not see how it is going to work. A civil servant is meant to be loyal to the Government, to his Minister, and here he is employed in a Government Department where, at times, he is forced to say a few bad things about the Government, or a few bad things about Ministers. I would like the Minister to give us assurances that when it comes to a time when a man is faced with the decision whether to say nasty things about the Government, to tell them things—by that I do not mean irresponsible statements, but statements which are going to build this country—he will not be penalized for serving his country. This is very, very important. Whilst our civil servants know they will be penalized for criticizing the Government, or Ministers or Members of Parliament, then I am afraid we shall not have a good service, we shall only have stooges speaking on the other end and trying to feed people with the propaganda which we are trying to avoid at the moment.

The Minister for Constitutional Affairs has tried to define propaganda. I am not here to define anything, but, by propaganda we mean news that is distorted in order to satisfy oneself in one way or another. That is a type of propaganda—you say one thing in the way in which you want other people to hear, you just want to hear something nice spoken about yourself. We must be very careful. This is a danger which I

can see coming in and I hope the Ministry will be very, very careful and will see that this thing will not come in and that the type of programme that they put out will be programmes whereby people will get the truth however much it may hurt.

Mr. Speaker, I would like to say one thing also about the regional services. In the past we used to have first-class regional services on the radio but now we find everything is controlled from Nairobi and we need a lot of local news. In Mombasa for instance we used to hear quite a lot about what was going on along the Coast. But now, every time one listens to Mombasa one gets news from Nairobi. Everything is from Nairobi and one hardly hears what is going on at the Coast. I hope the regional and local authorities will be given chances whereby they will be able to tell people in the regions, or on the local councils, what is going on. We know quite a lot of what is happening here in Nairobi, but people do not know what is happening next door to them. You will find that something is going on in a district next to you, a big development plan, or self-help scheme, and yet you will only hear what is happening in Nairobi. Much as we like to know what is going on in Nairobi we also like to know what is happening in the regions, in the local authorities, in the county councils, and therefore I think it is very important that when the Voice of Kenya comes more and more regional facilities are made use of so that people will know what is going on. It is going to be the voice of Kenya, and it is going to be the taxpayer of Kenya who is going to pay for it and therefore I feel the taxpayer of Kenya, no matter where he comes from, whether from the north, south, east or west, should benefit from this service which is going to be Kenya-wide.

With regard to the question of the Coast, Mr. Speaker, I would like to refer to the question of the languages again. I think the time has come when Arabic should come out and everybody speak in Swahili. Everybody at the Coast speaks Swahili and understands Swahili and I do not know to whom the lessons in Arabic wish to pass a message. There are very, very few Arabs who speak Arabic at the Coast. There is also one awkward little language called Kimvita. I do not know where it comes from and I feel that there is no place for Kimvita at all. The time has come when Kimvita should go because Kimvita is just a distortion of proper Swahili. Instead of calling somebody to come, i.e. *Njoo*, in that language they say *Ndoo*. We do not want that, we do not want time to be wasted on those little differences. The man who understands *Ndoo*

[Mr. Matano]

can also understand *Njoo*, and therefore the sooner we get rid of the language the better. Mr. Speaker, I do not want to carry on but I would emphasize to the Minister that if it is to be the Voice of Kenya let it be the genuine voice of Kenya and not the voice of Nairobi, or the voice of the Ministers or the voice of Kanu.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, I am told by my colleague the Minister for Broadcasting that it is important today that not only do we get through the Second Reading, but we also get through the Committee stage, and, if possible, the Third Reading. The reason is, if the House will bear with the Government, that there are technical reasons for which it is important that we do finish this Bill today. Therefore, Mr. Speaker, I would like to ask the House, seeing we have been going on with Bill for well over two hours, whether they would be in agreement with us so as to get this Bill through completely today so as to help Government and whether they would be prepared to accept that the Mover be called upon to reply.

The Speaker (Mr. Slade): The hon. Member is entitled to ask to move the closure. I do not think it is unreasonable to ask the House to consider that question now.

(The question was put and carried)

The Speaker (Mr. Slade): I thought the "Ayes" had it in spite of the "Noes" being louder. I have to judge by numbers, not by noise.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Oneko): Mr. Speaker, Sir, I am going to try to be very brief indeed, but before I do so I must thank the hon. Members for having supported the Bill.

Quite a lot of remarks have been made, and I think these remarks have not just been criticism, but I picked some of the more constructive ones to be taken into account once the Bill has been passed. I would like to be very brief, because I am very anxious that the whole Bill should be taken today.

With regard to languages, Mr. Speaker, at the time of drafting the Bill we felt that English, Swahili and Hindustani should be put in the Bill. This does not necessarily mean that Hindustani is a very important language, but the community which speaks Hindustani is quite considerable in Kenya. I do agree entirely with the remark on Arabic and some Coast Swahili, like Kimvita. Definitely, I quite agree with the Members that

a programme on Kimvita serves very little purpose indeed, and this remark will be taken into account when the decisions are being taken. However, I do not entirely agree when some of the Members, who are experts on Swahili, say, "*Mambo ni kama laye.*" This is for entertaining, and this is usually very late in the evening when people are about to go to bed, and I think that it is quite nice for a number of people. We should allow for such phrases at that time of the night. It is enjoyed by quite a lot of people.

Something was said about activities being centred from Nairobi, and the regions are not being regarded. This is not so. I think the whole thing has been that the Kenya Broadcasting Corporation has been working separately from the Information Officers in the field. Once the Bill has been passed, I do not think there will be any difficulty. We shall try to reorganize our staff and make the administration strong enough so that the regions are well represented. I agree entirely that everybody, every district and region should be represented, because this is the national voice of our country. I entirely agree with that. However, the fact that Nairobi is sometimes fortunate to be somewhat emphasized is because it is the centre of activities, it is our city, the centre of our Parliament, and everything else comes from Nairobi. However, that does not mean that we shall not broadcast reports from our regions.

References also have been made to compensation, and one Member, I think the hon. Muliro, referred to this. This has been provided for in our Constitution under section 19 (2) of the Constitution. The Supreme Court is the final arbiter of the quantum of full compensation. Therefore negotiations would be conducted in the light of what the Supreme Court would be likely to award if the matter was to be litigated, that is if the matter were sent to court. Therefore, in fairness to the consortium, or in fairness to the contractors, the House should really support the Government in this, that they get their compensation, although I do agree with the remark that there has been a great deal of mismanagement according to the figures and details I gave to the House. We are, in fact, going to teach the people the language of the people—and that is Swahili—and I do not agree entirely when remarks are made that we have a service that is lacking and that we should start Swahili. We are doing it already, and we are doing it under the leadership of a very competent Swahili speaker, Walter Mbotela. This is done weekly, and once we take over we shall increase the number of programmes so that the people are taught their language, the language they will enjoy,

[The Minister for Information, Broadcasting and Tourism]

its dignity, not only in Kenya but outside Kenya, at conferences through interpreters as it is done for other people from other nations.

Mr. Speaker, Sir, references were also made to the question of religion and religious programmes. I do not think we are going to interfere with these things, because the Voice of Kenya should serve the people and the people's interests. Quite a large number of our community are either Christians, Muslims or pagans and they will have to be provided for in our programmes. I do not think we will interfere with this.

There is one other point which I must correct. A remark was made about nationalization. I think there was need for nationalization of the Kenya Broadcasting Corporation as a service. But, I must assure the House that the Government has not contemplated even thinking of nationalizing the Press as such. Whether the Press is going to be nationalized or not at the moment is, I think, entirely immaterial. What we intend to do is to observe the Constitution and to respect it. The Press will continue to enjoy their freedom, and here the Government will encourage individual enterprise, and encourage the local Press. Even some of the overseas correspondents who are based in Nairobi are going to be provided with continued facilities. We may even reach a stage where very important correspondents in Nairobi may be classified so that we give them more recognition with regard to certain Government functions. That is an indication that the Government is respecting its word and respecting its Constitution. I do not want to leave any doubt whatsoever in the minds of anybody, that the Government at any time has ever considered nationalization of the Press. The Press will continue to enjoy its freedom.

Finally, Mr. Speaker, I would like to say that some Members seem to be rather worried about the staff. I would like to say that the case of the staff is being well looked after. They will not be worse off than they were in the Kenya Broadcasting Corporation. They will be looked after by the Government who, as I have said, recognizes that they fall into three categories, that is, staff serving on permanent terms, temporary staff, those serving on contract, and some of the manual workers in the Kenya Broadcasting Corporation, who are the backbone of the Corporation. The committee which I mentioned a little earlier is taking care of them, and it is the business and responsibility of the Government to see that the staff are no worse off than they were with the Kenya Broadcasting Corporation.

With these few remarks, Mr. Speaker, I would like to assure the House that the Kenya Broadcasting Corporation when it assumes its new name, the Voice of Kenya, will really serve the Kenyans; will really serve the nation. I do not think the Opposition should be afraid because it will be under the control of the Government. It will only be under the control of the Government for the people, and when I say for the people, I mean for the Opposition as well.

Therefore, Mr. Speaker, Sir, I beg to move.

(The question was put and carried)

(The Bill was read a Second Time and committed to a Committee of the whole House today by leave of the House)

COMMITTEE OF THE WHOLE HOUSE

(Order for Committee read)

[The Speaker (Mr. Slade) left the Chair]

IN THE COMMITTEE

[The Deputy Chairman (Mr. Slade) took the Chair]

THE KENYA BROADCASTING CORPORATION (NATIONALIZATION) BILL

(Clauses 2, 3, 4, 5, 6, 7, 8 and 9 agreed to)

(Title agreed to)

(Clause 1 agreed to)

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Chairman, Sir, I beg to move that the Committee do report to the House its consideration of the Kenya Broadcasting Corporation (Nationalization) Bill and its approval thereof without amendment.

(Question proposed)

(The question was put and carried)

(The House resumed)

[The Speaker (Mr. Slade) in the Chair]

REPORT AND THIRD READING

THE KENYA BROADCASTING CORPORATION (NATIONALIZATION) BILL

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, Sir, I beg to report that a Committee of the whole House has gone through the Kenya Broadcasting Corporation (Nationalization) Bill and approved the same without amendment.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Oneko): Mr. Speaker, Sir, I beg to move that the House doth agree with the Committee in the said Report.

The Minister for Justice and Constitutional Affairs (Mr. Mboya) seconded.

(Question proposed)

(The question was put and carried)

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Oneko): Mr. Speaker, Sir, I beg to move that the Kenya Broadcasting Corporation (Nationalization) Bill be now read a Third Time.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie) seconded.

(Question proposed)

(The question was put and carried)

(The Bill was accordingly read the Third Time and passed)

(Ordered that the Clerk carry the said Bill to the Senate and desire their concurrence)

The Speaker (Mr. Slade): We should now go back to Order No. 7. I do not know, Mr. Gichuru, if you think it is worthwhile continuing for a quarter of an hour.

The Minister for Finance and Economic Planning (Mr. Gichuru): Yes.

COMMITTEE OF WAYS AND MEANS

(Order for Committee read)

BUDGET DEBATE

MOTION

THAT MR. SPEAKER DO NOW LEAVE THE CHAIR

(Minister for Finance and Economic Planning (Mr. Gichuru) on 16th June 1964)

(Resumption of debate interrupted on 23rd June 1964)

The Parliamentary Secretary to the Treasury (Mr. Kibaki): Mr. Speaker, Sir, I am sorry that we seem to be delaying the House and that there was a general feeling that we would finish up with this, but I do think that it is important to say a few things on the issues and questions that have been raised by certain Members in the course of the general debate on the Budget. No doubt we shall have further opportunities when it comes round to discussion on the various separate individual Votes. The point, Mr. Speaker, which I would like to stress and which I think is relevant to this general Debate on the Budget, is that so many Members have stood up here and demanded that various projects be undertaken in their own particular regions, or, alternatively, that Government undertake certain huge programmes. Some people even went as far as specifying the industries which they wanted the Government to take over, and I thought, Mr. Speaker, that instead of this House being left to think in very airy terms the time has come for—

QUORUM

Mr. Jamal: On a point of order, Mr. Speaker, is there a quorum in the House?

The Speaker (Mr. Slade): No, ring the Division Bell.

(The Division Bell was rung)

The Speaker (Mr. Slade): It is clear that the House is not interested in continuing the Debate this evening.

Mr. Kibaki, you have secured your position as the first speaker when we meet again.

ADJOURNMENT

The Speaker (Mr. Slade): The House is now adjourned until tomorrow the 25th June, at 2.30. p.m.

The House rose at twenty minutes past Six o'clock.

Thursday, 25th June 1964

The House met at thirty minutes past Two o'clock.

[The Speaker (Mr. Slade) in the Chair]

PRAYERS

NOTICE OF MOTION

THE NATIONAL DAIRY HERD: IMPROVEMENT OF

Mr. Matano: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT this House, having regard to the alarming deterioration of the national dairy herd during the past four years, supports all possible measures taken by the Government to increase the quantity and improve the quality of the dairy herds in Kenya.

ORAL ANSWERS TO QUESTIONS

Question No. 165

MINISTER'S VISIT TO TANA RIVER

Mr. Komora asked the Minister for Commerce and Industry when the Minister was intending to visit Tana River and Lamu Districts in order to see personally conditions there and to decide how best he could help those people in commercial and industrial enterprises.

The Minister for Works, Communications and Power (Mr. Mwanyumba): Mr. Speaker, Sir, I beg to reply. The Minister for Commerce and Industry visited Lamu on the 22nd and 23rd May 1964, at the invitation of the hon. Member for Lamu. The Minister would like to say that at the invitation of the hon. Member he would wish to visit that area, and if the Member could go to the office of the Minister and make the arrangements, the Minister will be happy to do so.

Mr. Komora: Mr. Speaker, Sir, is the Minister telling the House that a Minister visits a place when invited by a Member for the area?

The Minister of State for Pan African Affairs (Mr. Koinange): The Minister could go there if the department had officials who were part of the Government actually and who were stationed in Lamu. Otherwise the other one stands.

Mr. Tanui: Mr. Speaker, Sir, does the Minister agree with me that it would be in the interests of the people that any Minister should visit the place with the consultation of a Member himself?

The Speaker (Mr. Slade): That is what he said, I think.

Mr. Muliro: Would the Minister agree with me that if the Minister for Commerce and Industry visited Lamu, to have a tour again of the district would be a waste of public money?

The Minister of State for Pan African Affairs (Mr. Koinange): No, Sir.

The Speaker (Mr. Slade): I think we will go on to the next question.

Question No. 188

LEGISLATION TO STOP SMOKING

Mr. Okuto-Bala asked the Minister for Health and Housing if, in view of medical research findings on lung cancer, the Minister would consider the introduction of legislation to stop people smoking.

The Minister for Health and Housing (Dr. Mungai): Mr. Speaker, Sir, I beg to reply. Lung cancer in this country is not as big a problem as it is in the temperate climates such as Europe and America where there is much atmospheric pollution, such as smoke, smog and mist. Although considerable research has been, and is still being, carried out in this country on lung cancer, there has been no conclusive evidence of direct positive relationship between smoking and lung cancer. All we know is that there is an association between smoking and lung cancer. That is there are cases of lung cancer among smokers, but also people who do not smoke have lung cancer. There has been little scientific research carried out on the relationship between smoking and lung cancer in the African countries.

This Government does not intend to introduce any legislation to stop smoking before they have conclusive evidence. In other words, to be very brief I would say there is an association between smoking and lung cancer, but there has not been any conclusive evidence of smoking cigarettes causing cancer. It has been argued that it is a generic factor which causes people to smoke and the same one which causes lung cancer. This has to be proved. All we have to do is to educate the people when we have sufficient evidence as to the dangers of smoking if we finally prove that it does cause cancer, but we cannot interfere with individual liberty.

Mr. Mutiso: Mr. Speaker, arising out of the Minister's reply, could the Minister therefore make recommendations to the people of this country that instead of smoking we revert to the old African snuff.

The Minister for Health and Housing (Dr. Mungai): Mr. Speaker, Sir, the people of this country are intelligent enough to make their own choice, but if we ever found that smoking of cigarettes causes cancer, we certainly will have a very vigorous campaign to educate them so that they will make the right choice. There are some people who do believe that this happens, and starting on Monday at the City Terrace Hall, there will be a group there of a doctor and other experts who are going to invite the general public, particularly smokers, so that they can display their evidence to show whether it can cause cancer or not. Things have been carried out in other countries such as the United Kingdom and the United States and they have been very successful in reducing smoking of those who have been chain-smokers.

Mr. Ekitella: Mr. Speaker, Sir, will the Minister tell me now how many cigarettes a person is allowed to smoke in a day?

The Minister for Health and Housing (Dr. Mungai): He may smoke as many cigarettes as he pleases!

Mr. Ngei: Mr. Speaker, Sir, would the Minister for Health tell us whether he has considered the report by Professor Burfender, a very well-known Kenyan who found that smoking in Kenya caused lung cancer?

The Minister for Health and Housing (Dr. Mungai): Mr. Speaker, I have considered very many reports, not only that one but I have considered the report put out by the Surgeon-General of the United States; I have seen some other reports on smoking put out by various tobacco companies that are equally interested because they would like to safeguard the health of the people; and I have seen several others. It has been said that there has been an association but to my knowledge nobody has really provided enough evidence to show that smoking causes cancer.

Question No. 218

CONSTRUCTION OF KISUMU HOSPITAL

Mr. Obok asked the Minister for Health and Housing when would the construction of the new Kisumu Hospital be started, and what had been the cause of the delay hitherto?

The Minister for Health and Housing (Dr. Mungai): Mr. Speaker, I beg to reply. Detailed plans for a 500-bedded hospital in Kisumu have been prepared and a suitable site is being obtained. Subject to the necessary funds becoming available, it is hoped to phase the building

programme for the hospital during the development period 1964-1970. It is not possible at present to state a firm date for starting the construction but work will commence as soon as possible. The estimated cost will be in the region of £750,000. I repeat, Sir, when we get the money we will start. We have the plans.

Mr. Obok: Mr. Speaker, Sir, arising out of the Minister's reply, since there is a need for a bigger and better hospital in Kisumu and the Russians have agreed to build one in Kenya, would the Minister give the House an assurance that this hospital will be built in Kisumu?

The Minister for Health and Housing (Dr. Mungai): Mr. Speaker, no, Sir, I will not because there are several regional hospitals and they are not quite up to date with the other places. If I give you some figures it may help you to see for yourself the needs that exist before I commit the Ministry or the Government as to where that Russian hospital is going to be. In Kakamega they have 181 beds; in Kisumu they have 264 beds; in Nakuru, 266 beds; in Nyeri they have 169; in Machakos they have 177; in Mombasa they have 268.

The Speaker (Mr. Slade): Order, order.

The Minister for Health and Housing (Dr. Mungai): Wajir is a great deal smaller than that, it is in the region of sixty beds. Sir, we have to consider everything broadly before I can announce to this House where that hospital should be.

Mr. Masinde: Mr. Speaker, arising from that reply, could the Minister assure this House that any plans to build Kisumu hospital are not going to be an impediment to building Kakamega a regional hospital?

The Minister for Health and Housing (Dr. Mungai): Mr. Speaker, we have in mind developing the less developed regional hospitals as a priority.

The Speaker (Mr. Slade): This question relates to Kisumu hospital, we cannot discuss rival hospitals.

Mr. Ngala-Abok: Mr. Speaker, Sir, arising from the Minister's reply that they will start the work as soon as the funds are available, would the Minister state whether he considers these funds will be available before the end of this year?

The Minister for Health and Housing (Dr. Mungai): Mr. Speaker, I said when funds are available and I refuse to commit the Government

[The Minister for Health and Housing]

as to when such funds will be available. I must also add as far as Kisumu is concerned, it is a large town and the hospital is built in a place where it cannot expand and there are many points that we have in mind about the hospital where it is and soon it will be moved. Therefore, I do not want anybody to take me as having committed myself that that Russian hospital cannot go to Kisumu.

Mr. Ngala-Abok: Mr. Speaker, Sir, since the hospital promised by the Russians will be more or less a consultant hospital like the Kenyatta National Hospital, and as well equipped, would the Minister assure the House that it needs to be sited in a central place like Kisumu where patients will be referred to from as far away as Mr. Oduya's constituency, Kisii, Kericho and Homa Bay.

The Minister for Health and Housing (Dr. Mungai): Mr. Speaker, Sir, I cannot promise that.

Question No. 232

LOANS TO TRADERS: HAMISI CONSTITUENCY

Mr. Godia asked the Minister for Commerce and Industry:—

- (a) How many traders in Hamisi Constituency had been advanced loans to improve their businesses?
- (b) What was the Minister doing to encourage more traders to benefit from loans given by the Ministry?

The Minister of State for Pan African Affairs (Mr. Koinange): (a) Due to recent changes in constituency boundaries it is not possible to say exactly how many traders have been granted loans in the Hamisi Constituency. The North Nyanza Loans Board, however, had issued a total of 218 loans up to December 1963, which were fairly well distributed in that old district.

(b) Loans are not in fact given by the Ministry but by local boards and committees established for this purpose. The availability of loans is by now well known and the problem has been not so much one of encouraging applications from more traders but in restricting loans to the relatively few applicants who can really benefit from them. The very high percentage of defaulters (over 40 per cent in Nyanza) is, I think, strong evidence that loans have in the past been given to too many traders who have not been able to use them properly. What we are doing now is to encourage the really progressive traders to take advantage of financial assistance by

initiating a new Central Loans Scheme which will give larger commercial loans than have been available under the existing scheme. This scheme will be run on similar lines to the Industrial Loans Scheme administered by the Industrial Development Corporation, and thus the scheme will be wholly operated by this body which is a statutory corporation of the Ministry of Commerce and Industry.

Mr. Godia: Mr. Speaker, Sir, if the Minister does not have a clear figure of the number of traders given loans in Hamisi Constituency, is he prepared to accept my answer?

The Minister of State for Pan African Affairs (Mr. Koinange): Mr. Speaker, I have answered.

The Speaker (Mr. Slade): Mr. Godia, what are you trying to get at?

Mr. Godia: I am trying to get at the fact that if his Ministry cannot inform me correctly as to the right number of people, traders, who have received loans in that constituency, does he not agree that that particular officer who informed him in Western Region is not honest?

The Speaker (Mr. Slade): I think the Minister gave his reasons for his figures, and you must not accuse him or anyone else, for that matter, of dishonesty.

Mr. Makokha: Mr. Speaker, will the Minister tell us, or this House rather, the period given to these traders to recover these loans and in this case could he tell the person who owes the largest amount of money?

The Minister of State for Pan African Affairs (Mr. Koinange): Mr. Speaker, the period varies, and, as a matter of fact under this new scheme, in the past he was given up to maximum of £500, but now with this new scheme it will be a minimum of £500 and unlimited for period or amount.

Mr. Masinde: Mr. Speaker, Sir, could the Minister tell this House what happened to the application of Sereni Coffee Growers Society who failed to get the loan from the Ministry for erecting their factory?

The Speaker (Mr. Slade): I think that is straying.

Mr. Masinde: On a point of order, Mr. Speaker, I think this is the Ministry which deals with co-operative societies.

The Speaker (Mr. Slade): No, financing and erecting factories are not the same thing. This is to do with traders.

Mr. Muruli: Mr. Speaker, the Minister in his reply told us the recent changes which made it impossible for him to give us a second answer. Could he tell the House what has made it impossible for him to give an answer to this question?

The Minister of State for Pan African Affairs (Mr. Koinange): Mr. Speaker, I told the House that the Government did what it could to inform the older constituents, now we have to make a separate survey for this new constituency.

Mr. Muliro: Is the Minister not aware that the Hamisi Constituency is just one location and that traders from there should be given equal opportunities for being granted loans as traders from other locations?

The Minister of State for Pan African Affairs (Mr. Koinange): Mr. Speaker, we are not saying that we ignore anybody in any location.

Mr. Khasakhala: Mr. Speaker, Sir, arising from the Minister's reply, is the Minister aware that no loans have been granted in Kakamega District to traders—Hamisi is in Kakamega District—since 1961?

The Minister of State for Pan African Affairs (Mr. Koinange): Mr. Speaker, I am not aware.

Mr. ole Tipis: Mr. Speaker, Sir, can the Minister enlighten the House, because he said that they were going to raise the amount of the loans from Sh. 500 upwards? Can he give us a comparison of the number who are going to benefit from these increased loans against the lower ones?

The Minister of State for Pan African Affairs (Mr. Koinange): No, because it will depend on the applicants who will benefit from that.

Question No. 249

COAST REGIONAL HOSPITAL: DISCHARGE OF PATIENTS

Mr. Kase asked the Minister for Health and Housing if he was aware that patients in the Coast Region General Hospital were being discharged before they were cured?

The Minister for Health and Housing (Dr. Mungai): No, Sir.

Mr. Kase: Arising from that reply, would the Minister agree with me that patients who are kept in ward three are discharged before they are cured?

The Minister for Health and Housing (Dr. Mungai): No, Sir.

Mr. Omar: Mr. Speaker, Sir, arising from one of the Minister's replies—

Hon. Members: No! No!

Mr. Omar: Is the Minister aware that patients who have been suffering from chronic tuberculosis have been admitted to hospitals and discharged within two or three days and that they were not cured?

The Minister for Health and Housing (Dr. Mungai): Mr. Speaker, Sir, if I may explain this, normally patients are discharged from the hospital when the doctors are reasonably assured that they have responded well to treatment. In the case of patients suffering from long illnesses, they are kept in hospital for as long a time as possible, or discharged from the hospital when reasonably cured and asked to report for treatment at the nearest clinic, health centre or dispensary as directed by the doctors, and I believe doctors use their good judgement in handling such cases.

Mr. Gichoya: Mr. Speaker, arising from the Minister's reply, is the Minister prepared to take steps against any medical officer who might have discharged a specific case which is known if I produce it for him?

The Minister for Health and Housing (Dr. Mungai): Mr. Speaker, Sir, if a specific case were to be produced, we would take steps, but we cannot go on suppositions only.

Mr. Makone: Mr. Speaker, Sir, what is wrong with the medical officer who discharges the patient because he is half way to being cured in order to make way for the seriously sick people because there are no beds?

The Minister for Health and Housing (Dr. Mungai): Mr. Speaker, Sir, I say again, specific cases will have to be produced before I can accept generalizations.

Mr. arap Soi: Mr. Speaker, Sir, will the Minister tell us when he sent an inspector to these particular hospitals since this question was raised.

The Minister for Health and Housing (Dr. Mungai): Mr. Speaker, Sir, we have regional medical officers and the other doctors, and I would like to make it very clear to this House that doctors work with their hearts, they are devoted. They do not have to be forced to treat patients. They like their work and they serve their country and their patients. I have regional medical officers who would advise me on any irregularities of that kind.

Mr. Tanui: Mr. Speaker, Sir, in view of the fact that Members from that area are very dissatisfied and they allege that people are discharged from hospital before they are cured, would the Minister be prepared to set up an independent committee to look into this?

The Minister for Health and Housing (Dr. Mungai): Mr. Speaker, Sir, it is not necessary because the doctors themselves know much more about diseases and response to patients than laymen who go to investigate. I would like the hon. Members here to realize that the doctors are doing the best they can under very difficult circumstances.

Mr. E. D. Godana: Mr. Speaker, Sir, will the Minister tell the House that, in view of the fact that Members are not satisfied with the medical health officers, he will investigate and tell the Member concerned?

The Minister for Health and Housing (Dr. Mungai): I would like to know what specific medical officer the hon. Member is talking about?

Mr. E. D. Godana: Mr. Speaker, Sir the medical officers were there, as he said, but—

An hon. Member: In Mombasa?

Mr. E. D. Godana: Yes, in Mombasa, but since the Member of the area is not satisfied, will the Minister instruct the medical officers to give a report of the findings of the Member concerned in the constituency?

The Minister for Health and Housing (Dr. Mungai): Mr. Speaker, Sir, I will be very happy to receive any report or complaints against any specific medical officer. If the hon. Member knows a specific medical officer and a case, let him give it to me in writing and then I shall deal with it.

NOTICE OF MOTION ON THE ADJOURNMENT

UNSATISFACTORY REPLY TO QUESTION NO. 249: COAST REGIONAL HOSPITAL: DISCHARGE OF PATIENTS

Mr. Omar: On a point of order, Mr. Speaker, I wish to give notice of my intention to raise this on the adjournment.

The Speaker (Mr. Slade): Will you give it to me in writing?

Mr. Omar: All right.

ORAL ANSWER TO QUESTION

Question No. 253

RESIGNATION OF DR. OTSYULA

Mr. Makokha asked the Minister for Health and Housing if, in view of the serious shortage

of Government medical officers, would the Minister give the circumstances which led to the resignation of Dr. Y. Otsyula from the Kenya Medical Service.

The Parliamentary Secretary for Health and Housing (Mr. Argwings-Kodhek): The shortage of medical officers is well appreciated and my Ministry is making every effort to retain those who are already in the service, as well as recruit locally and overseas in order to ensure that there is no drop in standards and efficiency of our health services.

Dr. Y. Otsyula was appointed as a medical officer in the Kenya Government service in July 1949. He was later subsequently appointed in January 1961 during the colonial days by the then Secretary of State's Appointment Board on inducement terms of service. The Secretary of State's Appointment Board was abolished in February 1961, and it was decided that those officers who had been appointed by this Board should, on obtaining accelerated promotion under the country's localization and Africanization programme, lose their overseas privileges.

Dr. Otsyula was given promotion as Senior Medical Officer in charge of Western Region, but he did not wish to lose the overseas privileges which he considered more beneficial to him. He therefore refused promotion and retired. Every effort was made to persuade him to stay in the service, but he declined, and the Government had with the greatest regret to let him go. All other African officers who were similarly appointed as Dr. Otsyula have accepted to serve the country. Those who have been promoted have also accepted it, and remained in the service.

Mr. Ngala-Abok: Mr. Speaker, Sir, would the Junior Minister agree with me that Dr. Otsyula's case is not as short as that? First he protested against an appointment of another medical officer at the medical headquarters and registered his protest with the Ministry, and later he protested at another appointment when he was by-passed, and that it is not as short as the Junior Minister said.

The Parliamentary Secretary for Health and Housing (Mr. Argwings-Kodhek): As a matter of fact, I would say that the answer was a little too long. Dr. Otsyula's case is just as I have stated it here. If he insists on remaining as an overseas officer, what do you want to do with him?

Mr. arap Moi: Mr. Speaker, Sir, arising out of the Junior Minister's reply, would he assure the House that it was not a political decision which some of us believe it was, and that this thing

[Mr. arap Moi]

should never have happened, and that the country is short of medical officers and he should have been taken on?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): On overseas terms?

Mr. arap Moi: What is wrong with that?

The Parliamentary Secretary for Health and Housing (Mr. Argwings-Kodhek): This was a matter for the Public Service Commission, and if you are insinuating that another officer was appointed to the post which he has referred to, that particular officer was definitely senior to him.

Mr. Masinde: Mr. Speaker, Sir, arising from the Parliamentary Secretary's reply, is he aware that one medical officer junior was posted to Kakamega to take over from Dr. Otsyula?

The Parliamentary Secretary for Health and Housing (Mr. Argwings-Kodhek): The answer, Mr. Speaker, Sir, is No, but I know one thing, that Dr. Otsyula tried to introduce "*majimbo-isation*"—

It is known to me that Dr. Otsyula brought friends of his and refused to allow a doctor to take over from him.

Mr. ole Tipis: Mr. Speaker, Sir, arising from some of these unsatisfactory replies from the Parliamentary Secretary, is he trying to imply that the medical profession is now indulging in politics as far as *Majimbo* is concerned?

The Parliamentary Secretary for Health and Housing (Mr. Argwings-Kodhek): Certainly not, but Dr. Otsyula would have got a much more senior post in Kisumu which is a hospital with more beds than Kakamega.

Mr. Agar: Mr. Speaker, Sir, would the Junior Minister agree with me that at present, postings and promotions in the Medical Department are unsatisfactory, and that there is prejudice and favouritism?

The Parliamentary Secretary for Health and Housing (Mr. Argwings-Kodhek): I do not agree.

Mr. Lorema: Mr. Speaker, Sir, would the Junior Minister tell this House whether this matter was taken from a personal point of view or a public point of view?

The Parliamentary Secretary for Health and Housing (Mr. Argwings-Kodhek): I referred to the Public Service Commission and—

Mr. Masinde: Luos.

The Parliamentary Secretary for Health and Housing (Mr. Argwings-Kodhek): Not Luos. If this person wanted to go after all the persuasion on our part, he had to go, and he not only shirked his responsibilities, he dodged and he refused to take promotion. He wanted to be a *Msungu*.

Mr. Makokha: Mr. Speaker, can the Parliamentary Secretary tell us whether, when Dr. Otsyula refused to give up his expatriate terms, he benefited at all as an expatriate officer does, and if so by how much?

The Parliamentary Secretary for Health and Housing (Mr. Argwings-Kodhek): This matter is very personal to Dr. Otsyula himself. The hon. Member, Mr. Speaker, comes from very near where Dr. Otsyula is, so he could ask him about this. However, Dr. Otsyula, with all his ingenuity, might not have wished to leave the department without thinking that he was going to get something in his pocket.

NOTICE OF MOTION ON THE ADJOURNMENT

UNSATISFACTORY REPLY TO QUESTION NO. 253: RESIGNATION OF DR. OTSYULA

Mr. Masinde: On a point of order, Mr. Speaker, in view of the fact that we have not had satisfactory replies from the Minister, I would like to raise this matter on the adjournment.

ORAL ANSWERS TO QUESTIONS

Question No. 263

SETTLEMENT OF EUROPEAN FARMS: OL KALOU

Mr. J. M. Kariuki asked the Minister for Lands and Settlement to state when the European farms at Ol Kalou, whose owners were willing that they should be used for settlement, would be taken over by the Government in order to end the state of suspense now suffered by those farmers.

The Minister for Lands and Settlement (Mr. Angaine): Mr. Speaker, Sir, I beg to reply. During the period 1964/65. Her Majesty's Government has, however, not yet agreed the money with which to buy those farms that lie within the area known as the Ol Kalou salient but an agreement is expected soon.

Mr. J. M. Kariuki: Mr. Speaker, Sir, in view of the fact that those farms are now lying idle, what provision is the Government making to start so as to make use of these farms rather than wasting them until money is available?

The Minister for Lands and Settlement (Mr. Angaine): Mr. Speaker, the Government has to wait until it gets the money.

Mr. Masinde: Mr. Speaker, arising from the hon. Minister's reply, would he assure this House that the land available at Ol Kalou will be given to those Luos who have been affected by the floods?

The Speaker (Mr. Slade): Some of these farms are not relevant here.

An hon. Member: It is relevant.

The Speaker (Mr. Slade): No, it is not relevant.

Mr. Murgor: Mr. Speaker, would the Minister agree with me that instead of wasting the land lying idle, the squatters who used to work for the farmers should be able to serve a useful purpose?

The Minister for Lands and Settlement (Mr. Angaine): Mr. Speaker, Sir, I think if these farmers apply first, the Government will consider the squatters.

Mr. ole Tipis: Mr. Speaker, Sir, arising from one of the hon. Minister's replies, can he give us an indication as to when these funds will be available?

The Minister for Lands and Settlement (Mr. Angaine): Mr. Speaker, Sir, we are expecting to get the money from Her Majesty's Government as soon as possible.

Mr. Ngei: Mr. Speaker, Sir, will the Minister for Settlement tell us, since these farms are in a state of suspense, whether these could fall under the Abandoned Farms Act, and whether the Government can take them over?

The Minister for Lands and Settlement (Mr. Angaine): No, Sir.

Mr. Muliro: Mr. Speaker, Sir, arising from the Minister's reply, would the Minister not agree that land which is not occupied, and the owner is not here, is abandoned, and therefore it should be taken over?

The Minister for Lands and Settlement (Mr. Angaine): Mr. Speaker, I do not think our newly born Government, our stable Government, could ever take things by force because every individual property will be protected by this Government.

Question No. 267

TOP POSTS FOR AFRICANS: E.A.R. & H. ADMINISTRATION

Mr. J. M. Kariuki asked the Minister for Works, Communications and Power if the

Government would make representations to the appropriate authority for the posts immediately under that of the General Manager of East African Railways and Harbours Administration to be occupied by African officers?

The Parliamentary Secretary for Works, Communications and Power (Mr. arap Bomett): Mr. Speaker, Sir, I beg to reply. The power to make appointments to the posts referred to is vested solely in the Railways and Harbours Service Commission by virtue of the East African Common Services Organization, Public Service Commission Act, 1962. The Commission is well aware of the policy of Africanization, and will undoubtedly take steps to ensure that the posts in question are Africanized as soon as it is practicable to do so.

Mr. Shikuku: Arising from the Parliamentary Secretary's reply, is he aware that all the time during the imperialist régime we were told about "practicability". Could he tell us now specifically in view of the fact that we are now an African Government, when this is going to happen because we have been told of this practicability for a long time?

The Parliamentary Secretary for Works, Communications and Power (Mr. arap Bomett): Mr. Speaker, Sir, for the information of hon. Members, an African has been recently appointed General Manager Designate and I can inform the House further that plans are in hand for appointing two as Assistant General Managers.

The Speaker (Mr. Slade): We must go on to the next question, now.

Question No. 268

MEDICAL PRACTITIONERS: LICENCES

Mr. Makone asked the Minister for Health and Housing if the Minister was prepared to recommend to Government the introduction of first work in the Government for a specific period in order to prove his efficiency before he was issued with a private practitioner's licence?

The Minister for Health and Housing (Dr. Mungai): Mr. Speaker, Sir, I beg to reply. Such a law exists. The law as at present requires that a doctor must work in a set course for one year in a recognized hospital, either in this country or abroad before he can be considered for registration as a medical practitioner, whether in Government or other institution or as a private practitioner.

Mr. Makone: Mr. Speaker, Sir, arising from the Minister's reply, does it mean that these people are advancing on what they are doing because the Government refuses to do the job properly?

The Minister for Health and Housing (Dr. Mungai): I did not get what the questioner was driving at. Could he make it clear?

Mr. Makone: Mr. Speaker, Sir, how many Africans and how many Europeans and Asians are practising this private business?

The Speaker (Mr. Slade): That is another question he is asking now.

The Minister for Health and Housing (Dr. Mungai): I do not think that question arises, Sir.

The Speaker (Mr. Slade): We are getting beyond the question, now.

Mr. Muliro: Does it mean that all the missionary doctors have worked in Government hospitals?

The Minister for Health and Housing (Dr. Mungai): I did not say Government hospitals, I said recognized hospitals in this country or abroad.

Mr. Tanui: Mr. Speaker, Sir, will the Minister tell us how he gets to know that a person such as a missionary has been approved to work in a "recognized" hospital?

The Minister for Health and Housing (Dr. Mungai): Mr. Speaker, Sir, certificates are issued.

Mr. Mutiso: Mr. Speaker, in view of the fact that the Minister for Health and Housing has told this House that we lack doctors in the country, would he agree with me when I suggest to him that he should introduce legislation to limit the number of private practitioners in the country so as to—

Hon. Members: Why, why?

The Speaker (Mr. Slade): That is a different question.

Mr. Jahazi: Mr. Speaker, will the Minister consider amending the law so that these practitioners who are working in Kenya should work in the recognized institutions in Kenya for two years?

The Speaker (Mr. Slade): Order, order. All these questions are quite irrelevant to the main one.

An hon. Member: How about the witch-doctors?

The Speaker (Mr. Slade): Have you a point of order, Mr. Agar?

Mr. Agar: I wanted to ask a supplementary question.

The Speaker (Mr. Slade): Too late. We have finished.

Question No. 158

MEASURES TO INCREASE THE BIRTH-RATE

Mr. Odera-Sar asked the Minister for Health and Housing if he would tell the House what steps he was taking to encourage the development of larger families, particularly in those areas where the birth-rate was low, in order to build up the population of the nation?

The Parliamentary Secretary for Health and Housing (Mr. Argwings-Kodhek): Mr. Speaker, Sir, I beg to reply. The last population census in 1962 showed that the rate of population growth in Kenya was three per cent a year. This meant that at this rate the country's population will double itself in a period of twenty-five years, and this is considered to be a high rate of population growth. I am, however, aware that there are certain areas in the country where comparatively the birth-rate is lower than in other areas. From the health point of view the problem of retardation in population growth is one that is being tackled by the Ministry in the following manner:—

- (a) Promoting general improvement in health standards in the form of curative, preventive and promotive health. It is hoped that with these measures the expectation of life would be increased and there would be a decrease in mortality rates, and in particular reduction in the child death-rate.
- (b) Measures to combat specific diseases that are considered to be a direct cause of lower birth-rates are also being energetically tackled by the Ministry.

Mr. Ngei: Will the Minister tell us whether polygamy is a part of a step to encourage a development of larger families and that monogamy discourages it?

The Parliamentary Secretary for Health and Housing (Mr. Argwings-Kodhek): Mr. Speaker, Sir, whether polygamy or monogamy is monotony, I do not think it has anything to do with the question at all.

Mr. Odera-Sar: Mr. Speaker, will the Junior Minister tell the House which districts are involved in the low rate of birth?

The Speaker (Mr. Slade): You will have to repeat the question rather louder, Mr. Odera-Sar.

Mr. Odera-Sar: Mr. Speaker, I would like the Junior Minister to tell the House the places where he said the birth-rate is very low.

The Parliamentary Secretary for Health and Housing (Mr. Argwings-Kodhek): I do not know whether that is a contribution, but I know in Ugenya they drink a lot of "kill me slowly" and when they go to bed they do a lot of sleeping instead of acting.

Mr. Mutiso: On a point of order, Mr. Speaker, I rise to seek your guidance as to whether the language used by the Junior Minister was in order in this House?

The Speaker (Mr. Slade): There was nothing unparliamentary in it.

The Parliamentary Secretary for Health and Housing (Mr. Argwings-Kodhek): The hon. Member for Ugenya might be interested to know the rate of population in various areas. The percentage in the Western Region is 2.9, Nyanza 3.2, where he comes from, Rift Valley 3.1, Nairobi area, very prolific 6.6 per cent, Central 2.2, Eastern 2.8, North-Eastern 2.5 and Coast 2.8.

Mr. Odera-Sar: Mr. Speaker, could the Minister of Health do something where birth-rate is slowed by venereal diseases?

The Parliamentary Secretary for Health and Housing (Mr. Argwings-Kodhek): As a matter of fact, the Ministry is doing everything to combat venereal disease. If the Members would also help by a little bit of restraint, we might get somewhere.

The Speaker (Mr. Slade): Order, order. We must go on now.

NOTICE OF MOTION ON THE ADJOURNMENT

UNSATISFACTORY REPLY TO QUESTION NO. 206:

"LEGION OF MARY": POLITICAL AND RELIGIOUS
SECT

The Speaker (Mr. Slade): I would remind hon. Members that at close of business today Mr. Masinde is to raise the matter of recruitment to the Army on a tribal basis. I must also inform hon. Members that in response to a notice that I have had from Mr. Muliro, I am going to allow him to raise next Tuesday, 30th June, on the Adjournment, the question of the reply to Question No. 206 concerning the Legion of Mary.

MOTION

BY ORDER OF THE HOUSE: PRECEDENCE OF
BUSINESS

The Minister for Health and Housing (Dr. Mungai): Mr. Speaker, Sir, on behalf of my colleague, the Minister of State, Prime Minister's Office, I beg to move:—

THAT, at this day's sitting, the House orders that Order No. 7: Group Motion with all subsequent Orders on the Order Paper, shall take precedence over Order No. 6: Ways and Means—Budget Debate.

Sir, this has been recommended by the Sessional Committee and it is the Members' turn to raise their private Motions on this day.

Mr. Speaker, Sir, I beg to move.

The Minister for Justice and Constitutional Affairs (Mr. Mboya) seconded.

(Question proposed)

(The question was put and carried)

MOTION

MINISTERS', SENATORS' AND MEMBERS' SALARIES

Mr. Ngala-Abok: Mr. Speaker, Sir, I wish to withdraw this Motion.

The Speaker (Mr. Slade): I suppose that means that you do not even want to have it another day. You have withdrawn it completely?

Mr. Ngala-Abok: Yes, Sir.

Mr. Ngala: On a point of order, can a Motion which is put forward to the House be withdrawn without the leave of the House?

The Speaker (Mr. Slade): You are quite right to raise that point, Mr. Ngala, but the position is that a Motion is not in the possession of the House until moved, seconded and proposed. Then it is in the possession of the House and cannot be withdrawn without the leave of the House. But a Member who merely has a Motion on the Order Paper, is quite entitled to withdraw it, or even fail to appear to move it.

Mr. Tuva: Mr. Speaker, Sir, could the Mover of this Motion tell the House the reasons why he has withdrawn this Motion?

Mr. Masinde: On a point of order, Mr. Speaker, will it be in order that a similar Motion be moved?

The Speaker (Mr. Slade): Yes, if an hon. Member gives notice of a Motion and then withdraws his notice, it is open for any other Member to give notice of a similar Motion.

MOTION

PURCHASE OF PRIVATELY OWNED COASTAL LAND

The Speaker (Mr. Slade): Before I call on the Mover to move his Motion, I would remind hon. Members that there is a time limit of two hours altogether, and also to remind the House that two hours hence, that is at 5.30 p.m., whether or not we have disposed of all group Motions, we will move on to the first free-lance Motion which is Order No. 10, Mr. Pandya's Motion.

Mr. Tuva: Mr. Speaker, before I move this Motion I would like to move it in a slightly amended form, that is by leaving out the words "the Malindi District of" so that the Motion should now read:—

THAT in view of the entire landlessness of the Africans in the former Coastal Strip, the Government is urged to consider the allocation of funds for the purchase of all the private-owned land in the rural areas and subdivide into *shambas* for settlement for the Coastal tribes.

An hon. Member: On a point of order, what was the amendment, Sir?

The Speaker (Mr. Slade): The amendment I have allowed is the omission of the words "in Malindi District of" in the second line so that it now reads "landlessness of the Africans in the former Coastal Strip".

Mr. Tuva: Mr. Speaker, Sir, before I begin on this Motion I would like to urge the Government side to take note that this Motion is not a Kadu Motion. I brought this Motion as a private Motion but because I wanted it to come before the House soon it was made a group Motion. Therefore, I ask the Government to treat it as such. Before I go on I would like to remind hon. Members of the history of the area I am speaking about. This area became the Coastal Strip in 1886 when East Africa was subdivided by the colonialists. It extended from Kipini down to the River Rovuma in Tanganyika. This part in Tanganyika was governed by the Germans then, or protected for the Sultan of Zanzibar at that time by the Germans, and in Kenya it was protected by the British Government. In 1890 the Tanganyika part of the Coastal Strip was taken by the Germans completely by the payment of £200,000 to the Sultan of Zanzibar who then surrendered the Coastal Strip to the Germans.

In 1895 the Kenya part of the Coastal Strip had a special treaty made and this was when we had the Kenya Protectorate declared. Now, during

this time, Mr. Speaker, our people were very ignorant. They never knew what was happening. All this land that was lying in this area was owned by the Arabs. They got this land through enslaving our people. Our people never knew what had happened, and all the land fell into the hands of the Arabs. Even before 1895 this had happened. During that time the administrators were Arabs; the Liwalis were Arabs; the Kadhis were Arabs; and therefore these administrators would tell their fellow Arabs what was happening in the Government circles and our people were completely away from Government circles, they were cowardly because they had been enslaved and threatened with slavery. I shall quote, Mr. Speaker, a memorandum that was prepared by the Commissioner for Lands and this will show that really our people were quite ignorant at that time. As early as 1908 when our people had not even gone to school they never knew what was happening, and the Commissioner for Lands wrote this memorandum to the Lands Committee of the Coast Regional Assembly or the Coast Regional Land Committee on Tuesday, 17th December 1963, at 2 p.m. It reads: Record of Titles, Land Titles Ordinance, Chapter 282 of the Revised Edition of the Laws of Kenya. It begins: "The Land Titles Ordinance was enacted in 1908 and is applicable to the ten-mile strip along the coast which comprises the Protectorate and provides for the certification and registration of titles or interest in land in that area. The titles or interest are those which were in existence prior to the agreement of 1895 with the Sultan of Zanzibar." I do not know where he is today—and as I have said earlier, our people were ignorant. The claims were to be made to the Government, but at that time our people never knew what was happening. Then, the claims were adjudicated and this rendered all the Africans in that area squatters. All of them are squatters even today. One hundred per cent of the Africans are squatters in the whole of the Coastal Strip. Perhaps some people may confuse the Coastal Strip and the Gedi Settlement with other settlements. Some of these places were not, although they are within the ten miles, but the ten-mile Coastal Strip did not extend parallel to the seashore. There are some parts that are within that area which were not within the Protectorate of Kenya and the example is Gedi, a very small area indeed. Therefore, Mr. Speaker, to show what is going on, or to show what has been going on, I have to explain in detail about the sufferings of the people. The so-called squatters developed the land, they were not even told that the land had been claimed and given to the people or to the Arabs. These people did not even know what

[Mr. Tuva]

land title deeds meant, or what they mean today, but from time to time they are evicted by the use of the awful Trespass Ordinance. Some people are imprisoned, some people evicted from their *shambas*, *shambas* that they had developed for years and years. They found their grandmothers there; the fathers and their families are today told to leave the *shambas* where they were born and brought up. These people do not understand what is happening, they do not even believe that there is *Uhuru* today. Therefore, Mr. Speaker, I move this Motion with good faith, with no grudges whatsoever against any race or tribe or any individual. I ask the Government to buy all the land which is lying on the former Coastal Strip to subdivide it for the African tribes at the Coast, or as I put it here, the Coastal tribes.

You will find, Mr. Speaker, that most of the land or much of the land today is owned by rich landowners, some of whom are not even in this country. Some of them are in Uganda, some are in Tanganyika, some are even in Zanzibar or in the Congo, but because they hold these pieces of paper called Freehold Titles then they think that they have all rights over the land although they are not there. You find that some of the squatters have developed the land in the absence of these landlords, the landlords, some of whom, have not even seen the areas that belong to them by law. Some of them chose overseers to collect ground rent and these overseers are mostly Swahilis and they have no feelings whatsoever for the Kenya people.

Mr. Somo: On a point of order, Mr. Speaker, can the hon. Member tell us who are the Swahilis?

The Speaker (Mr. Slade): That is not a point of order.

Mr. Tuva: For the information of the hon. Member I will tell him that the Swahilis are the ex-slaves, the people who came from Tanganyika and Nyasaland and were made free. I hope the questioner is not one of them.

Now, Mr. Speaker, these overseers treat the indigenous people very, very cruelly. They collect rent and knowing that on a particular plot or *shamba* the owner is away, then they go to the squatters who do not know to whom the land belongs and these overseers try to collect the rents and give the tenants or the squatters receipts like these *here*—I have collected some for the Attorney-General because they are going to take action against some of them. I am actually speaking of the areas out of the towns.

Now, Mr. Speaker, as I have said, the people do not believe that there is *Uhuru* already. We always hear over the radio that a lot of money is coming into Kenya, a lot of money is used for development, but not a single cent has been used in the Coastal Strip to try and solve this problem. For a long time people have been bringing delegations to Nairobi. Delegations were brought here as far back as 1955, 1956, 1957, and the latest one was brought here by myself, in December last year. The intention was to see the Prime Minister so that he could take action on this problem of the squatters on the Coastal Strip. When we came here we failed to see the Prime Minister for three days. As an alternative we were told to see one of the Ministers of State, and this also failed. At last a Minister offered himself to see the delegation. The delegation, by this time, was exhausted. They had come to Nairobi with all prior arrangements, but they were told that they could not see a single Minister. At last one Minister himself offered to see the delegation and he met the delegation and assured them that he would send somebody to investigate all these *shauris*. Now this assurance we took from him but to our surprise we found that the person sent down was a District Commissioner who served the Colonial Government for the past 24 years. For the past 24 years, Mr. Speaker. You would find, Mr. Speaker, that most of our leaders who are now in the Front Bench of the Government used to speak when they were not Ministers of the awful Trespass Ordinance, of the awful Colonial servants, of the Colonial-minded people, and today it is these very people who were condemned by our leaders who are used as its instruments. What sort of report did the Government expect from such a person? Therefore, Mr. Speaker, I ask the Government immediately to appoint an African, whether he is from any part of Kenya, to go down and listen to the Africans instead of sending people who have served the Colonial Government, to find out what can be done. But I move that the only solution is for the Government to purchase all the land and make it available for settlement by the Coastal tribes. Mr. Speaker, the Government has no reason to say that there is no money. They have no reason to say that, a lot of money is coming and a lot of money has been used in this way. It is now time that they should turn to the Coast and see what developments can be made there. It is useless for a Minister to go to the United Kenya Club and speak of raising the economy of the ordinary man if they cannot see further than Nairobi, if they cannot see further than the Rift Valley, if they cannot see further than Meru. It

[Mr. Tuva]

is now time for the Government to turn its attention to the Coast and see what development can be done there.

Now, Mr. Speaker, I am not accusing the Prime Minister, but I am showing how the Prime Minister betrayed us. On 8th October Reuters sent this cable after the signing of the Agreement between the Sultan of Zanzibar and the other gentlemen. It reads: "The Coastal Strip of Kenya, over which the Sultan of Zanzibar has sovereignty will become part of an independent Kenya and comes of an Agreement signed here today." (That is 8th October.) "The Agreement was signed at a ceremony at Marlborough House by Mr. Duncan Sandys, the British Colonial Secretary, on behalf of Her Majesty Queen Elizabeth, by the Sultan of Zanzibar, Sheikh Jamshid, the Prime Minister of Kenya, Mr. Jomo Kenyatta, and the Prime Minister of Zanzibar, Mr. Mohamed Shamti. Television and Press cameras reported the signing ceremony. The Agreement provides that on the date when Kenya becomes independent, scheduled for 12th December, the territories comprising the Kenya Protectorate, known as the Coastal Strip, will become part of Kenya. A Colonial Office statement said the Sultan and his Government had renounced all claims to financial compensation in respect of the relinquishment of sovereignty and of any revenue derived from the Coastal Strip. This is a 200-mile long and ten-mile deep stretch of territory along the Kenya Eastern Coast line. The Colonial Office statement says that during the course of the Kenya Independence Conference, Ministers of the Government of Kenya have given certain assurances to Ministers of the Government of Zanzibar in respect of the protection, after Kenya has obtained Independence, of the interests of His Highness the Sultan of Zanzibar's subjects in the Coastal Strip. These assurances included undertaking, by the Government of Kenya, in relation to freedom of worship, the position of Chief Kadhi, the teaching of Arabic in schools and freehold titles to land and certain other subjects affecting the Sultan's subjects in the Coastal Strip."

Now, Mr. Speaker, we always speak of one nation. Why should the Governments of Kenya and Zanzibar speak of the Sultan's subjects? We are all one nation, the Kenya nation. Why then should there be provision for a section of the people of this country? Therefore, that is why I say that the Prime Minister has betrayed us altogether. As it is provided in the Constitution that the Government is all powerful, I ask this

Government to use its good offices to buy all this land which is privately owned, where Africans are squatters and liberate them, make them feel free, make them feel that they are living in a free Kenya. At the moment, they do not feel that there is freedom yet. The Trespass Ordinance is there to protect all these cruel people.

Mr. Speaker, going back to the claims that were made to the Government a long time ago, here is an example of the lies that were told to the Government when people were claiming land. There was one ex-slave, by name Mohamed Uweki Shoo. This was during the time of the Carter Commission. He was giving evidence claiming all the land, almost all the land that belonged to the Masai, the Kamba, the whole of Taveta, the Kilimanjaro Reserve, most of the South Tanganyika Reserves, the Chagga country, and Moshi. This is one of the examples showing how the Government was cheated by these people who came to visit the land, and through law they were given titles to which today we are asked to give respect. How can we give respect to something that we feel was taken away from us by force? The thoughts that led these politicians in Kenya today, Mr. Speaker, were inspired by the subject of land, by the lack of land for our people to cultivate and that is why we found oaths being taken. Some years ago people were killed for one reason and one reason only, land. Therefore, Mr. Speaker, we are not exceptions down at the Coast, we also cry for land, all the land has been taken away from us and now is the right time for us to demand it back. Now that Kenya is free is the right time for our land to be returned to us. Mr. Speaker, Sir, during that time the Government used to make special concessions for some small sections of the people of the country. One group of the special Arabs were called Mazrui. They were given a very big part of land just for themselves to use as they wished, and some of the different families of the Mazrui have subdivided the land and then got titles to it. These were gifts given to them. Some reserves were made for the Mahaji, the people who belonged to the Islamic religion. The Mahaji were given a big piece of land at Mida. You will find some other reserves like the Likoni Commonage which was given to the people just because they belonged to a special group of people. Now, Mr. Speaker, I ask the Government to overlook all this that has happened before and come to realities and say to the people that they will act as they spoke before they came to the Government. Once, they assured the people that they would get land. They assured the people that they would look into the troubles. They always

[Mr. Tuva]

speak to the United Kenya Club and groups of students and say that they will turn to the ordinary man and try to raise the income. I remember a Minister and a Junior Minister spoke recently, I think it was in the Royal College and it was the Minister for Justice and the Parliamentary Secretary to the Treasury, the hon. Mwai Kibaki, who spoke of raising the standard of the ordinary man. How can the standards of the ordinary man be raised if we ask the people to be loyal to the Government and yet still they have not attended to their grievances? One major grievance of the people today down in the Coastal Strip is land. They want land and they want free land because it was taken from them by force. The Government has brought freedom and we want that land to be returned to the indigenous people.

Mr. Speaker, with these few words I beg to move.

Mr. Mwanzandi: Mr. Speaker, Sir, I beg to second this Motion.

Mr. Speaker, I would like first of all to bring before the Government information about the Coastal land. First of all, in the Coast we, the Digos, the Giriomas, the nine main tribes—the Nyika—did not really mind who came to a piece of land to settle. The Arabs came and they asked to settle with us. In a way we told them to live together with us. We did not know what was happening. Yet, by that time they were writing and complaining because they wanted the land titles to these pieces of land. I know we did not know how to read and write. Yet these Arabs were claiming the pieces of land we were living on, they had spread to most places. The Registrar of Lands came and he did not ask the elders who claimed that piece of land whether they had any objection. They did not even tell the chiefs the history of that piece of land. With his *Ex-parte* judgment, the Registrar of Lands allocated these piece of land to these Arabs. Mr. Speaker, Sir, we are living with the Arabs yet today, when someone after thirty to forty years has lived there, he is called a squatter. How can someone after a long time, someone who is very old, someone who cannot be taken anywhere else after thirty or forty years, be asked to go away from that piece of land to settle somewhere else because that piece of land belongs to an Arab? One funny thing, Mr. Speaker, is that those Arabs did not buy these pieces of land from Africans nor did they pay anything to the Africans. They got this land by stealing. No one gave them these pieces of land. Today some of these Arabs have been selling these pieces of land very cheaply

to other Indians, selling three thousand and four thousand acres at Sh. 1,000. Is this not funny, Mr. Speaker, because no one purchased that piece of land? We are asking the Government to buy these pieces of land or to do something to get us places to live. We have nowhere to live. The Prime Minister of Zanzibar made it quite clear before the Prime Minister of Kenya, the Sultan of Zanzibar and Mr. Duncan Sandys that if there was any land hunger, these pieces could be bought for these poor Africans. This Agreement was signed on the 8th October 1963 and for the information of the Prime Minister of Kenya. Mr. Speaker, Sir, it reads: "The freehold titles of lands in the Coastal strip that are registered will at all times be recognized. Steps will be taken to ensure that the registration of the new freehold titles and the right of freeholders will at all times be preserved in so far as it may be necessary to purchase the freehold land for public purposes, in which event full and prompt compensation will be paid." We demand under this paragraph, Mr. Speaker, that the Prime Minister should pay compensation so that we have the land that was taken and the Prime Minister of Zanzibar faithfully agreed with this request, that the freehold title to land in the Coast Region, that he has already rejected, would at all times be recognized. Steps will be taken to ensure the continuation of the procedure for the registration of new freehold. Titles and the rights of freeholders will at all times be preserved, and so far as it may be necessary to acquire freehold land for public purposes, in which event full and prompt compensation will be paid. It was after this paper, Mr. Speaker, that the Arabs became harsh. The Arabs, again because of this support of this paragraph, began to steal land.

When we go to them they ask what we want, because they have caught the Ministers at their hands. It is true that our Ministers are now controlled by these landlords or these rich people. We want land, Mr. Speaker, but there is no land. It is worse, Mr. Speaker, in my constituency in particular. Where an African does not own land he is called a squatter, and before that the Recorder of Titles said that the Arabs were on that land. Because they were servants or ex-slaves, they have no land now.

The Speaker (Mr. Slade): Order, order. There is too much cross-talk going on.

Mr. Mwanzandi: The land was owned by Arabs who said those Africans on that land were servants. This same thing is happening at Shimoni where no African has land, Mr. Speaker. What is even worse, Mr. Speaker, is that a man of thirty

[Mr. Mwamzandi]

or forty years of age has no land. He has trees of more than sixty feet high. They have no land at Diani. At Ngomeni he is supposed to work, Mr. Speaker. Some landlords are uprooting these trees and yet the Government officers pay no attention at all.

Mr. Speaker, trees have been established by Africans. Arabs are now using these trees. Trees which we have planted; trees which we have been weeding over the years.

Mr. Speaker, Sir, with those few words, I beg to urge the Government to do all it can so that we get land in that area.

(Question proposed)

Mr. Ngala: Mr. Speaker, Sir, I think the land problem in the former Coastal Strip is a very important problem, and I hope Government will take this Motion with some sympathy in order to prepare to go into the problem as genuinely as possible. I am glad to see that the Minister concerned is sitting here to get the details of our views on this problem.

Mr. Speaker, Sir, the land in the Coastal Strip was taken by trickery and conspiracy between the Colonial Government and the Arab Administration. The Mover has made it very clear as to the dates when this very wicked trickery took place. I did not go into the past because that is bygone. I would like to tell this House that the Arab landowner is a very greedy creature, and the worst exploiter. Any person who has lived with him has felt the pinch, and has felt the exploitation and attitude which go thoroughly into the flesh through the bones of the person who has to suffer his domination.

Now, as far as the Coastal Strip problem is concerned, the Motion is very simple. The Motion is asking the Government not to abide by the Marlborough House agreement too much, but realize the difficulties under which the poor Africans are suffering and make some funds available so that land can be purchased. Many of the landowners of the private land are Asians and Europeans, and all that they tell you when you ask them is that they have a piece of paper here given to them in 1901, and the land is somewhere in the north of Mambui. Now, he has never taken any trouble to see his land, he has never taken the trouble to develop the land. The land has been bush since the times of the Devil or God, when the land was given to him. Now, how can an African Government tolerate such land-owners? They are people who only show a piece of land.

I would like to make it quite clear that we in the Coast Region have taken steps towards this. We have written a long memorandum to the hon. Chief of Government, the Prime Minister, and we have made all the problems clear to him. The Chief of Government, the Prime Minister, has himself spent about seven days in the Coast and gone from Banga to Mambui and he has seen the problems. About four weeks ago I invited a Minister to come down. He came down with his Parliamentary Secretary and all the officers that are in his Ministry, and he saw these problems with his own eyes. He saw the problems of people having their trees and established areas pulled down and property destroyed, property out of which the Africans would buy themselves food and clothes, or pay the Government tax. This is a very shameful scene for a free and independent and a sovereign African state. I tell you what the *Majimbo* Government is doing. In *Majimbo* Government, Mr. Speaker, Sir, if the Member wants to know what we are doing, we are fully aware of our responsibilities. We know that we have regional land in the region, and we are doing our best to settle our people on the regional land.

We are talking here of private land. There is no use in the Parliamentary Secretary sitting there with a lot of ignorance in his head. We are talking of private land. The Motion is clear, and we are not talking of regional land, and it is the private land that we are talking about. In Malindi itself a whole location is privately owned. These locations are private land locations, but the owners of the land are sitting in Mombasa doing nothing. Some of them are in Kisumu, and all that they can show the hon. Minister for Lands and Settlement is a piece of land given to them in 1901 by the Colonial Government, and they say that this is a piece of land that your Prime Minister has promised to protect by the Marlborough Agreement. I would like to make quite clear that I do not recognize the Marlborough Agreement in these matters. It must go as the Sultan himself has gone.

Mr. Speaker, Sir, the Agreement is not a constitution. You are ignorant. The Constitution was signed at Lancaster House. The Marlborough Agreement is not a part of the Constitution—

An hon. Member: Mr. Speaker, Sir, is it in order for the speaker to refer to a Member as ignorant?

The Speaker (Mr. Slade): I said yesterday that if hon. Members want to make an interjection they must be prepared for a sharp rejoinder.

[The Speaker]

Hon. Members must not mind when what they say is remarked on by others, and sometimes in a way that they do not like.

Mr. Ngala: If you interrupt me, you must expect it. Mr. Speaker, Sir, here we are in the Coastal Strip, and we have been called good people, and peaceful people for too long, and all that we are doing is asking the Minister for Lands and Settlement to make sure that this problem is solved. We have shown him our problem. We have put the problem to the hon. Prime Minister. I recently received a letter from the Minister for Lands and Settlement in which I hope he will make a little money available to solve this problem, and I would like to know— In the Estimates he is given quite a large sum of money, about £6.7 million, and I hope this time he will turn to the Coast. We do not want Ministers to come down to the Coast only when they want to come for pleasure. We want him to turn to the Coast this time to help.

Mr. Speaker, Sir, I have already included in my memorandum an estimate of the cost and the amount of money required. I have already included the problem in my memorandum to the Minister and to the Prime Minister, but the question is, we are told, all this money for settlement should not go elsewhere but to the Central Region, and the Coast is not an area of potential. Now, if it is not an area of potential, therefore, the Minister cannot give us money because he is told by the British Government who lent him the money—we must have another source. We must be told how we are going to solve this problem. These people around Malindi, the people around Likoni, and all along the Coastal Strip would like this question to be solved. In fact, we would like the Trespass Ordinance to be removed. It can be removed because if the Minister only says that the law of 1925, Trespass Law, 1925, colonial law, should be altered, this Cabinet is capable of altering it, and I have warned the Minister that I will support such a Bill, so as to amend and change the position. It can be changed because the land was not bought. The land was taken by trickery. If this problem is not going to be solved properly, we can get a medicine, but we can still have another trickery. I hope the Minister will solve it before it is too late.

Mr. Speaker, Sir, I would like to make it quite clear that first the Trespass Ordinance should be removed. Secondly, the Government should stop these trees being knocked down by these so-called land-owners. The paying of a rent even for putting up a small house on other people's land

should be stopped. It should be stopped. I see, Mr. Speaker, that the Minister will give a hearing today.

Mr. Matano: Mr. Speaker, Sir, when we discussed land we discussed a very emotional subject, and when we discuss land in the Coast we are actually sitting on a live bomb, and we are simply marking time waiting for it to explode. I want to say this. The people must think that I am trying to threaten, but I am stating a fact. The land problem at the Coast is a very tricky problem, and it is very close to the hearts of the people.

Mr. Speaker, before I carry on, I would like to say a bit about the geography of this area which we are discussing at the moment. The geography of it is that it is ten miles by two hundred miles along the Coast.

The land is very fertile, it is well developed and it is an area which has a rainfall that is good for plants to grow well. In this area, there is a population of roughly 350,000 Africans, about 60,000 Asians and about 30,000 Arabs. The land here used to be occupied mainly by Arabs. They used to be the land-owners. As we are all well aware, this land was in the hands of the Sultan, and therefore the Arabs had a lion's share of the land. Some of the Arabs, not being very hard working and as they did not exploit the land well, sold it to the Asians and quite a lot of it now is in the hands of the Asians. The majority of the Africans, almost all, do not own any land at all in this area. Therefore, the problem arises: here we have fertile land, land with good rain, and yet the Africans are not land-owners, and we have a majority of Africans in this area. What happens? A lot of these Africans go and beg the Arabs or Asians who are the landlords for a place to live in. Mind you, it is their land which was taken by treachery as was explained earlier by the Mover of the Motion. When they are allowed to live there, they clear the bush, they have all the trouble, they plant permanent trees such as coconut and cashew nut trees and they develop the land.

Then they are told that this is not their property. When the trees are just beginning to bloom and crops are being harvested, the landlord comes along and says, "My dear friend, this land is mine, it is not yours. Therefore, I request you to quit." Whether he likes it or not, the man is forced to go, and because there is this awful Trespass Ordinance, the Government helps the landlord to evict the man who has developed this land. That is the story, a long story which has been made short.

[Mr. Matano]

Out of this a lot of problems arise. We claim to be independent at this hour; we say we have brought independence to Kenya. The African is there to enjoy the fruits of independence, and yet we come across people at the Coast who do not own any land at all, people who are regarded as squatters and they are at the mercy of the landlords. Is this the type of thing we were going to have after independence? This is a question which a lot of our people ask. They want to know if independence means just empty stomachs, because they get their food from the land. Without land, are they going to get any food?

Therefore, when I said that we are really sitting on a live bomb, I meant that there is something coming. There is a lot of dissatisfaction among the people, and unless the Government takes action now, it may be too late. The aim of this Motion is to warn the Government of the seriousness of the problem, and the sooner they take action the better for this country. The problem is a very acute one. There are a few Members who ask what the regional governments have done. Of course, the President of the Region has said it: we have done more than what has been said. I remember coming to Nairobi and I saw the Minister for Agriculture, Mr. Bruce McKenzie. We went down to the Coast. He said he was going to Europe and he has some money to buy some land for settlement. We had long discussions, we gave him our plans as to how that money could be spent at the Coast, but what has happened? Later on we were told that money could only be spent on the scheduled areas and the Coast is not a scheduled area. We were also told that money could only be spent on high-potential areas, and the Coast is not regarded as a high-potential area. Mr. Speaker, these answers do not solve the problem. It is still there, and it is a human problem.

This is a very serious problem, and I hope the Government will consider this as being not only important to the Coast but important to the country as a whole.

At the moment, Mr. Speaker, we have another problem concerning people at the Coast. The land there is regarded as being all freehold, almost all of it is freehold. All the land-owners hold freehold titles. Therefore, there is a lot of land which is owned by either the Arabs or the Asians—when I talk of Arabs and Asians, Mr. Speaker, I would like Members to realize that I have no prejudice at all against any race, but I am just giving facts—and these people sit on

this land. This point has been made clear, but I feel I must emphasize it so that it goes right into the minds of Members of the Government. They sit on this land, it is freehold, and the Government does not get anything out of it because it is freehold, it is not leasehold. The regional government cannot get anything out of this land. It is not developed, no money is being paid to the Government, and the landlords are sitting on it. Are we really going to tolerate this type of thing in this century? Mr. Speaker, it is asking too much of the Coast people. The Coast people see their crops being destroyed; they see that these people are sitting on land which does not belong to them, they are told that it does not belong to them; they see people sitting on land and they pay nothing to the Government for owning that land. This is a very serious situation, and I hope the Government will go into it, will review the whole matter, and will try to set aside money for the purchase of this private land; irrespective of whether there was a previous agreement or not, the land must be bought. If it is not bought, I am sorry, I do not know what will happen in future.

Mr. Speaker, I beg to support the Motion.

Mr. Somo: Mr. Speaker, Sir, I beg to support the Motion. When these Arabs came from Arabia, they did not come to the land which is known as East Africa. They were so clever when they came to East Africa, that when they came they were butlers, in fact. They used to call Africa a jungle area, and when they came they married the African women and children were born. At that time, when the children grew up, they never called themselves Africans, but Arabs, which is quite unfair. As you know, Sir, Arabs are included in the Asian schemes, and there are so many facilities, once you call yourself an Arab. You get better food, you get higher pay, in hospital you are treated better than an African, and so on. It is not only those of mixed blood, but the Africans themselves changed and called themselves Arabs. This does not only apply to then, but even today: if you go to Mombasa, to Malindi, to the Digo area, to Lamu, it is known. You find some of the true Africans who call themselves Arabs.

An hon. Member: What about you?

Mr. Somo: I call myself a Bajun. I am an African as far as Somalia is concerned.

Mr. Speaker, Sir, take the word, "Swahili". Swahili is not a tribe, but a language, and this language has so many mixtures, of Indian, Arab, Portuguese, and so on. Not only that, but these people who call themselves Arabs, in such places

[Mr. Somo]

as K'ilifi, Malindi, Kwale, and so on, are really Africans, but they are not recognized by the real Africans. That is why they have this fear and they forced the Government to see that an agreement was signed by His Highness the former Sultan of Zanzibar and the Prime Minister of Kenya as well as the Secretary of State for Colonial Affairs.

In fact, we are independent today, and the Arabs who are living along the Coast have the right to share the land with the Africans. It is useless for those Arabs to own this land when they do not develop it. They just sit on the land and say that this is their land. This is quite unfair, Mr. Speaker. That is why I am supporting this Motion. I am sorry to see Africans just being kicked from one area to another by the Arabs. This is really unfair and it is the duty of this Government of Kenya to buy this land so that it is given back to the owners. If we go further on this, the Arabs up to this moment have not recognized this Government. They simply stare, and when the Ministers come they dress themselves quite well with a long dress, I do not know what they call it, a *Kanzu*, with a long sword. They go there and pretend that they are the right people.

[The Speaker (Mr. Slade) left the Chair]

[The Deputy Speaker (Mr. de Souza) took the Chair]

I must tell our Ministers that this has gone on long enough, because these people did not have any mandate from this country; it is quite unfair to see them sitting shoulder to shoulder with the Ministers. It is quite unfair, Mr. Deputy Speaker. You will find the Africans just sitting on the back seats, and they are not allowed to say anything regarding that, and it is quite unfair. This is an African Government, and the Ministers should stop going to have this high-up friends, so that they give the others more privileges. That is shame on the Government. We must have a selection to find the real people who should enjoy such fruits, and not have the Arabs because they have these privileges, and so on, which is quite unfair.

With regard to the land, the Government should not say that they do not have money to buy land and this and that. We have £60 million from the British Government, as our Prime Minister has said, that it is a bloodsucker from the Africans. The money should be used to buy land in the regions so that it can be given to the Africans.

With these few remarks, Sir, I beg to support the Motion.

The Minister for Lands and Settlement (Mr. Angaine): Mr. Deputy Speaker, Sir, the Government is not going to take this Motion as a Motion from a Kadu man. We regard it as a private Motion. It is straight forward and the Government is accepting the Motion without amendment.

If I were on the other side of the House, I would have spoken.

Mr. Choge: Come over.

The Minister for Lands and Settlement (Mr. Angaine): No I won't come. I would have said more than the other Members have said. This problem is facing everybody, not only the Coast people but everybody. Even in Meru where I come from, Central Region, Coast Region, Rift Valley, Western Region, everywhere. It would be a bad show for the Opposition side or for the speakers who have already spoken to say shame to this Government. This is not the Government which robbed you.

An hon. Member: It is.

The Minister for Lands and Settlement (Mr. Angaine): No, it was the colonial government. Your Government is really sympathetic, it sympathizes with the Coast people. We are going to do something for the Coast people.

Mr. Ngala: How many acres?

The Minister for Lands and Settlement (Mr. Angaine): The hon. Leader of the Opposition side has already bought a very large farm. He took me there one day, I inspected the farm. It has a very good house. He is one of the landlords. Anyway, I can guarantee you that this Government is not going to buy all the available land. The reason is that most of the land in the Coast Region is not suitable for agricultural production.

An hon. Member: Question.

The Minister for Lands and Settlement (Mr. Angaine): You listen to me.

Mr. Ngala: Did you see the cashew nut trees?

The Minister for Lands and Settlement (Mr. Angaine): Yes I saw them. Now, order, this Government has already or is going to buy some land during this financial year to settle the Coast people who are landless. We have gone ahead to consolidate the land in the Coast Region.

An hon. Member: Taita?

The Minister for Lands and Settlement (Mr. Angaine): No, no, no wait, Mtwapa, Teriki, and the hon. Member Mr. Ngala is here, he can agree with me. We have done the same thing in Taveta.

Mr. Ngala: How much money are you giving us?

The Minister for Lands and Settlement (Mr. Angaine): The hon. Member is aware that I took him to certain meetings in his area where the people refused completely to consolidate their land.

An hon. Member: That is not the problem here.

The Minister for Lands and Settlement (Mr. Angaine): Now they are crying for land, there is no land.

Mr. Ngala: On a point of order, is the Minister in order in being so irrelevant and even referring to his meeting completely outside the Coastal Strip?

The Deputy Speaker (Mr. De Souza): I do not think the question of whether people accepted or rejected consolidation is quite out of order on a debate on land settlement. I think it is in order provided the hon. Minister does not embark on a full-scale debate on land consolidation, but he is certainly entitled to refer to such a meeting.

The Minister for Lands and Settlement (Mr. Angaine): Thank you, Mr. Deputy Speaker, I wrote to the hon. Member or his Civil Secretary, asking for a plan. I am still waiting for it so that I can go ahead to purchase land for the Coast people. This is not the Government's fault Mr. Deputy Speaker.

Mr. Ngala: I sent you a letter last week.

The Minister for Lands and Settlement (Mr. Angaine): Mr. Deputy Speaker, Sir, I am still waiting for the reply, so that I can go ahead and buy land to settle the landless people of the Coast. As soon as I get this plan, Mr. Deputy Speaker, I will go ahead with this. Moreover, you have your member on the Central Land Board who should represent your views on the Central Land Board.

Mr. Ngala: I have a memorandum.

The Minister for Lands and Settlement (Mr. Angaine): I have not seen your memorandum.

The Deputy Speaker (Mr. De Souza): Order, order, Mr. Angaine, address the Chair.

Mr. ole Tipis: Yes, address the Chair.

The Minister for Lands and Settlement (Mr. Angaine): This member should present your views on the Central Land Board so that the Central Land Board can recommend to the

Government that we are to buy such and such an amount of land for the Coast people. I do not know why this Motion was brought to this House, because it is just a simple thing which the hon. Mover of this Motion could have come and settled in my office. I would have given him the correct answer.

An hon. Member: You are not there. You are waiting for the *Mau Mau* Foresters.

The Minister for Lands and Settlement (Mr. Angaine): Therefore, Mr. Speaker, what I would like to say without wasting any more time, is this. The Government has agreed, it has accepted the Motion as it is without amendment. I would assure the Mover of this Motion that the Government is going to do something for the Coast people, without wasting any more time. We should now move to another thing altogether. That is all I had to say, Mr. Deputy Speaker. There is no argument on this. It is a very straight forward Motion, and the Government has accepted it.

Mr. ole Tipis: On a point of order, Mr. Deputy Speaker, I beg to move that the Mover be now called upon to reply.

The Deputy Speaker (Mr. De Souza): I think we have had only one hour for this debate. I think we should allow a few more speakers.

Mr. Ngala-Abok: On a point of order. This Motion has been accepted by the Government. Most of the speakers have come from the Coast. Could the Deputy Speaker, now see to it that the rest of the speakers are from up-country.

The Deputy Speaker (Mr. De Souza): That is not a point of order.

Mr. Choge: On a point of order, in view of the fact that the Motion has been accepted by the Government, could we not move on instead of wasting time like this?

The Deputy Speaker (Mr. De Souza): I have already made my ruling. Those speakers who are interested in speaking should be allowed to do so. We have only had one hour.

Mr. Balala: Mr. Deputy Speaker, Sir, while supporting this Motion very strongly, and being aware of the difficulties which are facing the people of the Coast regarding land, I wish to make a few remarks on what was said by the previous speakers on this Motion.

It looks to me as if the way in which the Mover of the Motion made his speech was that he used the Motion as a weapon to express to us emotional

[Mr. Balala]

phrases against the Arabs as a race. This is very evident, because in his speech he mentioned that the word "Swahili" derived from Arabic which means ex-slaves, which is absolutely incorrect. The word "Swahili", as it is known throughout by the Swahili-speaking people, means "the people of the Coast", and this is the correct interpretation of the word.

The second thing which I wish to clarify is that the hon. Mover stated in his speech that the Arabs came to these places to trade in slavery. On the other hand, my friend, the hon. Mover for Malindi, has forgotten that the Arabs in this country have played a great part in seeing that Portuguese colonialism did not penetrate through this part of East Africa, and this is very evident. I must stress that the Arabs are part and parcel of this Continent of Africa. The hon. Mover is aware of the fact that in the Continent of Africa we have about eight Arab states, comprising about 80 million out of the 200 million which is the population of the whole of Africa.

Sir, commenting on a point which one of the speakers has mentioned, that is, the Member for Lamu, he delivered his speech in a way which I see as very hypocritical. He expressed himself in a way to suggest that he is completely protesting against the way the Arabs have been active in this part of Kenya. However, I must remind the hon. Member for Lamu that before independence his identity card showed that he was an Arab.

Mr. Ngala: Shame, shame.

Hon. Members: Shame, shame.

Mr. Balala: I challenge the hon. Member for Lamu to show that his card did not say that he was an Arab at that time. Now, in a hypocritical way, he has stated that the Arabs have done this and that. I challenge him even now, if he still has the identity card, to see if he is still identified as an Arab.

Sir, at the Coast we have two kinds of Arabs. There are those similar to the Member for Lamu, who are very hypocritical. Today they are Arabs and tomorrow they are Africans. Those are the people who own the land at the Coast, and who have been exploiting the Africans along the Coast of Kenya. I must stress that, because I fully support this Motion. I know very well that the same Arabs, who call themselves Arabs, are similar to the Member for Lamu. They are the people who have been associated with the past régime of the Sultan and they have been exploiting the people in that area.

The other Arabs, whom I want to mention, are those who come from the eastern Aden Protectorate, and they comprise about 15,000 people along the Coast and they are merely petty traders: they are not land-owners along the Coast at all. If I am wrong, the hon. Leader of the Opposition may correct me because he knows a great deal about the situation there.

Sir, the land problem at the Coast is very critical and serious, and it has to be rectified by the Government. I am very glad to hear from the Minister that this Motion is accepted by the Government without amendment, and therefore I do not see any reason for presenting other points on this Motion, except to support it and to say that something should be done as soon as possible to solve this problem of landlessness.

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Deputy Speaker. Sir, while supporting the Minister and the Government on this issue of accepting the Motion before the House, there are one or two points which must be made very clear that have emerged from the previous speakers.

First, it was said that the land belonged to the Africans before it was taken by trickery or treachery—I think that was the word which was used—by the Arabs, and for that reason the land should be given to those people free. The Government has made it quite clear that when the time comes for doing what the Motion is asking—and it has been accepted—settlement schemes similar to the current ones will be carried out, and therefore the question of free land does not apply. However, Mr. Deputy Speaker, a point has been made time and time again by the previous speakers, and that is that there are people today who are holding or sitting on land which is agriculturally good. We have been told by the other side that some of them are Africans who pose as Arabs. Africans, or non-Africans, the land in Kenya must be properly used.

It has been said by the other side, too, that all privately owned land must be bought and then settled, but what the previous speakers have not told this House is that not all privately owned land is good enough for settlement. Some of it is land which is scheduled for residential buildings, industrial buildings, other services, and so on, but my Minister has told the House that the regional authority should propose a viable scheme and forward it to be studied and for action to be taken. According to the President of the region, he said that he sent in such a scheme only last week.

Mr. Ngala: I did not say that.



The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): That is what he said.

Mr. Ngala: On a point of information, Mr. Speaker, Sir, I did not say that I have submitted such a plan last week. I said that I received the letter from the Minister last week, and I submitted the memorandum to the Prime Minister which was first talked of with the Minister many months ago.

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Deputy Speaker, I think the President of the Coast Region, through a slip of the tongue, did not say what he has just said on his point of information. I understood him to say that he submitted the plan last week, and this plan which was submitted last week will be studied and action will be taken.

Speaking like all of us Kenyans here, I think it is only right and fair to give a warning to any who may be holding land today which is suitable for development, capable of producing, and which is what Kenya needs today in order to be economically viable, to take care because this state cannot continue for very much longer. The emphasis should be on all of us forgetting our old identity and being good Kenyans and contributing as much as possible.

Another point which emerged from the Opposition, Mr. Deputy Speaker, was that there is a claim which seems to have penetrated the minds of the Mover and the Seconder, that the Ministers of the Government are being controlled by the Arabs and the Indians. That is not true, there is no such thing, and the Seconder can go down to the Coast fully satisfied and relate to his people that the Ministers here are not controlled by such groups of people.

Another interesting point and one which is very useful and which our Minister will take into consideration with great joy is the fact that an assurance has been given to this House by the Seconder, on behalf of his group, that when the time comes for settling people in these areas—I think it is referred to as the area of the Nine Tribes—they will not mind anybody of any of those tribes being settled anywhere.

Mr. Mwamzandi: Mr. Deputy Speaker, Sir, I said that we did not mind.

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Deputy Speaker, Sir, the uncorrected HANSARD will show whether it was “did not mind” or “will not mind”. In any case, if they did not mind they are still the

same people, and we shall take it in the spirit which has been in existence among the nine tribes.

Mr. Deputy Speaker, finally, there is the question of the destruction of crops and trees. If it is true that trees which produce exportable material for Kenya are being destroyed maliciously, then this is a point which we can take and make sure that Kenya is not deprived of its exportable material by ruthless people who are not prepared to help in the building of the economy of this country.

With these few remarks, Mr. Deputy Speaker, I beg to support.

Mr. ole Tipis: Mr. Deputy Speaker, I beg to move that the Mover be now called upon to reply.

(The Question was put and carried)

Mr. Tuva: Mr. Deputy Speaker, Sir, in reply, I would like to congratulate the Minister. In this present Government and in the old Government, when people ask for things the Government says that it is aware of the sufferings and that it will pay attention. But, I should like to tell the Government this—anywhere where there is pressure the result is explosion. There has been pressure in some parts of the globe and the result has been explosion. The Government used the General Service Unit in the past to quieten the squatters. I would like to tell the Government that one day, if they do not pay attention soon to the problems in the Coastal Strip, they will not be able to use the General Service Unit again. There is money which should have been paid to the Sultan when he surrendered the Coastal Strip, which money the Sultan refused. This money could be made available now and used in purchasing the land in this Motion.

We should also like to know when the Government is going to purchase the land, because in the reply I heard the Minister saying that they will make more and more settlement schemes. The question is the purchase of the privately owned land in the Coastal Strip, and not just the making of more and more settlement schemes. At the moment, settlement schemes have been made from regional land formerly known as Crown land and therefore we want an assurance from the Minister that the privately owned land, which is the big problem at the Coast, is going to be purchased.

In his reply, the Minister also mentioned that most of the land referred to in the Motion is unagricultural. I would tell the Minister that one-fifth of the cotton grown in Kenya comes from



[Mr. Tuva]

the said area. Almost all the coconuts come from the said area; there are cashew nut trees grown all over this area; all the exported mangoes, all the good fruit grown at the Coast come from this area and therefore it is out of the question to refer to much of this area as unagricultural. I would like to inform the Minister, if he is ignorant of the fact, that there are very many agricultural instructors in this area. They cannot put their plans into effect because most of the farmers—about 75 per cent—farm land which does not belong to them. One day a farmer may be told by an instructor to do a certain thing and the following day when the instructor comes he finds that the farmer has been evicted. Therefore I would like the Minister to be aware that a lot of money is being wasted by keeping agricultural instructors in this area if their teaching, if their instructions, cannot be put into effect. Therefore I ask the Minister to bear it in mind and take it to the Cabinet that the privately owned land, which at the moment is cultivated by squatters, should be bought and made available for settlement by the Coastal tribes.

Mr. Deputy Speaker, Sir, I beg to move.

(The question was put and carried)

MOTION

MASAI COUNTRY—WATER DEVELOPMENT

Mr. ole Tipis: Mr. Deputy Speaker, Sir, I beg to move:—

THAT this House urges the Government in view of the fact that the past Colonial Government ignored the development of the Masai country and especially the provision of water supplies to give first priority in its programme to the provision of water supplies in order to alleviate the water hardship predominant in Masailand and enable the inhabitants to concentrate on other activities and play some significant role in the development of Kenya.

Mr. Deputy Speaker, Sir, I believe this is a straightforward and non-controversial Motion which our Government ought to accept without any reservations or without any qualifications whatsoever.

I am trying to restrain myself, Mr. Deputy Speaker, Sir, because even before I start my speech I can hear some of my hon. colleagues asking me to shout because they know that I can shout loudest. But in this case, I am not prepared to because I wish to place my cards on the table for everybody to see and present the Masai case entirely on its merits.

Now, Mr. Deputy Speaker, I think that without crying over spilt milk, or without dwelling on the history of the past, it is true to say that the Masai as a people have suffered most at the hands of the British colonial rule. Of course, I am very thankful to note that they went out of this country without suppressing my people any further. It is true to say, Sir, that we lost our once very good fertile land to the British settlers and this land was full of water and our people were forced to move into a very dry area, which is and was waterless and this has led the Masai people into a very difficult position, because, as we all know, water is the main-spring of everything. This has hindered the Masai people from settling themselves down like the other tribes of Kenya and adapting themselves to various ways of modern civilization, e.g. education, enjoying the various health services, and so on. This deprivation is due to the conditions which compel them to move and roam about all over the countryside in search of rain-water and pasture for their livestock.

I hope the House, and especially the Government which has the power, will see to it that these gross injustices which brought a once famous tribe almost down to its knees are rectified by a responsible African Government. I was pleased to hear from the Minister for Lands and Settlement, just a few minutes ago in the previous Motion, that it was not the present Government which deprived the Coastal tribes of land in the Coastal Strip. In this case, the same applies. It is true that it is not the present Government which deprived the Masai people of their former lands which were full of water, full of grazing and which were like the Promised Land to the Masai people. We hope very seriously that our expectations that the present Government will rectify the present plight of the Masai people will be realized.

Many things have been said on this, Sir. Many a Colonial Government initially makes excuses to justify its injustices. They told us that the Masai were conservative and would not change their way of life, and those kind of things. Now, how, on earth can a people be expected to live in one particular spot, which is waterless, which has no grazing for their cattle? They must move around in order to survive and in order to find ways and means of deriving a livelihood.

This question of water is very important, and this Government, if it is serious, must do everything possible to provide water for the Masai if the Masai people are to be expected to establish themselves as a stable society and enjoy modern ways, such as education for their children and

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healthy livestock which would contribute to the economy of this country. This is one of the main reasons why we here are asking this Government to act and act immediately, before it is too late. We know that thousands and thousands of pounds are going to come to some areas which bear no comparison to the area of the Masai. We know that there are certain projects where the water is piped right onto every holding, or into every village, allowing a distance of only one-quarter or one-half mile for the people to go for water. However, you should walk along some parts of the Masai country, for instance. If you leave Nairobi on your way to Narok, the first river you come to, is about sixty miles away.

So you can see that no matter how much our people would like to settle down, they cannot. They are governed by circumstances which are beyond their control. We believe that this Government can really help these people; it can help by construction of dams, bore-holes, and even piped water. To make things worse, whatever little rain-water there is during the rainy season, is shared by both human beings, the livestock and the vast zebra herds which are allowed to wander all over the Masai country. If the Government derives some revenue from tourists, it is only right and fair that they compensate these people and make them a little happier and not just ignore them. I know the Government will try to come up with many excuses which are out of place in the Kenya of today. For instance, I know that the Minister for Agriculture will come and say that the area is over-stocked.

Mr. Gichoya: On a point of order, I wonder whether we refer to a Masai area as Masai country it is with—

The Deputy Speaker (Mr. De Souza): Order, order. Mr. Gichoya, you should know by now that that is not a point of order.

Mr. ole Tipis: Thank you, Mr. Deputy Speaker. I thought the Motion was self-explanatory and my hon. friends knew exactly what I was referring to. I do not want to attack him on this one. I will excuse him and move on.

What I was saying is this. The previous Colonial Government came with all sorts of excuses. The Masai country was overstocked, and that kind of thing. I want to tell this Government that if the Masai land is fully developed today, you can call in any expert from any part of the world and he will tell you that it can easily carry three times the livestock population. The trouble is this: these

people did absolutely nothing, they went by the old terminology, they let sleeping dogs lie. That terminology is wrong and went out with the colonialists, but now it is time for the present Government, and any future African Government, to help those areas which have been neglected by the British imperialists. Otherwise we shall have endless trouble if we have a country in which certain areas, certain parts, are at the lowest level of the ladder and others are right up at the top. It is no good trying to tell us that we should concentrate on areas of high potential all the time. Surely Masai country has high potential? Even today, Mr. Speaker, I know of cases whereby someone's good steers are offered for sale in Masai and Samburu land, and then you find some European settlers who, profiteering from these things, come and buy these at a very low price of six pounds or even seven pounds and they go and feed them on their farms for three or six months and after six months they sell them at thirty-five pounds or thirty pounds. I can hear somebody from my side ask why they sell them. They sell them because these young steers will die on account of shortage of water. If any hon. Member will come with me, I can take him tomorrow, let him live there a week without water, or travel twenty miles and see whether he can survive.

Now I submit, Mr. Speaker, that anything to do with the development of the country, that priority must be given to the provision of water. You cannot carry out any development without water, and even if our Government is sympathetic to the human suffering of the Masai people, if they want to carry out any development projects, if they want to educate the Masai people in order that they catch up with the rest of the country, the first thing to do is to provide water and thereby remove those conditions which compel the Masai to move about in search of water.

You talk of education, building a school there. You cannot really have a school in an area where there is no water nearby. You talk of various diseases, eye diseases and others, caused by flies. This is due to lack of water. You cannot expect an old man or woman to walk ten or twenty miles just to wash her or his face.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Oneko): What is *Majimbo* doing?

Mr. ole Tipis: I can hear the Minister for Information trying to interrupt me, and I can hear him saying what is *Majimbo* doing? *Majimbo* is part and parcel of Kenya whether he likes it or not. If the only services he can render to this country is to forget mentioning *Majimbo* all the

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time but go ahead and deliver the goods to the Africans of this country without fear or discrimination, then we shall have a very happy country for everybody to live in.

Mr. Speaker, I do not intend to talk at length on this Motion, I think it is as simple as anything can be, a straightforward Motion. The Government knows this, and I will be delighted when, whoever replies on behalf of the Government, if he would try and give us a comparison just as I tried, on the money spent in various districts of this country on water development and whatever little has been spent on water development in the Masai country. As far as I know, and I can see my hon. friend, the Parliamentary Secretary there, nodding his head, there has been very little, absolutely nil, it is a blank sheet as far as money for water in the Narok area is concerned. It has been nil for the last three years. The same thing applies to Kajiado. The Minister for Economic Planning knows this as well as I do. I would advise him to follow the railway line from Sultan Hamud to Loitokitok and see that huge pipeline, so many miles away, over eighty miles away, carrying all the water away from the Masai country, leaving so many stations, and then you will find these poor Masai cattle.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Oneko): With no water!

Mr. ole Tipis: No! They have flogged it all through the pipes unless they suffer which I don't think they do. Why not give some outlets to feed them here and there, small water pumps, and things like that?

So, the junior Minister for Finance and Economic Planning ought to know that and plan this. He should feed the Masai countries and not let all the water be piped away.

Mr. Speaker, as I said, I will have a go, when it comes to replying, to answer anything that hon. Members may raise on this Motion. Mr. Speaker, Sir, I beg to move.

Mr. ole Oloitipitip: Mr. Speaker, Sir, I rise to second this Motion, and I wish to draw the attention of the hon. Members in this House because I believe that all of us have been elected to represent the interests not only of a particular tribe but of all people of Kenya.

An hon. Member: Draw attention to this fact.

Mr. ole Oloitipitip: Sir, when a Motion of this nature is brought to the House, I believe that we should be very serious. The seriousness of

the Motion does not mean that if there is any difficulty in passing the Motion the Members can write and say so. All I want to put to the Members is that they should pay attention to how we represent this Motion and then they can reply later on especially to the Government side.

I am not going to repeat what the Mover of the Motion has said, because we all know that before the British Colonialists came to this country the Masai were not only known as a tribe but I believe they were known as a nation.

Mr. Speaker, Sir, this is a true fact. A friend of mine from the other side of the Government just returned from India recently, and he told me that any person in India he met asked him "do you come from Kenya?" He said yes. "Are you a Masai?" Yes. This is the case.

It is clearly the case that they are not only known here, but they are known all over the world. But, Sir, what happened after the Colonialists came? They cheated and deprived us of our land—this is not your mistake, my friend. After the Colonialists came here, Sir, they found the Masai a very strong tribe; what happened? They had to bring elders, the chiefs of the Masai, the leaders of the future, and tell them, "Look, we are going to have a treaty with you. Please give us this portion of land (which is now called the 'White Highlands') and we shall return it to you, but we are only going to use it for some purpose." So the Colonialists used this trick and moved the Masai from our lovely land, which all of us know, and drove them to where we live now, to these semi-arid areas. Civilization, Sir, just came recently. No Kikuyu can stand and say they were civilized before the Europeans came to this country. In fact, Sir, they were wearing what we call in Swahili *mukuti*, which means the leaf of the banana. So that does not indicate any civilization at all. Mr. Speaker, I will not be interrupted.

The Speaker (Mr. Slade): I think you are asking for interruption, you know, by talking about other tribes. You need not do so in this Motion.

Mr. ole Oloitipitip: Therefore, Mr. Speaker, we were driven out from our best land where water was available and our cattle could live happily there. Our people could get sufficient milk; good and fat meat, and now we are in remote places like Kajiado, Suswa, Narok and Ongwa. Now, Sir, that mistake has been made by the first Government, and I do not think it has been the fault of the present African Government. To this, Sir, the Ministers or the Government Members know, because most of them have travelled through Masailand, and they have seen how

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much our people are suffering with water problems. From here, Sir, say from Athi River the other day, the Ministers went there, and from Athi River up to Namanga is about 87 miles. There is not a single river between Athi River and Namanga, and what our people do, Sir, is to follow the small rivers which dry up. As soon as the rain is over they dig about a hundred feet so that they can water their cattle.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Oneko): Can they? A 100 feet?

Mr. ole Oloitipitip: Yes, Sir. I can assure the House that on more than one occasion we have lost a lot of lives because when you dig a well, we have these Mbulu people who come to work for us, and sometimes the walls of the well fall on to people. Therefore, our people have lost their lives through digging very deep wells, and they have also lost their cattle through this hard work which is very unsuccessful.

I think, Mr. Speaker, the Prime Minister was going to give first priority to the neglected tribes of Kenya. I think, if our Government is going to be sympathetic and fulfil the pledges the Prime Minister has given to the people, our main problem as Masai, the worst problem, is water, Sir. If our Government is going to try to do all it can to provide the Masai with the water, I believe we can be a very good tribe and we shall be useful, not only as a Masai tribe, but useful as citizens for the economy of the country.

Mr. Speaker, Sir, in some parts of Masailand, take Loitokitok, the far end, there are a lot of rivers. However, on this side there is no river at all. We ask the Government either to try to introduced piped-water systems from the rivers we have, or dig boreholes for these people, Sir.

The other thing is that it should be appreciated in this House that it is not our intention as Masai to be moving about, but the circumstances force us to move about. We follow rain-water, and when that rain-water finishes, then we have again to move and hunt for water. This is why the Masai is a nomadic tribe. Therefore, Mr. Speaker, I would urge the House that it is not our intention to be moving about, but the trouble is that, because of water scarcity, our people have to keep on moving.

Another important point, Sir, is that the Government should try to help the Masai to get water because most of the tourists come to East Africa, especially to Kenya, those who come to Amboseli, those who come to Kipkoro—those are the areas where the Masai live. We have been

very patient and kind to get an industry which brings a lot of money to this country. Then I think that if Government is going to provide water to the Masai people, those plains which the Masai do not use, will be, and those places where game can be found; like Amboseli, can be left exclusively for game purposes. That does not mean we undermine, but our only argument there, Sir, is that we do not want to maintain the wild life at the expense of the human being. If we could establish places in which to keep our people, then there is no reason why our people should not be kind enough to spare an area for game purposes. I think this is very interesting, and the House will admire it.

Mr. Speaker, Sir, I believe that it is a very important role that the Masai are playing, and they bring a lot of money to this country. If they are supplied with enough water so that they are scattered about in the country and have a permanent living, they will not disturb the game all over the country, or the places where game is safe.

The Speaker (Mr. Slade): That is the end of your ten minutes.

Mr. ole Oloitipitip: Therefore, with these few remarks, I beg to second and support this Motion, and I think my hon. friends will really support the Motion.

(Question proposed)

The Speaker (Mr. Slade): Mr. Osogo, we will have to move on to another Motion at half past five, but you can continue your speech later.

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): Mr. Speaker, I am glad to hear that the Masai Members are prepared to ask their people to have settlement on their land organized and I was also pleased to hear them speak on this Motion so emphatically. I would remind Members of this House and the Masai that the Government is at present, since we got our Independence, trying to do all it can to help the Masai people. But it is the Masai people who are not willing to receive this help from the Government.

An hon. Member: Question.

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): It was only a few weeks back that the Minister for Agriculture and myself and the hon. Member for Narok East, flew into Norok to talk to the Masai over the development in Masai country.

Mr. arap Moi: I was there.

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): The hon. President of the Region was also there. When we talked to Masai about trying to develop an area in Mau Narok area, the Masai were willing and agreed and promised us that they would come forward and accept the suggestions and the technical advice which was to be given from our Ministry. Only a few days after that, Sir, the Masai came back and said they were not prepared to accept the Mau Narok plan. We are talking of the Masailand, and there are no members in Masai apart from Masai Members.

Mr. ole Tipis: Your supporters—ask them, they are there.

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): When we are talking of the Masai, and the Masai people refusing development, that, I think is the question which was put forward by hon. Members. The Mover of this Motion and the Seconder, has accused this Government of doing nothing for the Masai. I would remind the hon. Member that the Masai themselves are not willing to settle down. The hon. Mover of the Motion tells this Government that they cannot settle before water is there. I wonder whether the Government would put up pumps or piped water without people being there. For whom are we going to put it up these pipes and pump?

An hon. Member: They are there.

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): We are not going to put water for the Masai when they are still disorganized and unsettled. Hon. Members will agree with me, Sir, that unless one settles down, one plans his home, one cannot have water. One cannot put water in a village which is not there. The Masai are going to plan their villages, they are going to plan their *shambas*, and then ask the Government when they have planned, for water.

Mr. ole Tipis: How are we going to get water?

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): They will get water from their rivers. I would remind the hon. Members, and I am surprised to see that the Mover of this Motion, who is the Vice-President of the Region, has not gone through the Development Plan of the Region, in that the Development Plan it has been suggested that A.L.D.E.V has commended work already on putting in a pipe-water scheme from the Ngong Hills; and the Vice-President comes here and tells us that the Government is doing nothing for the

Masai. This is a small area, I agree, but where are the Masai people for whom it was prepared? A similar scheme, Sir, and this was included in the Development Plan of the area.

The Speaker (Mr. Slade): Mr. ole Tipis, you are interrupting too much.

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): If they listen they will hear. A similar plan to that is being planned for Loitokitok and Rongai areas. This is the Masai area and hon. Members cannot tell us that we are doing nothing for the Masai. The hon. Member has also not read the Development Plan, the red book which the hon. Minister for Finance put on the table the other day. Item 43 on page 63: he will see that the Masai rehabilitation has been allocated an amount of £207,000, and that is going to do something for the Masai for water systems.

The Speaker (Mr. Slade): Mr. Osogo, this will be a good place to break off, I think.

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): Yes, Sir

The Speaker (Mr. Slade): We are now going to move over. I would just like to make sure, Mr. Osogo, when we resume this debate, that you are speaking for Government.

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): No, Sir. The Minister for Natural Resources is going to.

The Speaker (Mr. Slade): So you are not claiming half an hour?

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): No.

The Speaker (Mr. Slade): Who will be?

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): The Minister for Natural Resources.

MOTION

BREACH OF SECTION 122 OF THE CONSTITUTION

Mr. Pandya: Mr. Speaker, Sir, I beg to move:

THAT this House deplores the breach of section 122 of the Constitution which has been revealed by a Report of the Controller and Auditor-General dated 7th May 1964, and calls upon the Government to acknowledge its default and to assure the House that there will be no recurrence of any such illegal expenditure or other defiance of Constitutional Authority of this House.

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Mr. Speaker, Sir, in moving this Motion I want to make it very clear to the Government and to the Members of this House that I am not moving this Motion as party politics but I am moving this Motion because I do believe that the question of the dignity and the authority of this House has been abused and that the Constitution has been broken by a breach of section 122 of the Constitution. I cannot allow, Mr. Speaker, for whatever reason—and I think the hon. Members of this House will join me in this feeling—that any argument or anyone whatsoever should be able to question or to by-pass or to abuse the authority of this House. Sir, I would like to quote section 122 to make my point clear and also for the records of this House. Section 3, Part I, of the Kenya Constitution—Financial Procedure of the Government of Kenya; and section 122, with your permission, Mr. Speaker, Sir, if I may quote the relevant section reads:

“(1) No moneys shall be withdrawn from the Consolidated Fund except (a) to meet expenditure that is charged upon the fund by this Constitution or by any Act of Parliament, or (b) where the issue of those moneys is authorized by an Appropriation Act or by a Vote on Account passed by the House of Representatives under section 124 of the Constitution; and no moneys shall be withdrawn from the Consolidated Fund unless such withdrawal has been approved by the Controller and Auditor-General.

“(2) Where any moneys are charged by this Constitution or any Act of Parliament upon the Consolidated Fund, or any other public fund of the Government of Kenya, they shall be paid out of that fund by the Government of Kenya to the person or authority to whom payment is due.

“(3) No moneys shall be withdrawn from any public fund of the Government of Kenya other than the Consolidated Fund unless the issue of those moneys has been authorized by or under any law.

“(4)” (which I think is the most important) “Parliament may prescribe the manner in which withdrawals may be made from the Consolidated Fund or any other fund of the Government of Kenya.”

Now, Mr. Speaker, Members of this House are in possession of the Report of the Controller and Auditor-General which was, I think, circulated to Members last week, and I would like, Sir, to refer to some of the features of this report. I think, Mr. Speaker, in the introductory remarks it makes the position very clear “that

this special report is being issued because there has been a breach of the financial sections of the Constitution which I considered should be brought to the attention of Parliament without delay”. Paragraph 4, Mr. Speaker, and here I will read the relevant portion, “In these circumstances it appears that the only correct constitutional procedure would have been to recall Parliament and to obtain legal authority for the additional expenditure. However,”—and I underline this, Mr. Speaker—“the Government did not wish to recall Parliament at this time and directions were therefore given to the Permanent Secretary to the Treasury to make funds available by administrative action.” Mr. Speaker, here was a deliberate action on the part of the Government not to recall this Parliament and to overcome this by administrative action, and I will illustrate later how often the Government is trying to by-pass the authority of this House and trying to overcome this apparent difficulty from their point of view by administrative action.

Mr. Speaker, paragraph 6 of the Report of the Controller and Auditor-General reads: “Thus he gave a written authority to the Paymaster-General to make advances in accordance with subparagraph (2). However, legal advice by the Crown Law officers is to the effect that this regulation cannot authorize the advance of public moneys otherwise than under some other statutory authority and if the regulation purports to empower the Paymaster-General to make advances otherwise than in accordance with some other statutory authority, the regulation is probably *ultra vires* the Act.” I think this proves beyond any doubt that even the Crown Law officers had tendered advice to the Government which was ignored. Then we come to paragraph 7, and again I would like to quote, Mr. Speaker. I will read this paragraph in full because I think it is very relevant to the main part of my Motion. “This being so, as there is no statutory authority for such advances, these are in fact illegal. The Paymaster-General’s account is in effect the current account on which Ministries can draw from day to day and it is fed by issues from the Exchequer Account. All funds in the Paymaster-General’s account have been provided by law for specific purposes and should not be used for any other purposes and this account is, in my opinion, covered by section 122 (3) of the Constitution quoted above. The advances made from the Paymaster-General’s account were thus made in contravention of the Constitution. The Treasury do not dispute the formal objections I made to this procedure and only justify their action by reference to the fact that they were required to make this money

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available by administrative means in consequence of Government's decision not to summon Parliament."

Now I would like to know, Mr. Speaker, from the Government what were these reasons that the Government had that they did not want to summon this Parliament to comply with the main aspects of the Constitution? I give great importance to the financial provisions of the Constitution and I take strong exception, and I am sure the other hon. Members will join me, as to why the Government did not summon Parliament as they should have done under this Constitution over which they have spent a considerable time. Now, Mr. Speaker, I think the last paragraph is equally important. "The Minister of Finance referred briefly to this matter in a statement to the Committee of Supply and the House of Representatives on the 28th February 1964. It does not, however, appear to me that the circumstances were such as to make a fundamental breach of these financial provisions of the Constitution inevitable." "A fundamental breach of the financial provisions of this Constitution," and I would like to underline these words, Mr. Speaker.

This is the report of the Controller and Auditor-General who has gone into this matter, and I would like to congratulate him, Mr. Speaker, for bringing this matter before this House so that it has highlighted the Government's action of committing a breach of the Constitution and, if I may say so, this is a deliberate breach of the Constitution.

Now, Mr. Speaker, I can give various examples of the Government's attitude that I have noticed over the last few months, of the neglect of this Parliament, of not trying to consult it on some of the vital and important issues that face our country. I only need, Mr. Speaker, to refer to a declaration of the Emergency in the Northern Frontier District at the end of last year. The House was summoned at the end of February and then they were told to continue the Emergency for another two months and it was extended until April by some administrative action. Now the Government seem to be very fond of by-passing this Parliament by exercising some administrative action, it was not necessary according to them to review or renew the Emergency that was declared in the N.F.D. before the House having been approved by this House after great discussion and deliberation. Only last month this Government, in my opinion, committed another breach of the Constitution. That was they announced the decision that the period of transition in respect of the financing of the regional services would be extended to the end of this

year. Here, Mr. Speaker, this was just the Government's decision, the Parliament which is the supreme authority in this country, was not consulted on this matter. I formally mention that this was another example of the Government's attitude on breaches of the Constitution. You, Mr. Speaker, if I may say so, Sir, referred the other day—I am just trying to illustrate, Mr. Speaker—the attitude of this Government—on the opening of the Parliament on the 9th June, to a breach of the Standing Orders of this House and I would like, if I may with your permission, to quote the relevant paragraph, "There is no need for this. If, as I do not doubt to be the case, the Government had good reason to delay presentation of this year's Annual Estimates, the House could and should still have sat during the month of May, but for one day, to amend the Standing Orders or to exempt this year's Estimates and Vote on Account therefrom, before the prescribed time expired. We cannot afford to allow breaches of Order in anticipation of subsequent amendment of Standing Orders. That is altogether too dangerous a precedent. Moreover, any anticipation of the decisions of this House is, however, unintentionally, a mark of disrespect for the House."

Now, Mr. Speaker, Sir, I remember that you had drawn the attention of the Government to the fact that there was likely to be a breach of the Standing Orders and still what happened? Despite your advice, the Government did not summon this House to amend Standing Orders. Mr. Speaker, you had another occasion yesterday, when we were discussing the Kenya Broadcasting Corporation (Nationalization) Bill, you had to bring it to the notice of this House that the financial implications were not placed before this House, and yet the Bill was still passed through in all its stages yesterday. It may not have mattered much but I am here talking of the attitude, and the disrespect that has been shown by this Government to the hon. Members of this House. Mr. Speaker, I have been a Member of this House for some time and I remember that the Parliament used to meet more often than has been the case since Independence and I do not know why the Government is afraid of criticism, not only from the Members of this side of the House but from the Government side of the House, and it is time that the Government, if it believes in what it proclaims is the democratic system in this country, must summon Parliament, and consult the Members of this House on all the important issues that face this country, and it is no use saying that the Government is too busy, that the Government is taking decisions, that the Government Ministers are going all over, not only the country, but the world, while

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the House here, for the last three or four months, has had hardly a meeting to discuss such important matters as a Federation and other vital issues. Mr. Speaker, only the other day, we heard a statement in this House of threats to change the Constitution. It is the Authority of this Parliament which approves any changes in the Constitution and I hope, Sir, that those changes, if they are coming at all, will be brought before this House. It is no use just making statements here that they are going to make changes in the Constitution. I hope, Sir, that the House will not be by-passed on this vital aspect.

Mr. Speaker, what should one conclude from the several examples that I have given and the reports that I have quoted? That the Government is deliberately—and I use that word advisedly, Mr. Speaker, Sir—deliberately trying to commit breaches of important aspects of this Constitution. I am sure the Government has an answer but I appeal to the hon. Members and say this: any answer will not do when there has been a deliberate attempt, and in fact a deliberate breach of the Constitution, and it is no use the Government coming and saying that these were the reasons. That is why, Mr. Speaker, I have said in my Motion that as the Government accepts it is in default, this is very important, and then I assure this House that there will not be any recurrence of the constitutional authority of this House. Mr. Speaker, as I have said earlier, I am not moving this Motion in any party spirit, but I appeal to all hon. Members from whatever side of the House they are sitting that this is the authority, your authority, and it is up to you to uphold the traditions of this House and to see that the Government upholds the dignity and authority of this House. Then I hope, Mr. Speaker, that the Government will come out very clearly today with reasons and show to hon. Members that there will not be a recurrence of the deliberate breach. I do appeal, Mr. Speaker, to the hon. Members to support me on this issue because it is the support which they are going to give to themselves, to their authority, to the rights and privileges, and I want to say that unless hon. Members take these things seriously they might find that the Government is going to by-pass them on many other important issues. I appreciate sometimes the necessity of overcoming certain matters, but these are constitutional matters and you cannot treat them lightly. I would like, as I said, the Government to come out very clearly on the reasons and to assure this House that there will be no recurrence of this deliberate breach of the financial provisions of the Constitution.

Mr. Speaker, Sir, I beg to move.

Mr. Muliro: Mr. Speaker, Sir, I beg to second this Motion, and it is of very serious concern and implication to this House. What the Government and the hon. Members in this House must know is that we are, as Members, not to be governed and ruled by a Committee of Seventeen which cannot uphold the Constitution of the country in financial matters. The financial matters, Sir, are the prerogative of this House. To remove money from the Consolidated Fund for any activity of the Government is the right which the Government can have by the majority vote in this House. The Parliament must come and authorize it, and on any decision, Sir, Parliament is the only authority in this country which can authorize the money to be drawn from either the Consolidated Fund or the Contingencies Fund. It is also provided, Sir, in the Constitution, that in the event that the Government wants money quickly, and they think that they cannot summon the Parliament, they could use the money, draw the money from the Contingencies Fund and lay the Supplementary Estimates before this House as soon as possible. So, Sir, the reasons which were given for drawing out the money were quite valid reasons. Some of them we had from the Minister for Information and Tourism yesterday. For instance, on 23rd January they wanted £50 for the Ministry of Information to give to the Kenya Broadcasting Corporation. That was the 23rd January. On the 25th of the same month, just two days after, they went back to the fund and drew out Sh. 15,000 for the same Kenya Broadcasting Corporation. After they had drawn out the money, we know that they did not have a plan. You can never have someone who plans properly to go today and draw the money from the Consolidated Fund. One must know exactly how much money one wants before one draws out the money, and then, Sir, on the 13th February, £75,000 was given to the Directorate of the Independence Celebrations and on the 22nd February a further £35,000 was drawn out for the same group, again within the same month, only twelve days after each other. But, Sir, that was in addition to £200,000 which was for the purposes of the army. All of us in this House, Sir, appreciate that our army was underpaid, and their salaries have been increased. But £200,000 was drawn out and this was confirmed in this House. So, Sir, the matter which we want in this House is the appreciation that this House is the supreme authority in Kenya to allow or authorize the money of the taxpayer in this country to be spent. If these procedures are ignored and if the hon. Members in this House cannot query these procedures, a group of Minis-

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ters might conspire between themselves or among themselves to pay themselves too much by putting up a Supplementary Estimate. Some of these facts have only been brought to the attention of this House by the Controller and Auditor-General. This is very important, that he has done this for this House.

Mr. Speaker, Sir, I admire him to a very high degree.

..... (Inaudible.)

Hon. Members in this House must accept that we are the elected representatives of the taxpayer in this country and we ought to be informed and authorize the money before the Government can spend the money.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, Sir, I am rising early in the debate in order to ensure that those who are going to participate speak with a greater knowledge of the matter than perhaps the generalizations to which we have been treated. In the first place, I want to say immediately, without any reservations, that Government concedes that an irregular act was committed; Government concedes that an unconstitutional act was committed; and we have no hesitation at all in conceding this and there was no wish at any time to hide this fact. Both the Mover and the Seconder of the Motion whilst having a case to make, have unfortunately indulged in exaggerations which will diminish the strength of the case itself. Both the Mover and the Seconder of the Motion want to make a case that in fact Government committed an unconstitutional act, Government was anxious to hide the unconstitutional act, and Government never brought to the notice of the House the unconstitutional act. In fact we have been told, Sir, that had it not been for the Auditor-General, the House would never have known. We are told the Auditor-General revealed to the House the unconstitutional act. But, Sir, that is not the fact of the matter. The fact of the matter is this. I hope instead of heckling you will listen for a change. This is a serious matter and we recognize the seriousness of it. The Auditor-General's report is dated the 7th May 1964. This, Sir, is the revelation which the House is being told, the 7th May 1964. On the 28th February, in this House, the Minister for Finance revealed to the House that an irregular act had been committed by the Government, and asked the House to take note, and I quote, Sir, page 307 of the HANSARD in which the Minister for Finance, not the Auditor-General, not any Member of the Oppo-

sition, not any Member of this House, but the Minister for Finance, in moving the Supplementary Estimates, drew the attention of the House to the fact that under certain special circumstances it had been found necessary to pay so much money without getting the prior consent which the Constitution requires.

Mr. Speaker, I hope that the Members who brought this Motion were serious in it. I do not think it serves for Members of the Opposition to make it a laughing matter.

Mr. Speaker, on page 307 the Minister for Finance, in speaking to the Supplementary Estimates said, "at this stage I would like to make a short statement to explain something that happened in January" (and that is the period when the moneys were paid), "We did something that was irregular, a little irregular, but we had to do it, and I would like to confess to you what I did and the reasons for it, and I hope that you will approve of my action."

Now, Sir, that debate took place and continued and they answered it here. If the hon. gentleman was as seriously concerned about the Constitution, the Government having revealed the whole position, the Government having shown what it had done, the opportunity was there to debate this matter in the Supplementary Estimates and yet no such statement was made. The confession was made, the confession was made. Now, Sir, the Parliament discussed the Supplementary Estimates and approved the action that had been taken, and the funds have been duly since approved in January by this House. Sir, what I am complaining about is not that we are accused of having broken the Constitution, because this we ourselves came to tell the House. The action was in January and in February we came and confessed to the House that this irregularity had taken place. But the Mover and the Seconder come to the House in June of this year to tell the House that the report published in May is the revelation of this act.

Hon. Members: March, March, March.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, what is this March? What happened in March?

Mr. Speaker, either the Members are serious or not. The £200,000 had been approved by the House. The Supplementary Estimates had been approved. The only thing that had not yet happened was the Act itself being passed. It was not action taken before the discussion on the £200,000. The discussion, the debate on the £200,000 had taken place, it has been approved,

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the Act had not yet passed. But the approval had been given. Mr. Speaker, could I now just take a few minutes to explain the circumstances?

I have made it quite clear that it is not the Auditor-General who has revealed this matter but the Government itself. Now, what were the circumstances in which the Minister for Finance, the Treasury, was forced to issue out funds before Parliament could approve them? One said it is quite easy to make allegations and then run out. One set of this sum were those paid to the K.B.C. and the reason why it was necessary to draw money to pay to the K.B.C. was that at the end of that month—and the Minister for Information when he spoke here yesterday made this quite clear that one of the problems we have been having was with the K.B.C.—at the end of that month the K.B.C. was bankrupt, virtually bankrupt. There was not even any money to pay salaries, and instead of waiting until Parliament could be recalled, the Government felt that it was important to advance some money to ensure that the K.B.C. was paid, and financially able to meet its commitments, and salaries were paid. Now, Sir, Members may disagree. Members may feel that the best thing would be even at twelve hours' notice to call Parliament to pass this one Act. The Treasury felt that it was possible to save the situation and advance the payment and explain to the House at the very first opportunity we had.

The payments to the Independence Celebrations Directorate—Members will know that the independence celebrations were held on 12th December, and in that month it was found that certain moneys that ought to have been spent or payments that ought to have been made by the Directorate which was to be wound up could not be met, because the original estimates were not enough, and so another sum of money had to be paid in these special circumstances. Now, surely, Mr. Speaker, Members must see that there was an urgency in the situation which prompted this irregular action being taken. One thing is very clear, and I am not here standing to defend the Government action as such. I am conceding that an unconstitutional act was committed, and it is a matter of opinion or individual judgement whether the way we acted was right or wrong. Each one of us will have an opinion. If any of us was the Minister concerned at that time, he may have acted differently. I concede that, but in this case the Minister who was responsible at the time acted in this manner and immediately brought the matter to the Parliament at

the very first opportunity, in fact, the following month.

Now, it is quite understandable for Members of the Opposition to argue that this action was completely wrong. The opinion, the judgement was completely wrong. That is the function of the Opposition, but I am sure that if any Member of this House was in the same position in which the K.B.C. was of not being able to pay salaries at the end of the month in which there was no possibility of meeting expenses of the Directorate, they would, I am sure—talking reasonably and logically—have taken the same action.

Mr. Speaker, all these other questions are merely a matter of opinion and individual judgement. Now, Sir, the Mover of the Motion made a number of points on which I just want to make a very brief observation. Firstly, he speaks from this Motion to build a case of the unconstitutional and illegal trend of the Government. In other words, we are no longer talking of this irregularity, but we are being told that this is a case on which to build a bigger case against the Government, and what does he go on to mention as the trend of irregularity? First he says that a declaration of emergency was made. Does he challenge the constitutionality of the Act in declaring the emergency? No. But he makes general and sweeping accusations. The emergency was declared constitutionally and constitutionally Parliament was convened. Under the Constitution legally we could continue the emergency without convening Parliament, but because of our respect for Parliament, because of the dignity we have for the Parliament, it was convened. Now, if the Opposition think that the action was illegal, they know what to do; challenge its legality. The emergency is still continuing. It is not bad, and it is legal. There is no use trying to confuse the House. If you are complaining about the Auditor-General you have got a case, but to try and bring in other general accusations which are completely irrelevant is not going to help. We are told, Sir, that the Government is illegal and unconstitutional in extending the period of transition with six months until December this year. Now, Sir, the Leader of the Opposition, when this declaration was made, said in Mombasa that they were consulting their legal experts and that they were going to go to court. Sir, if the Leader of the Opposition or the Opposition now feels that the declaration was illegal, the doors of the Supreme Court are open. They said they were going to test this in court, so let them test it in court, because the legality of this action cannot be

[The Minister for Justice and Constitutional Affairs]

decided by Parliament, and they know that. It can only be decided by the Supreme Court, and we will be prepared to answer for our action in the Supreme Court. We are told Sir, that the K.B.C. debate yesterday was another trend of our illegal and unconstitutional action, but the Minister for Information stood in this House and asked the permission of the House that all stages be taken in one day, and this House gave its approval. Is that illegal? Is that unconstitutional? Does the Opposition wish to deny the Members of this House the use in normal processes of the Standing Orders? That is precisely what the Mover of this Motion has said, and if the Leader of the Opposition—Sir, we are again told that part of the trend is that we have threatened to change the Constitution.

Mr. Speaker, the Prime Minister when he spoke, did not say that the changes would not be brought here. He said he declared our objective and that is not illegal, that is not unconstitutional.

An hon. Member: Bring them here.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): They will be brought here. Maybe the Opposition is too anxious, but they will come, and when they come we are confident that they will be passed. If it needs a referendum we will have one.

In conclusion, Mr. Speaker, the Government cannot accept this Motion in its present form, and I therefore move to amend the Motion on the following terms:—

The deletion of all words after word "House", and substitution of the following words be made, "regret that the Government found it necessary in exceptional circumstances to withdraw moneys from the Consolidated Fund without prior specific authorization by Parliament which has been revealed by the Report dated 7th May 1964 of the Controller and Auditor-General and calls upon the Government to examine the sufficiency of the Contingencies Fund and other means in order to ensure that there need be no recurrence of such Motion".

Sir, this puts the Motion in its proper perspective. The Government concedes that action was unconstitutional and irregular and that action should be taken to ensure that it does not happen again in the future. But it also recognizes that the Government is acting very reasonably that it was concerned with matters which were of definite national interest and acting in very special circum-

stances, and, Sir, it is in that spirit that the Minister for Finance on 28th February of this year brought this matter to light in this House, and not just the Auditor-General. We accept fully our responsibility in the matter.

I beg to move the amendment.

The Parliamentary Secretary to the Treasury (Mr. Kibaki): Mr. Speaker, I would like to commend to hon. Members, and particularly to the Opposition, that having made their case, in ways in a very exaggerated form, they do not know now what is sensible and spoil their case by either trying to bring in irrelevant matters or alternatively trying to frame the Motion in a way which gives the wrong impression to the country. I do not want to repeat what has already been explained, that the Government found it necessary to spend these moneys. Neither do I want to repeat the explanation given by the Minister for Justice as to the acceptance by Government that what was done was a little bit illegal. Now, we have accepted this, and my Minister brought this matter before you in February. My hon. friend who was then in this House, or should have been, waited until he had the information which he now has from the Auditor-General to bring the matter forward. It is important, Mr. Speaker, Sir, that this point is emphasized, that the Government all the way through has acted in a straightforward manner. We did not think that there was anything to hide. In other words, if the Government had found it so necessary, as indicated, to spend this money, they did not by act or deed, or anything else, try to hide from the hon. Members of this House the fact that we may have been a little bit outside the Constitution. If we had done that, I would then think, Mr. Speaker, that the hon. Members in this House, including the Opposition, would have had a very firm case for report. But indeed, we were the first to recognize our own mistakes, and we were the first to notify the House. So, in fact, if there was anything to hide, the Minister would never have drawn this matter to their attention and, at that particular time, Mr. Speaker, Sir, the hon. Members of this House accepted the words of the Minister for Finance and Economic Planning, that these were very special circumstances, as has just been explained, which are unlikely to recur. It was with that assurance at that time that the House then passed the Supplementary Estimate which legalized and provided for this expenditure.

Mr. Speaker, Sir, the House having accepted at that time the assurance of the hon. Minister for Finance and Economic Planning, it seems a little odd at the moment for the hon. Member

[The Parliamentary Secretary to the Treasury] from the Coast to insist now that another assurance be given. We already did give the assurance, and therefore I am submitting, to the hon. Members that what they really need now is not yet another assurance. It is rather that something is done about the Civil Contingencies Fund and other funds which are provided for these unforeseen expenses, in other words, to provide for the future, so that, instead of this attitude of the Opposition which is always trying to recap old matters which have been dealt with and settled, we should not ask for new assurances. What we should do is to ask whether with Civil Contingencies Fund which is allowed by the Constitution to stand at £½ million, there does not exist a case now for a review as to the sufficiency of this amount, because—let us face it—any Government can be in a position where they find they have to meet unexpected expenses. In the interests of this country, to maintain the dignity of this new young nation, you may find you have to meet bills in advance before submitting them to Parliament. It was recognized in the Constitution and I am surprised that the hon. Member who moved this original Motion, while quoting all other sections of the Constitution to justify his own case, did not see fit to quote section 125 of the Constitution, which allows for the establishment of Civil Contingencies Fund, which may be used; and I quote the words from the report of the Auditor-General: “to finance urgent and unforeseen expenditure in advance of authority of Parliament.” Now this is a procedure which is provided for in the Constitution itself. The only problem here Mr. Speaker, Sir, is that it so happens, as the Auditor-General himself recognized, that, by the end of the year 1963, the Civil Contingencies Fund had more or less been exhausted. What we are saying is that we regret very much that the circumstances were such that it was not possible to recall Parliament immediately at that time, for a brief moment, for the Supplementary Estimates to have been taken at that stage in January. What we now say, and in fact, what the Minister did say to the Parliament in February, when he submitted the Supplementary Estimates, was that that was very much regretted and he hoped it would not occur again. We are going to review the sufficiency of the amount in the Contingencies Fund. Therefore, Mr. Speaker, Sir, I want to urge the hon. Members to recognize the fact that the Motion, as now amended, fulfils two functions, whereas the original Motion was only seeking criticism and stopped at that. We are accepting the criticism in the amendment but also urging that a positive step be taken to remedy these matters so that similar things do not happen in the future.

So, Mr. Speaker, Sir, I very much hope that the hon. Member who moved this Motion, if indeed he moved it in a spirit of constructive criticism, of trying to help this Nation, will therefore accept the amendment because it incorporates his own regrets and his own promptings and criticism, so that he can come happily and say celebrate, but also we do not stop at criticism. We urge the Government to review the funds which now exist for these unforeseen, expenditures, and to see whether or not we cannot improve on this situation, so that this sort of thing does not happen again.

Mr. Speaker, Sir, without wasting the time of this House, I recommend Members to accept our amendment to this Motion and also to accept the apologies now made by the Government which are not new apologies, because they were already made by my Minister in February before the House passed the Supplementary Estimates.

Mr. Speaker, Sir, I beg to second this amendment.

(Question of the first part of the amendment that the words proposed to be left out be left out, proposed)

The Speaker (Mr. Slade): The question is that all words after “that this House” be left out of the question. It is clear in this case that we cannot separate debate on the amendment from the debate on the main question so hon. Members can speak generally but will not be able to speak again after disposing of the amendment.

Mr. Ngala: Mr. Speaker, Sir, we are discussing a very serious Motion. I would like to say that the Mover was moving it in the spirit of showing the mistakes Government have made in the acts they have committed.

I am glad that the Minister for Constitutional Affairs clearly admitted that an irregular act has been committed and that an unconstitutional act has also been committed by the Government. I am pleased to see that the Government regrets this and has given this side an apology for the mistake they made.

Mr. Speaker, Sir, it should be very clear to the Government that the Parliament is the supreme authority, and any moneys which are spent without the authority of the Parliament is public robbery; it is public robbery for anybody to do this. We do not want this thing to be repeated. The Government amendment is very weak. I have known the Minister when he has replied for the Government to be clever enough to use a little stronger wording for amendments, but he has very carefully traded on and passed

[Mr. Ngala]

through on these things. However, since he has admitted that the Constitution has not been followed, and has admitted that there have been irregularities and given this side an apology, we would like to accept the amendment of the Government.

Having accepted the amendment of the Government, and also having accepted the offer of a new cap from the Minister, I would like to remind the hon. Minister that we are not interested in his threats. We are not interested in his referring us to the Supreme Court for settling matters here in the House, because he is the Minister for Constitutional Affairs. As the Minister for Constitutional Affairs, the country has trusted him and believes that the Constitution will be looked after, will be kept both by the Government and by this side. When he starts referring us to the Courts, we know what type of Courts we have in this country and we can go to the Court when we want to. It is up to us, but really we rely on the Minister himself to maintain and keep the Constitution.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): On a point of order, Mr. Speaker, I thought I heard the hon. gentleman say, "We know what type of Courts . . .". In this context, was he insinuating that there was partiality on the part of the Courts?

The Speaker (Mr. Slade): No, that was not my impression. I thought it was the other way round.

Mr. Ngala: If my friend is panicking, I would like to remind him that as long as he is the Minister for Constitutional Affairs, I personally have trust in him, that the Constitution will be kept without referring people to Court. If there is this habit of referring people to the Courts, the country will suffer quite a lot. We actually did not make this Constitution with the thought that we should be referring people to the Courts all the time.

Mr. Speaker, Sir, I am glad also to note that the statement which was made by the Prime Minister about scrapping *Majimbo* last week was just his own statement and slogan, and that any changes will be brought to the House and discussed constitutionally, legally and obeying this House as the supreme authority for the constitution and the country. We are the ones who were elected to come here by the people. We have always said that we are not afraid of any idea of amendment, using the machinery provided, but it must be with the consent of the Members here, the elected representatives of the people. However, this business of waking up early and before even taking a cup of tea, of announcing what you

want with regard to the Constitution will never do and will never be accepted. I would like to warn the Ministers unless they abide by the Constitution, we shall seriously consider their positions in future.

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): Mr. Speaker, I seek your guidance. Since the Opposition has accepted the amendment and since the time is running out, would I be in order in moving that the Mover be now called upon to reply.

The Speaker (Mr. Slade): I think it is in order for the House to consider that. We can only have another half-hour if we continue another day. It is for the House to say. I will put the question, which is not actually that the Mover be called upon to reply, because we have the amendment to dispose of first.

(The question that the question of the first part of the amendment be now put was put and carried)

(The question of the first part of the amendment was put and carried)

(Question of the second part of the amendment that the words proposed to be inserted be inserted proposed)

(The question of the second part of the amendment was put and carried)

(Motion as amended proposed)

The Speaker (Mr. Slade): Mr. Osogo, you want to move the closure again?

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): Yes, Sir. Mr. Speaker, owing to the fact that the Mover has accepted our amendment, may I move that the Mover be now called upon to reply?

(The question was put and carried)

Mr. Pandya: Mr. Speaker, Sir, I would like first to thank the Government for admitting its default. In its usual manner they have brought an amendment which I am quite pleased to accept.

I want to make it very clear that I had a very serious intention in bringing this Motion before the House, and I hope, Sir, that some of the observations I made were constructive. It was not my intention, as I said earlier, just to bring the Motion for publicity but to highlight a fundamental breach of the Constitution. I have listened very carefully to the Minister for Justice and Constitutional Affairs and to other Members on the Government side, and I must say that I think the points and the answers we wanted have

[Mr. Pandya]

not been given to this House as to why this House was not convened and its authority obtained instead of this breach of the Constitution. I think the Ministers and the Government have failed to give us this answer. I appreciate the fact that they have accepted responsibility for the default, but I think it is very fundamental, Mr. Speaker, to know the reasons why the Government did not recall this Parliament and get its authority and approval. This is the fundamental and underlying idea behind my bringing this Motion to the House.

I myself quoted the fact that the Minister for Finance referred briefly to this matter in a statement to the House on the 28th February, but the Controller and Auditor-General has emphasized the fact that the circumstances were not such as to make such a fundamental breach of the financial provisions of the Constitution inevitable, and I do not think the Government has made the case that this was inevitable. However, as I have said, Mr. Speaker, it was not my intention to bring this Motion for the fun of it, but because of the very serious breach of the Constitution. I only want to say this, that I hope the House will realize its responsibilities and its privileges, and that it will always be vigilant. The Members must be very vigilant in guarding the rights and privileges as representatives of the people of this country.

Mr. Speaker, although I did not see the amendment in written form, I think it brought up another aspect of the Civil Contingencies Fund. I hope, Sir, that if Government is thinking of bringing any amendment to the Constitution, they will bring it before this House and have it approved before acting on it. We have authorized the Government apparently, by this amendment, to look into this problem, and I hope, Sir, that when they come out with the report the House will have an opportunity of debating this procedure which may be looked into by the Government.

Mr. Speaker, I would like to say that, although the Minister made a short statement in the House in February, the problem would not have come into such prominence, for the information of the Members, if it was not for this Report that was given to Members of this House. I am not implying that the Government was trying to hide something. No, Sir, the Government was not trying to hide anything; it could not hide a fundamental breach of the Constitution!

I do not propose to detain the Members of this House any longer. I know we have a Motion on the Adjournment. As I have said, I am

thankful to the Government for accepting its default and for assuring us that there will be no recurrence of this illegal procedure again.

With those words, Mr. Speaker, Sir, I beg to move.

(The question was put and carried)

Resolved accordingly:—

THAT this House regrets that the Government found it necessary in exceptional circumstances to withdraw moneys from the Consolidated Fund without prior specific authorization by Parliament which has been revealed by the Report dated 7th May 1964, of the Controller and Auditor-General and calls upon the Government to examine the sufficiency of the Contingencies Fund and other means in order to ensure that there need be no recurrence of such action.

MOTION ON THE ADJOURNMENT

TRIBAL BASIS FOR RECRUITMENT INTO ARMY

The Speaker (Mr. Slade): It is now time for the interruption of business. I call on a Minister to move that the House do now adjourn.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, Sir, I beg to move that the House do now adjourn.

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo) seconded.

(Question proposed)

Mr. Masinde: Mr. Speaker, Sir, I rise to move a Motion on the Adjournment, which is known to the hon. Members of this House with regard to what happened last week and this week. The question is to do with recruitment to the Kenya Army. From time to time, we have been told and assured in this House and outside that what the Kenya Government is trying to do is to eradicate tribalism in this country. We all appreciate this, and we here are out to build a nation, to tell our constituents that we are not out to sing slogans of Baluhya, Jaluo and Kikuyu, but that we are Kenyans and want to be the people of one country, Kenya. What happened, Sir, after the announcement of the Prime Minister in this country that he was going to recruit more young men to the Kenya Army regardless of tribe?

It came as a surprise when I myself was told in my constituency by the Regional Commissioner of Police that on the 17th of this month the Recruiting Officer would be visiting the region, that is, Western Region, to recruit for the Kenya

[Mr. Masinde]

Army. What I did was to tell the people in the constituency to be in Kakamega. It was not necessary for me to be there, only the young men who would be able to be recruited. In one district, Kakamega District, we had two centres for recruiting. One of the centres was at the Regional Police Station, Kakamega, and the other one was at the Vihiga Police Station. What happened here, Sir, was that in Kakamega there was a queue of young men, each of them were asked which location he came from. Unless one was from a Maragoli location, he would not go through.

Hon. Members: Shame, shame.

Mr. Masinde: Everybody at this place was turned out. At this very centre they recruited fifteen young men, all of whom came from Maragoli, that is the Vihiga Division. They went to Vihiga, Sir, which is in the centre of Maragoli location, and they are the constituents of one of the leaders in the country. Again, the same question was posed: all those who went there were asked where they had come from, which location. They said that they came from Maragoli and others from Bunyore and Tiriki and whatever location they came from, but it was all the same and they had to recruit twenty young men who had come from the two Maragoli locations.

Mr. Speaker, Sir, this was a very big incident, but because we have no reporters to cover the entire Western Region, it was not brought to light in this country. What happened was that in Nairobi, where they have many reporters, look at the pictures in the papers of how the police were wrestling with the enemy, and here in Nairobi they were being told that if they were Luo, Baluhya, they should go to their various regions, but they could not be recruited in Nairobi. Mr. Speaker, Sir, what we want in this House and what we want from the Government is to be told whether Nairobi is for a particular tribe or if it is the centre of the Kenya nation. We all know that Nairobi is the centre; nobody is trying to deny this fact. However, if it is the centre of this country, why should other people be referred to Kakamega, why should other people be referred to Kisumu?

Mr. Speaker, Sir, we might as well go out of Nairobi and find out how many tribes and how many of the population are from the Central or the Eastern Region in relation to the other tribes in Nairobi. I do not want to dwell much on this, because I have made my point very clear. If it were a question of agreeing with the Cabinet and the Ministers that they have given us all the

chances of recruiting people from our own constituencies, and if the Ministers had agreed in the Cabinet, that in Nairobi we have only to live for the Kikuyu and the Kamba, then we must be told. These are the questions, Sir, to which we would like to have an answer from the Government.

I beg to move, Mr. Speaker.

Mr. Oduya: Mr. Speaker, Sir, I beg to support this Motion. This is very serious. It is a national issue and we do not think, when a Member of the Opposition brings such an issue, we are just going to leave it that way. We are all fully concerned. When an issue like this arises, we are determined to seek the Government's assurance on what action will be taken. First of all, I would like to say that tribalism is getting too much now. Although *harambee* has been used as a slogan to cover up tribalism, we can now see it at work on a large scale. When I am addressing the House now, I am addressing the Chair, Mr. Speaker, and I find that the Minister for Defence is not here, neither Junior nor Senior, and there are only a few Ministers present who are not concerned with this, but I do think a few more could be here.

Mr. Ngala-Abok: On a point of order, Mr. Speaker, in a Motion which is so important and so emotional such as this one, should the Minister for Defence not be here, or are these other Ministers going to be used for this purpose?

The Speaker (Mr. Slade): That is not actually a matter of order. It is for the Government to decide who is to hear or answer what is said in this House, but Members are quite entitled to express their dissatisfaction if they think the Government is not taking these matters seriously enough. It is not actually a point of order.

Mr. Oduya: Thank you very much, Mr. Speaker, and I would like to thank my friends for giving me the time to say a few things. This thing has now become a kind of disease and we want the Government to realize it today, because we should not be accused all the time before the public of the Government Members doing this and that. This is a clear issue to show that there is a certain group here in this country which thinks that it is the Government of Kenya. Nairobi as a whole, as you know, Mr. Speaker, is the national city where Members of all tribes reside, and if there is any employment, for example this recruitment of the youths, into the Army, all tribes must be represented, because all the tribes in the country contribute to the well-being of the city. We are not going to allow one tribe or allow people to be imported from Kiambu and other places around so that they come and

[Mr. Oduya]

steal the chances which should be given to all the tribes in the country. This is very unfair, and I hope the Government will look into this and give it serious consideration. If it is necessary, I hope they will nullify the recruitment which was carried out this week. We want to read about this in the paper. It must be nullified, and we want to see a report in the paper inviting all the representatives from all the tribes to report at the stadium when proper methods will be used to see that even if there is only one Teso in Nairobi, he is recruited, if there is one Kuria, he is recruited, and that it will not be the Kisii there and somebody else over there. However, Mr. Speaker, we are not going to tolerate this nonsense of just one tribe, the Luo for example, thinking that they are the major tribe. If this is the sort of thing that is going to continue in this Government, Mr. Speaker, I assure them that we only started yesterday and we have a long way to go. Kenya has a long way to go unless something else happens. If the Government is not very careful, it will one day find that the so-called major tribes will be in the complete minority as far as the Government is concerned. We are not stupid; all the tribes are now awake to what they are doing. One day we shall come to our senses and forget the question of *harambee* and come forward with a new *harambee*, when we will tell those who claim they are the major tribes in this country to go to hell.

The Speaker (Mr. Slade): Please be restrained in your language, Mr. Oduya.

Mr. Oduya: Now, Mr. Speaker, Sir—Oh. I am sorry Mr. Speaker, but you know sometimes when we find something like that it is really funny.

Mr. Speaker, for your information, just recently, to show that there was some sort of conspiracy somewhere, an effort to try to eliminate the position of other tribes, the military group went to Busia District to recruit the military people down there. In the district the Teso and the Baluhya always divide the district, one division Teso, one division Baluhya, and you find that they appeared before the Government Officers and the district commissioners who will, I think, report this thing to the Government when the Government inquires. They were told the Tesos would not be taken, only the Baluhyas, not the Teso. They recruited 22—Just a minute. I am addressing the Chair. You must listen to me. They recruited 22 Baluhya and no Teso. Now, gentlemen—

The Speaker (Mr. Slade): Order, order. You said you were addressing the Chair.

Mr. Oduya: I am sorry, Mr. Speaker, I forgot. Now I find that this is a deliberate attempt to ignore my people in every appointment, even those in the Army. I have so many people in the Teso Division, more than 300, if you require them. Why should I come all this way to tell this Government something when the Government only understands the devils here, and they do not listen to what I am telling them. I think this time the Government must listen, and I want it to be recorded by the Ministers who are here that the Teso are asking the Government to send a team down there immediately to show them their part at once.

Since the Baluhya have been given twenty-two I want those in Teso Division to be given twenty-two so that the whole district will constitute forty-four. Thank you for listening to that point, Mr. Speaker.

There is another point I wish to raise, Mr. Speaker. I want the Ministers who are here to inform the Prime Minister today that, if what has happened in Nairobi continues, when I go back to Teso the people there will ask me what is going on and what is the matter. When a Coast Member returns to the Coast, he will be asked the same question, and this will happen throughout the country. If we are to face people sincerely—of course we are entitled to defend the Government and tell the people this and that and that—in this matter where we even saw people being pushed by the police, the police who are paid by this Government and who go and create tribalism in the field. If the people in the country see this happening they will see that the Kikuyu are out deliberately to advertise their rights in the cities and they have also declared openly that the Luos go to Kisumu and others go to Nyeri, others go to the Coast, others to Kakamega, but Nairobi is for the Kiambu people. Now we want this Government to make it quite clear whether Nairobi belongs to the Kiambu District or to the Kenya nation. If it is for Kiambu, we will advocate that all the commercial firms and administrative offices be transferred from Nairobi to Kakamega or elsewhere like Teso throughout the nation.

Thank you, Mr. Speaker.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Onoko): Mr. Speaker, Sir, I do not think I will take too much of the House's time on this particular clear issue. There are two things involved.

[The Minister for Information, Broadcasting and Tourism]

One, the Mover referred to recruitment in Kakamega District where he seems to infer that members from Maragoli were being favoured because they happened to come from a constituency from where one of the leading personalities of the Government comes. Mr. Speaker, if there is any evidence in that statement, definitely the Government would go into it and investigate the allegation. There is no question of tribalism involved here because all the people in Kakamega District are Abaluhya and, therefore, there is no question of tribalism.

The second argument is about Nairobi recruitment. Definitely, Mr. Speaker, a mistake occurred. I quite agree with the Members of the Opposition in the sentiments expressed, but I do not at any time agree with the sentiments expressed by the Member for Teso because it was only yesterday in the Prime Minister's Office when the same point was raised and the Prime Minister announced that the recruitment which was done in Nairobi would be nullified and a statement was to be put out, and I am now putting out the statement. It is up to the Government to choose the time when it makes its statement and I am putting it forward now, so as to enable the Opposition as well as the Government side to hear what the Government has decided. It was the Prime Minister himself who made this statement to the Members of the ruling party.

The Speaker (Mr. Slade): Order, order.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Oneko): Mr. Speaker, it is true that Nairobi is very cosmopolitan and that Nairobi is the centre of activity, but it belongs to Kenya, it belongs to everybody in Kenya and the question of discrimination does not arise at all. In fact, any recruitment of our people to the Army in Nairobi will be for everyone. If there is recruitment for the Wakamba a site will be found somewhere in Machakos or Kitui, if it is for the Central Region, we will chose a better site. Therefore, Mr. Speaker, when some Members refer to one side having too many recruits I do not think that that imbalance can be offset at the present moment. We are looking only for people who are physically fit. I think the hon. Member, Mr. Moi, would be very useful in the Army, but it is not just a question of being discriminatory on this.

When we talk about tribalism, we defeat ourselves. I would like to say once more that the

Prime Minister has made it clear that recruitment in Nairobi is going to be nullified.

An hon. Member: What about Kakamega?

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Oneko): If there is evidence that there was any discrimination or favouritism, because a Member came from the particular area, then the whole matter will have to be investigated.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, I do not see why Members should complain that Ministers are speaking when the Government is, in fact, accused of some action and the House is demanding an explanation from the Government unless the intention is just to hear the one side and not to give an opportunity for the issues to be clarified and the position of the Government also to be made known. If the intention is that these Adjournment Motions should just be used for criticism without getting information, then of course, we will sit down or not even attend.

Mr. Speaker, first I would like to say that the House should be assured that the absence of what they call the Minister of Defence in the House has no reflection on the magnitude of this subject. The Government, as is well known, acts on a collective basis, and if one Minister is otherwise engaged elsewhere, then the other Ministers reply on behalf of the Government. That is precisely what I am doing now. The Minister for Information has, in fact, made the position quite clear. It is right that the Member who spoke should have drawn attention to the incident that took place in Nairobi the other day, and we, ourselves, are just as ashamed of it as he, and feel strongly about it and we have already indicated that this unfortunate incident must, and will, be put right. The only way we can put it right—there is no point in shouting about it—is to ensure that every person who lives in Nairobi has an opportunity to be considered for recruitment when recruitment takes place within Nairobi. The Prime Minister has already said, and we make that perfectly clear now, that this incident was unfortunate; it was not deliberately done; there was a crossing of instructions. But steps will be taken to nullify whatever recruitment has taken place on that day and opportunity will be given for all Nairobi residents to appear, apply and be considered for recruitment into the Army, regardless of tribe or their areas of origin. As for the recruitment of people specifically from the Central Region, that will be done in a centre in the Central Region. For the recruitment of people in the Eastern Region, that too will be done in

[The Minister for Justice and Constitutional Affairs]

a centre or centres in the Eastern Region. In the case of the Eastern Region, the Central Region and the other regions, we are aware that, of course, there are large distances and unless centres are properly placed it will be difficult for people to appear for consideration and this will be taken into account.

The other complaint which is put to us is about Vihiga Division, and Kakamega Division. As the Minister for Information has said, if people in Vihiga Division, where the centre for recruitment was based, applied for recruitment, it is right that they should be considered. That is why the centre was placed there. If it so happens that in this area the people concerned are Maragoli, this is not a fault of the Government. It is the nature of the division; but, Sir, if the hon. Member is saying that a recruiting officer actually said to people that "unless you are a Maragoli, even if you are resident in this division, you will not be considered" then, Sir, we want the evidence and we are going to go into it just as much as we have gone into the Nairobi incident. Similarly, in the case of the Teso, if they were told that they would not be considered and that they were discriminated against deliberately, and we are given specific evidence which will enable us to investigate, this will be done. I hope, Sir, that in future, Members will try to help us, because we cannot be in all places at the same time and, if mistakes are made, then they should be investigated and the only way they can be investigated is if the Members bring information. It is not necessary to wait until there is an Adjournment Motion. The Member knows the Minister concerned; he knows what to do about it; he could have done it without waiting until today. This incident occurred sometime ago judging by what I hear from him—not yesterday—some time ago. Why then did he keep quiet with the information until today? He may have got publicity today, but that is not helping to put right the situation.

I hope there will be more co-operation in the future to bring information on time, so that it can be investigated on the spot, but do not wait to make it a debating point in the House. If the hon. Members do that, they will help us to help them and to help put right the Government's position.

Lastly, Sir, I want to assure the House that, as far as this Government is concerned, the Government policy is non-tribal. If there are incidents of tribalism—and we do not pretend that there is no

tribalism, there is—even the Members who are now shouting at me have tribalism in themselves. Because some Members here who come to shout about tribalism only shout because they think their tribe has not been properly treated. So there is tribalism. The best way to remove tribalism is not for people to hide under the umbrella of tribalism, in defending tribalism or accusing tribalism. The best way to deal with it is for Members to learn to identify cases, produce them as specific instances where they can be dealt with and put right, but general accusation and allegation is not going to help.

Mr. Speaker, I am, myself, just as concerned about this disease as any Member in this House. I represent Nairobi. I am concerned that in Nairobi any person who lives there will get equal opportunity. I am not standing here to defend tribalism, but I am pointing out to the Members that if we are going to kill tribalism then we have to help each other to kill it, not just by general and indiscriminate accusation but by producing specific cases and instances. This is the only way we can all help each other to remove it. In some cases, we have to start with ourselves, because the ordinary man is not, himself, very tribal. It is the leaders who must help the ordinary man.

The Speaker (Mr. Slade): You have two minutes in which to speak, Mr. Ngala.

Mr. Ngala: Mr. Speaker, Sir, in the two minutes I would like to say that the Minister who has just spoken has given a forest of words which mean very little, but I would like to say this: it is not just tribalism; it is tribalism plus political consideration which is spoiling the situation. I am sure that the case of Vihiga and Kakamega was based on political considerations. We—

The Minister for Justice and Constitutional Affairs (Mr. Mboya): You have no proof of the case.

Mr. Ngala: Here is the proof. (*Passing over papers across the Table.*) This discrimination must be made clear. It happens throughout the country. Just because certain people come from the constituency of Mr. Ngala they are not acceptable. If one comes from the Coast one is not acceptable. Political consideration runs throughout. This must stop; it must stop because if it does not stop, one of these days the Government will say that nobody is allowed to join the army until he is Kanu and then it will be really very bad. We want these political considerations, and the trouble

[Mr. Ngala]

which was mentioned by my hon. friend, the Minister for Justice, to stop; I will help him to stop it and eradicate it from himself as he feels he has some trouble about it.

Mr. Speaker, Sir, there must be some conspiracy, some secret organization which is pushing out definite instructions. It is not a crossing of orders. There is some definite instruction that tribalism should be boosted on the part of Government. Why did this not happen in the colonial days, why is it happening now?

The Speaker (Mr. Slade): We have now had our half-hour.

ADJOURNMENT

The Speaker (Mr. Slade): The House is now adjourned until tomorrow, Friday, the 26th June, at 9 a.m.

The House rose at five minutes past seven o'clock.

The Speaker (Mr. Slade): Order, will the hon. Members please keep silent until the Speaker leaves the Chamber.

Friday, 26th June 1964

The House met at Nine o'clock.

[*The Speaker (Mr. Slade) in the Chair*]

PRAYERS

ORAL ANSWERS TO QUESTIONS

Question No. 150

SHORTAGE OF DOCTORS

Mr. Ngala-Abok asked the Minister for Health and Housing if the Minister would inform the House when his Ministry intended to start training doctors in Kenya and what his Ministry was doing now to remedy the shortage of doctors throughout Government hospitals?

The Speaker (Mr. Slade): Is the Minister or Parliamentary Secretary here?

We will leave it and come back to this question later.

Question No. 173

INQUEST ON ELEVEN-YEAR-OLD CHILD

Mr. Sadalla asked the Minister for Justice and Constitutional Affairs if the Minister was satisfied that it was not necessary to hold an inquest on the eleven-year-old child, Dageni s/o Mungai Kahia, who was run over and killed by a car at Kampi-Ya-Moto in September 1963?

Mr. Pandya: Mr. Speaker, Sir, on a point of order, is it right that the Ministers should not be in the House, particularly when they know that there are questions here to be answered on behalf of their Ministries? Either they should have asked the Parliamentary Secretary to be here or they should have been here, because this is a question of authority and dignity of this House.

The Speaker (Mr. Slade): It is an extreme discourtesy to the House when questions are on the Order Paper and there is no Minister or Parliamentary Secretary here to answer them.

Hon. Members: Shame!

Question No. 193

DEVELOPMENT OF EASTERN REGION

Mr. Njeru asked the Minister for Finance and Economic Planning how much of the loan from the British Government had been allocated for development in the Eastern Region especially in Tharaka, Kitui and Machakos where the land was dry and water scarce?

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, I beg to reply. None of the loan funds which Kenya will receive from the British Government in 1964/65 for development purposes has been allocated specifically for development in the Eastern Region. The money will be used towards the implementation of the National Development Plan in which the needs of all areas of Kenya have been taken into consideration.

Mr. Njeru: Mr. Speaker, Sir, could the Minister tell us what those plans are which he is referring to which have been allocated in the Eastern Region for development?

The Minister for Finance and Economic Planning (Mr. Gichuru): The National Development Plan does give the amount of development which is envisaged in the next six years, and the hon. Member has the Development Plan in his hand. It is only a question of reading it and finding out.

Mr. Njeru: Mr. Speaker, does the Minister agree with me that he has allocated nothing in the Eastern Region for development in the next six years?

The Minister for Finance and Economic Planning (Mr. Gichuru): I do not agree.

Mr. Muliro: The Minister, in his original reply, said that none of the money is allocated to the Eastern Region, and in the same speech he said that he has allocated it for financial development. Is the Eastern Region to be excluded from national development?

The Minister for Finance and Economic Planning (Mr. Gichuru): What I said was that I could not give you a breakdown of the amount of money spent in Tharaka, Thogoto and these other places, but there is provision in the development plans for the whole area.

Mr. Khasakhala: Mr. Speaker, Sir, if the Minister has submitted plans for the Eastern Region, could he just quote a few of them for our information?

The Minister for Finance and Economic Planning (Mr. Gichuru): If I am required to read through the development programme which will take me the whole morning, I could do so.

The Speaker (Mr. Slade): Actually, the suggestion was, Mr. Gichuru, that you might quote an example.

Mr. Ngala: Answer.

The Minister for Finance and Economic Planning (Mr. Gichuru): In the Eastern Region there

[The Minister for Finance and Economic Planning] is provision for money for development, particularly for tea around Meru.

Mr. Lorema: Mr. Speaker, Sir, arising from the Minister's very general reply, would he tell the House whether West Pokot is included in this question?

The Speaker (Mr. Slade): It is not in the Eastern Region, is it?

Mr. Malinda: Mr. Speaker, Sir, will the Minister agree with me that the Eastern Region has received very rough treatment in his Development Plan in comparison with other Regions?

The Minister for Finance and Economic Planning (Mr. Gichuru): I do not agree with the hon. Member when he says that nothing has been done. Money is provided for various schemes for development. There is money which has already been spent for acquiring land in Ukambani—

Hon. Members: Where?

The Minister for Finance and Economic Planning (Mr. Gichuru): If the hon. Member does not know where Ukambani is, it is no fault of mine, and if the hon. Members will take the trouble to read the Plan they would find it all there.

MOTION

ADJOURNMENT OF THE HOUSE

Mr. Alexander: Mr. Speaker, on a point of order our Standing Order No. 35 deals with Motions which may be moved without notice and under Standing Order No. 35 (b) I wish to move the Adjournment of the House. I do this, Mr. Speaker, as the only means by which this House can show its disapproval of the absence of Ministers. We started this morning I think with one Minister here, we now have four, there were questions on the Order Paper addressed to Ministers who are not here, but perhaps what is even more important, Mr. Speaker, immediately after these questions, we go on to the main Budget debate and it is expected traditionally, that all Ministers should be available during that debate so that they are here to answer questions, answer speeches concerning their own portfolios. It is obviously very inconvenient for the Government that we meet at nine o'clock on a Friday morning, and if that is so, we should be told this. The only way by which we can tell them of our displeasure is to adjourn this House this morning and to come back here when the Government is in a position to be pre-

sent in a manner that will enable them to show the proper courtesy to this House. Mr. Speaker, I think we are arriving at a moment of truth on this. There have been questions as to whether the Government Back-benchers are being properly consulted by their Ministers and taken into their confidence and shown that the Government machine is working properly, and I think what we see here this morning is just another example of this lack of respect for the House and for all hon. Members in this House. The only way we can register our disapproval is to move the adjournment of this House which I do.

Mr. Pandya seconded.

(Question proposed)

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, Sir, in the first place I would like to apologize for our being late this morning. But I am sure the House would be fair enough to concede that this is the first Friday morning on which any Ministers with a question on the Order Paper has been late. Secondly, I would like to make the point that however much we may desire it, it is not possible for all Ministers to sit here all the time when Parliament is meeting. In addition to having to carry out our Parliamentary duties, we have also to be able to carry out our other duties and, to the extent that it is possible for a Minister to be here, he is always here. When he cannot be here, a Junior Minister for that Ministry will always answer the questions which has been done. Now, Sir,—

Mr. Alexander: That is why you have offices upstairs.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Now, Sir, lastly, the hon. Member who is moving the adjournment of the House, on account of the Ministers who have not come to the House and given it dignity, happens to be here in the House only this morning. Mr. Speaker, every Member of this House has the same duties and responsibilities to be here. The fact is that the Mover of this Motion is the best absentee in the present Session, and for him to be the one, on his first appearance, to challenge our absence or absentee-ism, is puzzling. However, Sir, either the House accepts our explanation or it is not possible to work.

Mr. Ngala: Why?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): I have said if we resigned you would not be able to rule this country.

The Speaker (Mr. Slade): Order, order.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): There is no point in the hon. Member who moved the adjournment trying to use the Back-benchers, saying they were not being consulted. The relationship between the Back-benchers and the Government is entirely out of the hands of the Opposition. There is no point in the Opposition thinking that the Back-benchers are going to be so cheap as to be bought over by a few flattering words. Mr. Speaker, I am sure that the House will agree that whatever dissatisfaction there may be, to adjourn the House and to do no business would be bigger waste of time than what we have passed through.

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): Mr. Speaker, I just rise to correct one impression which the hon. Mover has given to this House, that the hon. Ministers were not here to answer questions and the impression that this House was given was that many questions went without hon. Ministers being there to answer them. This is not true. The first question on the Order Paper, the questioner himself was not here, and so even if the Minister was not here, probably there was somebody else to answer the question. But the question was not asked and, Sir, the only two questions that have appeared which the Ministers were not here to answer at the time, were only two and the Ministers are now here and would be able to answer at the completion of the rest of the questions.

Mr. Speaker, Sir, I just rose to point out that it is not right to give the impression that the Ministers were not here, and, in fact, the coming questions are fully represented and are going to be answered by Members from this side of the House. So, Sir, this impression which the hon. Mover has given to this House is not correct and I would oppose the adjournment of this House.

Mr. Anyieni: Mr. Speaker, I think it would be a waste of the taxpayers' money for us to come here for ten minutes and then adjourn the House and claim the money for today. But, Mr. Speaker, I would like to add something and that is that we would like to have an assurance from the Cabinet, from the Prime Minister and from the Cabinet, that the Cabinet will treat this House as the supreme body in this country and, therefore, Mr. Speaker, we would like the Cabinet to inform us, to assure us, that during this Budget debate, because when we speak in the Budget we do not speak specifically only to the hon. Mr. Gichuru, because the hon. Minister in his speech told the House that he had co-operation from all the Minis-

ters and therefore there are some speeches which we may make and which will require different Ministers to take note of and reply to later on. But, Mr. Speaker, the idea, like yesterday, of only the Minister for Finance being here sometimes and sometimes no Ministers at all, is showing disrespect for this House, and another thing we would like to be assured about is that the decisions taken in this House will be effective. If they do not want to effect them we would like to be told that there is then no point in our coming to the House to waste the taxpayers' money. In other words, I am referring to the resolution which was passed in yesterday's debate. This House is to be regarded as the supreme court of our country, if it is to be effective. If they do not want it to be effective it is important that they tell us to go home and cultivate our land like anybody else.

Mr. Ngala-Abok: Mr. Speaker, while I oppose very strongly the adjournment of the House, I would agree with the Member that moved the adjournment of the House on one point. The Junior Ministers and the Ministers that are supposed to support the Government, whenever the Government is at fault with the parliamentarians here, should spend most of their time in the House because they are the people that would sometimes answer in a general way for the Government. Yesterday, when the Minister for Defence was definitely concerned with a very reasonable Motion, there was not a member of that Ministry present. Then we found that some other Ministries were being used as scapegoats to speak for a Ministry about which they have no knowledge at all. So this sort of thing should be corrected and, again, the Ministries must have their programmes well worked out so that the Ministers can stay here most of their time and not be absent from the House. In fact, the Budget debate is such a general and wide debate and I would not only speak regarding the Ministry of Finance; I would also mention Ministries such as Agriculture, Land Settlement and so on, and then if the Minister is not here listening and taking notes, I do not see how, when he stands up, he will be able to answer me reasonably. So, we do not want to accuse the Government for being absent this morning because it is true that anybody can be late, many of the Members are not here, so we should not stick on this small point that we adjourn the House because the Ministers are not present. The Ministers, however, must realize their responsibility to the House, and I therefore beg to oppose.

Mr. Ngala: Mr. Speaker, Sir, this Government should be ashamed of making apologies every day. From yesterday they have been making apologies

[Mr. Ngala]

all the time. Now, we are not here just to—the public is aware, the public sees a tired Government and a lazy Government, to some extent. Mr. Speaker, I support this adjournment very strongly, because we do not come to this National Assembly to joke, we are elected as representatives to come here and do a serious job. It is no use for the Minister for Justice and Constitutional Affairs to tell us that the Ministers have other work to do. If the Ministers have other work to do, it is up to the Government to decide what time is suitable to call the Parliament. They should call the Parliament when it is convenient to them, when all the other jobs outside are over then they can call the Parliament. We do not want to be told that they are too busy not to pay attention to the Parliament. This amounts to a very bad indication of the attitude of the Government. This is the supreme body, the supreme authority in the country, and no Minister from the other side should say he is too busy for the Parliament. The Ministers, Mr. Speaker, Sir, have been provided with Parliamentary Secretaries. The Ministers are getting big salaries, the Parliamentary Secretaries are getting big salaries, both of them are getting big salaries and yet they cannot be here to answer questions.

The Minister for Health and Housing (Dr. Mungai): I am here.

Mr. Ngala: You were not here, you came late.

The Speaker (Mr. Slade): Order, order.

Mr. Ngala: When these Ministers come late and shout to us that they were here, when everybody saw them coming late, particularly the Minister for Health and Housing—

An hon. Member: Mr. Speaker, Sir, is this not a childish thing?

Mr. Ngala: Mr. Speaker, this is not a childish thing; it is serious when Ministers are absent and Members ask questions. The question period in any Government which respects Parliament is a time when a great deal of attention is paid because it is very important. We supply offices in Parliament for Ministers; therefore, they should be here, available all the time for us during the parliament period. It is no use saying that the Mover of the Motion is the best absentee. That is not your business.

Mr. Kiprotich: On a point of order, Mr. Speaker, Sir, is the hon. Mr. Ngala not absent himself as a President of the Coast Region?

The Speaker (Mr. Slade): That is not a point of order.

Mr. Ngala: Mr. Speaker, Sir, I was just saying that the Government cannot defend itself—

Mr. Khasakhala: On a point of order, Mr. Speaker, Sir, as the point has been made, I move that the Mover be called on to reply.

The Speaker (Mr. Slade): Mr. Khasakhala is quite entitled to move the closure, but I think it is better to let Mr. Ngala finish his speech. I expect that the Mover will ask the House leave to withdraw the Motion very soon. That is the usual procedure. Finish your speech, Mr. Ngala.

Mr. Ngala: We do not want to be told that the Ministers are too busy. We have been told that too often already. If it is a question of being too busy, then we challenge the Government, that the public is already tired. We have great respect for the Government, but a Government which has no respect for this House will stand to suffer, because the public expects the money that we spend here to be spent usefully and meaningfully.

With these few words, Mr. Speaker, I would like to support the adjournment.

Mr. Alexander: Mr. Speaker, on a point of order, as you anticipated, I believe this point has now been made, with the leave of the House, I seek leave to withdraw the Motion.

The Speaker (Mr. Slade): That is the usual procedure on occasions like this, and if no hon. Members objects, the Motion is withdrawn.

We will proceed with the questions.

ORAL ANSWERS TO QUESTIONS

Question No. 240

AFRICANIZATION: AGRICULTURAL OFFICERS, KERICHO

Mr. Kiprotich asked the Minister for Agriculture and Animal Husbandry to let the House know when the Government was going to Africanize all the posts of Agricultural Officer in Kericho District.

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): Mr. Speaker, Sir, I beg to reply. Although it is the policy of my Ministry to support the Africanization of any posts in the Ministry where an African of qualification and experience is found, the posts referred to by the hon. Member are the responsibility of the regions and appointments to them are a matter for the regions and the Public Service Commission.

Mr. Ngala-Abok: Mr. Speaker, Sir, would the Junior Minister tell us what directive the Ministry has given to the regions, because this question

[Mr. Ngala-Abok]

of regions is embarrassing to this House? If a question is to be answered by a Minister, he must tell us what he has told the region to do.

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): Sir, we do not tell the regions what to do. They find the money to create a post and create it, and since they are not prepared to Africanize this, we cannot direct them at all.

Mr. Murgor: Mr. Speaker, Sir, is the Parliamentary Secretary aware that in most districts there have been district agricultural officers there for twenty years, and the people want the new *harambee* spirit in this district?

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): The longer an officer is in the district, the more *harambee* he pulls.

Mr. arap Soi: Can the Junior Minister tell the House whether it costs money to Africanize a post like this?

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): Could the hon. Member repeat his question, Sir. I did not understand it?

Mr. arap Soi: I asked if the Parliamentary Secretary could tell the House whether it costs money to Africanize a post like this one?

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): I do not know. It depends on the regions, whether they think it costs money to Africanize the post or not, and if it does not cost money, why have they not Africanized these posts?

Mr. arap Soi: Mr. Speaker, can the Parliamentary Secretary tell us who usually transfers a district officer like this in any district? Is it the Regional Assembly or the Minister? Who transfers an officer like this?

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): Mr. Speaker, Sir, it is the regional authority.

Question No. 251

IRRIGATION SCHEMES: TANA RIVER

Mr. Ngeru asked the Minister for Agriculture and Animal Husbandry whether, in view

of the fact that the land along the Tana River at Meru and Kitui was dry, he was prepared to start irrigation schemes in these area?

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): Mr. Speaker, Sir, I beg to reply. We can do nothing at present regarding the Tana Basin irrigation—the hon. Member who has asked the question comes from this area—as the whole of the irrigation of this area depends on the outcome of the United Nations Survey Project which is currently in progress in the Lower Tana.

Mr. Mbogoh: Mr. Speaker, Sir, would the Junior Minister tell this House which is cheaper: to irrigate the Tana River Basin or to supply water from pipes in Kiambu?

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): The question of Kiambu, I think, does not arise. The question was whether we are prepared to irrigate the Lower Tana Basin, and I have answered that question. Whether it is cheaper to irrigate from Kiambu or not does not arise.

Mr. Mbogoh: Mr. Speaker, Sir, the question is whether the Government finds it very costly to irrigate the Tana River area, and easy to—

The Speaker (Mr. Slade): Yes, you have made your point, but as the Parliamentary Secretary said, it is not relevant.

Mr. Mutiso: Mr. Speaker, I would like to know from the Parliamentary Secretary whether his Ministry is taking a serious view in areas like the one in question, because these areas are already neglected by the Government?

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): Mr. Speaker, the Government is taking a very serious view of every area which would like to have irrigation, but as I have said in my reply, the irrigation of the Tana River has to depend solely on the outcome of the present Tana River Irrigation Scheme in Galole, and before that comes to completion, we cannot interfere with water in the Tana River anywhere at all in the upper courses of it.

Mr. Mutiso: Mr. Speaker, arising out of that reply, could we know then how soon the Parliamentary Secretary expects the results of the United Nations survey?

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): Sir, the survey will take three years, and in two years' time we shall have the results.

Question No. 258

LAND USAGE: LAIKIPIA

Mr. Rurumban asked the Minister for Agriculture and Animal Husbandry if he was aware that European farmers having extensive farms in Laikipia, especially those bordering Samburu District, did not utilize large tracts of their land even for grazing?

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): Mr. Speaker, Sir, I beg to reply. I am aware that due to the abnormal rains over the last two years, some of the farms must be understocked, but others are stocked to capacity. Under normal conditions, however, the farms are fully stocked.

Mr. Rurumban: Mr. Speaker, Sir, arising from the Junior Minister's reply, is he aware that most of the land stretching from Sogota Marmai to Luonek Estate is lying idle and is not being used for grazing?

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): Sir, as I have said, we are aware that grass has increased due to the rain in the last two years, and this has caused the grazing capacity of this area to be increased. However, as the hon. Member will be aware, when normal conditions prevail, then these farms will be stocked to capacity, because the drier the area, the fewer the animals that will be fed, but the more grass there is the more animals will be required.

Mr. Lorema: Mr. Speaker, Sir, would the Junior Minister tell this House whether his Ministry is prepared to advise these European farmers in Laikipia to allow Samburu to graze their animals in the places which have been left and which are not being used?

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): Sir, there are no places left, not being used. I have said, and hon. Members should pay attention, that normally in this area one animal is allowed to twenty acres, because it is dry, but through abnormal climatic conditions, instead of one animal grazing on twenty acres it can now graze on fewer acres. However, the abnormal conditions will not continue, so I will not give that assurance.

Question No. 260

STRENGTHENING OF KENYA ARMY

Mr. Godia asked the Minister of State, Prime Minister's Office, if he was in a position to tell the House what firm plans his Ministry had for

strengthening the Kenya Army by way of greater manpower and for providing more modern equipment, including ammunition?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, Sir, on behalf of the Minister of State, Prime Minister's Office, I beg to reply.

I am not prepared to disclose any details of plans for strengthening the Kenya Army in manpower and modern weapons, for obvious reasons of security. In general terms, however, the stage of planning has passed. More men have been and are being recruited, and more modern weapons are already in the hands of the Army.

Mr. arap Soi: Mr. Speaker, can the Minister tell this House the number of people in the Army?

Hon. Members: No.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, I have already said that for security reasons I am not prepared to disclose any details.

The Speaker (Mr. Slade): I do not think hon. Members will gain anything by further supplementary questions on this one.

Question No. 269

SETTLEMENT OF KALENJIN IN CENTRAL REGION

Mr. Murgor asked the Minister for Lands and Settlement to state how many Kalenjin, according to their district of origin, had been settled in the Central Region?

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Speaker, Sir, on behalf of my Minister, I beg to give the following reply.

Two Kalenjin have been settled in the Central Region. They were both ex-farm workers in Nyandarua District.

Mr. Murgor: Mr. Speaker, Sir, could the Parliament Secretary tell me why, if Kalenjin have been settled in the Central Region, the people of Central Region now want us to settle them in the Rift Valley Region?

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Due to the progressive thinking of the Central Region President and his Assembly, the two Kalenjin who happen to have been born and bred in Nyandarua have been given priority in the same way as the Central Region people.

Mr. Murgor: Would the Parliamentary Secretary now agree with me that in the Rift Valley Region the President has given an equal number of farms to non-Kalenjin who were born there?

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Speaker, Sir, if the President of the Rift Valley Region takes the same progressive view as the President of the Central Region, and considered all those born and bred in the Rift Valley as people eligible for land, I would agree with him.

Mr. Shikuku: Arising from the Parliamentary Secretary's reply, do we now believe that only two Kalenjins were born and bred in the Central Region?

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Speaker, if you say that, you would be wrong, because we have been assured by the President of the Central Region that there are more applications with Kalenjins people being processed and which will be considered in the same way as these two.

Mr. ole Tipis: Arising from one of the Parliamentary Secretary's replies, that only two Kalenjins have been settled, is he aware that many residents of Rift Valley—not two—have been settled by the Central Region? Thousands from the Central Region have been settled in the Rift Valley.

An hon. Member: Answer.

An hon. Member: Answer what?

Question No. 145

LOANS TO SAWMILLERS AND PITSAWYERS

Mr. Too asked the Minister for Commerce and Industry—

- (a) if the Minister could tell the House what steps he had taken to assist:—
- (i) African sawmillers and pitsawyers by loans for the improvement and increase of their timber trade in the country?
 - (ii) African building contractors in the country?
- (b) Would the Minister give the House the Regional breakdown of the traders who had received loans under (i) and (ii) above?

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Oneko): Mr. Speaker, Sir, on behalf of my colleague, the Minister for Commerce and Industry, I beg to reply.

An hon. Member: Where is he?

The Speaker (Mr. Slade): He was here a moment ago, but he apologized to me for having to go way. It was unexpected.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Oneko): Mr. Speaker, Sir, on behalf of my colleague, the Minister for Commerce and Industry I beg to reply:—

(a) (i) The Ministry of Commerce and Industry has set up loan authorities in every district under the Small Traders and Industrialists Loan Scheme. Responsibility for these loan schemes is in process of being handed over to Local Government authorities. African sawmillers and pitsawyers are eligible for these loans and many have already taken advantage of the scheme. Sawmillers are also eligible for the Loan Scheme administered by the Industrial Development Corporation. Not many applications received by the Industrial Development Corporation from sawmillers have, however, been for economically viable projects. (ii) A special loans scheme for African building teams was previously operated by the Ministry of Education and was taken over by the Ministry of Commerce and Industry in 1962. This scheme has now been integrated into my Ministry's own loan scheme.

(b) It is regretted that it is not possible to give quickly a Regional breakdown of loans according to traders because the statistics are not maintained in this form. I have asked, however, for returns to be collated and I hope to be able to circulate some figures in writing at a later date.

Mr. Too: Mr. Speaker, Sir, is the Minister aware that African pitsawyers and sawmillers have not been able to compete with Asian pitsawyers and sawmillers because the last Government had neglected to give them loans?

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Oneko): Mr. Speaker, Sir, that may be true, but the whole thing will have to be revealed by the breakdown once it is circulated to the Members.

Mr. Gichoya: Mr. Speaker, Sir, arising from one of the Minister's replies, will he tell us that he is prepared to see to it that the African sawmillers are given certain privileges in terms of these loans so that the industry could be strengthened and our economy improved.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Oneko): Mr. Speaker, Sir, the policy is to see that the economy of the

[The Minister for Information, Broadcasting and Tourism]

country is maintained and the question of preference at this stage does not apply, but already there are some African sawmillers who are doing a very good job in the forests.

Mr. Khasakhala: Mr. Speaker, Sir, is the Minister aware that there are now African contractors who are not able to do their jobs because they cannot compete with other well-to-do Asians who have loans from the Government, and what is he going to do about these Africans?

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Oneko): That may be so, as I already said, because the Asian traders had an advantage—they are businessmen, they had an advantage but the Government is doing all it can to assist the Africans, as I have already indicated in the answer.

Mr. Khasakhala: Arising from that reply, would the Minister tell this House what the Government is doing? He says that the Government is doing all it can. Will he give us an example where some of these contractors have already been financed by the Government?

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Oneko): Mr. Speaker, Sir, I think after receiving breakdown figures it will be easy and the appropriate time to work out means by which the African traders can be helped.

Mr. G. Godana: Mr. Speaker, Sir, would the Minister agree with me that the time has come when poor Africans should have a chance more than anyone in this country for loans?

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Oneko): The main thing is to maintain the economy of the country, and, in fact, it is the duty of the Government to see that the Africans are also assisted and helped, and there is already this loan scheme which, if they avail themselves of it, they will be assisted by the Government.

Question No. 150

SHORTAGE OF DOCTORS

Mr. Ngala-Abok asked the Minister for Health and Housing if he would inform the House when his Ministry intended to start training doctors in Kenya and what his Ministry was doing now to remedy the vital shortage of doctors throughout Government hospitals?

The Minister for Health and Housing (Dr. Mungai): Mr. Speaker, Sir, I beg to reply. My Ministry has very definite plans of starting an

undergraduate medical school in Nairobi, but it will not be run by my Ministry as such. It would be a medical college of the University of East Africa so that it gets the recognition of this University and also internationally. At this particular time, I would rather not announce the plans for the date we have in mind, because we have some very delicate negotiations going on between the University, the Government of Kenya, and some other Governments who are willing to help us with this University, and I would ask the hon. Member, if he does not mind, I would like to announce that later when negotiations are completed, in case we jeopardize the negotiations that we are now embarked upon.

We are very short of doctors in Kenya, we are aware of that, in the medical field, and we have tried to recruit from overseas doctors to take the positions of the expatriate officers. We have met with success from both Eastern European countries and Western European countries, such as Czechoslovakia, the Soviet Union, Scandinavian countries, the United Kingdom and Canada.

Mr. Ngala-Abok: Mr. Speaker, Sir, I am pleased to learn that the Minister is also worried about the shortage of doctors. Will the Minister tell the House whether he has invited the private practitioners in all the towns and cities of Kenya to join the Kenya Government service?

The Minister for Health and Housing (Dr. Mungai): No, Sir, we have not. Most of the time we prefer that we have full-time doctors who are working for the Government, rather than have them split. However, we have asked several private practitioners to help us and have offered them a base where they can work in Government hospitals for certain hours during the day or during the week.

Mr. arap Moi: Mr. Speaker, Sir, arising out of the Minister's previous reply, has the Minister done anything to encourage those doctors who have been working as expatriates who know the climatic conditions and tropical diseases to remain for a while whilst he is trying to recruit officers from overseas who will have difficulty in learning about the climatic conditions when they come here?

The Minister for Health and Housing (Dr. Mungai): Yes, we have, and with success. Just before independence, so many of them wanted to leave, but when they gained confidence in this Government and this country, they decided to stay. But there were some who were diehard

[The Minister for Health and Housing]

colonialists who left, and it is good that they did because we would rather not have diehard colonialists in the country at this stage.

Mr. Ngala-Abok: Since the Minister is aware of the shortage of doctors and particularly those specialists, would he agree with me that the present Kenya Government medical specialist is merely an acting specialist, and that he should confirm his position as a Kenya Government specialist as such?

The Minister for Health and Housing (Dr. Mungai): No, Sir, specialists are specialists, and they are very well trained and they run second to nobody.

Mr. Masinde: Mr. Speaker, Sir, is the Minister aware that, due to favouritism in promoting certain doctors in his Ministry, it is frightening away some doctors of different tribes and that this, therefore contributes to shortage of staff in his Ministry?

The Minister for Health and Housing (Dr. Mungai): That statement is unfounded, untrue and should not be said in this House.

Mr. Khasakhala: Mr. Speaker, will the Minister tell us his plans, as I understand that there is going to be a training school for doctors in Nairobi which is supposed to be for post-graduates, and Makerere has not been able to get undergraduates to train as doctors? Can he tell us exactly how he is going to fill these schools?

The Minister for Health and Housing (Dr. Mungai): In my answer, I said we have very definite plans for an undergraduate medical school, and post-graduates will come at the same time. In fact, I have already had post-graduates training in Nairobi with doctors who have been taking their advanced courses, and are taking their F.R.C.S., and M.R.C.P., and other higher degrees. But the plan we have now is not for that. It is for an undergraduate medical school.

Mr. Gichoya: Arising from the original reply of the doctor who is a Minister, and knowing that there is a very great shortage of qualified doctors in the country, is the Minister prepared to recommend to the Governments of East Africa, through the Government of Kenya, that we have at least three training institutions for doctors within East Africa?

The Minister for Health and Housing (Dr. Mungai): I will be very happy to do that. In fact, we have one at Makerere; we are planning

for another one at Nairobi; and I hope in Dar es Salaam we will have another of equal standard to Makerere and Nairobi. It is in our plans, but I cannot force the other Governments or the University. It has to be accepted by the University Council.

*Question No. 173***INQUEST ON ELEVEN-YEAR-OLD CHILD**

Mr. Sadalla asked the Minister for Justice and Constitutional Affairs if the Minister was satisfied that it was not necessary to hold an inquest on the eleven-year-old child, Dageni s/o Mungai Kahia, who was run over and killed by a car at Kampi-Ya-Moto in September 1963?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, Sir, I beg to reply. Yes, Sir. The purpose of an inquest is to enable a magistrate to decide whether it appears that an offence has been committed. In this case, the police investigated the facts and made a full report to a magistrate. There was nothing in the report upon which a prosecution could have been based, and the magistrate therefore decided that no inquest was necessary.

Mr. Shikuku: Arising from the Minister's reply, does he not consider, in view of the fact that this chap is definitely dead, and there must be a cause of his death, an inquest is necessary?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, I did not understand the question.

Mr. Shikuku: You are fumbling with your papers, that is why. Arising from the Minister's reply, does he not agree with me that in view of the fact that this child died, this in itself is evidence that something happened to him and it is necessary that the case should be resumed again?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, either the hon. gentleman is capable of reading the question or is not. The question quite clearly states that the person is dead, and that is not in dispute. It also states quite categorically that the child died from being knocked over by a car, and that is not in dispute, so I do not understand the supplementary.

Mr. Shikuku: Review the case.

Mr. Mutiso: Arising out of the reply, could the Minister tell this House whether the Government will take the responsibility of paying the next of kin of that child?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): No, Sir, the Government does not accept that responsibility. Accidents happen on our roads quite often and many people have lost their lives in these accidents. It is not for the Government to accept responsibility for accidents, especially genuine accidents. When the motorist is guilty of an offence, the courts decide, and if there are persons who are not satisfied with Government decisions it is open to them to bring up a civil case and to ascertain the situation for themselves before the courts. In this case, as I have said, investigations have clearly satisfied us that there is no cause for any further steps being taken by Government, and so, Sir, Government does not accept responsibility.

COMMITTEE OF WAYS AND MEANS

(Order for Committee read)
(Third day of Budget Debate)

MOTION

THAT MR. SPEAKER DO NOW LEAVE THE CHAIR

(The Minister for Finance and Economic Planning on 16th June 1964)

(Resumption of Debate interrupted on 24th June 1964)

The Speaker (Mr. Slade): Mr. Kibaki, you have spoken for one minute. You have twenty-nine minutes.

The Parliamentary Secretary to the Treasury (Mr. Kibaki): Mr. Speaker, when the House adjourned the day before yesterday, I was commenting on some of the issues which have been raised by the hon. Members during the course of this debate on the Budget. I was particularly keen to impress on those Members who had spoken in detail that it was vital, if they are going to make a public contribution to this debate, that they base their arguments on tangible, concrete facts of our economic situation. Mr. Speaker, I was about to give some facts which have guided us in drawing the development plan laid on the Table the other day.

We have had to take into account, Mr. Speaker, for instance, that the population of this country is growing very rapidly, at 3 per cent per annum, and has 51 per cent of it under the age of sixteen. Those are young juvenile people who are an independent population and who, at the moment, are not in the labour minds, so that towards the economy they are only a very small proportion of the population. Of that proportion, a very large number of them are illiterate, and their being

illiterate means entirely, Mr. Speaker, that this limits their production, and, therefore, you will find in the plans that we have laid great emphasis on the need to bring general literacy to the mass of the people, and particularly to the workers and to the farmers. You will, therefore, see for instance that in the sections dealing with agriculture, which is our main industry, very great emphasis is laid on the need for us to explain to the farmers, to give him extension services, to bring up his greater knowledge of more scientific ways of farming.

We have also, Mr. Speaker—and I think this is very important for the hon. Members who denounce Africanization and want everything to be done at once—to take it as a fact because so it is. As of 1962, for instance, the great bulk of the people employed in high level manpower capacities in all stenographers, engineers, doctors, foremen, technicians and so on, all these sort of people were all from the immigrant communities. If I might quote one figure which we have used in the Development Plan, we have estimated that out of the 35,000 people employed in these high level capacities in 1961, only 5,000 were Africans. The other 30,000 were 16,000 Asians and 14,000 Europeans. If, Sir, we are going to have the radical development programme we have to recognize this dependence. It is no use saying that it does not exist, it is the truth. We in the Plan, having recognized it, have laid very great emphasis, as I hope the hon. Members will recognize, on the need to improve on our trained higher level manpower. Then we have also had to be guided by the fact that as of last year, Mr. Speaker, we had only 5,000 students in Form 4 in secondary schools in the whole country, and yet we estimate in this Development Plan, Mr. Speaker, that we need to train 60,000 high level personnel over the six years if the Plan is to be carried out by Kenyans. I would therefore like, Mr. Speaker, that the hon. Members keep these facts in view when they demand why we have not gone in for mass free compulsory primary education. We have felt that the primary need, the immediate priority should go to an extension of the secondary schools so that the children who are now not getting any places in secondary schools get those places and also provide the raw material for training in these high level personnel capacities. That is the reason you will find that in the plan we allocated something close to £10 million to higher education and we have felt that it should now be for the hon. Members in conjunction with the regional organizations and county councils to go in for self-help in the case of primary schools. It would be, in fact, an idea which I might commend Members of this House to take seriously so that each Member

[The Parliamentary Secretary to the Treasury]

would help to organize his own constituents to build for themselves with their own hands the primary schools which they require.

Now, Mr. Speaker, this is a positive contribution which the hon. Members could make. I know already that some Members are helping, that in some areas some Members have taken this action and have helped with these self-help projects, but I am saying that this ought to be taken up by the other Members because not all of them are doing it. So that at least we could be relieved of these capital costs of building these primary schools and the moneys available could go further in expanding our secondary schools. That is the reason, one of the reasons anyway, why we accentuate very strongly in this programme the need for self-help programmes, the need for people in the villages to be organized so that they build for themselves some of those facilities which they require such as schools, halls, dispensaries, etc. I will also mention, Mr. Speaker, that in this plan we have had to give priority, to give prominence to the development of the land although many Members have demanded industrialization because the facts led us to give emphasis to land development. What are the facts? The facts are, Mr. Speaker, that of the one and a half million families in Kenya, two-thirds of them depend for their livelihood on land and only 400,000 families are otherwise engaged or derive their livelihood from sources other than agricultural sources. It is therefore logical that in this development plan, emphasis should be more on improving the land. In our next development plan you will have the opportunity, having improved your agricultural workers, having given them higher incomes, having thereby provided a market, an internal market, for your own industrial production, in your next development plan you will have the opportunity to industrialize as much as you want, and if I may go back to manpower, you will have created the manpower which you require for your industrialized economy. Now, the facts here, as regards to agriculture, Mr. Speaker, are that we must again emphasize, particularly to the hon. Member from Kajiado, that it is for the hon. Members themselves to undertake to sell these policies to the constituencies, to their own people. Indeed, when the hon. Member brought the Motion on which I had hoped to speak but the time finished, on the Masai country, he knows very well that it is in Masai country that we have more than one million acres of land of the very highest potential invulnerable. If the Masai were to start to cease to be nomadic and settle down to a different way of living, this alone, if they could put that land to

some proper use, would make their own districts some of the richest in this country. Yet one million acres of some of the best land in Kenya is lying idle. We recognize, of course, Mr. Speaker, in this development plan that it is not going to be easy over the five years to convert the Masai or any of the other nomadic people to a settled way of life quickly, so we have in fact provided there for a scheme of controlled grazing in these dry areas and in this you will note that in the plan these schemes have been given very high priority. I would like also to mention here that not only do we want these nomadic peoples of Kenya to be encouraged to settle down, but we want also those who are already agriculturists to be encouraged to put their land to more intensive use. Equally, we have lots of land in this country which if reclaimed from tsetse fly, or from flooding, could become very productive and you will see in the development plan there is close to £8 million allocated for these sort of purposes, for reclamation and irrigation. We have also laid emphasis on the need to bring to the ordinary peasant producer an awareness of the potentialities available to him to upgrade himself because part of the difficulty, particularly in the Coast, particularly in the constituencies represented by the hon. Leader of the Opposition—I am told that in these areas they are finding it very difficult to bring this new awareness to the ordinary worker, to the ordinary peasant farmer, to encourage him to improve his own level of income. We have, therefore, in this development plan, laid great emphasis on the need to expand the facilities available in the farming institutes which have worked very well, for instance in the Western Region, the Central Region and in other places where they have been tried. We want to have them all over the country where farmers can take short courses and learn new methods of farming, simple ways of keeping accounts so that they know what moneys they are making, and all these other important aspects.

Mr. Speaker, two or three Members on the Government side laid great emphasis on the need for Government to nationalize this, that and the other thing. I want to emphasize, Mr. Speaker, that people who want to be radical and who want to be revolutionary, although we may very well understand their sentiments, I believe, Mr. Speaker, that nobody can be revolutionary, truly revolutionary, unless he is also a realist, unless he is able to weigh what means he has in our own hands, unless he is able to know the range of his weapons, it is no use threatening a chap who is two miles away if your weapon will only fall one mile. You cannot shoot him and the hon. Mem-

[The Parliamentary Secretary to the Treasury] bers who come from the tribes which use bows and arrows know this very well. You have to creep up quietly until you are in range of shooting the animal.

Mr. Ngala: You are not creeping.

The Parliamentary Secretary to the Treasury (Mr. Kibaki): No, are running.

Mr. Speaker, one fundamental fact which is important in this respect is the fact that over the last ten years about 60 per cent—60 per cent, I want to emphasize that—of the capital formation that has taken place in this country has been privately piloted by private capitalist, if you like, owners. 60 per cent. What is even more significant is that the bulk of that capital formation has not been Kenyan but has been expatriate from overseas. These are concrete facts which one has to take as given because you cannot do anything about them, however much you wish that things were different. You have to start from that point. Therefore, Mr. Speaker, I would urge that the hon. Members who have stressed the need for radical action in various directions ponder over these facts. We, on our part, Mr. Speaker, as the hon. Members will notice in the Development Plan, plan to start a national provident fund which should give us an opportunity to collect the various savings of the people and channel them into investment. We hope too that we will bring up new institutions to encourage people to save and invest in Kenya. What is more important, Mr. Speaker, we hope to organize our economy so that we get these owners of capital to reinvest their money in these countries. But we have not stopped at that. We have in fact in the field distribution which was very strongly attacked by one hon. Member here, recognized the fact that for a very long time the Asian community has dominated this particular field of economy. We have, therefore, proposed to organize a system of peoples' shops. These, as one hon. Member wants to be assured, will not be shops merely to benefit a handful of people, they will be shops which will benefit the final consumers who are the ordinary peasant farmers and workers in the towns. What is important here, I think, is not only that we should have the objective but that we should have the concrete organization. We on our part, as hon. Members know, have taken two or three steps in this direction. We have already encouraged the co-operative organizations to organize on a national basis, to form a national union of co-operatives. We hope that this co-operative union will then go jointly with the Government into this programme of supplying goods to their own Mem-

bers. This would have the advantage of supplying goods to the peasant farmers, to the ordinary worker in town at a price which would be much lower than he now has to pay so that that side of the situation could be looked into. But the hon. Members here could help this programme very much, even in their own districts, particularly as some of them are farmers and some of them are in fact either Chairmen or secretaries of the co-operative unions. If they would encourage members of those unions to speed up this programme of the Government, where we are trying to encourage them to form district co-operative unions because it is going to be impossible to deal with millions of co-operative unions, one in each location, but if we form these district co-operative unions we shall then be able to have channels for this new organization of distribution. In this, Mr. Speaker, I invite the Members to note, in the section dealing with trade in the Development Plan, that we have not stopped at merely distributing goods. We propose to set up a national trading corporation which will go into the importation of goods into this country. This would again be able to help the people in this country because we have come to recognize that the old programme whereby the Government merely gave a few loans to a few African traders was not going to lead to any change in the pattern of the economy because as so many hon. Members have repeated *ad nauseum* in this House, it is too much to expect that one African trader who starts today, even if given a large loan by the Government, is going to be able to compete with the established houses in this country. He is not going to be able to do it. Therefore we have recognized that fact and pledged that the Government will go into this business of importing goods and we propose to set up the machinery for it. We will set it up very, very soon indeed. So, Mr. Speaker, we believe that in these various things we are taking action. Again let me talk about another aspect which is more or less connected although it is not quite distribution. That is the marketing of our crops. So many Members have stood up here and I think from ignorance stated that we should nationalize the marketing boards. Now, I think this is from ignorance, Mr. Speaker, because these boards are not foreign boards, these are boards which market the produce grown and produced here in Kenya. I do not know what they want to nationalize because if you take any of these things, take pyrethrum, very quickly, half of the production is African and the other producers are also Kenyan. I do not know what they want to nationalize, whether they want to nationalize the actual farm or why they want to nationalize the boards. The boards are merely organizations for

[The Parliamentary Secretary to the Treasury] marketing our produce. I had hoped that what the hon. Members really would be interested in would be that the Government already is taking steps to ensure two things: one, that the boards are efficiently run; and two, that the new African producers, who are coming up in agriculture, have their share of representation on these boards so that their own interests are also properly looked after. I would have thought, Mr. Speaker, that even the people who say they are socialist would have welcomed the organization of our marketing as indeed a positive move towards socialism. What they would like nationalized I do not know because a co-operative organization, such as the marketing organization, seems to me to be what every socialist country is trying to go to, and why they want us to go backwards to a position where the marketing organization is only owned by the state and the state appoints one Chairman to run it on behalf of us all, this is kind of patronage which does not give the ordinary farmer a chance to organize his own business. I would have thought that this was a retrograde action and that they would not ask us to do such things. As it is, Mr. Speaker, we have no intention of doing any of those things. What we have plans to do, and these are in the Development Plan, is to ensure that these marketing organizations are reorganized so that they represent all the producers and what is more important, so that they are flexible and we are able to trade with whichever country we want to trade with. As you know today it is very difficult for these boards to deal with various new markets which we have been trying to open up because of old contracts with various other countries. These are things which hon. Members would say ought to be changed and which we ourselves are planning to change.

I want also to stress that in the Development Plan we have not stopped merely at this particular plan. We have gone further and proposed a new organization for planning because, Mr. Speaker, we do not believe that when you produce one plan you have produced a Bible and after that you do not have to do anything about it, you merely have to quote it. No, what we know is that planning should be a continuous activity of any Government that has a positive purpose, like our, and therefore in the plan we have stressed that we will set up, or have proposed to set up, a directorate of planning which will be headed by a qualified person as the Director of Planning and we shall have a technical department dealing with technical matters. This will be a department to which you Members, Members of this House can bring your sugges-

tions as to what they think ought to be done. It is for that reason, Mr. Speaker, that I thought it necessary to stress to the Members that from now on more than merely talking about, "We want socialism, we want this and that," we would welcome, in the Ministry of Finance and Economic Planning, people who will bring positive suggestions of how those things they have talked about could be achieved. Now that we are going to have a technical department of planning we will welcome suggestions from any hon. Member as to how, either his own district could be developed or how the whole economy ought to be going and then we shall sift them around and see what they are worth. Therefore, Mr. Speaker, I would like the hon. Members to begin to take more interest in these matters and to bring more concrete suggestions rather than this generalization we have had from them.

Mr. Speaker, before I sit down I merely want to mention two other things. It has been mentioned here that the process, the whole plan, of this Government, which has now been proposed, is not radical enough, but we believe it is very radical. If the hon. Members and the whole country will work on it we can assure them that, for instance, their output from secondary schools will be doubled, the whole economy will grow by more than 75 per cent over that period of time, and this is not a mean thing. Indeed, Mr. Speaker, if we attain, with the help of every person in this country, the rate of growth of 5.7 which is mentioned in this Plan, we shall be among those countries which are growing very fast in the world today. Therefore, Mr. Speaker, we believe that this is a radical programme. But let me mention two things which I think are going to be very important in the future. There has been criticism here of the way some of the investors are trying to cash in on the present situation in Kenya and running away with money. I think there is a case here for us in this House to speak up during this debate against the people who are speculating in land in this country. I have been very distressed, Mr. Speaker, by the way some of these people, and one must be able to say frankly that the bulk of them happen to be Asians—not that we have anything against the Asians, but it is important we should speak the truth—and this speculation, Mr. Speaker, is going on now, for instance, in agricultural lands, and it is utterly undesirable and it is the kind of thing which can only be indulged by people who do not themselves think of Kenya as the country in which they will live in the future. I have seen it myself the other week-end when I was on tour in the Rift Valley. Some of these speculators buy up good land and instead of continuing to farm it

[The Parliamentary Secretary to the Treasury] as a mixed farm, which it should be, they have no scruples against ploughing the whole place up, cutting it all down, and planting wheat because what they want is a quick cash return from one crop which will do that quickly. Now, in this process not only are we losing very important stock of cattle, dairy cattle, not only are we getting land denuded of trees and so on, but this is also atrocity to our agriculture which is utterly undesirable. One would hope, but we may be wrong in hoping, and I would move that this kind of thing could be stopped by mere warning, but if they do not stop the time will very quickly come when positive action will have to be taken. There is similar speculation, for instance, in the land that produces sisal because the price of sisal went up 50 per cent over the last year and many of these people just bought up sisal estates not so much to develop them, not so much to help employ more people, but merely to get one or two crops out of them and then to resell them at a fantastic price. This, of course, is the worst form in which, what some Members would describe as capitalism could manifest itself, and I am saying this in all seriousness, Mr. Speaker, in that people who behave in that manner create a climate, a way of thinking among the Africans which will lead to action which cannot help this country. Therefore one would hope that these forms of speculation would, in some ways, stop. And they are not restricted, Mr. Speaker, to agriculture. The other day when the Government did announce that there would be some control on prices of various groups, we had traders in this country, wholesale traders, who decided that they would make a very fat profit by withholding supplies and then supplying these things through the black market, sugar, rice. We hope that very soon we shall be self-sufficient, we shall produce these crops locally, and we hope that these crops will be produced by people who are Kenyans and who are Kenya citizens who want to live here. What is more, we hope, during the current plan, to so organize the marketing of this produce that it will be done for the benefit of the consumer so that these unscrupulous people who are prepared to cash in on the miseries of the others, could be cut out of it. Mr. Speaker, what is important here is not for the hon. Members merely to make this a political campaign or anything. What is important is for them to co-operate with the Government for instance in the organizing of the marketing of produce. What is even more important, Mr. Speaker, and I cannot help saying this, is that we, as hon. Members must cease speaking with two voices. It will come very soon, Mr. Speaker, to a point where the

ordinary man in the country may cease to take any notice of what hon. Members say in this House if they realize that the hon. Members always speak in this House, but in their own business life they may be connected or linked with organizations which engage in practices which we ourselves condemn in this House.

The Speaker (Mr. Slade): Your time is up, Mr Kibaki.

The Parliamentary Secretary to the Treasury (Mr. Kibaki): Mr. Speaker, I am very grateful to have had these few minutes to raise these few points, and I hope we get more positive suggestions, especially from the hon. Member for Nairobi West.

Mr. ole Tipis: Mr. Speaker, Sir, first of all I must congratulate the Minister for Finance on the way in which he presented the Budget. I am sure that he is one of the ablest Finance Ministers this country has ever had, and he has a very strong right hand in the form of this Parliamentary Secretary who is an economist and an expert as such.

Now, Sir, I just want to touch very briefly on a few points which will show how best we can plan the growth of the economy of this country. I know the Minister has a very difficult job, in that there has not been before a clear cut sense of direction as far as the economic planning of this country is concerned. Of course, there are some bad things which happened in the past before we attained our independence in that in this country we have three or four groups as far as the wealth of the country is concerned. The British Colonialis created a top heavy—

QUORUM

Mr. Ngei: On a point of order, Mr. Speaker, I do not know whether we have sufficient Members in the House to carry on.

The Speaker (Mr. Slade): No, we do not have a quorum. Ring the Division Bell.

(The Division Bell was rung)

The Speaker (Mr. Slade): We have a quorum now.

Mr. ole Tipis: I began saying that we have three or four categories. The first one was created by the British Colonialists during their rule of this country where there was the upper class, people who were wealthy by old stands. This class consisted mainly of Europeans and Asians. Then there was the middle class consisting of the two communities I have just mentioned.

[Mr. ole Tipis]

At the bottom of the ladder there were the Africans who were kept down at the bottom, and in most cases the majority of the Africans could hardly make both ends meet. In our independent Government, the African people want a crash programme so that they can enjoy the fruits and the wealth derived from their motherland. This is not an easy task, Mr. Speaker, we know, because nobody wants to upset the economy of the country overnight, but our Government would be well advised to realize that the time has come to take drastic steps to rectify the mistakes of the past, so that the African people of this country do not take a third place in the economic life of the country. It might be difficult for some of our friends to swallow this bill which is bitter to them, I know, but they must accept it as inevitable. It is bound to come sooner or later.

The Minister for Finance and Economic Planning (Mr. Gichuru): Sooner.

Mr. ole Tipis: The sooner it comes the better. For instance, Mr. Speaker, if you look at the whole field of commerce and industry in this country, it is entirely in the hands of Asians and Europeans; I am not a racist, I am stating the facts as they are. It is surprising, but if you go through some of the main streets in our towns, you feel as if you are in a town like Calcutta or Bombay. This is one of the mistakes I feel ought to be rectified. If we try to satisfy everybody, it is not good trying to appease some people for some unknown reason. We want an equal and fair distribution of wealth in this country, and if some people feel that in order to satisfy individuals or a group of people they have to do so at the expense of the indigenous people of the country, then it is time they reconsidered their positions and thought seriously about it. No African at all will accept being poor throughout his life. He will not do so. Either these other communities, who have had the chance for the last 60 or 70 years to build their economic status up to its present-day peak, accept that they will take the African with them and African participation in the commerce and industry of this country, or, failing that, the African will one day come to reconsider his position. The Government must be prepared for this, and work to avoid it. It is all right to encourage outside investment; we are all out for it and welcome it, because without it we cannot expand the growth of our economy in this country. We have been told time and time again that there are no strings attached to any aid from abroad or to any money invested by outsiders in this country. I would like to remind

the Government that it would be a very bad mistake if by any chance we created some loopholes which may have serious repercussions, where the outside investors dominate the economic field of this country. Whatever money we get for investment, the best thing to do is to associate the people of this country with such a venture, with any projects in which the money is spent, either by way of the Government contributing a share to the money invested or by allowing the African people to buy shares in any of these ventures. This would prevent a situation whereby we are economically dominated by foreign capitalists which might force us into a position which is found even today in some countries in the Far and Middle East. We do not want economic domination, having freed ourselves from political domination by the Imperialists.

Mr. Speaker, there are something here which I think we ought to touch upon. First, there has been some talk of nationalization. It sounds to some hon. Members, and even people outside this House, a very good slogan, but we must consider it with an open mind and decide what items, what schemes, what firms we are going to nationalize. I would offer a word of strong warning to the Government, that it is my deep conviction that anything to do with the nationalization of land in this country will never work.

Mr. Anyieni: Who says?

Mr. ole Tipis: The African people are proud, and rightly, too, to own or possess property which a man or woman can call his or her own, and if anybody came along with some strange ideas, having been indoctrinated somewhere with the idea of applying nationalization, then he would be looking for trouble.

[The Speaker (Mr. Slade) left the Chair]

[The Deputy Speaker (Mr. De Souza) took the Chair]

Nationalization of land would never work. I can tell you that.

Mr. Anyieni: You are out of date.

Mr. ole Tipis: You can say I am out of date, my dear friend, but I believe that you are more out of date, out of the African mind, because the place where you were born, even, is the property of your father. It was his property, and if you want to nationalize land you should nationalize your father's property first.

The Deputy Speaker (Mr. De Souza): Remember to address the Chair.

Mr. ole Tipsis: I am sorry, the friend of mine provokes me as usual with this crossing of swords on the Floor of the House. I hope he does not take it seriously. If I have offended him, then I apologize.

Let me make myself very clear here, Mr. Deputy Speaker, touching on the question of the nationalization of land; that is all. There are so many other things which I feel it would be in the national interest to nationalize. I have no quarrel with that; I was only touching on the question of land. It is a thorny problem which needs proper handling with no rush, because if you come today and say that we must nationalize the land, some people will say no and there will be trouble in this country. The land was what I was talking about. There are many other things, or companies, which I believe ought to be nationalized.

For instance, Mr. Deputy Speaker, we know today that these bottled drinks, beer and so on, drain the African pocket. Who benefits from these huge profits accruing from the breweries? It is the outside investors and some proportion goes to the local shareholders here. I believe that the breweries, where people have already had back nearly all the money they invested—with our African people who keep on drinking and then next morning they find that they do not even have enough money to buy food for their children—that sort of business should be nationalized. Any profits from the breweries should go into projects which will benefit the people of this country as a whole.

Mr. Deputy Speaker, since this is a general debate on the Budget, I want to touch on the public service of this country. The public service of this country, or of any other country in the world, is the backbone of any Government worth its name. I would hate to see any unnecessary interference as far as appointments, promotions, transfers and so on in the public service are concerned. When we were in London working on our Independence Constitution, we said that the public service must be insulated from politics. This is all well and good in words, but in practice it does not seem to be working well, not only in Kenya but in some of the independent African countries. I know of cases where a senior officer, or a number of senior officers, have been issued with transfers or posting orders by telephone. This demoralizes the service, because you cannot expect an officer, and a senior officer too, who has children at a school in the first place to be told that in twenty-four hours he goes to Kisumu from Nairobi. He has to make arrangements on transferring his children from school, he has his belong-

ings, he has so many other things to arrange. Why change from the old system, when these postings were arranged in writing?

It is true, Mr. Deputy Speaker, that the greatest enemy of African unity is tribalism. You can say that we do not want tribalism, but it is quite different uttering words from your mouth when you mean quite the opposite at the bottom of your heart. We have seen it in practice. My hon. colleagues may stand as usual and ask for substantiation, and I will gladly say. For instance, I said that we do not want unnecessary interference with the Civil Service. There are some Ministers who feel it is their job to try and upset the smooth administration of this country.

An. hon. Member: Question.

Mr. ole Tipsis: Those Ministers should take heed and realize that they are not working in the interests of the country as a whole, they are working for their own personal political glorification.

An hon. Member: Question.

Mr. ole Tipsis: I can hear one of my hon. friends saying "Question". I can tell you that in one of the regions, if he wants me to tell him—

The Parliamentary Secretary for Labour and Social Services (Mr. Odera-Jowi): Which region?

Mr. ole Tipsis: Mr. Speaker, I think I would be safer if I faced you rather than facing my friend there!

In one of the regions—and the hon. Member asks me which one; it is Rift Valley if you want to know, I have nothing to hide—in the last two months we have had all sorts of Africans within a very short time, and the officers, especially the R.D.A.s who are posted as replacements come from one particular tribe. You go and check with your Minister. You are the Junior Minister; check with your boss, he will tell you. This is not the spirit of *Harambee*. Then, the people who held these posts, they may be very few, but they were just posted to unhealthy places such as the N.F.D., North-Eastern Region. Some of them were posted to the remotest parts, because they happened to be indigenous. Is it the spirit of *Harambee* to post these officers to the North-Eastern Region? I think all the tribes should be posted there equally, and feel the heat of the semi-desert country.

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okeolo-Odongo): The Masai are not there.

Mr. Ole Tipis: They are, they have been posted, I know. The Masai have been posted there, the Kalenjin have been posted there, and not a single Luo. They work in the healthy climate of Rift Valley.

Mr. Masinde: Shame!

Mr. Ole Tipis. So this is tribalism number one. We do not want that.

Mr. Deputy Speaker, I want to touch page 35 (b) with regard to the Ministry of Finance. Of course, this originated from the statement by the hon. Prime Minister. They were going to extend the transitional period as far as the regional funds were concerned up to 31st December 1964. Let me say again that this act by the Government is quite unconstitutional and as such illegal. Let me tell the Government that what they were telling us yesterday, that we can challenge them on anything in the Supreme Court—they know our purse is not as full as theirs and to challenge the Government in the Supreme Court would require money, but we are prepared to do that even if we have to sell some of our *ngombies*—we are going to take the challenge up and we shall be proved to be right. However, the main this is this, that this arbitrary amendment or alteration of the constitutional arrangements is not going to help. The Government must realize this and they must come out in the open and act constitutionally. We are not going to accept a position where, on one bright morning, a Minister gets up and says, "All right, we are going to do away with *majimbo*," or "We are going to deny them their funds, which are there by the right, by the Constitution." We have seen lately through some devices which they want to call administrative arrangements an attempt to deviate from the Constitution without necessarily amending it. We are not going to accept this; the Minister said that we wanted to create stable conditions, and this is not going to help. It is no good some hon. Members shouting at me, asking me who I am. I am the man who struggled for you when you were still in the bush.

When some of you were still school boys, we were battling the Imperialists then, and the Imperialists in the thirties and forties were the true Imperialists. We kept on pushing, pushing, until now you are enjoying the fruits of our labour!

Mr. Deputy Speaker, I think the Parliamentary Secretary for Finance and Economic Planning touched on a very important issue, and that is the question of our livestock industry in this country. It is a pity that the number of pure-bred pedigree cattle in this country has

decreased, and we want to prevent this so as to improve the quality of the indigenous cattle. This can only be done by the Government taking drastic steps as proposed by the Parliamentary Secretary so that they do not allow any of these *Kiburu* to sell their dairy heards to the K.M.C. for slaughter. They can sell them to the African breeders, whether they are native or exotic cattle.

An. hon. Member: Do you have the money?

Mr. Ole Tipis: You are asking me if I have the money. Yes, I can buy two or three. This is a very important point, Mr. Deputy Speaker, and I believe that the potential as far as the livestock industry of this country is concerned is better than in any of the neighbouring countries. What we want is to tap this industry nicely, and then increase the national income of the country. For instance, when you take country such as Masailand—which I am always proud to mention—where there is well over one million head of cattle, just ask yourself a serious question: what is this one million head of cattle contributing by way of revenue to the country? You will come back with vague answers that due to livestock diseases, and so on—Why do you not cure them? You have money to cure the diseases in the *Kiburu* cattle; why not in the African areas? You concentrate all the experts on the European farms, and then you send the livestock officers—

The Deputy Speaker (Mr. De Souza): Address the Chair.

Mr. Ole Tipis: —to the African areas, people who cannot even diagnose disease. All the experts, all the qualified officers are to be found in the settled areas. Then you send veterinary scouts, veterinary assistants, livestock officers, people who cannot even give a prescription to buy veterinary medicine. They are in charge of districts where there are more than half a million head of cattle, and then you say it is on account of disease. The Government ought to be ashamed of itself.

Mr. Masinde: Yes, it is going to collapse, finish.

The Deputy Speaker (Mr. De Souza): Your time is up, Mr. Ole Tipis.

Mr. Ole Tipis: Thank you, Mr. Deputy Speaker.

Mr. Anyieni: Mr. Speaker, when we discuss the Budget we can speak on practically anything, and I would like to start with federation. I would like to reiterate what has been said several times in this House, that this House is

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the supreme authority, this House will determine the destiny of our country and of our people.

Mr. Masinde: You are right.

Mr. Anyieni: This House has, with a very great majority, voted for an amendment, which was introduced, incidentally, by a Back-bencher on the Government side.

Mr. Deputy Speaker, the Minister would like to tell the world that we have had some people, and we have got to mention that we have had some tribalists from Lurambi who are saying in the papers that the Members of Kanu who voted for the amendment voted for a Kadu Motion. Facts must be put, and the world must know the facts. The facts are that the Cabinet and the few Parliamentary Secretaries who voted, voted for a Kadu Motion which was introduced by the General Secretary of Kadu, the hon. Member, Mr. Shikuku. Therefore, Mr. Deputy Speaker, the people who are wrong and voted for Kanu are the Ministers; the Members, the Back-benchers and the Members of the Parliamentary group, hon. Kaggia included, voted for a Kanu amendment.

Mr. Speaker, I would like to say another thing here. Those tribalists are praising us and who are calling our group Kadu, but if we all went to Kadu there would be no Government here today. Therefore, we would like to tell them that they have never been given a mandate by the people of Kenya, by the majority of us, by the people from Busia, by the people of Kenya, to tell the Members of this House what they should do. This is very wrong. We are not going to be told what to do in this House by a few tribalists. Mr. Speaker, we have voted in favour of federation. Now, the Government has got two things to do. The Government has to choose one of the two. It has got to do everything to effect federation on or before the 15th August. If the Government fails to do this, Government must resign. It must resign, because if it cannot do one of the two things, then it is not regarding Parliament as being anything. There will be no point in us coming here to spend the taxpayers' money every day if what we agree to is not carried out by the Government. This means that the Cabinet have no confidence in the majority of the Members of this House, and if they do not have confidence, then we also, we the majority, do not have confidence in the Members of the Cabinet. Therefore, they must decide now. The Ministers must know that they must expect this. If they do not expect it there is no point in us meeting here, if what is agreed here cannot be carried out.

I would like to say, before I move away from federation, that when we were debating the question of federation here some Ministers were telling us that Kenya, itself, cannot effect federation. We have not it also agreed in Tanganyika. Tanganyika have said that they want federation now. This has been agreed by two Parliaments now, and therefore, we do not see why anybody should sit back and not effect this.

Mr. Makone: On a point of order, is the hon. Member in order in speaking of the Motion which was debated in this House in the past?

Mr. Anyieni: The hon. Member, unfortunately from my district, does not know what a point of order is. The hon. Member should know that on a Budget Day, like today, we can speak on anything touching our country, and, after all, the money which we are going to vote for is going to be used on all these things.

Mr. Deputy Speaker, before I move I would like to say that now we have had it from Tanganyika, we can no more be accused of trying to lead the people into federation. Tanganyika has agreed, and Kenya has agreed, and now if there is anybody who does not want federation yet knows very well that this is the wish of the majority of this country, he must resign so that he can give way to those who want federation.

Mr. Deputy Speaker, I would like to come to the Tripartite Agreement. We have a Tripartite Agreement which was agreed. We understood, Mr. Deputy Speaker, that firms, companies, were supposed to employ ten per cent. and we understand that they have done their best to try and employ the ten per cent. The 15 per cent which was part of the Government's portion has not been effected at all. Mr. Deputy Speaker, we would like to know, we would like to be told that Government is going also to abide by the Agreement, and employ the 15 per cent whom they promised they were going to employ. Mr. Deputy Speaker, this Tripartite Agreement has only been able to work in town. In my constituency up to this day, I do not have one man employed as the result of the Tripartite Agreement, and this is a shame, because when we come to discuss these things here people must know that we represent constituencies, and we cannot come here to vote on policies that Government is trying to effect only in Nairobi, and in the big places. Mr. Deputy Speaker, we would like the Government to spread these chances to the country where the majority of the Members come from. The other thing, Mr. Deputy Speaker, I would like to say is that the Tripartite Agreement has been wrongly used against those who want to register new trade unions. This is a very shameful Government. Our

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Government has said now and then that we are pursuing a neutralist policy. A neutralist policy of our Government must be reflected in all fields. We know very well that the Government is trying to protect K.F.L. K.F.L. is not neutral. It is affiliated to I.C.F.T.U. Mr. Deputy Speaker, I.C.F.T.U. is Western dominated. It is almost wholly financed by the Americans, and if Government is going to protect a trade union in Kenya, which is affiliated to one side, then Government must tell us that their policy of neutrality is only in word but not in action. Therefore, we question the Ministry of Labour, when they come up and they refuse registration of trade unions on grounds of Tripartite Agreements.

Mr. Deputy Speaker, we have heard that through the Tripartite Agreement Government has been able to recruit 30,000 people. These are lies, and we do not accept them. How can they employ 30,000 people, and there is not even one person from the majority of us employed? This is a shame, so why are we here? The Ministers should not come to Parliament to speak on Nairobi only.

The other thing, Mr. Deputy Speaker, on the Tripartite Agreement. This Agreement is going to last for only one year. Now, what is going to happen? We know that some companies—for example, East African Tobacco—do not have places where they can employ the extra people, the extra ten per cent, so they are paying people and these people have been given to the City Council to work.

After one year what is going to happen? Is there any clause in the Tripartite Agreement which is going to maintain these people, which is going to make sure that these people are maintained in their jobs, or these companies are going to remove these people as soon as one year is over, or is this going to be prolonged for ever?

Mr. Deputy Speaker, I think I have said enough about the Tripartite Agreement. Now, I want to come to the foreign policy of our Government. Mr. Deputy Speaker, I have already said what the radio has been saying about our freedom fighters. We have also heard on the radio that the Kenya Government has recognized the provision of the Government of Angola. What I would like to say is that before we got our Independence many countries gave us help, financial help, moral help, all the help that we wanted. Very many countries gave us this help. We would like to know if this was reflecting independence. Mr. Deputy Speaker, I would say that our Government should be able

to set aside some money to help the freedom fighters in Southern Rhodesia and Angola. They should be able to give them as much help, if not more, as we received when we were fighting. Mr. Deputy Speaker, there is also education in the Congo and we would like our Government to make it clear that our Government supports the Adoula Government, or they support the Mulele Government. We would like to know this because these Adoulas kill the Congolese. We would like to know whether our Government supports the Adoula-controlled Government or whether they support the two nationalists who are trying to free the Congo.

Mr. Deputy Speaker, I would like to come to our Ambassadors. The other day we were voting some money for our foreign Embassies. We have got two letters from people complaining about our Ambassadors overseas. Some people say that these Ambassadors are trying to effect tribalism. When students from other tribes go to see these Ambassadors in their Embassy, they ask only whether you come from a certain tribe, and when you say yes, they want to help you. When they hear that a man is from Kisii the Ambassador in London or anywhere, do not want to listen to him. This is a shame. I can substantiate this. The Prime Minister has got a letter which some of us have a copy of, and we would like this to be made clear. If these facts can be proved, we would like these Ambassadors to be withdrawn so that we can have people, particularly from smaller tribes, to become Ambassadors because they do not have too many students.

Now, Mr. Deputy Speaker, I would like to come down to taxes. My hon. Minister for Finance has very unfortunately inflicted some very unreasonable taxes on coffee and sisal. For a long time coffee was a monopoly of the settlers in Kenya, and in those days export taxes on coffee and sisal were introduced. Now, this is moving into the hands of the Africans, and I would like to say that in the district from which I come—that is Kisii District—we are now growing a lot of coffee. The Minister has decided that he is going to impose an export tax on coffee. This is very unfortunate, Mr. Deputy Speaker, because coffee, having for a long time been a monopoly of the settlers, is coming into the hands of the Africans. Now that the Africans are learning how to plant coffee, the Minister is imposing heavy export taxes on this. I think this is unfortunate. Where the Africans are trying to learn something the Minister should not immediately impose the tax because this will discourage our people from planting more coffee. In addition, Mr. Deputy Speaker, the Minister

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should have known that the farmers are not getting good prices for coffee because of the world competition. It is true that there is too much coffee in the world, and, therefore, our growers are not getting good prices, and I do not see the sense or the wisdom in the Minister imposing taxes on coffee. Mr. Deputy Speaker, the hon. Member who has just spoken, the *Moran* from the Masai, spoke about the people who are employed, that those who are getting a lot of money spend a lot of money on beer. The people are spending so much money on cigarettes. The Africans are not the owners of breweries. They are not owners of these tobacco companies. Mr. Deputy Speaker, before I come to nationalization of this I would like to say that if there was any more taxation, if the Minister wanted money, instead of imposing heavy export tax on coffee, he should have increased the price of beer by five cents.

Hon. Members: No, no.

Mr. Anyieni: Mr. Deputy Speaker, I hear one Member complaining. I know that before he became a Member of Parliament, he used to work for one of these breweries, and probably he got into the Government direct so that he can protect them here.

Mr. Deputy Speaker, I drink beer myself, probably the hon. Member does not drink anything, he keeps all his money. So, the Minister should have increased the price of beer by at least five cents or ten cents and I would have drunk as much beer as I am drinking today without feeling it. A lot of people smoke cigarettes, if they go on strike we are told that the company loses so much money. So, Mr. Deputy Speaker, the Minister should have imposed a little tax on cigarettes. This would have been good because we have heard that cigarettes give people cancer. This would have discouraged our people from smoking so that our nation would then remain healthy. This is information from doctors.

Mr. Deputy Speaker, I would now like to come to another thing. Our Government has told us, the party that is ruling us today won the election. Kadu said they wanted capitalism so I am not surprised that they are protesting against this. Kadu said they were capitalists and that if they won the election they were going to implement the capitalistic system in our country. So they said. Now, Kanu won the election and they won because they promised our people that if they won they would implement a socialistic state here. Now, Mr. Deputy

Speaker, some of the clever Ministers are calling it African Democratic Socialism. We want to know what this means? We want to know whether they are using this as a camouflage so that they can exploit our people by occupying the places that the Europeans and the Asians occupied in the Government. We would like to know this, and if this is their intention, they must tell the masses. They must tell the masses, and if they tell the masses, I can assure them that the masses will demand that they be removed. We would like to start—just wait, just keep quiet, I will tell you what you want to know. Mr. Deputy Speaker, my hon. Minister here is asking me what Socialism means. This is very unfortunate, because he is the Minister for Finance and if he does not know what Socialism is, it means that we are not going to have it.

Just keep quiet everyone, I am going to speak. Do not think I am going to keep quiet, I am going to tell you what we mean. I know it will be the bitter truth because you do not want to hear it.

To start with, Mr. Deputy Speaker, I am not the first to say this. Very many hon. Members have said it, the Government should take immediate steps. But we must congratulate the Government for having nationalized K.B.C. but now they must go further, they must nationalize the breweries. They should go ahead and nationalize the breweries so that when I drink I know that I am contributing towards the development of our nation. Mr. Deputy Speaker, the profits that are earned from the breweries go to build big buildings in London and our country is left empty. We demand, this is the wish of the masses, that you nationalize the breweries and it is also the wish of the masses that you nationalize the East African Power and Lighting. It is also important that you nationalize the large tea estates and Magadi Soda Company. This is a very important thing. It is a shame for my Government. We know of a case where a delegation from the United Arab Republic came here, they wanted to buy the soda ash from Magadi Soda Company when the Government announced that they were not going to sell it to South Africa. The U.A.R. wanted to buy it, but unfortunately for the Ministers, they let this thing leak into the papers for us to read it. The U.A.R. refused to buy this soda until the Kenya Government nationalized this Company because they did not agree that they should use the Egyptian money on enriching a few capitalists. Mr. Deputy Speaker, our Government refused to nationalize the Magadi Soda

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Company and as a result some of our brothers were sacked because they did not have enough work for them because they did not have a large market any more. Now they say they are trying to get their capitalist friends in Japan to buy this ash. Why do you not sell it to the U.A.R. who are our own friends in Africa?

[The Speaker (Mr. Slade) took the Chair]

[The Deputy Speaker (Mr. De Souza) left the Chair]

Mr. Speaker, Sir, we now come to Lands and Settlement. This is a very, very, very strong issue. During those days, probably when I will be told I was still at school, when a brother of ours died in Nyeri it was the same as him dying in Kisii so we must recognize this fact, that when the politicians of that day—and the hon. Minister for Finance was a politician in that day—used to stand on the platform they used to tell our people that they must fight because the Europeans had taken all their land; they must fight so that they could get their land back. The people agreed all right, they would go and fight. Mr. Speaker, today some of those people who have suffered are still suffering. The people who were the loyalists in those days are the people who can afford to buy the land today, and when we hear some people telling us, Mr. Speaker, that we the Kikuyu are the ones who suffered most, the people who truly suffered are not taken into account. Those who are trying to claim the fruits of this trouble are those who, the majority of them, were loyalists in those days. I would like to say that the Government must know that this question of land is a very strong, very delicate matter, and, therefore, the Government must not treat it very lightly. We have people in Muranga for example, whose land was confiscated because they were *Mau Mau* in those days. Land consolidation was carried out and it was the loyalists, the people who were not in the concentration camps, who were the ones who took the land of those who were in the detention camps.

Now, Mr. Speaker, I would like to say that when the hon. Member from that area put this matter to the Government, told the Government that what they should do was to demolish this land consolidation so that they could have new land consolidation, and of those people whose land was taken away because they were *Mau Mau*—nowadays we do not call them *Mau Mau*, we call them freedom fighters—one of them was removed from the parliamentary secretaryship. I would like to know why the leader of our own

Government today, whose own land was confiscated by the colonialists, has been given his own land back. We do not see why those other people cannot have their land back. If the Government is not prepared to give those people back their land, the Government must make provision somewhere else where these people can be settled and given preference. Mr. Speaker, this is very important because the question of land is important, and if our Government is not listening to this, one day the masses will come to tell them. We are telling them this, we are the elected representatives, but when we tell them this they do not want to listen, and because they do not want to listen because of these policies. Government cannot win two elections in Nairobi. If our Government are not careful they are going to lose these next elections.

Mr. Masinde: You yourself will lose.

Mr. Anyieni: Yes, yes, you are right. But, Mr. Speaker, I would like to inform the hon. Member that though I am a Kanu man I did not fight my election as a Kanu man, I fought my election as an Independent man and I came here as an Independent.

Mr. Speaker, I would like to say that there is a very good way of settling the land. The Government has money, Government is buying land from the settlers. This is the money we have been told about, £60 million from Britain. Some of it is going to be used in buying out the Europeans so that the Africans may settle on the land. Now, Mr. Speaker, I would like to say that what our Government should do is this. It is no good dividing a big piece of land which was being farmed economically by the settlers, it is not wise and economical for the Government to go and divide this land into small pieces. Government knows very well that there is not enough land to go round so, this being the case, when Government buys this land they should settle people on a co-operative basis on this land. We deplore very strongly the attitude of some of the Members of Parliament and of some Ministers who use the money they are getting from the taxpayers to buy all the land to compete with our poor brothers. They own big tracts of land; when the time comes for socialism to be implemented, that land will be taken away without compensation.

Mr. Speaker, as I have only four or five minutes left, I would now like to speak on my constituency. No money has been given to us. I have been reading this and I have been trying to find what the Government has got for my constituency. Mr. Speaker, I was very surprised. Government intends

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in the six-year plan to spend £3.4 million. Of this, Mr. Speaker, Government—I do not know whether this is because the Minister for Finance comes from Kiambu—is going to spend—those of you who have this Development Plan 1964-1970 should open it at page 72, No. 4: Economic Projects—£1.8 million on the Kiambu Water Supply Scheme. It is to have the highest priority in this group because extensive planning has already been completed and the scheme is ready to go forward. Mr. Speaker, when there is £3 million, and £1 million is taken only to Kiambu, a district, not even a region, what are we to tell our masses outside? Is this not shameful? There are £3 million, we have seven million, how can £1 million be given to only one district? Is it not shameful? The Minister must tell us that when he becomes the Minister he will become the Minister for Majogebassi. We must be told the truth, we do not want these people around us to continue to do this, it will be very bad.

I see that my time is really running short now, so I would like to touch on one thing. We were told that scholarships would no more be under the control of just the Minister for Education. We want to know, because we hear those people perfectly, we want to know if the people around you are in a position to help their own tribes and leave others. The Government, in this programme, does not even contemplate giving us any money for the plantation of tea in the Kisii District. Why is that? We want the Minister to reply and probably he is not even here.

Hon. Members: Oh, yes, he is here.

Mr. Anyieni: Oh, very good, thank you very much. Now, we are growing a lot of bananas and we want the Government to find out if there is a factory which can be erected in Kisii as a banana factory. We have no electricity in Kisii. The doctors operate by lantern light. We would like the Government to tell us whether they intend to put electricity in Kisii.

Mr. Speaker, today there is not one Kisii using his head. All the Kisii who are in the army are drivers or mechanics. It is shameful. Mr. Speaker, the Kisii people are known to be people who can run themselves, as a matter of fact these hon. Members who are telling me that the Kisii are not fit, nobody has any idea. Nobody else is clever, that is what is the trouble with this country, they think nobody else is clever. Mr. Speaker, I see my time is going but we want them to be given some chances also.

Before I sit down, Mr. Speaker, I want to say that the factory from Russia should go to Kisii. Thank you.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, Sir, I had not wished to intervene in this debate because agriculture is the second vote to be taken and and we will be coming to it in the very near future. But when I heard the hon. Member who is just sitting down, who has just sat down, talking with so many inaccuracies, I did feel that I ought to stand up to say to him, Mr. Speaker, that he obviously he has spent so much time reading this red book, and that he has obviously read it right late into the night when he has been half-asleep. If he looked under Tea he will see that his own district is mentioned as one of the districts which is going to get a large allocation of the money, Mr. Speaker—

Mr. Anyieni: How much money, how much money?

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, on page 14, about half way down, Kisii is mentioned—

Mr. Anyieni: Just mentioned.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, when we come to the agricultural debate I will tell the hon. Member the exact amount of money which is going to be spent in Kisii, not only on tea but on all the other products which he has raised.

Now, he raised two other inaccuracies as far as agriculture is concerned. He said, Mr. Speaker, that we were unable to sell our coffee and that coffee prices were not good. This just shows how little he knows about what is happening in the agricultural industry. We are selling all our coffee. Over and above that, at the present moment the coffee prices are higher—

Mr. Anyieni: On a point of clarification—

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): No, I am not going to give way.

Over and above that, Mr. Speaker, the coffee prices at the moment are higher than they have been for a long long time so he must get his criticisms accurate. The third point that he raised, which is inaccurate, was his attack on Government apropos large farms and co-operatives. Now, again he is obviously an hon. Member who reads a tremendous lot. This I will grant him. He is one of our few Members who reads late into the night.

Mr. Anyieni: I don't want you to praise me.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): I am not finished praising him yet, Mr. Speaker. Mr. Speaker, over and above that he is obviously not taking held of what has been said in this House, not only by the Minister for Lands and Settlement but also by people talking on agriculture. He must know that this Government has come to a decision, it has been in the paper enough times, that we are moving away from the present settlement schemes over to operating farms as State farms and as large co-operative farms. He must know this, it does not matter how long it is, but this is the changed attitude of Government. Now, Mr. Speaker, there were two points which are of agricultural interest which I wanted to take this opportunity of announcing.

The first one, Mr. Speaker, is that as from the 1st July, we, the Ministry of Agriculture are beginning to take over all abandoned and mismanaged farms without payment. Mr. Speaker, we had wanted to do this previously but we have run into various legal and technical difficulties. We have now managed to get round these difficulties and I just want to make this a warning to the people who own, abandoned and mismanaged farms that as from the 1st July we will be taking over these farms, the abandoned farms and the mismanaged farms as a Government.

The second announcement I want to make, Mr. Speaker, is that after due consideration and discussions, which have been going on for some six months now with the Chairman and the Vice-Chairman of the Kenya Dairy Board, the Kenya Dairy Board have put into my hands the resignations of the whole Board and I am setting up a new interim Board in the next few weeks, more in the light and in the keeping of the new Kenya. But over and above this, Mr. Speaker, we are setting up a Commission to go into the future of the industry to see what contribution this industry can make towards the growth of the economy in the future. We aim progressively, Mr. Speaker, at developing this industry, so that, by the end of 1970, we expect the export value of this industry will be £5 million. Mr. Speaker, our point of view at the moment is that we must set up a Commission with very wide terms of reference to investigate and make recommendations on all the internal arrangements for the industry within Kenya and also to review the possibilities of interterritorial co-operation within East Africa. This Commission, Mr. Speaker, will consist of four or five people, of whom three might be Members of this Assembly and under the Chairmanship of the hon. Mr. Kibaki.

Mr. Speaker, Sir, I beg to support.

Mr. Gatuguta: I do not wish to dwell very much on this, Mr. Speaker, but I wish to quote the following paragraph on African participation:—

“The Government will promote vigorously increased African participation in every sphere of the nation’s economy. A determined effort is needed to correct the imbalance which now exists, an imbalance that can be traced to two fundamental causes. First, many of the economic opportunities which have existed in Kenya have not been available to Africans. Second, many Africans have lacked the education, experience, resources and incentives to take full advantage of those limited opportunities open to them. In order to achieve increased African participation—”

The Speaker (Mr. Slade): Order, order, a point of order, Mr. Gatuguta.

An hon. Member: Is it in order for an hon. Member to read a long speech?

The Speaker (Mr. Slade): It is in order to quote from documents within reason. We do not want enormously long quotations, but sometimes it is necessary, to make a point in a speech, to quote from what you are referring to.

Mr. Gatuguta: Mr. Speaker, Sir, I am very surprised that in some of the Ministries these things are being done but not in accordance with the Government’s policy and I do not know whether there is any proper co-ordination in what the Minister does and what the Government does. Mr. Speaker, Sir, the Minister for Agriculture, has, in fact, mentioned that he has dissolved the Kenya Dairy Board. The Minister did not tell us why he has dissolved of the Kenya Dairy Board and whether he has powers within the Ordinance to do so. Talking of the Dairy Industry, Mr. Speaker, Sir, on the basis of the Government’s policy I want to make it quite clear that up to now there has been no proper participation in the Dairy Industry by the Africans; not only that, there seem to be no plans whatsoever in the near future to make the Africans have a proper participation in the Dairy Industry in accordance with the Development Plan. At the same time, already the Minister is coming to let the House know exactly what its position is in this Industry. At the moment the Dairy Industry is in the entire control of the Europeans. All the milk is sold from the Kenya Co-operative Creameries and the K.C.C. determines the price together with the Kenya Dairy Board, and 99 per cent of the shareholders of the

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K.C.C. are Europeans. We are told that all the milk must go to the K.C.C. We agree, and I support a controlled market, there must be a controlled market in the Dairy Industry, but it must not be controlled by an organization such as K.C.C. and we must be sure: (1) that the K.C.C. represents African interests, and (2) there is no exploitation within the organization. My contention now is that there is big exploitation being carried on by the K.C.C. with the support of the K.D.B., which is a statutory body.

Mr. Speaker, Sir, the price of milk is well known to Members, the producers who is the grower, the man who produces the milk, sells his milk at Sh. 2/65 in Nairobi; Sh. 2/30 in Nakuru and Naivasha and at Sh. 2/03 at Eldoret. The K.C.C. sells it at Sh. 5/20 retail price, that is more than 50 per cent profit. Where does this profit go? I will explain. The profit goes first to the members and as I say, 90 per cent are Europeans. Secondly the profit goes to the employees' of the K.C.C. who are all Europeans. The Managing Director of the K.C.C. gets over £8,000 a year.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, Sir, I would like the hon. Member to substantiate that the Managing Director gets £8,000 a year.

The Speaker (Mr. Slade): Can you substantiate that, Mr. Gatuguta?

Mr. Gatuguta: I have my information.

The Speaker (Mr. Slade): From where?

Mr. Gatuguta: From reliable sources.

The Speaker (Mr. Slade): You know the meaning of the Standing Orders, you must say on what evidence you have made an allegation when you are asked to substantiate it.

Mr. Gatuguta: Mr. Speaker, I have evidence and I would like the Minister to note this point. I wish, however, to withdraw this point but I want to know the exact figure from the Minister when he replies.

The question I was telling the House was that all the staff, at least the senior staff, in the K.C.C. are Europeans—

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, would the hon. Member substantiate that all the senior posts in the K.C.C. are held by Europeans?

Mr. Gatuguta: Mr. Speaker, I think the Minister is trying to sabotage my speech because he is afraid of all this.

The Speaker (Mr. Slade): You know the Standing Orders. Hon. Members are responsible for the accuracy of the facts which they state in this House. You can see the reason. If hon. Members come into this House and state complete untruths they are misleading not only other Members but the whole public. So, under Standing Orders, they can be challenged as to the accuracy of their facts and they must substantiate them or withdraw. You must not complain if you are asked to substantiate what you say, Mr. Gatuguta. Can you substantiate this one, or do you want to withdraw it?

Mr. Gatuguta: Mr. Speaker, my information is that all senior posts are held by Europeans but I am prepared to withdraw my statement.

The Speaker (Mr. Slade): An unqualified withdrawal, please.

Mr. Gatuguta: Mr. Speaker, I withdraw this statement, but I would like the Minister in his reply to enlighten the Members of this House as to the number of Africans in the senior posts in the K.C.C. All right, I have withdrawn but I wish to have that information.

In other words, the point that I was trying to make worried the Minister.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): The Minister is not worried, he just wants you to tell the truth.

Mr. Gatuguta: I am telling the truth and I am saying that all the profits that come after the selling of the milk go, to a very great extent, to Europeans and this is what I have said on the question of exploitation.

The other aspect of K.C.C. is this business of selling milk by quotas. The man who sells his milk to K.C.C. is supposed to pay Sh. 200 per gallon in order that he may be able to sell his milk to K.C.C. Sh 200 per gallon! And if he has to sell about ten gallons he pays Sh. 2,000 to K.C.C. or to the Dairy Board. It is important for the Members to know that this Sh. 200 does not go to Kenya, it does not go to the Kenya Dairy Board, it goes to individual settlers who want to leave Kenya, people who have been selling milk to the K.C.C., and they must sell their quota. So the African who wants to get into the market; the African who has been refused facilities to participate in the industry before, who now wants to join the industry, is required to pay Sh 200 per gallon in order to be able to sell his milk. Why should the quota system be introduced merely to stop more Africans from joining the K.C.C. After all, how

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many Africans can afford all this money? If he has two cows and the two cows produce ten gallons of milk per day, if he has to sell this ten gallons, he has to pay Sh. 2,000. Merely because he is an African he has to buy that right and yet that money does not go to the Government, to help this country, it goes to an individual. It is terrible!

Mr. Speaker, Sir, the K.C.C. have eighteen directors, only four of whom are Africans, and I think they are not in a position to do anything. Most of what they say is disregarded, because they are in the minority.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, Sir, I seek your ruling. In this speech which is being made by the hon. Member there are a great number of untruths and inaccuracies which, unfortunately, as I have already spoken I will not be able to answer in reply. What I would like from you, Mr. Speaker, is your ruling on whether you can ask the hon. Member please to see that in his speech he sticks to facts.

Mr. Kamau: On a point of order—

The Speaker (Mr. Slade): Order, order, I can only deal with one point of order at a time. Mr. Gatuguta, you do understand what I told you about the responsibility for accuracy of facts. Now, please do not make any more allegations simply on the basis that you understand them to be true without saying why you understand them to be true. They may be true, you may have some evidence, but give the evidence or do not make the statements.

Mr. Kamau: On a point of order, Mr. Speaker, is it not in order for any Minister when speeches are being given to wait and to reply at the end, because the Minister is now jumping up to interrupt when the Member is speaking. He is giving the impression that the Member is not saying the truth in some of his points, and we know there is substance in them.

The Speaker (Mr. Slade): It is very desirable that hon. Members who make serious allegations are challenged at the time of making them to say why they have made them. As regards the Minister waiting till the end, it would be no good if he has already spoken in the debate, as he has on this occasion: he cannot speak again. He is quite entitled to rise again on points of order, and do what is often done in this House which is to ask an hon. Member to substantiate what he has said. That is all he has been doing.

Mr. Masinde: On a point of order, Mr. Speaker, what happens in the House when a Member continuously tells the House lies. Here he represents a man who is a director. It is difficult for a man to talk to his electorate, representing a man who is a director in a business.

The Speaker (Mr. Slade): I do not understand your point. What is your point?

Mr. Masinde: My point is, what happens to a Member who continues telling lies to this House, and he has an excuse to withdraw every time.

The Speaker (Mr. Slade): If a Member, in the course of one speech, makes too many allegations without being able to substantiate them, then I would have to ask him to discontinue his speech. We have not reached that point yet.

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): On a point of order, is it in order for an hon. Member to say that an hon. Member is telling lies in this House, or should he say that his speech is incorrect. Is it in order to use the word "lies" in this House?

The Speaker (Mr. Slade): It is undesirable, thought, of course, it can happen, I am afraid, that lies are told. Not that Mr. Gatuguta can be said to have told lies, merely because he had to withdraw for lack of substantiation.

Mr. Gatuguta: I am sorry, Mr. Speaker, this has raised a lot of objections or emotionalism from the people concerned, including the hon. Mr. Masinde. However, it is important, I think, for this House to look at these issues from a very realistic angle because they are important, and this House will not be able to help the Minister if he interrupts. In fact, we are trying to help him. We are not criticizing at all, we are telling him what is wrong and we want this to be rectified. I said there was intimidation. All right, my understanding, Sir, is that these Members have seen me, they have told me that they have been given letters telling them to resign because they have criticized Government policy. I have seen these letters; they have been asked to resign. Mr. Speaker, Sir, the members of the Kenya Dairy Board have been asked to resign, the Board is now dissolved, and the Minister is going to form his own committee, merely because some of the members of the Kenya Dairy Board have been critical of Government policy.

Mr. Speaker, Sir, if the members of a board—never mind whether it is the Kenya Dairy Board or any other board—are not going to try to reform things from within by criticizing the

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system, are they expected to go there and say, "Ndio, bwana, ndio, bwana," and yet when they criticize the policy they are sacked? This is serious. I have seen letters to some of these people when they have been asked to resign, and it is only because they have been critical of Government policy recently. And the department is not even Government policy; it is the Minister's policy. Mr. Speaker, Sir, I am one of those who believe that if there is an organization in Kenya, it must act in accordance with Government policy.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, Sir, I am sorry that I must keep intervening on points of order. The hon. Member has said that the Dairy Board is now to be a committee of Ministers, and also that it is going to be the policy of the Minister and not Government policy. Sir, I would like him to substantiate that I am going to set up a committee, that it is going to be my policy and not Government's policy. This is making things very, very difficult indeed. Also, Mr. Speaker, he has said that it is going to be more or less a board of stooges. I would like him to substantiate that. This is the inference that he is giving.

Mr. Gatuguta: Mr. Speaker, Sir, I did not call them "stooges".

The Speaker (Mr. Slade): Order, order, on points of order, I have to rule first. I do not think the hon. Member can substantiate what he thinks may be liable to happen. He is expressing his fears; I think. If he were misrepresenting what the Minister has said in describing what is happening, then of course he must be corrected, but I think Mr. Gatuguta is saying what he sees developing in the future. He is entitled to say that although he may be quite wrong.

Mr. Gatuguta: I want to make a proposition here, which I think the Minister may accept in the interests of the whole country and not in the interests of a section of the people, and that is that, instead of the Kenya Dairy Board appointing the K.C.C. which is a non-African organization—that is what I call it—as an agent for milk, that is being the agent for the Kenya Dairy Board, instead of appointing the K.C.C. as the agent of the Kenya Dairy Board for marketing milk, my own suggestion, and I think this is what many people wish to have, is that there should be established a national organization which would be comprised of various co-operative societies in the country, because at the moment the K.C.C. is a co-operative society. It

is registered under the Rules of Co-operatives, and in spite of that all other dairy co-operatives are supposed to be subsidiary to the Kenya Dairy Board. The Kenya Dairy Board is on the top, and these other societies are supposed to be controlled by the K.C.C.—

Mr. Masinde: What is wrong with that?

Mr. Gatuguta: The K.C.C. is also a co-operative. I think it would help the country if a national dairy marketing board of Kenya is formed. In other words, all the co-operative societies which deal with the dairy industry should come together and form a new organization altogether, and be responsible for the marketing of milk in this country. We do not think it is fair for the African who is now joining the dairy industry to be forced to sell his milk to an organization in which he does not participate fully. There are two aspects of the K.C.C.: one is that the majority of the shareholders are Europeans and that the majority of the staff in the senior posts are also Europeans. There is no Africanization.

The other point is that the staff of the K.C.C. I understand—I am open to correction here—will get pensions when they leave the service. Most of the Europeans are going away now, and perhaps within two or three years' time the K.C.C., if the same policy is followed, will have Africans controlling it and the Africans will be forced to pay compensation to the staff of the K.C.C. who were employed several years before the Africans took over control of the organization.

Mr. Masinde:
(Inaudible.)

Mr. Gatuguta: You do not know the facts, although you are a member of the K.C.C.

An hon. Member: He is a member?

Mr. Gatuguta: He is a member and yet he is ignorant and should not talk like that.

Mr. Speaker, Sir, this matter is very serious. The other point is that the Kenya Dairy Board is a Government statutory body. The K.C.C. is a mere agent of the Kenya Dairy Board, and yet some members of the Kenya Dairy Board are also members of the K.C.C. This means that the K.C.C. is the Kenya Dairy Board, which is a private organization. It should have been the duty of the Minister to make quite sure that the members of the Kenya Dairy Board are not members of its agent. After all, the functions of the Kenya Dairy Board as a Government statutory body must be distinct from those of the

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K.C.C. What is happening now is that members of the K.C.C. are also members of the Kenya Dairy Board, so they make the policy in their own interests. I am prepared to say that if that is the position, then the K.C.C. is controlling the Kenya Dairy Board, and the Kenya Dairy Board is not controlling the K.C.C. I think this is a very serious matter.

Mr. Speaker, Sir, I do not wish to dwell very much on that point, but I know that the K.C.C. is going to spend a large amount of money on its future development plans.

Mr. Masinde: What are you reading?

Mr. Gatuguta: I am reading facts. The K.C.C. in its expansion programme is going to spend £2 million. I agree, this is a very big investment, but to whose advantage? That is what I want to know. Until such time that Africans can participate fully in this industry, in the manner shown in the Development Plan, a very big percentage of this money is going to be used by Europeans, either in the form of sharing the profits as members or in the form of giving salaries to the staff. In my view, this money is not going to be raised by the K.C.C. as such directly from their own pockets; they are going to get it either from loans from the banks or from a world organization, UNICEF is perhaps going to give this money, with the Government giving an assurance that the money will be paid back. By the time our people get into this industry, all this money will have been used. Mr. Speaker, Sir, I protest very strongly against the K.C.C. being given assurances by this Government, that they should look after the interests of the African producers, and I maintain that this is wrong at the moment.

Mr. Masinde: On a point of order, is the hon. Member in order to confuse this House, when the £2 million is going to be spent on building factories in African areas like Karatina?

The Speaker (Mr. Slade): That is not a proper point of order, Mr. Masinde.

Mr. Gatuguta: Mr. Speaker, Sir, these Members are trying to waste my time on points of order which are not points of order, and I do not wish to go any further on this matter because I have already made my point.

The Speaker (Mr. Slade): On the contrary, Mr. Gatuguta, they have almost all been good points of order.

Mr. Gatuguta: All right, Mr. Speaker, I will leave the dairy industry like that. I think the Members will dwell more on it and will find out what are the facts.

Mr. Speaker, Sir, the other aspect of this Budget on which I wish to speak is about squatters. There is a big problem in our country with regard to squatters. There is frustration among the members of the public because they are being called illegal squatters and they are being expelled from farms. I have statistics here, and if anybody wishes to challenge them I can tell him that these figures are from Government sources and I know that they are authoritative. Now, 105 people were evicted from City Mount Dairy Farm; 105 so far have been evicted from one farm as illegal squatters. All these people have been living on that farm for between two and seventeen years. Some have been living there for six years, five years, two years, four years, twelve years, eleven years, fourteen years, seventeen years, eleven years, and so on, and these people have been evicted as being illegal squatters, all of them. I do not know what the definition is of illegal squatters: it must be very funny the way it is being done.

A further 87 people have been evicted from a farm called Muhno Estate. I am not counting their wives and children; if you count the wives and children the figure will be larger. These are figures of men. These 87 people have been living on that farm for between one and a half years up to 48 years. One person, Mr.....lived on that farm for 48 years, and yet he has been evicted as an illegal squatter. Others have been living there for seventeen years, ten years, fifteen years, twenty years, I have all the figures here. This is a very serious matter. This is a clear illustration of what is happening on the farms.

I have some other information. From Manena Farm, two people have been evicted, two males. They have been living on that farm for three, four, five years. On this farm, three people have been evicted, they have stayed there for not less than—

The Speaker (Mr. Slade): That is the end of your half-hour, Mr. Gatuguta.

Mr. Makokha: Mr. Speaker, Sir, during my maiden speech here, I said that there was a fourth disease in this country, and this fourth disease is the worst one of all. In our party we say that the other three diseases are poverty, ignorance and disease. This fourth disease which is even more dangerous is tribalism, and when I say tribalism, that in this House is synonymous with favouritism. The other day, the hon. Member, Mr. Gichoya, drew a very pathetic picture in this Chamber. In the course of his speech at one stage, he said the the sweepers' jobs were one time the speciality of the people from his district, but now even they are being taken away

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from that district. According to the hon. Mr. Gichoya, all these jobs are being taken by Kiambu.

Mr. Speaker, Sir, in this red book, the economic plan, the Minister is trying to find medicine to cure the three other diseases. So far, the Prime Minister is not trying to find any medicine to cure tribalism in this country. Instead, it is getting worse. Probably, some of the medicine being used is wrong. People in the Civil Service are worried; they say the Civil Service seems to be a monopoly of certain tribes. Indeed, Mr Speaker, Sir, we come to a very interesting stage. The other day in the Senate, there was—

QUORUM

Mr. Kamunde: On a point of order, have we a quorum in the House?

The Speaker (Mr. Slade): No, ring the Division Bell.

(The Division Bell was rung)

The Speaker (Mr. Slade): We have a quorum now.

Mr. Makokha: Mr. Speaker, Sir, I was saying that the other day in the Senate a very interesting thing took place. There was a Motion on tribalism, and during this Motion paradoxically the Luo Senators and the Kikuyu Senators nearly came to blows, and yet it is a fact that the Civil Service is monopolized by the two tribes, but they behave as though nobody else existed in the country.

Sir, tribalism is affecting the Civil Service in another way. I have evidence to show that some civil servants are so arrogant, tribally arrogant, that when a member of another tribe goes to one of their offices, the first question is: "From what Region do you come?" If you happen to come from the Western Region, say, they say, "Well, this is a Kadu Region." No attention. I have a case where somebody from the Western Region went to an office in Nairobi, and the civil servant there was talking to him with his hands in his pockets, and not facing him when talking to him but looking in the other direction. This is discourteous, and that is what I call tribal arrogance.

This has to be corrected. The Prime Minister must come out openly and tell us what medicine he has for this terrible disease.

An hon. Member: What has this to do with the Budget?

Mr. Makokha: Mr. Speaker, the hon. Member wishes to know how this comes into the Budget.

We are voting money here for the civil servants, and if we are voting money for civil servants and most of it goes to the Kikuyu and Luo, then it has quite a lot to do with the Budget, my dear friend.

I come now to foreign aid. I take off my hat to the Minister for Finance and Economic Planning. He has done quite a lot of work to get us some money, but I hope that there are no strings attached to the foreign aid, because in this country we say we are non-aligned. However, the most important thing to remember is that these people who give us money would not like us to remain non-aligned. Therefore, as we accept the aid, we must be careful that no strings are attached at all.

Also, with regard to foreign aid, if you read page 2 of the Development Estimates, you will find that we are going to get some money from Denmark to establish some kind of school around Nairobi, we are going to get some money from Holland to do something around the Kenyatta National Hospital, and some of us begin to wonder if the other regions are going to benefit at all from the foreign aid. We do not know what areas will benefit from the foreign aid from China and Russia, and some people are beginning to wonder whether it will be Kisumu.

Turning now to the economic plan, last week there was a large meeting in Nairobi, we are told, and at this meeting, Sir, some coffins—I do not know whether there were any bodies in them—were buried. I do not quarrel with this burial, Mr. Speaker, Sir, but I think that this burying would have been much better at the electioneering time; I myself buried a lot of empty Kadu coffins quite effectively. Now is the time for action. When we come to the economic plan, I want my people in Kenya to have economic freedom; we do not have it as yet. Therefore, we should be burying *Kiburus* here economically, not *Kiburus* who are so many miles away.

Also in the economic plan, Sir, we are told that it is based on African Democratic Socialism. Now, as far as I am concerned, there is only one socialism, and yet, although we say we are trying to build up a socialist state, people are very busy, Africans, buying houses around Nairobi; others are very busy buying large farms, and they come here and point a finger at Europeans while they themselves are buying land. Then they tell us we are going to have socialism in this country.

Mr. Speaker, Sir, in the economic plan we are told that in six years' time the *per capita* income is going to be about £200.

An hon. Member: Average.

Mr. Makokha: I agree it is average, and because it is average we are going to divide the total income by the number of people in this country, so that if in the Western Region the *per capita* income is £2, we shall be painting a picture where the *per capita* income is £200 whereas every poor African is probably only getting £2 or £3. If we are to paint a true picture, the Minister must come out with true socialism. Instead of individuals buying farms, let us have co-operative societies to buy the land, to own the farms. There is not even any need for nationalization if co-operatives take over this land.

Turning now to agriculture, Mr. Speaker, Sir, I want to correct something which the hon. Member for—*is it Dagoretti?*

Mr. Masinde: Kikuyu.

Mr. Makokha: Kikuyu. I understand that the Kiambu Co-operative Societies have withdrawn from the K.C.C., and in withdrawing they said they would like to have a monopoly to supply milk to Nairobi.

Hon. Members: Shame!

Mr. Makokha: If that is the intention, then what the hon. Member has been telling us was misleading the House because in the Western Region, as well as any other Region, African farmers are beginning to keep milk cows, and as Nairobi is the capital of the country we would like everybody in this country to have the right to supply everyone with milk, not just Kiambu.

With regard to some other points on agriculture, if we read the red book we find that in six years' time, 13 farmers' training centres will be established. When I was at home during the recess, I remember reading a statement by the Permanent Secretary to the Ministry of Agriculture, where he is supposed to have said that these farmers' training centres were going to be established in major districts. I would like the Junior Minister or the Minister to let this House know what the major districts are in this country, because in the old Colonial days I remember that districts were divided into categories A, B, C, D, and those in category D, such as Masai, were not only left behind, they were enclosed, closed to everything, closed knowledge, and to everything else. Now we have Members from Masai here urging the Government to carry out development plans in the Masai country. We do not want some of our districts to be known as major and others to be known as minor. I asked the Permanent Secretary the other day to tell me whether Busia was major or minor, and he has

not told me so far, but my contention, Mr. Speaker, Sir, is that all the 40 districts in Kenya—40 plus Nairobi I think which makes 41—are all major. We must not have some districts being thought of as major and others as minor. As far as these farmers' training centres are concerned, if we take Western and Nyanza Regions, there is a farmers' training centre at Maseno, they are going to have another one established in Homa Bay, another I understand is already in Kisii. In Western Region there is only one, at Bukuru.

Hon. Members: Interjection.

Mr. Makokha: That is not my district, Mr. Speaker, and yet in Western Region to date we have three districts and in these three districts the soils are different. Therefore, to ask a farmer from Busia District to go to learn something at Bukuru is not fair. The soil in Busia District is quite different from that around Bukuru. Consequently, the only thing is to establish a farmers' training centre in each district.

Also with regard to agriculture, I understand that the best tea can be grown around Mount Elgon. Mr. Speaker, Sir, I understand that around Mount Elgon they have been allowed only 100 acres. Their quota is only 100 acres in which they have to produce the best tea. That is a very little Mr. Speaker.

Mr. Speaker, Sir, I come to my own district, Busia. Busia District is the largest cotton producing district in the whole country, and I am told that today farmers, European farmers particularly, are sometimes paid a subsidy if their crops should be destroyed by some natural means, such as too much rain, or hailstones. They can be compensated. Now, in my own area, Busia District, we grow cotton and occasionally we have hail storms. The stones come and destroy the whole cotton. Mr. Speaker, Sir, I would like the Minister to consider compensating farmers who grow cotton.

Mr. Speaker, Sir, I now come to industrial development. Now, under industrial development, as I said, we are told that this country is going to be a socialist country and my contention is that we cannot have a socialist country if all industries are tendered around Nairobi or around certain towns, because we are going to have people from other regions trekking to Nairobi. If we must have representatives, Mr. Speaker, Sir, industries must be fed all over the country so that people will be able to get employment where they need it. Mr. Speaker, Sir, our Ministers accepted regionalism. We have a Regional Constitution and the policy is to employ people in their own areas, and therefore, if we have all industries around Nairobi, the people who will benefit more will be

[Mr. Makokha]

those in and near Nairobi, and that will not be true socialism.

Mr. Speaker, Sir, if you will allow me I will go back to civil servants. Most of the civil servants are good, but some other civil servants are very bad. Some have stopped going out to the people, and expect people to go to them, to go and see them in offices. Mr. Speaker, I remember during the Colonial days we used to have civil servants in khaki and shorts. The reason for this was that they were prepared to go out to the fields and see things for themselves. Now, Mr. Speaker, Sir, in most of the offices we have Africans in the offices, which is quite good, but you will find them, even the agricultural officers, in beautiful suits. The result is that some of these civil servants send wrong reports to Nairobi, and there is a case in Busia, Mr. Speaker, where the Regional Government Agent gave the wrong reports to Nairobi about famine relief. The reason was that he had not taken the trouble himself to go to the location concerned. He waited for a report from the Chief, and the Chief sent him the wrong report, so the Regional Government Authority in turn sent the wrong report to the Minister for Home Affairs. I remember one of us reprimanded this Regional Government Agent, and he apologized. The civil servants, Mr. Speaker, as I maintain must go to the people and see things for themselves, and they must also stop this attitude of feeling that they are too big. They are civil servants.

Mr. Speaker, Sir, I want lastly to speak on unemployment. Mr. Speaker, Sir, I must stress to the Minister for Labour that he has drawn a false picture for the people of this country. That is under the Tripartite Agreement. People have got an idea that everybody who put down his name is going to get employment, and I remember in my own region and in my own district, people with employment and even people who were doing something on the farms have registered themselves, and they are hoping to get a job. It is not their mistake, Mr. Speaker, Sir. This was put into their minds by the Ministry of Labour and you cannot blame them, Mr. Speaker, Sir. This Ministry should probably send out another directive giving the people the true picture, because I maintain that we have enough land in Kenya and if we have a proper plan we should not have any unemployment problem in this country. We cannot expect all people to work. After all, Kenya is an agricultural country, and the majority of us must expect to work on land, not in Nairobi.

Mr. Speaker, Sir, I hope that the guillotine will not fall so soon so that we can fire different questions when their votes come up.

The Speaker (Mr. Slade): I think it is Mr. Ngala-Abok's turn now.

Mr. Ngala-Abok: Mr. Speaker, Sir, when I gave my reaction to this Budget Speech, I think the hon. Members saw on the paper that I stated that this Budget is good, because it is as good as the Minister himself. The Minister for Finance among our Ministers is one of those Ministers who can really create an atmosphere of peace and progress. Most of the time he is very good at replying to suggestions and points raised by Members and as such I expect him to reply to all the points that I am going to put forward. But the Budget itself seems to be leaving a lot of room for people with large capital, with B companies, to earn a lot of income and yet it gives very little room for the progress of the lowest paid people, ordinary people. This is where our Government is asked to explain its policy of socialism. I would like to define socialism, because as far as the Budget is concerned it seems to be debating socialism as bringing the poorer people to the richer class. You take these poor people and lift them up until they reach the level of those richer men. It is impossible. You cannot explain that to the socialists as the Budget appears to explain. All that you can do is get the means of production in the hands of the Government. That is the land first and then the industries. The people owning industries can be compensated, and the Government can take over the industries, and the land. What our Government is doing now to interpret socialism is to buy acres of land, but land is Kenya land. It does not belong to the settlers who took it or to the Arabs who took it. It belongs to Kenya and what the Government should pay the farmers or the foreign people who own the land should be based on the number of coffee trees, the wheat and whatever there is on the land. This is what they should pay for. They should not pay for acreage. For 1,000 acres you pay several pounds. That land is actually the land of Kenya and you should not buy the land. You should buy what is on the land. You compensate him for whatever he has got on his land, and let him go, because he never paid for his land when he took it over from the original owners.

Thank you very much, Mr. Speaker.

ADJOURNMENT

The Speaker (Mr. Slade): We have come to the time for interruption of business now. The House is adjourned until Tuesday, 30th June 1964, at 2.30 p.m.

The House rose at thirty minutes past Twelve o'clock.

Tuesday, 30th June 1964

The House met at thirty minutes past Two o'clock.

The Speaker (Mr. Slade) in the Chair

PRAYERS**NOTICE OF MOTION****EVICION OF FARM WORKERS BY EUROPEAN FARMERS**

Mr. Kaggia: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT, in view of the fact that European settlers continue to evict from European farms, African agricultural workers and squatters who are the real sons of the soil, and in view of the fact that these evictions are adding to the already serious problem of unemployment in the country, this House urges the Government to initiate legislation to protect African agricultural workers and squatters from arbitrary evictions by biased European farmers.

ORAL ANSWERS TO QUESTIONS

The Speaker (Mr. Slade): We will take Question No. 219 first because I understand that the Minister for Home Affairs who has to answer wants to leave the Chamber very soon.

*Question No. 219***EVICION ORDERS: ALLEVIATION OF HARDSHIPS**

Mr. J. M. Kariuki asked the Minister for Home Affairs if, in view of the recent high increase in eviction orders on farms, the Government was prepared to take measures to alleviate the hardships suffered by those evicted?

The Minister for Home Affairs (Mr. Odinga): Mr. Speaker, Sir, I beg to reply. The Government makes every effort to ensure that undue hardship is not experienced. Where appropriate, before eviction proceedings are taken, persons concerned are awarded reasonable time and opportunity to register and obtain employment under the Tripartite Agreement.

Mr. J. M. Kariuki: Mr. Speaker, Sir, will the Minister tell the House whether there are some people who have been evicted, and their children from school would also be evicted at the same time?

The Minister for Home Affairs (Mr. Odinga): Mr. Speaker, I am not aware of such a case.

Mr. J. M. Kariuki: Mr. Speaker, Sir, would the Minister accept and agree with this House that it would be a failure of his Ministry if I produced a list of some of the school students who have been evicted?

The Speaker (Mr. Slade): I do not think we can have these hypothetical supplementary questions. We had better wait until you have produced the list and see then what the Minister says.

Mr. Kiprotich: Arising from the Minister's reply, Sir, can the Minister tell the House when those who are evicted with no place to go, what action has he taken to see that these people are being replaced somewhere?

The Minister for Home Affairs (Mr. Odinga): Mr. Speaker, Sir, normally there are certain investigations which are made in the field. Before a person is removed, we try to ensure that either he is a person who has a place of living in his own home area, or if not then there are certain places or transit farms where they are kept before they are considered for settlement.

Mr. ole Tipis: Mr. Speaker, Sir, can the hon. Minister tell us how many, out of the people evicted recently from the Naivasha area, have been placed in jobs, and how many have been sent to transit camps where no payment is due to them?

The Minister for Home Affairs (Mr. Odinga): If the questioner wishes to put that as a question, I will give him the details.

Mr. Lorema: Mr. Speaker, Sir, would the Minister tell the House what are the causes of these evictions, in view of the fact that there are many people being evicted at the moment?

The Speaker (Mr. Slade): I do not think that arises out of the question. The question is what steps are being taken to alleviate hardship. You had better wait for Mr. Kaggia's Motion.

Mr. ole Tipis: On a point of order, Mr. Speaker, I rise to seek your ruling. The hon. Minister did reply that was another question, and I take it to be part and parcel of the original question. Could you give us your ruling.

The Speaker (Mr. Slade): I did not understand him to say that it was another question. He said it was one he would need notice of. He said you would get details in due course.

Mr. ole Tipis: Does he promise to give us the details?

The Speaker (Mr. Slade): I understood so. Perhaps I got the Minister wrong. I understand, Mr. Odinga, that you were prepared to give details of the question.

The Minister for Home Affairs (Mr. Odinga): Mr. Speaker, Sir, I said if he asked that as a question, I would be prepared to look into it, because I take it to be a substantive question which he actually put forward.

The Speaker (Mr. Slade): It does arise out of this question, but it is quite a reasonable thing to say that you have not got the details at your finger-tips. I suggest, Mr. Tipis, you follow this up outside the House.

Mr. Matano: Mr. Speaker, Sir, if the Minister agrees that there is some hardship experienced by these people, will he tell us what steps are being taken—that is what we are interested in. Can he alleviate this difficulty?

The Minister for Home Affairs (Mr. Odinga): The questioner, Mr. Speaker, should realize that each case is considered according to its own merits, and he should not expect the Government to go into unnecessary expenses, if the people find themselves in those conditions or positions of their own choice.

Mr. Murgor: Mr. Speaker, Sir, could the Minister tell us now that his Ministry and he are fair to evict people from a farm which has been redundant, and make them leave that farm without putting it into production?

The Minister for Home Affairs (Mr. Odinga): Mr. Speaker, Sir, I think I should have asked the questioner to substantiate his own question, but I would warn certain Members that they are party to the inducement of some people to go and find themselves in such hardship.

Mr. Kamau: Mr. Speaker, Sir, is the Minister aware that the eviction of these squatters is serious at the present, more so than it was during the colonial régime?

The Minister for Home Affairs (Mr. Odinga): Mr. Speaker, Sir, in answer to his first allegation, I should say that he is not aware of what we are doing, but on what he said about the squatters, we are very careful about those who were on these farms long before. We consider both sides, because during the transitional period, even the farmers themselves, some of them became frightened, you know, and they actually reduced their labour forces. That, to a certain degree, caused some hardship, but you cannot actually force a man to employ people if he does not find it possible to do so, and, at the same

time, the hon. gentleman must understand that during this transitional period there will be some difficulty and these are the difficulties which we all have to solve.

Mr. Murgor: Mr. Speaker, on a point of order, I think the Minister did allege that I was one of the people who told the people to go to the farms and incite the people. Could he substantiate that, Mr. Speaker?

The Speaker (Mr. Slade): I do not think the Minister referred specifically to you, Mr. Murgor. There is a saying about the cap fitting!

Mr. Muruli: Mr. Speaker, the Minister did mention in one of his replies that those people who are evicted are taken to transit farms. Could the Minister tell us that those people in the transit farms will be settled as soon as possible?

The Minister for Home Affairs (Mr. Odinga): I think that the Government is doing what it can in settling these people.

Question No. 133

EAST AFRICAN POWER AND LIGHTING COMPANY: SHAREHOLDERS

Mr. Kali asked the Minister for Works, Communications and Power:—

- (a) If he would explain what control existed over companies such as the East African Power and Lighting Company Ltd., which had monopoly right in Kenya?
- (b) Was he aware that the majority of the shareholders of the East African Power and Lighting Company Ltd., were not citizens of Kenya?
- (c) Would he inform the House what steps he was taking to ensure that such firms carried out the policy of Africanization?

The Minister for Works, Communications and Power (Mr. Mwanyumba): I beg to reply:—

- (a) The East African Power and Lighting is subject to the provisions of the Electric Power Act (Cap. 314) and the Electric Supply Lines Act (Cap. 315). These are extensive regulations and I am satisfied that the Government has sufficient powers.
- (b) The Permanent Secretary, Ministry of Works, Communications and Power, is a member of the Board of Directors of the East African Power and Lighting Company. We have accurate information concerning holding of shares in this Company. The position is that there are

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approximately 11,000 shareholders of which approximately 2,750 are resident in East Africa. The rest of the shareholders are widely distributed in many countries of the world. The largest shareholder at the moment is resident in West Africa and holds 100,000 shares.

- (c) I am happy to be able to report that there is close liaison and consultation between the East African Power and Lighting Company and this Ministry in all matters. Our statutory rights are principally concerned with power policy concerning control and development of electricity in this country. The company is an independent company under the control of a Board of Directors and staffing policy is their concern. However, this company is not pursuing policy in this matter which is unrelated to present day conditions. I am satisfied that this company is endeavouring to keep in step with Government and that it is taking active steps to ensure that there are adequate recruitments and promotion prospects for Africans. This company has an impressive training programme and a highly efficient training school. This is a technical company and if electricity supplies are to be maintained at their present level of efficiency it must be ensured that there are properly trained local staff to undertake this work. I am satisfied that the East African Power and Lighting Company appreciate the problem and the need to Africanize and they have embarked on this policy actively.

Mr. Kali: Mr. Speaker, Sir, is the Minister aware that the appointment of his Permanent Secretary was done so many months after my question, and secondly, does he agree with me that this company should be nationalized?

The Speaker (Mr. Slade): One at a time, Mr. Kali.

The Minister for Works, Communications and Power (Mr. Mwanyumba): Mr. Speaker, Sir, I will answer the first question. I would remind the hon. Member that even previous Permanent Secretaries in the Ministry of Works were Directors of the company because the Government has to have a Director there as the Government has to control the policies of the company. Therefore, Permanent Secretaries of the Ministry of Works have been Directors of this company.

Mr. Kali: Mr. Speaker, Sir, does the Minister agree with me that such an important company should be under Government control?

The Minister for Works, Communications and Power (Mr. Mwanyumba): Mr. Speaker, Sir, the company is already under Government control as I have already indicated. The Government holds larger shares than any other body, and further, it is controlled, under the Chapters I have quoted, by Government Directors.

Mr. Masinde: Mr. Speaker, Sir, arising from one of the Minister's replies, does the Minister agree with me that since he has said that the company is a private firm, on the question of Africanization, Government cannot interfere?

The Minister for Works, Communications and Power (Mr. Mwanyumba): Mr. Speaker, Sir, the company is a public utility company and, therefore, the Government has shares there and it has control.

Mr. Agar: Mr. Speaker, in view of the fact that the Government has control of this company, will he request the company to give a list of names of people who hold important positions, who are expatriates and why it is still necessary for such people to hold such posts and whether they cannot be replaced by Africans immediately?

Mr. Murgor: On a point of order, Mr. Speaker, is it in order for the Minister for Justice and Constitutional Affairs to whisper to the Minister his reply?

The Speaker (Mr. Slade): I answered a question like that the other day. I do not like having to repeat my answers very often. The answer I gave the other day was that it was in order for a Minister to prompt other Ministers, but the Minister who is prompted may be in danger of losing the respect of the House if he relies on other Ministers too often.

The Minister for Health and Housing (Dr. Mungai): Mr. Speaker, on a point of order, I raised this point last time and I would like to raise it again as the same question has been raised. Can it be substantiated that the Minister for Justice was whispering the answers to the Minister who was replying?

The Speaker (Mr. Slade): I do not mind whether it can be substantiated or not.

Mr. Ngei: Would the Minister for—

Mr. Agar: On a point of order, Mr. Speaker, my question has not been answered.

The Speaker (Mr. Slade): You are quite right. you have not had your answer yet.

The Minister for Works, Communications and Power (Mr. Mwanyumba): Would the hon. Member please repeat his question, Sir.

Mr. Agar: Mr. Speaker, my question was, arising from the Minister's reply that Government has sufficient control over this firm, would he agree to ask the firm to submit lists of names of expatriates who are still holding important posts and why it is still necessary for these people to continue holding these posts instead of Africans?

Mr. Anyieni: South African control.

The Minister for Works, Communications and Power (Mr. Mwanyumba): Mr. Speaker, I would like to take this opportunity to deny the allegation that the Minister for Constitutional Affairs and Justice was whispering to me the answer to this question. It is not true.

Mr. Speaker, on the question of Africanization of the expatriates working in the company, it is under active consideration by the Trade Unionists and the company itself, and the company has shown a willingness to go ahead as far as possible to Africanize as many of the posts which can be Africanized at the moment.

Question No. 214

IRRIGATION SCHEME: UKAMBANI

Mr. Kioko asked the Minister for Agriculture and Animal Husbandry if the Government had plans for the construction of irrigation schemes in the water-starved districts of Ukambani?

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): Mr. Speaker, Sir, I beg to reply. Mr. Speaker, the question puts me in a very difficult position because the questioner indicates that the districts of Ukambani are water-starved and until we can get water for human beings and animals we cannot get water for irrigation schemes. I may inform the hon. Members of the House, however, Sir, that the area is under investigation and until the results are known it is not possible to say when or whether the contemplated plan will be implemented.

Mr. Makokha: Mr. Speaker, arising from the Parliamentary Secretary's reply, could he tell the House where and when that is going to start?

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): Mr. Speaker, Sir, in Ukambani districts.

Mr. Mati: Mr. Speaker, assuming that the hon. Parliamentary Secretary has some knowledge of the geography of Ukamba, would he agree that already there are schemes in the Upper Tana and the Lower Tana and that it is possible to extend these schemes to include the Eastern and Northern Locations of Kitui?

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): Mr. Speaker, the little water that can be obtained in the two Ukambani districts is being considered for animals and the Government's policy now is to develop the Ukambani districts for ranching and not to develop the district for irrigation.

Mr. Mati: Mr. Speaker, Sir, if the policy of the Government is to develop Ukambani for ranching, does the Parliamentary Secretary not agree with me that it is necessary to have water and that you can get the water from the River Tana to irrigate the eastern parts of Ukamba for ranching?

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): The hon. Member is aware that there is some water in use on the Yatta Furrow and this is being and can only be used to irrigate about 400 acres which the Government is anticipating doing.

Mr. Ngei: Mr. Speaker, will the Parliamentary Secretary agree with me that there is enough water from both Athi River and Thika River to irrigate large acres of land in Yatta as well as Kitui?

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): No, Sir.

Mr. Murgor: Mr. Speaker, Sir, arising from one of the Parliamentary Secretary's twisting replies—

The Speaker (Mr. Slade): Order, order. You will not be allowed to continue if you go on talking like that, Mr. Murgor.

Mr. Murgor: I withdraw. Could the Parliamentary Secretary tell us whether in his Ministry human beings take second place to animals?

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): In our Ministry we do not irrigate human beings, Sir, we irrigate land.

Mr. G. Godana: Mr. Speaker, Sir, would the Parliamentary Secretary agree with me that although Ukamba is dry, it is part of Kenya, and it is time now we started making a level country, and that is why we should spend so much money on the irrigation of—

The Speaker (Mr. Slade): Order, order. Sit down, Mr. Godana. We have questions, not speeches!

Question No. 217

ARSON CASES: NYANZA

Mr. Obok asked the Minister for Internal Security and Defence if he was prepared to make a statement consequent upon the inquiries held into the series of arson cases committee in the Nyanza Region.

The Parliamentary Secretary to the Prime Minister's Office (Mr. Nyamweya): Mr. Speaker, Sir, on behalf of my Minister, I beg to reply. No formal inquiries have been made into arson cases in Nyanza Region; such arson cases are a regular feature of the area, but of no political significance. There have been nine cases of sugar-cane being burnt since 1st February last. It is not always possible to differentiate between accidental; some of them may have been a result of labour disputes. The last case occurred on 9th March. There have been seventeen cases of house burning since 1st February last. These seem to have resulted from land disputes or domestic quarrels, and none of them so far as is known resulted from any political activity. The last such house-burning was on 29th April. I am satisfied that the police are doing as much as is possible to prevent and detect such offences.

Mr. Obok: Arising from the Minister's reply, could the Minister tell the House how many people the police interrogated as suspects in connexion with such acts of arson and when are they being brought before the courts for trial?

The Parliamentary Secretary to the Prime Minister's Office (Mr. Nyamweya): I did not hear the question of the hon. Member, Mr. Speaker.

The Speaker (Mr. Slade): He did not hear, Mr. Obok. Repeat your question.

Mr. Obok: I asked, how many people the police interrogated as being suspects in connexion with acts of arson and when are they going to be brought before court for trial!

The Parliamentary Secretary to the Prime Minister's Office (Mr. Nyamweya): Mr. Speaker, Sir, it may be that the hon. Member for Alego was sleeping when I was answering this question. The answer was that no formal inquiries have been made into arson cases in Nyanza Region.

Hon. Members: Why? Why?

The Speaker (Mr. Slade): The Parliamentary Secretary did say why. We cannot have it all over again.

Mr. Jamal: Is the Parliamentary Secretary satisfied that the police force in Nyanza is sufficient to deal with arson cases?

The Parliamentary Secretary to the Prime Minister's Office (Mr. Nyamweya): That was also part of my reply, that the police are doing as much as possible. I am satisfied that the police are doing as much as possible to prevent and detect such offences.

The Speaker (Mr. Slade): The question was whether there were sufficient police in Nyanza Region.

The Parliamentary Secretary to the Prime Minister's Office (Mr. Nyamweya): There are sufficient police officers in Nyanza Region.

Mr. Ngala-Abok: Mr. Speaker, Sir, would the Junior Minister assure the House that he is aware of the inefficiency of the police force throughout the entire Nyanza Region and as such assaults are committed without investigation?

The Parliamentary Secretary to the Prime Minister's Office (Mr. Nyamweya): No case of inefficiency of the police has been brought to the attention of the authorities concerned.

Mr. Mbogoh: Mr. Speaker, Sir, according to the Junior Minister's reply, does he imply that arson is a hobby in Nyanza?

The Parliamentary Secretary to the Prime Minister's Office (Mr. Nyamweya): That has not been suggested, Mr. Speaker.

Mr. De Souza: Mr. Speaker, is the Junior Minister aware that about six months ago when I was visiting Nyanza, a person was caught red-handed putting fire to a sugar-cane plantation, and he was released by the police because there was not enough evidence?

Hon. Members: Shame, shame.

The Parliamentary Secretary to the Prime Minister's Office (Mr. Nyamweya): As I said, Mr. Speaker, the police are doing their best, and the hon. Member for Nairobi North West, being a lawyer, knows that not every suspected person can be convicted in a court of law unless there is sufficient evidence.

Mr. Agar: Mr. Speaker, Sir, as arson on plantations is such a serious offence, can the Parliamentary Secretary assure this House that the Government will take sufficient precautions to see that it is not repeated?

The Parliamentary Secretary to the Prime Minister's Office (Mr. Nyamweya): The Government intends to see that no offences are committed, not only arson but any serious offence, but that by itself does not stop people who are criminally minded from committing an offence.

Question No. 252

UKAMBANI: INDUSTRIAL DEVELOPMENT

Mr. Mutiso asked the Minister for Commerce and Industry—

- (a) if he was satisfied with the industrial development that had so far taken place in Ukambani, and
- (b) had he any plans for the introduction of further industries in that district.

The Minister for Commerce and Industry (Dr. Kiano): Mr. Speaker, Sir, I beg to reply.

This Government is naturally not fully satisfied with the rate of economic development and industrialization achieved in the Kenya's Colonial past in Ukambani and other rural districts. We have, however, now published our Development Plan for the next six years and hon. Members will see from this that we hope to speed up all forms of development and especially industrialization. Dealing with the particular points raised in this question I would like to say that:—

- (a) Most industrial development has been in the hands of private investors who normally reach their own decisions concerning the location of their industry. In the case of small industries this has been, under previous Governments, a neglected sector, but provision has been made in the 1964 Estimates for the adoption of a seven-year plan to assist and encourage the development of small scale industries, giving both technical and commercial assistance, with provision for financial help for approved schemes, some of which I know will concern the Ukambani District. A leaflet setting out the arrangements for small industrial loans will be issued to Members as soon as it can be finished.
- (b) The Ukambani District does not differ from any other of the districts in Kenya and will be eligible for assistance under the Development Plan referred to in the answer to the first part of this question. Primarily, assistance is given after consideration of applications, both at the Regional and Central levels, originating from the district. Applications have been received and are now being considered for

assistance towards saw-mills, bakeries and similar units, and there was one application for the production of soda ash in the Ukambani area. As great difficulty is being experienced in disposing of existing soda ash production, this last application has not been accepted at the present time. Nevertheless, we are also considering the development of mineral resources, but the technical and marketing problems are difficult and cannot be solved as quickly as we would wish, but we are doing all we can to overcome these problems.

Mr. Mutiso: Mr. Speaker, Sir, arising out of that reply, could the Minister tell this House whether it is for the foreign investors to choose the places where they should establish their industries, or is it the responsibility of his Ministry?

The Minister for Commerce and Industry (Dr. Kiano): Mr. Speaker, Sir, the question deals with small industries, and as I have told this House before, the question of the location of small industries is the responsibility of the Industrial Development Corporation.

Mr. Mutiso: Mr. Speaker, arising out of that reply, would the Minister agree with me when I suggest to him that since Ukambani has been neglected and he is the Minister for Commerce and Industry, he has also participated in not giving that area a priority?

The Minister for Commerce and Industry (Dr. Kiano): Mr. Speaker, I have no intention at all of agreeing with the hon. Member. I said it was neglected in the past, and I have also indicated the applications which have already been received and those applications have not been neglected.

Mr. Mati: Mr. Speaker, Sir, arising out of one of the Minister's replies, what steps has he taken to encourage foreign investors to investigate the possibility of establishing industries in Ukambani?

Mr. Ngei: Answer.

The Minister for Commerce and Industry (Dr. Kiano): Mr. Speaker, Sir, I do not have to be shouted at to answer, because I am always ready to do so. In the first place, it must be understood by this House that the question of industrialization is not fully dependent on the foreign investor. If that were the sole factor upon which we were dependent with regard to industrialization in this country, we would be wrong. I would also point out that there is some foreign investment in Ukambani. If the hon. Member is not aware of that, I would be prepared to give the names to him.

Mr. Mati: Mr. Speaker, Sir, I do not think I got the answer to my question. My question was, what has the Minister done—that is all—to encourage these people to invest in Ukambani?

The Minister for Commerce and Industry (Dr. Kiano): Mr. Speaker, Sir, I assume that my hon. friend is aware of the existing investment in this country. If he is not aware of it, I can assure him that my Ministry does not give any special favours for Ukambani, or any other area. We have issued a pamphlet indicating the steps being taken to attract investment in Kenya.

Mr. Mbogoh: Mr. Speaker, Sir, arising from one of the Minister's replies, does he agree with me when I say that some individuals in Kenya have a personal influence with regard to the investors in this country, and if he does, that would he use his influence to see that in Ukambani they share this influence and also extend it to Embu?

The Minister for Commerce and Industry (Dr. Kiano): Mr. Speaker, with all the due respect, that question seems to be a bit confused. In the first place, he says that we must agree that some individuals are using their private influence, and then secondly he says that I should use my influence, particularly for Ukambani. I wish the two parts of the question could be split up, before I can reply.

Question No. 259

SETTLEMENT OF POOR TURKANA

Mr. Rurumban asked the Minister for Lands and Settlement to state if the Government had any settlement plans for the large number of impoverished Turkana families living in the Baragoi area of Samburu District.

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Speaker, Sir, I beg to give the following reply. The answer is, no, Sir.

Mr. Rurumban: Mr. Speaker, Sir, arising out of the Junior Minister's reply, is he aware that the Turkana tribe is the poorest tribe in this country and as such they deserve first priority in these settlement schemes?

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Speaker, Sir, I think I had better correct the hon. Member for Korossi, but the Constitution calls me a Parliamentary Secretary, not what he said. However, Mr. Speaker, Sir, the answer is that if the Turkana are in such a bad state as the hon. Member makes them out to be, he would be

advised to put the case to the agricultural committee of the district where the Turkana live and then pass it on to the Regional Assembly who will, in the over-all plan, pass it on to the Central Government.

Mr. Rurumban: On a point of order, is it in order for the Junior Minister to answer a question when the Minister himself is present?

The Speaker (Mr. Slade): Yes, it is in order.

Mr. Masinde: Mr. Speaker, Sir, arising from one of the Parliamentary Secretary's replies, does he agree with me that the Turkana as a tribe have no land problem and as such they cannot qualify for land? What they need is water.

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Speaker, Sir, I do not want to agree with the hon. Member. The question before the House concerns a few Turkana families living in Samburu. If we are talking generally of the Turkana, that is a different question and I will be advised accordingly.

Mr. G. Godana: Mr. Speaker, Sir, arising from the Junior Minister's reply when he said "No", Sir, is he aware that the people of that area are better than anyone and have been loyal to this country?

The Speaker (Mr. Slade): That does not arise at all. Next question.

Question No. 270

NUMBER OF AFRICANS TRAINING AS LAND VALUERS

Mr. Murgor asked the Minister for Lands and Settlement how many Africans were undergoing training as land valuers.

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Speaker, Sir, on behalf of my Minister, I beg to reply. There are at present seven Africans undergoing training as land valuers at the Royal College. Four of these are in the first year of their studies and three in the second year. Two of the second year students hold the appointment of Valuer (Trainee) in the Department of Lands.

Mr. Murgor: Mr. Speaker, Sir, would the Junior Minister— On a point of order, I understand that the Junior Minister prefers to be called Parliamentary Secretary. Which one should we use, Junior Minister or Parliamentary Secretary?

The Speaker (Mr. Slade): You are asking whether the Minister should reply or not?

Mr. Murgor: No, I am asking whether, I understood there was a point of order from the Parliamentary Secretary, that he should be referred to as the Junior Minister. What should we refer to him as, the Junior Minister or Parliamentary Secretary?

The Speaker (Mr. Slade): I think as Mr. Nyagah pointed out, that Parliamentary Secretary is the official title.

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Speaker, constitutionally, we are Parliamentary Secretaries. There are no such things as Junior Ministers.

Mr. Murgor: Is the Parliamentary Secretary aware that his Ministry is lagging behind because there are no African valuers employed by his Ministry?

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Speaker, Sir, I am not aware, but I am aware of the number of Africans going and who have been trained.

Mr. ole Tipis: Mr. Speaker, can the hon. Parliamentary Secretary tell us the number of African land valuers in the field today, if any?

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Speaker, seven are undergoing training as was stated, and I said of these, two in the second year are trainees with the Lands Department. Therefore, they must be in the field.

Mr. Muruli: Mr. Speaker, can the Parliamentary Secretary tell the House whether those valuers who are now doing the work underwent the same training as these Africans are required to undergo now?

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): A qualified valuer, Mr. Speaker, has to get a qualification from the Royal Institute of Chartered Surveyors.

An hon. Member: Mr. Speaker, does the Parliamentary Secretary, know that Africans who have lived in Kenya a long time can value their soil better than a European?

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Speaker, Sir, I do not think the questioner has really got a grip of the problem. This is just like saying that a person who lives with the patient can deal with the disease of the patient better than a qualified doctor.

The Speaker (Mr. Slade): I cannot hear you, Mr. Lorema. Will hon. Members please keep quiet.

Mr. Lorema: Mr. Speaker, this is what I asked. What subjects are these trainees being taught on this Land Valuation Course?

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Speaker, eventually when these people come out of training, they will have the internationally accepted and recognized qualifications of the Royal Institute of Chartered Surveyors.

Question No. 279

CENTRAL HOUSING BOARD LOANS:
COAST REGION

Mr. Matano, on behalf of Mr. Ngala, asked the Minister for Health and Housing if he would give a breakdown of all loans (if any) made by the Central Housing Board to citizens in the Taita, Kwale and Kilifi Districts respectively between 1st July 1963 and 30th May 1964.

The Minister for Health and Housing (Dr. Mungai): Mr. Speaker, Sir, I beg to reply. The Central Housing Board does not make loans to individuals, and during the time stated in this question, we have not received any applications for loans from Taita, Kwale and Kilifi Districts. Therefore, no loans have been given to them.

Mr. Matano: Will the Minister tell us what conditions are necessary for an application to be made to have these loans?

The Minister for Health and Housing (Dr. Mungai): The local government applies to the Central Housing Board, not individuals.

Mr. Komora: Mr. Speaker, Sir, is the Minister not aware that the Taita, Kwale and Kilifi Districts are automatically local authorities?

The Minister for Health and Housing (Dr. Mungai): I am very much aware of that, Sir.

MINISTERIAL STATEMENT

REGISTRATION OF VOTERS IN MACHAKOS WEST

The Speaker (Mr. Slade): Mr. Nyamweya, you have a Ministerial Statement to make.

The Parliamentary Secretary to the Prime Minister's Office (Mr. Nyamweya): Mr. Speaker, this is the Government statement in connexion with the by-election at Machakos West. It is a long statement, and I would ask the indulgence of the House to listen to me attentively and carefully.

In view of some unsatisfactory aspects of the recent by-election for Membership of this House held at Machakos West, in which Mr. Malu was

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declared elected, unopposed, I feel that it is my duty to address the House, giving the Government's view of the whole matter. As hon. Members must know, at the last general election, the seat at Machakos West was held by Mr. Mathew Mutiso, but, as a result of a petition to the Court, it was determined that Mr. Mutiso was not qualified to be a Member, since he did not have the necessary residential qualifications to be registered as a voter. Hence, Mr. Mutiso's name was removed from the register, and the seat at Machakos West was declared vacant. In order to fill this vacancy the hon. Speaker issued his writ for the holding of a by-election specifying the 15th June 1964, as the day of the nomination of candidates for the election. On 15th June 1964, both Mr. Malu and Mr. Mutiso submitted their nomination papers in the prescribed form to the returning officer of the constituency. The papers, themselves, were quite in order, but, nevertheless, the returning officer in exercise of the powers conferred on him by regulation 12, subsection 2, of the National Assembly Elections (Elections) Regulations, 1964, Legal Notice No. 19 of 1964, declared Mr. Mutiso's nomination to be invalid, and declared Mr. Malu to be elected unopposed.

Let me say immediately that no criticism whatsoever is being or can be levelled against the returning officer concerned. He was acting strictly within his own powers, and strictly according to the law, and in the very difficult and unfortunate circumstances of the case, it is the Government's view that there was no other decision which he could properly have made. Any decision which he might have made would have been open to challenge, but the decision which he did make is the only one which is legally valid, however unfortunate the results of such a decision. The reason for declaring Mr. Mutiso's nomination invalid is that he is not qualified to be elected as a Member of this House, or to be nominated for election, since he is not registered as a voter for elections to this House, or to be more specific, since his name is not included in the Register of Electors for the House. When I say that Mr. Mutiso is not qualified to be elected, I am using the phrase which is used in section 40 of the Constitution, and particularly subsection 2 thereof which provides *inter alia* "that a person shall not be qualified to be elected as a Member of the House of Representatives unless at the same date, that is to say, the date of his nomination for election, he is registered in some constituency as a voter in elections of elected Members to the House of Representatives".

Incidentally, by regulation 8, subsection 4, of the National Assembly Elections (Elections) Regulations, 1964, Legal Notice No. 19 of 1964, the qualifications for nomination as a candidate are made the same as the qualifications for election as a Member. I am advised by legal advisors that the phrase, "he is registered", means that his name must be included in the Register of Electors. This becomes more clear when the other legislation concerned with elections is considered; for instance, section 14 of the National Assembly Elections Act provides that every person whose name is entered on a Register of Electors for a particular constituency for a particular class of election, and who produces an elector's card issued to him in respect of that registration, and no one else, shall be entitled to vote at an election for the constituency for that class of election.

I think that it has been suggested that since Mr. Mutiso was in possession of an elector's card on Nomination Day, then he was, or should be regarded, as registered as an elector, or entitled to vote. But section 14 of the Act which I have just quoted makes it quite clear that this is not so. To emphasize this point even more, a footnote is printed on every elector's card which is prescribed in the Schedule to the National Assembly Election (Registration of Voters) Regulations, 1964, Legal Notice No. 56 of 1964, in the following words: "Note.—This card does not entitle you to vote at an election of any class, unless your name also appears in the register of electors, as entitled to vote at elections of that class." Thus it is clear that before a person is entitled to vote or is qualified to be elected as a Member of the House, or to be nominated as a candidate for election, his name must appear on the register of electors.

Since Mr. Mutiso's name was not on the Register of voters on Nomination Day, the returning officer had no option but to declare his nomination invalid under regulation 12, subsection 2 (c) of the National Assembly Elections (Elections) Regulations, 1964, Legal Notice 19 of 1964, which provides that the returning officer shall be entitled to hold a nomination paper invalid on the grounds that the person proposed for nomination is not qualified, or is disqualified by law from being nominated or elected. There is no provision in the law for the returning officer, or any other person, to declare an election invalid, or to postpone Nomination Day, and it might on balance be undesirable to give that power to any person. There is a possible remedy provided under section 50 of the Constitution, in that application may be made to the Supreme Court by the Attorney-General or any person

[The Parliamentary Secretary to the Prime Minister's Office]

entitled to vote in an election for Machakos West, to determine whether Mr. Malu has been validly elected as a Member of this House. If the Court decides that Mr. Malu had not been validly elected, there would have to be another by-election at Machakos West, by which time, no doubt, Mr. Mutiso's nomination would be in order.

However, I am advised by the Attorney-General that in the light of the facts and the arguments which I have explained, no legal advantage is likely to be gained by reference to the Supreme Court. In the absence of fraud or misrepresentation on the part of the returning officer or any of the candidates—and preliminary inquiries have failed to reveal any such fraud or misrepresentation—there will be little or nothing that the Supreme Court can do. However, if the House feels that on other than purely legal grounds an application should be made to the court, the Government is prepared to ask the Attorney-General to make such an application.

There is one other aspect of the matter with which I must deal. On Nomination Day, Mr. Mutiso was in possession of an elector's card which was a duplicate of one originally issued to him on 13th May 1964, when he applied to be entered on the Register. The original card, and Mr. Mutiso's application for registration are missing. Although to date, the full circumstances are not yet known, there is no reason at present to suggest that the person who revised the Register and compiled the list of additions thereto was negligent or acted in any way improperly. So, presumably, the application form never reached him. The Register had been revised about a week before Nomination Day, although the list of additions had not yet been published in the *Gazette*. There is a procedure laid down in the National Assembly Elections (Registration of Voters) Regulations, 1964, Legal Notice No. 56 of 1964, for correcting a Register where a name has been wrongly omitted, but in this instance there was insufficient time before Nomination Day for the correction to be considered and effected, although there is no doubt that Mr. Mutiso's name would have been included in the Register if there had been time. However, of course, until the Register is corrected, Mr. Mutiso's position is exactly the same as though there had been no revision of the Register. The loss of Mr. Mutiso's original elector's card and application for Registration is a matter of grave concern to the Government and the Government is determined to do all it can to find out what happened and who, if anyone, was

responsible. The police have been asked to carry out a thorough investigation and I would like to assure this House that if that investigation reveals a criminal offence by any person, the offender will be dealt with rigorously, according to the law. If it reveals inefficiency or irresponsible behaviour on the part of any person, action would be taken against that person. Thank you. Mr. Speaker.

Mr. De Souza: Mr. Speaker, is the hon. Parliamentary Secretary aware that the Supreme Court in giving its decision to the petition by Mr. Malu specifically denounced this disqualified Mr. Mutiso from applying again and being properly registered? Is he also aware that Mr. Mutiso did, in fact, apply for and was, in fact, registered, as a voter on the 14th May and that he was so registered but his name had been erroneously removed from the Register and that the Returning Officer or the person who registered him did, in fact, offer to swear an affidavit that he had registered Mr. Mutiso on that day, and the card in his possession was in fact a genuine card? Is the Parliamentary Secretary also aware that the Returning Officer had authority to correct errors? This was a manifest error which had been caused either by typists or a typographical error, or any other way, but he had been allowed to correct these errors and he should, in fact, have done so.

Lastly, Sir, can I say this. The Government has not yet finished its investigations, but will the Government tell us when these investigations will be completed so that we can solve what exactly went wrong in this particular place and when these investigations are completed, would the Government tell us if there are other things it can do besides charging the person concerned, in other words declaring this election null and void?

The Speaker (Mr. Slade): You have been asked a lot of questions. I do not know whether you can answer them?

The Parliamentary Secretary to the Prime Minister's Office (Mr. Nyamweya): Mr. Speaker, Sir, all the facts which the hon. Member for Nairobi North West has mentioned are known and that is the reason why in this statement I have made the Government has left it open for this House, if it feels for the reasons, some of these reasons being those which the hon. Deputy Speaker has outlined, it could request the Attorney-General to make such an application to the Supreme Court.

The Speaker (Mr. Slade): I must point out that on that particular point, where if the House feels that the Attorney-General should go to the

[The Speaker]

Supreme Court the Government is prepared that he should do so, the only way the House can express its view is through a Resolution of the House and the right to do that, if any hon. Member wanted to, would be to have a Substantive Motion to the effect that the House requests the Government to these proceedings.

Mr. De Souza: Could it be moved now, Sir?

The Speaker (Mr. Slade): No, I do not think we could have it now, but we could have it on the Order Paper tomorrow without notice, if the Government is prepared to give it Government time.

Mr. Muliro: Mr. Speaker, Sir, this is a very grave thing and I—

The Speaker (Mr. Slade): We cannot have speeches at this stage. I am afraid, Mr. Muliro. You may only ask for further information.

Mr. Muliro: For further information, Sir, why was it decided that a by-election should have taken place even without taking care that the voters' roll was revised and corrected?

The Parliamentary Secretary to the Prime Minister's Office (Mr. Nyamweya): Mr. Speaker, Sir, the Deputy Leader of the Opposition is behind times as usual. The electoral roll was revised all over Kenya and included the Machakos West Constituency in the month of April/May 1964.

Mr. Muliro: If the electoral roll was revised over April/May, why was it difficult for it not to be gazetted as revised edition?

The Parliamentary Secretary to the Prime Minister's Office (Mr. Nyamweya): Mr. Speaker, Sir, the revision of the register was completed towards the end of May and as the House is aware that these by-elections were long overdue and a writ had already been issued for 15th June to be the Nomination Day in Machakos West.

Mr. Murgor: Mr. Speaker, Sir, could I know the place in which the Returning Officer told the public that the register was open for inspection?

The Parliamentary Secretary to the Prime Minister's Office (Mr. Nyamweya): Mr. Speaker, Sir, apparently the hon. Member for Elgeyo, as usual, did not listen to what I was saying. There is a procedure laid down in the National Assembly Elections Regulations which you are referring to whereby the correction of the register would have been gazetted, but then I have already

indicated that in this instance there was insufficient time before Nomination Day for the correction to be considered and effected.

Mr. Murgor: Mr. Speaker, my question was where was the place in which the Returning Officer told the public that the register was ready for inspection? Was there any date, because when the register is compiled the people are told and they are free to inspect the roll and to come and register. What date was it, Mr. Speaker?

The Parliamentary Secretary to the Prime Minister's Office (Mr. Nyamweya): I have already said, Mr. Speaker, that there was a technical non-compliance of National Assembly (Registration of Voters) Regulations, 1964, Legal Notice No. 56.

Mr. Khalif: Mr. Speaker, Sir, would the Parliamentary Secretary agree with me that—

The Speaker (Mr. Slade): No, I do not want any of this, you can only seek information. You must seek information not ask the Parliamentary Secretary to agree with you. Ask for information that you want but do not ask the Parliamentary Secretary to agree with you.

Mr. Khalif: Mr. Speaker, would there be any possibility of Mr. Mutiso having had a voter's card without being registered?

The Speaker (Mr. Slade): Well, it did happen so there was a possibility.

Mr. Ngei: Mr. Speaker, I would like the Parliamentary Secretary to tell us whether there was any other place where this very unfortunate, very unpleasant and very ugly incident has occurred?

The Parliamentary Secretary to the Prime Minister's Office (Mr. Nyamweya): Mr. Speaker, to the best of my knowledge and, as far as the House is aware, we have had only two by-elections for this year and the only unfortunate place where this rather unfortunate situation occurred was in Machakos West.

The Speaker (Mr. Slade): We have had enough questions now. You will have further opportunities for discussion another time.

The Minister for Health and Housing (Dr. Mungai): Mr. Speaker, Sir, I would say that the Government views this whole question with very grave concern and as it has been said, if the House feels that on other than on purely legal grounds an application should be made to the court, the Government is prepared to ask the Attorney-General to make such an application. The Government feels that it is of very grave concern to

[The Minister for Health and Housing]

the whole country and they do not take this matter easily and also it should be fair to Mr. Mutiso that this application should be made by the Attorney-General to the Supreme Court, and I feel that the Government should take this action and it is going to take this action.

The Speaker (Mr. Slade): In that case there is no need for any Motion in the House to tell the Government to go ahead.

NOTICE OF MOTION ON THE
ADJOURNMENT

SOUTH NYANZA LUOS IN THE FORCES

The Speaker (Mr. Slade): I have to remind hon. Members that Mr. Muliro is to raise on the adjournment today the question of the Legion of Mary which was dealt with in a reply to Question No. 206.

Another matter I am allowing to be raised at the close of Business on Thursday, 2nd July, is a matter of which I had notice from Mr. Okwanyo, an unsatisfactory reply to his Question No. 128 dealing with the numbers of Luo in the Police, the Prison Department and the Army.

COMMITTEE OF WAYS AND MEANS

MOTION

THAT MR. SPEAKER DO NOW LEAVE THE CHAIR

*(Minister for Finance and Economic Planning
on 16-6-64)*

*(Resumption of debate interrupted on
26th June 1964)*

(Fourth Day of Budget Debate)

Mr. Ngala-Abok: Mr. Speaker, Sir, when I was speaking last Friday, I was trying to ask the Government, next time, to take into account the necessity for nationalizing land and all means of production because I realize that in the Budget there was an attempt to explain that our poorer people were going to be brought up to reach the stage of richer men. But, that, I think, is impossible and if we were going to do so we should act in the same way as President Nasser of Egypt. He asked all the property owners and all the wealthy people in the country to denounce and to make available all their wealth, both outside and inside the country, and at the same time he started imposing taxes, introducing legislations, and making sure that money was circulating in the country. He also reduced many of his peoples'

incomes so as to pay the lower class, and as such he has brought people to such a standard that Egypt is now one of the wealthiest and undoubtedly one of the most progressive countries in Africa. Another example is Algeria, the country that achieved independence recently, you will see that there the people have the feeling that they have a peoples' government. Therefore, when we have a Budget purely and chiefly tailored to protect the richer people, such as this type of Budget we had last week, we must denounce it in certain parts. I agree that our Government is progressive enough because the period has been short, but in the next financial year we want to see a Budget that is really for the poor people, a Budget that will impose taxes on these wealthy people who are exploiting us, a Budget that will create a fair standard of living and reasonable salary for the ordinary man. In this Budget we are going to discuss the Pratt Salary Commission where you will find that the lower class people have had salary reductions and the highly-paid people have remained the same as they were during the Colonial days. This means that the Government is not thinking of the poorer people, it is only making public announcements on achievements which do not appeal to the people. To announce that you have recruited people into the army, into the police and so on, these things do not really appeal to the ordinary man. They do not see these things, what one should announce is that health services will be free, primary education will be free, the unemployment situation will be remedied, these are the sort of things which the people appreciate, but when you go to tell my father that you have recruited people into the police, do you think he will feel that you have achieved something? If one person has been recruited from Kalenjini, one from Kiambu, one from Luo, one from Ukambani, how would the old man know that you have achieved something? There are certain projects which certainly appeal to the ordinary man and if the Government can work hard to fulfil these agreements that they are signing with foreign countries, they could devise a means through which the people could get free health services, free primary education, that would be two items of achievement that every person in the country, every person at home, every person in the street would be able to understand, they would understand that it was an achievement of the Government. But these loose sort of achievements really do not appeal to the ordinary man; they will merely reduce confidence the people have in the Government. Therefore, our Government must make sure that the points that it puts over are those that are going to be appreciated and not those that are best known to the Government

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and not to the country at large. Mr. Speaker, while I have said that I want to look into the commercial and economic life of this country. One would not talk about Africans having to accommodate themselves into the business life because here in Nairobi you will find that beautiful houses, commercial houses, business houses, banks and so on are all manned by Europeans and Asians.

The Government is doing nothing whatsoever to devise a means by which the Africans would feel that they were progressively getting into the commercial and business life. We are not going to be prepared to say that everything else is all right, there are flowers in the garden, everything is good and fine, when we are still seeing that there is no progress being made even in promoting our people in the commercial life. To do this we have racial commercial organizations such as the European Chamber of Commerce, the Asian Chamber of Commerce, the African Chamber of Commerce, and the constitution of these bodies, of course, says that all races are allowed to join but all the time when there is a meeting they always think in their racial way. They consider their racial views, they take their racial positions into account and therefore the Africans will never have any means of progress. Therefore, if the Government says that it has no means of declaring these racial bodies redundant, so that we can get another body in which all races are represented, we will just sit and wonder what the Government is doing.

I remember about four years, also the then Government declared that no political parties could be formed unless that party accepted all races, why is it not now possible for our Government to make sure that we have national bodies in which the African majority is represented? Mr. Speaker, take some of these Statutory Boards. I am very happy to see that the Minister for Agriculture is here because he is the only Minister who can remain to listen to critics when politicians like myself are speaking. Talking of agriculture, Mr. Speaker, there are certain Boards, the Maize Marketing Board—the Chairman is sitting here, the hon. Paul Ngei—the Pyrethrum Board, the Cotton Board, and many of these other Boards, which have never been Africanized. The present system of the Minister appointing people to the Boards and reorganizing the Boards is not going to effect proper representation.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Mr. Speaker, would the

hon. Member substantiate that the Boards he has mentioned have not been Africanized? We have the Chairman of one of the Boards here.

The Speaker (Mr. Slade): Order, order, can you substantiate what you said, Mr. Ngala-Abok?

Mr. Ngala-Abok: Mr. Speaker, I said that there is not sufficient Africanization in these Boards and I appeal to the Minister to Africanize them and to devise a better method to see that the Africans are represented.

The Speaker (Mr. Slade): If the Minister thought you said that there was no Africanization, he did not hear you right.

Mr. Ngala-Abok: Mr. Speaker, I agree that the Minister is doing what he can to bring these Boards into the hands of the now poorly represented people, that is the Africans, but the method he is using is completely wrong. To get one person appointed by a region from among the growers when the person is not from an organization of the growers, like the Europeans, is completely wrong because the region may pick an ordinary lay-man from a region saying that he is from among the growers and yet the growers are not organized. We will not know whether this man has the confidence of the growers in a particular area. A person may be appointed from the top by a Minister, but this person's followers are not understood. What we need are representatives of the people who come from organized bodies so that these people will speak the voice of the growers, the voice of the people who grow the cash crops and so on. The way it is being done is not good enough and I think the Minister for Agriculture should advise the reorganization of these growers, and create organizations of these Boards from the bottom so that the people represented could have an effective voice. When you look at the European and the Asian—I am very sorry to say this but this is a speech as a politician and I should not care a hell what the Europeans may think—and see how they are represented on these Boards, they have representatives from the people who are organized and they report back when they come back from these Boards. They report back to their growers' organizations, but do we have these organizations, we Africans? Therefore, these Statutory Boards are not going to help us whatsoever and we say that it is up to the Minister to see that these people organize themselves. I am saying that there is no deliberate policy to entice these Africans to organize themselves well. They could then be asked to send their representatives who have a voice on these Boards. This is what I

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am saying. Therefore, to get this going the Minister must remedy this situation and he must think twice about the way he is going to go about these Statutory Boards so as to get the confidence of these people. This will always make us think racially as they are now trying to make us think, and I will not have this.

Mr. Speaker, I have said that the Minister for Commerce and Industry must introduce in this House legislation banning the existence of racial, economic and commercial bodies in Kenya. Then the national meeting of all the growers, traders and whatever you like, could be called so that a national organization could be created. I know the Minister made an attempt last year to call the co-operative bodies to meet in Nairobi but it failed. The Europeans and Asians claimed that they wanted federation. In other words, to keep their house as European, to keep their house as Asian, and to keep their house as African, they came with all their experience to exploit the Africans here. The Minister had no guts to say no to these people as they used to tell us during the colonial days. Therefore, it is high time we approached a national organization with branches all over the regions and branches all over the districts. Any Government that does not have the ordinary man's support is doomed to failure.

Mr. Speaker, let us look into the Government's Six-Year Development Plan. Not a Member of this House, as far as I know, let alone the Back-benchers, was briefed before this document was introduced into this House. We knew nothing about it before it was in the paper when the people saw it. That was the time when I received my copy of this Plan. Therefore, I do not understand this Plan at all and I wonder if I would be expected to address a public meeting to explain what our Government means in its Six-Year Development Plan. The thing is, Mr. Speaker, this is not to spoil the Government's plan but it is to bring a genuine complaint. We, as Members of Parliament, were never briefed and the Members are expected to support the Government on their Plan. We should have been briefed item by item. The Government is wasting time in the offices here, and they blame us for meeting so frequently. Why do they not meet us at this time when we meet every day? They could then brief us on these important projects. Mr. Speaker, we shall not be blamed if we do not understand our own Six-Year Plan. Nobody will believe us. The Planning Department must know that to plan and to make people understand it needs a lot of factors. You must first of all work with the politicians

who will put this Plan to the people. The party in power must be organized so that the party machinery in the country would be able to put to the people what the Government is doing. Many other factors are involved. The Community Development Department must know the mind of the people and must make the people understand the Plan. There is no point in somebody coming and showing that he is well experienced and can speak politics in the House if he does not understand that people like Ngala-Abok are here who is supposed to tell these things to the people. Although I am saying so, Mr. Speaker, there are certain parts of the Plan where there are definite specific projects mentioned. These parts should be implemented, but the greater part, where I see South Nyanza District mentioned, there is no definite project there at all. Things are simply touched in passing. Here we cannot agree to commit ourselves that we are going to get a factory, we are going to get land developed, if we do not see it specifically, with a date and time when these things are going to take place—I am not going to be used for bait. We must get things specified. If the Government still has no money let us not get announcements in the Press. We announced that we are starting a national youth service on the 1st June. Where is it now? We agreed that we are going to employ people by the Tripartite Agreement, with people taking on fifteen per cent. Where is it now? We said we would employ people in the army. This resulted in a sort of tribal movement in Nairobi, and was nullified. Where is it now? Therefore, we are not going to be used for propaganda promotion machinery. If something is specific it is specific and has no alteration. But if the Government is still vaguely discussing something and they have not understood it, we do not want to see this red book here. We in South Nyanza want to know and have a list of the industries which can be promoted in South Nyanza so that the people can work towards getting those industries as soon as possible. Let the people get to know. There is no question of losing, we do not need to know how to work *shambas*, how to weed *shambas*.

An hon. Member: Mr. Speaker, is the Member in order to refer to his own constituency the whole time, instead of referring to the country as a whole?

The Speaker (Mr. Slade): Order, order, that is not a point of order.

Mr. Ngala-Abok: Mr. Speaker, the Member said that we were lazy and I was trying to get it back to him to show him his own constituency

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because he is representnig the tea growers, he is not representing a rural area like myself where we have a lot of cash crops growing.

Mr. Speaker, I was talking about South Nyanza and about South Nyanza, we have been told that a hospital will be built. We have also explained that there is a high death-rate in the district. People are dying of sleeping-sickness, people are dying of sicknesses that they cannot get rid of. There is no hospital in a vast district with one-quarter of a million people; there is not even a hospital and we were told that towards the end of this year a hospital would be built. Mr. Speaker, I am not denying that this will be done, but I am saying that it must be done because these are the sort of things that the Government would have us accept and would have us believe, and so long as we promote talks, propoganda and many other things which the people do not see in tangible terms, we are going to be ruined as politicians and I would not accept such a position.

On the question of the farmers' training centre, I would again congratulate the Minister for Agriculture for being here, but the Minister must tell us when this farmers' training centre is going to be built. I saw some chaps from overseas coming to check the spot and to see whether there was a chance to give us some help. I am very thankful for these overseas people who are willing to help us, but I wonder whether the Ministry is really encouraging them to come and help us. It is a waste of time for our Ministry not to build this farmers' training centre, once they are given the money, as soon as possible. I remember that the policy of our Ministry of Agriculture is to promote and improve everything in the field of agriculture in every district. But you cannot do it when the entire population does not understand the meaning of modern farming. We must have a centre, even if it is only small with five or six rooms, in which we can have people being trained. This is what we require. We are not interested in a personality cult, and in saying that the Minister for Agriculture is unfit, but, of course, we shall declare him unfit so long as many of these things are not done regarding his Ministry.

Mr. Speaker, probably the Minister for Agriculture still has not known that in the district there are over a million sheep and goats, and as such we have about 200 cattle being slaughtered in different shops or butchereries all over South Nyanza. The Minister could introduce a small meat factory to help us reorganize the butchers in that district. This meat factory could help the butchers get their meat from a clean source,

inspected meat, which would help in getting rid of some of the diseases that people get, because cattle are not slaughtered in clean places. The meat factory will also give employment to people, and help us to do some canning of meat and fish. So, Mr. Speaker, I would like the Minister of Agriculture to consider the possibility of introducing a small meat factory, because that will also encourage the rearing of good beef and would also promote good keeping of livestock. Therefore, Mr. Speaker, I think the Ministry will consider the possibility of introducing a small meat factory.

Mr. Speaker, Sir, I would now like the Government to consider one thing, and that is that the policy of the Government should be understood. But before the policy of the Government should be understood, it has to get the machinery of promoting it's policies. One of the best machineries is to intensify to revitalize and reorganize the activities of the party in power. Just today we have not got a Kanu headquarters; we have got rooms, Asian houses being used for party activities, and the people there are not even using it for party activities. They are there simply to smuggle students of their own liking to overseas countries and talk and create trouble. We must build a headquarter for the party so that the party could be proud of being in power and also be proud of some achievements. If for example the Government campaigns, because the Government is a Kanu Government, for one shilling a donation campaign for building a headquarter. We could build it in six months' time, about 19 rooms will do for the time being. This would increase interest in the party, help us to be proud, and we could show some of these party chaps from the country outside Nairobi the achievements that the party has got. We should not just think of coming here to speak in Parliament and not know the power we have outside. To have the power you must be in a good office where you can talk and discuss the organization the machinery of the party, and so I would like the Government to consider where it derives its power to be the most well-founded place, and that is the party that has brought us here, must be reorganized, not only in terms of people getting elected to various bodies, branch leaders, and electing national leaders, but also the party must have a well-built headquarters of its own of which the country could be proud. Otherwise many of these problems can not be properly dealt with, particularly if there was not a place where they could feel at home and build the nation in the *Harambee* spirit. Mr. Speaker, I also wish to appeal to the Government to devote more of its time to seeing that the civil servants are well informed of the Government's activities out in

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the country, Mr. Speaker, not like before. At the moment you could not get a civil servant explaining to you what the Government policy is.

You will stay in a Regional Government Agent's office, you will stay in any Government office, you will stay in a Civil Secretary's office, and you will not be told a single thing, and what is worse, Mr. Speaker, when a Minister is going to tour, say the Coast Region, Nyanza Region, or is going to address a council of any kind, his programme should be worked out and agreed upon before any notice appears in the paper that the Minister will be touring such and such an area. Now we get nothing, not even a written letter asking for a programme to be made out by the people on the spot. The Civil Secretary should know before hand what the Minister would like to see on his tour, so that he can plan accordingly. There is, of course, some inefficiency in that, Mr. Speaker, and this we cannot help. Normally when a Minister is going to tour a region, his Permanent Secretary must send a letter to his junior staff and agree on a programme. If the Permanent Secretary is abroad he must be replaced. A Permanent Secretary must write to the Civil Secretary and let him know that a Minister is going to tour the district or the region for so many days, and then the people on the regional level, and district level will work out a programme acceptable to them. This programme will be approved by a Minister. He will start his tour with people knowing very well where he is going, and how he is going to be welcomed and so on. What are our Ministers doing? They think they are still going to address meetings. They just announce it in the Press, and then they start going. But when they go there they find the people on the spot in confusion, and they do not know what the Minister would like to see, or what they want the servants to report to them. They do not know, so that when Ministers go there they introduce and query problems which their own staff have not known. So that they come back as ignorant as when they went. This is not good, so our Government must listen, and if our Permanent Secretaries are not efficient in administrative matters, then the country will be thrown into chaos. Mind you a Permanent Secretary of civil servants in a political Government must be a little political minded. Otherwise he will not deal properly with day to day political cum administrative affairs of his Ministry.

The Parliamentary Secretary for Home Affairs (Mr. Moss): On a point of order, is the hon. Member sure that Ministers go out without making prior programmes?

The Speaker (Mr. Slade): It is not right for you to raise a point of order in that form, but you can ask him for substantiation.

The Parliamentary Secretary for Home Affairs (Mr. Moss): Can the hon. Member substantiate the allegation that Ministers go out without making programmes ahead, and sending them out to the districts staffs in the various regions?

Mr. Ngala-Abok: Mr. Speaker, I have been asked to substantiate whether the Ministers go out without making a programme and sending this programme to their district staff. This is far from what I said, Mr. Speaker, I said that they do not request the local people to make a programme for them, because by a Minister sending a programme which is so tight and does not ask the local staff to comment on the programme, and send their views back is not good enough. The Minister's wishes may not be met by the local officers and should be. This is what I said, Mr. Speaker.

Mr. Speaker, therefore, I mentioned some of the things that will appeal to the people if our Government would really concentrate on doing them. One is if they would simply tell us to nationalize all the means of production and industry, and also to tax the people who have a larger income, as the Minister for Finance is not here listening, Mr. Speaker. That will appeal to the ordinary men. I also say that the Tripartite Agreement should be implemented so that the ordinary man will feel that he is employed, because in my district for example, over a quarter of the population took cards, and they are still holding those cards in their hands. Just get me 500 people only to have employment so that they could know the achievement of the Government.

Mr. Muliro: Could the hon. Member not be consistent, first of all he told us that his district has 150,000 people, now he tells us that half a million took cards.

Mr. Ngala-Abok: Mr. Speaker, I was summing up because the Minister for Finance was not there, and I know that the Minister usually answers point by point, but I wanted to re-emphasize what I said so that the answers will be given by the Minister when he replies to the Budget debate.

The third point I said was that we promised that free primary education, and also free health services would be given to the people, and now I want to explain how this could be possible, because the payment you are now giving for our health services started in 1957, and before we

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were getting it free, and it is very possible that we can now get it free, because we pay money and yet there are not enough drugs in the hospital these days. When people are paying for the treatment, they do not get enough. They do not get enough drugs, and this I know for certain. So that best way to implement free education and free health services is to get someone from the Socialist countries. I am not going to be called a Communist in this case. The Socialist countries have got a better system by which you can remain a Capitalist, and at the same time provide free services for the country. I am sure every Member knows this and the Government should invite Socialist experts here.

Mr. Speaker, the Government should get an expert from the Socialist countries, which you know very well hon. Members, are supplying free education and free health services in their own countries, and let Kanu achieve one of the things or two of these things that it promised the people. This is a most vital issue. We should not concern ourselves with redundant capitalist ideas. Let us know where we can get help and the way to get it is to approach those with experience and please let us pursue them, because now we are a neutral and independent country and should not allow ourselves to indulge in ideas of keeping the rich rich and making the poor poorer.

Mr. Speaker, I wish to talk about loans given to the people, unlike the former method whereby the chiefs were used to recommend the giving of loans to their friends. At the moment our Government should devise means by which loans should be given to the people in a better manner, a larger quantity, but at the same time receive the bulk in repayment. That is to say the loan advisers must devise means by which they could know whether a person has been given a loan, and is making profit or not, and at the same time be given a day on which he should start his repayment. But the loans that were given to the people before, they were just given, and nobody knew whether somebody decided to marry many wives with that loan, or whether he just decided to put up his own personal house or to go and drink with the loans. The Government did not care to check. Later on the Government issued a warning, or a demand that these people were due to pay the loan back. Only to find that many people had already used the money, and whose fault was that? It was not the fault of the person who took the loan, but the fault of the person who gave the loan, who had no machinery to

follow this man up and to see how the man was using the money, to advise him on how to keep accounts, and to make sure that he gets his money back. Therefore, there is almost twenty-two million shillings lost in the bush. Who will repay this money back to overseas countries where it came from? Is it not the Government. Therefore, the Government this time must give people loans and should not make the excuse that because the loans were not paid back, we are not giving any more. That was a Colonial law which suited them. So we want new loans now, and they should be used properly, and we must teach our people how to deal with their accounts.

Now there is one political issue which I want to clear, because we are Members of Parliament, and we are national representatives and we do not want these Muranga people to go on attacking us on federation. Mr. Speaker, the people of Muranga Kanu Branch first of all accused us of having voted with Kadu on their Motion of Federation, and that as such we made a mistake. But it was obvious that the hon. Mr. Shikuku's Motion was voted for by the entire Members of the Cabinet, and a few others who decided to support them. That was a Kadu Motion, but all other M.P.s voted for the Kanu amendment. I beg to support.

Mr. Nyalick: Mr. Speaker, Sir, I rise to congratulate the Minister for Finance and Economic Planning for the work he has done to produce the Budget, which is being praised by all Members of the House, together with the general public at large.

Mr. Speaker, Sir, it does not actually mean that although I have congratulated the Finance Minister, I am prepared to accept the entire Budget without comment. I am making my maiden speech today and will talk on several happenings which are mostly concerned with my own constituency. While studying the Development Plan, I have noticed with dismay no mention of the irrigation scheme which was supposed to take place on the Kano Plains, and which has been going on for over ten years and that, in fact, it is not going to start this year. In spite of the fact that people have been waiting, the Government irrigation scheme for Kano is not to be taken into consideration. They say that big enough provision has not been made so that irrigation in Kano could take place. Therefore, Mr. Speaker, I would like to elaborate a bit on the state of affairs in my constituency. Mr. Speaker, my constituency is in an appalling state and the people in my constituency are definitely

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crying out, because of famine. For seven years now the Kano people have not had a harvest, because of drought and floods.

Recently, in 1961 and 1962, we had a tremendous flood in Nyanza and because of that many areas were flooded and people did not get anything from their land. As a result of that, we have been going round all the locations telling our people to consolidate their land in order to prepare it for irrigation schemes. Today, I have noticed that the Government has been preparing its Six-year Plan, but the Kano Plains are considered to take second place in the Development Plan; in other words, they are to be preceded by the Yala Irrigation Scheme. The Government should have taken this into consideration, because the Kano people are in the position that they do not know; they do not have enough to eat and they have nothing to help them the following day.

Furthermore, the area in my constituency which is supposed to be made available for irrigation amounts to 30,000 acres, whereas that in Yala is only about 20,000. With reference to the use of money, I have seen that only about £1 million will be used to irrigate that vast area of land, and it seems to me that there is something fishy about this plan, or somebody has taken it that the Kano people should be treated as a second-rate type of people.

I think it is the duty of the Government, Mr. Speaker, to see that a location or a district is put in a better position by raising the standard of education and the means of earning a living in order to put the people in a better position so that they are able to contribute towards the economic stability of the nation. Now, we can see that Kano is inhabited by well over 150,000 people, and they are just sitting there not knowing what to do, waiting for the irrigation scheme. This is something which has been going on ever since the time the Swynnerton Plan came into being. It was then that we wanted irrigation to start and the people to be given some sort of loan to concentrate on their work and their gardens. We were told that the Kano people would not get any loan from the Government at that time until their land was irrigated. Mr. Speaker, it is surprising to see that even the African Government is putting these people off when their case is desperate; they do not have food on their own, they grow nothing. The land is known to be agricultural land which could be used to produce a lot of cotton for the district. Therefore, Sir, I call upon the Government that when the time comes for Supplementary Estimates,

or if money can be obtained from somewhere else, to acknowledge that it is the duty of the Government to see that first priority is given to the Kano people on their plains, because of the fact that they have gone through two difficult times: one was during the drought and two was when it was flooded. We know that when the irrigation schemes comes about, the water which is worrying our people now will be controlled to the extent that it will not get into their homes and gardens as it does at the moment.

I want to touch on another point, Sir, and I call on the Government to see that when it implements its schemes, there should be planning based on the idea of reclamation of the land around Lake Victoria. At the moment, with regard to the flooding in my constituency, it is believed by people in the area that it is caused by the dam which is across Lake Victoria. My people have lived there for over two hundred years, and during that time they have had river flooding which has not been a problem to them. The problem now is due to the fact that the Victoria/Nyanza is rising day and night, and the lake has risen over the land for as much as three miles. Because of that, whenever there is rain, the river current meets the lake at a point where it cannot flow into the lake, and so the current flows back on to the land and into the people's homes. I consider that when this planning took place, reclamation might have been considered so as to look into the cost of reclaiming land which is submerged under the lake at the moment. We have the best area of our land where we have been ploughing rice fields, and some of them are now completely under the Lake; we are not going to get this land back. When I read the Plan, I thought the Government would have taken into consideration how this land could have been reclaimed; in other words, some sort of wall, if possible, should be built to stop the water from coming on to the land. It is believed in my area that the flooding is caused by the construction of the Owen Falls Dam. This should be gone into to see if it is possible for an aperture or gate to be made so that the Lake can flow on its natural course. It is true that man has interfered with the balance of nature, and now the Kano is suffering. To substantiate my statement, I can remember a survey carried out by Messrs. Alexander and Gibb. A team of surveyors went through the locations, and these people were just driving their vehicles over people's gardens, and when the alarm was raised it was during the chief's *baraza* that some of these people came. They came and made it quite clear to the people that they were trying to find the extent to which the lake water would cover the

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country, so it is no use Government telling us that the dam construction has nothing to do with Lake Victoria. Furthermore, one time in the *East African Standard* it was reported, with your permission, Mr. Speaker, Sir, that our hon. Member then, Mr. Ohanga was worried in his mind because he feared that when the construction of Owen Falls was over, a lot of land, particularly the Kano Plains, would be covered by lake water. That was between 1955 and 1956, I do not quite remember the date. Taking this evidence into consideration, it is the belief in my area and everywhere else in Nyanza that the floods which are causing such a headache are due to people interfering with the natural course of the River Nile by constructing the dam.

Therefore, Sir, I ask the Government, in order to eradicate the belief which is well established in my constituency, to organize some reclamation work or other work around the lake to stop water coming on the land. My family has been living four miles from the natural lake shore; but today my home is only a mile away. This, of course, indicates that in a few months' time, or in a year to come, I might find myself flooded. Even if I am not flooded, a great number of my people are worried about this because the land was their best land and it was where they were growing plants and it is completely submerged, and there is no hope of getting it back. I appeal to my Government to see that their first job is to establish the truth and to inform people about the cause of the rising level of Lake Victoria every now and then.

With regard to settlement, Sir, while giving my maiden speech I know that I will not impress the Government, but on the whole it is in an appalling state. Even a Member of my community in the House once said that the Luo people are not settled, but when it was read outside there was a very bad reflection on the Members as a whole. By that I mean that we are in a place which is known all over the country to be the most hit by drought, just like my friend in Masailand. Last year, hundreds of our cattle died, hundreds were lost. Then when it rains the position is reversed, the land is flooded. There are two things which are beyond our control. So with regard to the question of flooding, there are 280 people encamped at Kibigori, and it has taken well over one year. I do not think my people are pleased at being kept by the Government on a ration of 8 lb. of *posho* a week. These are able men, they can go and dig the land for themselves. I see no reason why the Government should not take the Muhoroni area for the settlement of the landless whose homes have been

completely submerged by Lake Victoria. This settlement which is going to take place at Muhoroni, without the blessing of the ordinary man, will be doomed to failure, and in saying this I mean that at the moment in the settlement scheme whoever applies for the land must be in possession of Sh. 1,000 deposit. I do not know whether that is the rate throughout the country. If it is so, it must be taken into consideration that the Government is here for the poor man. The poor man or the ordinary man is the sole authority of this House. According to my feelings, we are elected by the people. Without them we would not be able to be in this House, so we have to take into consideration one fact, that our people should have first priority. My people are there, their cattle have already gone, the little money they had is gone too; because they have been getting money by cultivating paddy rice. Now there is nothing of this nature. These people have been without anything for seven consecutive years. How can you expect them to get Sh. 1,000 to pay a deposit for the land at Muhoroni. So it is the desire of my people, and I put it to the Government, Mr. Speaker, to see that the needy people are served first. These people can come on the land and be banded into co-operatives, they can very well work the land. I see no reason for making the land a kind of market for sale, keeping those who can afford to get the Sh. 1,000, some of whom are civil servants who have never been in the fields cultivating the land.

This is a problem in my area, Sir, and it must be seen that the people whose homes and gardens and everything else have been taken by the lake are given first priority, and are given the land. I see no reason why people should be put in a camp for over one year doing nothing. There are 280 human beings encamped there, and they are given very little to eat. It is a sad sight if any of you happen to visit Kibigori Transit Camp, Mr. Speaker.

Mr. Speaker, Sir, I must state quite clearly to the House that unless something is done as quickly as possible there should be no blame on my people or myself when they elect to take the law into their own hands. They might decide to demand the land, and then make a living out of it. You cannot expect an empty stomach to obey any law.

Mr. Speaker, Sir, I think the reason should be quite clear to the Minister that getting irrigation in Kano Plains started in 1965 means getting more money from overseas with which he will be in a position to feed Kano, which I think he will not be able to do at present. There are a great number of people, leave alone the 280 I have been speak-

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ing about, over 10,000 people whose homes and gardens are completely ruined. These people are putting up with their neighbours and relatives, but nobody cares for their well-being. They do not get any rations from the Government, and who pays for the school fees for their children? This shows that the nation is growing towards chaos; the young ones will grow up uneducated; people will not know what to do; they have no land and no future. What will happen when the children grow up? They will form a team, and go into the country wherever they can and where they can find a means of living, and murder anyone they may meet on the road.

[The Speaker (Mr. Slade) left the Chair]

[The Deputy Speaker (Mr. De Souza) took the Chair]

Because of this, there are now a lot of thefts in my area. People have formed themselves into gangs in order to find some means of living. The Government should look into this and see that the settlement schemes are reserved for a purpose. It is no use trying to develop the sugar industry where there are hundreds of people who are hungry. They are growing envious of the land. They may one day turn the other way round and see that that land is in their possession. I regret this, but I cannot help making such statements. This is the desire and thinking of my people; they have been waiting too long to see irrigation come. Nothing has been done. I can remember a time when I managed to consolidate my land, and when I approached the officer in charge for a loan I was told that the Kano people would have to wait for ten years. They could not do anything for us until irrigation was on. How long will we have to wait? Is this some way of exterminating my people?

We want these people to contribute towards the stability of the economy of the country. They have to do something. The land is there for them, but they are denied the land because they cannot produce Sh. 1,000 by way of a deposit.

An hon. Member: Shame on the Government.

Mr. Nyalick: Mr. Deputy Speaker, Sir, I would like to turn now to the National Famine Relief. I am ashamed to call it famine relief to my people. They are able; they can dig and grow just enough for themselves and for the country, but as long as they are neglected they are bound to come to the Government and ask for something which will help them to go on. It is a headache in my country. Wherever I meet people, particularly the

old people in the country who do not have enough to eat because their gardens are under water, and sometimes, as it has been during this year, after a long drought, when the plants wither, then they ask for assistance. Sir, I think the Government must take into consideration and see that famine relief is introduced, a programme is introduced into Kano. My people are in a desperate position, not because they are lazy, not because they cannot do any work but because of the two factors I have mentioned, they cannot help asking for famine relief. Until irrigation has been done, I think the position will be no different. The money which is used for feeding these people should have gone into investment, to help educate the children, erection of dispensaries and hospitals for our people. Because of negligence by the Government not doing things when they should, they will have to face the situation sooner or later when the delegates come from Kano by the hundreds, asking for something to eat. This is something appalling, and something that I do not like to say, but nevertheless it is a condition which knows no bounds.

In my area there are a great number of people at the moment particularly old folk, and some of the young men have no employment at all, and they are in a position where they cannot get anything. They lead a sort of life where they do not know what they are going to eat tomorrow. I am staying here to speak the truth of my people, that they have to see that famine relief is introduced as it was a few months back.

Mr. Deputy Speaker, Sir, I would like to mention something about education in my constituency. In Central Nyanza, our schools have mostly been mission schools and, as such, I do not think the missionaries found the eastern portion of the district a suitable area. With the exception of one or two places, we are in a desperate position. In my constituency, there is not even a secondary school to cater for 34 primary schools. I would like the Government, when planning, to take into consideration the possibility of having at least two secondary schools for this constituency, one in Kajulu and one in West Kano. Unless the children of this area are educated, a situation is going to develop where people take to stealing at night and so on.

Turning to another point, with regard to the medical facilities in Nyanza and Kisumu particularly, they are inadequate. We do not have a district hospital. I think we should be given a chance to have hospital facilities to enable our people to be treated in the same way as people in other districts from other region.

[Mr. Nyalick]

With regard to communications, I see no reason why Government should not consider having a railway line from Butere to Busia, rather than having the trouble of railing goods from Kisumu to Nakuru and then back to Uganda, which is costly. That should be taken into consideration.

Another point which is important to me is that Kisumu being the centre of both Nyanza Region and Western Region, we have an old aerodrome there. I see no reason why that aerodrome should not be reinstated in order to attract easy transportation, to attract industrialists. I say this because even at the moment the General Hospital at Kisumu is used by both regions, those cases which are not being treated at Kakamega are transported to Kisumu. Therefore, it is a centre of both regions.

With these few points, and in giving my maiden speech I beg to support the Budget.

Mr. Somo: Mr. Deputy Speaker, Sir, in view of the *Shifta* attack last week, I wish to bring the attention of the Government to the very serious conditions which confronted the people of the Lamu District and Villages known as Sendeni, Rubu, Matroni, Ashuwei and Mkokoni. These people, Sir, were attacked on Thursday last week, and these *Shifta* numbered almost about sixty. When they came to Maharani they got hold of all the people and no one was able to move from the village of Maharani. They never kill the people or anything else, except beat them and strip them of their clothes so that they were completely naked. I am not ashamed to speak about people being naked. I could not be ashamed of what God is not ashamed to create.

Mr. Speaker, Sir, they used to take the wives of the men there, and they carried out actions while their husbands were forced to look at what the *Shifta* were doing. This is so bad, it would be preferable for a man to die rather than to look at such things. These people were left there with another twenty-five *Shifta* to guard them so that they were unable to go to other villages to report what had happened to the village of Maharani. At midnight when the *Shifta* were asleep, the people who were being guarded did not sleep and they started to run, one after the other, until the whole group was lost in the forest, and they stayed there almost for five days without food, water, anything to eat or drink. On top of that, about twelve children died through hunger and having no water. All the people of the division of Kiunga left the villages and some of them crossed about two miles to the island because there were not enough dhows to take them across to the island. For six days, this Government of ours

were not aware of anything, and not only the administrative staff but even the General Service Unit were not aware of these activities in that division. On the seventh day, the General Service Unit of Kiunga had a report from somebody who had to walk fifty miles from the village where the action took place. When he went there, there were only twenty-five General Service Unit present at the Kiunga village. When he reported to the man in charge of the General Service Unit, the answer he had was that the road was too bad, their vehicles could not move around, and it was the people's duty to help themselves. If this Government cannot help our people in such an instance, what are we depending on them for? If this Government today cannot help us, which Government shall we expect to help us?

When I went to Lamu last week, when I heard the result, even the Regional Government Agent was not there. What I did, Sir, was to hire two boats and five dhows. I must say how I appreciate the merchants of Lamu who got one bag of rice, two cartons of tea as well as a quarter of a bag of sugar, and so on. I am not a Government Agent who should do this, but if this Government cannot do anything we have to help ourselves.

Mr. Deputy Speaker, without much help we had to share the food among almost 400 people, and still there are 2,000 people lying on the seashore of Mkokoni, and up to this moment the Government has taken no action to help those people. On top of that, the Government is still insisting on collecting personal tax, and these people do not even have water to drink. Still this Government of ours demands money for personal tax.

When I came on Monday, Sir, the Regional Government Agent had already arrived at Lamu and I was lucky because the Minister for Works and Communications also arrived at Lamu. When I explained the case to them, they would have nothing to do with it. If this Government has nothing else to do, it is better if they resign. We depend on the Government to do things instead of giving lip service. We are tired of this, Mr. Deputy Speaker. We are tired of waiting to see actions instead of political propaganda being made, which does nothing.

Mr. Deputy Speaker, Sir, we have the Juba River which is in Somalia and our land stretches from Kiunga to Kismayu. Now, my people are faring better in Somalia than they are in Kenya. I would ask how long we shall continue to wait and feel that we are being neglected by this Government of Kenya. I am speaking very seriously, not as a joke. Up to this moment I tried to collect with three dhows and three motor-

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boats 350 people and up to this moment there are still another 2,500 people just lying along the shores and beaches of Mkokoni and I do not know what they have been eating since I left that place. Up to now this Government has not taken any action against what has been happening. On top of this, the Minister for Works and Communications visited Lamu when I tried to ask him what we were going to do now about the situation and he gave me an answer (and yet he is a Coast Minister and this area is a part of the Coast) saying that he was very hungry and tired and had to feed himself and then we would see what could be done. I have not seen him since then. Mr. Deputy Speaker, is this the way in which Kenya is going to be governed? It is far better for us to be told the truth as to whether the Government is going to rule us and act just like other governments in this world, or whether it is going to rule certain districts; and everybody in Kenya is fully aware of those districts.

Mr. Deputy Speaker, Sir, in regard to the north, for nine months now we have never been able to drive from Mombasa to Lamu by road. All the time we have to fly just like birds. If I can't fly, a Member of Parliament, how do you expect a poor chap to fly from one area to another? In other words, we are sailors. We have dhows, but during March, April, May, June, July and August, the winds are so strong and the strong Gulf weather comes down, and we are unable to sail. All the district of Lamu is short of sugar, is short of food, is short of everything. All these people have left their farms on the mainland. Those people in the islands are safe from *Shifita* attack and these people of the mainland are the only farmers of the district, and they have now left the mainland and are staying on the islands. What do you expect the people to eat? Are we going to eat fish all the time? We are so tired of this Government, especially the people of Lamu, we should be told whether we are going to be ruled in the same manner as the other districts or not.

An hon. Member: You are being ruled.

Mr. Somo: We are being ruled, but what action is being taken for the people who are being attacked? They are just lying along the seashore, along the seaside, and the children are dying of hunger and lack of water. What can we do for these people, Mr. Deputy Speaker? This is a matter about which everybody should be sorry.

People have money to buy the food, but the shops are empty and the dhows cannot sail from Mombasa or Malindi to Lamu, and the charter 'planes are the only transport going, and they are

supposed to take only 2,000 lb. not more than that. I call upon the Government, I appeal to the Government, to do what they can for the people before we are faced with starvation of these poor victims of the *Shifita*.

Mr. Deputy Speaker, I would raise the point of the loans to fisheries. We people of the islands are dependent upon the fishing industry and upto this moment, only Indians go to Lamu to buy the fish for the price of cents twenty-five (-/25) per pound and these Indians go to Mombasa and sell the fish for 1/50 per pound. The Minister for Commerce and Industry as well as the Minister for Natural Resources—I am very glad to see the Parliamentary Secretary for Natural Resources is here—went to Lamu and made very many arrangements, but up to this moment not even an egg shell has been kept of what they have said. I tried my level best to take them around. They said that this was a good island. It has a good history, there are monuments of Portuguese and Arab culture, etc., and yet nothing has been done. So, how long will we wait in this connexion?

Mr. Deputy Speaker, the evidence is quite clear and I am telling this Government that they should settle these things very quickly otherwise they should not spoil the opportunities of the Lamu District. I am saying this very openly in this House.

Now, Mr. Deputy Speaker, I want to tell you something which is very surprising, that among the Africans who are living in Lamu District some of them have changed themselves into *Shifita*. When the *Shifita* attacked this area (Bajun) there were several Gabbra armed with bows and arrows and marching together with the *Shifita*, and yet they are living in the Lamu District along the Bajun District. People are tired of waiting for this Government to do things. How long are we going to wait for the Government to act in this matter? I am giving a warning to this Government that if they do anything for the Lamu District they are going to have it (Inaudible.) We started from "A" and we ended at "Z".

Now, these people are known by name and they are the people who are directing the *Shifita*.

An hon. Member: Why do you not report it to the police?

Mr. Somo: What is the use of reporting it to the police if the police are not doing their work? The General Service Unit are scared to do their work, so how can we expect traffic people, just directing the traffic, to go and capture *Shifita*? I am going to be very clear on this issue.

[Mr. Somo]

Mr. Deputy Speaker, education in Lamu District was completely neglected not only in the past by Colonial Rule, but now in an Independent Kenya, which is a shame on the National Government. There are only four primary schools in the whole of the district. On top of this two primary schools are being closed and only two primary schools will still exist. The first has only 83 boys and the second 150 and that is all. The population of the district is over 60,000 people.

Mr. Deputy Speaker, I want to know the plan of the Government. We have this book "Six-year Plan". It mentions nothing about agriculture in the Lamu District. What sort of six-year plan is it? They mention very little about fisheries and yet they say that Lamu will be developed. But when will it be developed, when? We will wait for the Six-year Plan to develop Lamu.

There is also the question of medical facilities. We have only one hospital which can accommodate patients and we have only three clinics in the whole of the district.

[The Deputy Speaker (Mr. De Souza) left the Chair]

[The Speaker (Mr. Slade) took the Chair]

Mr. Speaker, Sir, it is a shame on this Government if they are going to do things like this.

An hon. Member: You are of the Government yourself.

Mr. Somo: I am not the Government, you are the Government. I am now going back to the question of the farms because the Minister for Home Affairs is now here and I have personally explained a lot about this to him.

The Minister for Home Affairs (Mr. Oginga-Odinga): I have told him that we will look into the matter.

Mr. Somo: And you too. You give lip service saying that such and such will be done and nothing is done.

3,250 people have left the Division of Kiunga which is on the mainland adjoining the border with Somalia, and they are lying at Mkokoni, at the seaside and these people are left idle without water to drink, without anything of this sort. Mr. Speaker, Sir, I took 250 people from Mkokoni to Lamu Township and we received a donation from the Lamu merchants and from this (I have made a list) we can manage to have only 500 out of the 3,500 people who were left at Mkokoni. I think that at this moment the

people are still in the same position; the children are dying of hunger, and because of the lack of food and proper clothing. These people have large farms of maize on the mainland. They left their farms and the elephants and monkeys are dancing in those farms, and the *Shiftas* are also there and have captured all the cattle which they are killing. The *Shifta* are also eating all the crops, helping the elephants and monkeys, and yet the Government is still demanding the Personal Tax from the people of Kiunga. These people should be excused this tax, Mr. Speaker, Sir. This is serious, and I hope the House will support me in this issue.

Mr. Speaker, the Government should take serious and urgent steps to help the people, especially the people of Sendeni, Roebo, Mundeni and other places. There is not a single Minister who has visited that area, and it has been attacked four times. I have been there at every attack, but still am alive. But there is not even a Minister who has been there. Not only that, but when the *Shifta* went there the main problem which makes the people shift from their villages is that the women are being caught, and they were doing actions while husbands and fathers are forced to watch the actions of what the *Shifta* are doing, and it is better for them to be killed rather than for things of this sort to be done. For six days the Government was not aware of what was going on. Not only the Government, even the General Service Unit was not aware of what was going on in that district.

An hon. Member: How do you know?

Mr. Somo: I was there: I am not a sleeping Minister. I am a Member of Parliament who is representing my people. We should be told by this Government whether we are going to be ruled so that we catch up with the other districts, or whether we are just going to be left as we are. On top of this, Sir, the Africans who are living in that district have changed their minds, they are tired of being dictated to and neglected by this Government, and they have changed themselves into *Shifta*. If the Minister wants the names I can give them. These are the people who are living on the mainland of Maharani, and there were seven and they were armed with arrows and bows, and yet yesterday when I came to see the *Shifta* victims, the Minister for Works arrived and the Regional Agent arrived from Malindi. When I told the story they started to laugh and said they had heard it from the radio, and this and that, so what actions are they going to take? They said "What can we do because the sea is rough?" and this and that. We should

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be told whether they are going to rule the district or not. Today there are only seven people who have changed themselves into *Shifta* but what about tomorrow? It will be the whole District of Lamu. We should be told, if possible, by tomorrow, and if they are going to make remarks like that the Government is going to see for itself and then the people of that district should not be blamed.

With these few remarks, Mr. Speaker, I beg to sit.

Mr. Ngei: Mr. Speaker, Sir, before I begin to speak on the Budget, I would like to congratulate the hon. Oselo Nyalick on his speech, the hon. Member for Winam which is the first he has made in the House.

Mr. Speaker, I would like to concentrate on the Preamble of the Prime Minister to Kenya's Six-year Economic Plan and I would like to underline a few paragraphs which I think the Prime Minister made meaningful. It has been said in the past that "First, seek ye the political kingdom, and the rest shall be added." This is quite opposite as far as the ordinary person, the ordinary citizen of Kenya, is concerned. It is quite the opposite. The political kingdom has been achieved, but nothing material has been achieved. This is of great concern, not only to this House but to the world which is watching us to see whether these, so-called by the Imperialists in the past, savages, who are now ruling their own country, to see whether they are ruling in the right way, in a profitable way, for the people. Before I go deeper into the Preamble I would like to make a few remarks. First of all, I would like to register my protest to the United States for the behaviour with which they have treated our three students, while at the same time on the pretext that they are trying to build up the national youth services by giving us loans to develop the national youth services. I think the United States must be told in no ambiguous terms that we Kenyans take a serious view of the three students who were very badly mistreated. Because it has been said, Sir, and it is down here that this Government will not tolerate any discrimination from any race. If the United States Government want to be friendly to the Kenya people, they must know that the Africans or negroes, or whatever term they use in America, are the sons of Africa, and that we feel that anyway in which they are mistreated is really throbbing our hearts as far as we are concerned in Kenya. They can play about with other people but we in Kenya feel very strongly when our brothers are being

treated in the same way. I ask the United States to review their foreign policy and to know that we are physically, mentally and otherwise equal to them. We can also produce great men as Kennedy in Kenya, and any sign of trying to show discrimination would be viewed with great contempt, and I think they will understand the feelings of the people outside. Therefore I would like to register in the House the greatest protest ever registered in Kenya for the mistreatment of our three students in the United States.

Sir, I want to labour paragraph by paragraph, with your permission, Sir, you know very well, Sir, it is very well known here in this House, that your honourable position was achieved because every Member had confidence in you and you were elected unanimously to chair this supreme authority of Kenya. So has the Government. The Government has been elected with confidence, but we are not prepared just to sit down and watch our great Prime Minister and our Government being undermined because we are told to dance the tune that is being played by whoever pays the piper.

The Parliamentary Secretary to the Prime Minister's Office (Mr. Nyamweya): That is the Paymaster.

Mr. Ngei: I want to be critical to the Government but before I do so I would like to say in absence of the Minister for Finance and Economic Planning that I would like to thank him for his able preparation and the speech he gave. All know his qualities of being a good Minister for Finance, he is a very able politician, but one with meaning. I would like to thank him very much for his able speech and I would like to labour on various aspects in the Development Plan of 1964-70. The first paragraph of the preamble of our dear Prime Minister reads as this: "My Government has continually affirmed its determination to build a nation" (underline the word "nation") "based on greater welfare for all its citizens." If I were the man who was printing this plan I would like to underline, or perhaps print in capital letters, "great welfare for all its citizens". This is very important. What citizens? This is the place where I want to labour, Mr. Speaker. We have a multi-racial society with a non multi-racial economy. We are expected, we the representatives, to go and tell the people which we represent that everything is well and everything is all right. We are expected, of course, to say that every word that has been printed here is nothing but gold, but in the past we have been told that all that glitters is not gold. Therefore, although the plan has a

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great future, and there is great economic planning, there is only one thing the Minister for Finance and Economic Planning has forgotten; that a multi-racial society with a non multi-racial economy is the most dangerous society anywhere in any corner of the world. This is why we shall be faced in the very foreseeable future; let me not be very specific; people will be tempted to revert to activities like robbery, thieving, and so on. I think I have always believed that it is right and proper to root out the trouble before the trouble comes to you. In order to see that we do what we are expected, and we have told those people who gave us votes to come to this hon. House, in order that we may fulfil what those people do expect, we must be very realistic. What is the structure of the economy of Kenya today is the criterion of the whole Development Plan. See the *élite* class, the Indian traders with millions and millions of pounds, shipped already to India. They are so clever and cunning that they have to buy properties on mortgage, because they know the moment that they do not pay their monthly instalment or yearly instalment, the property will be sold. But their gold has been transferred to Bharat Mata—i.e. India.

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo): To where?

Mr. Ngei: Mr. Speaker, this is of great concern to us all. The Indian traders must be told in no uncertain terms that they must change their minds, that they must think twice, because this is an independent country and we are not going to allow ourselves to be dependent economically. They have the whole wealth in their hands, and here I would like to refer to Chapter Three of the preamble which says that: "Economic growth will itself create many opportunities for Africans to enter the monetary economy. We must provide education and training to prepare Africans to take advantage of new opportunities," and so on, etc. "Opportunities for Africans to enter the monetary economy," underline that. The African with his ten shillings and twenty shillings are told to compete with those multi-millionaires, compete with them in buying goods. Unless you prove that you are capable economically, you will not be given a loan, and the African is expected to start his business with five shillings. We know that Woolworth had the opportunity to start a five cents store, but this is the modern age where the big ones fight the small ones. This is the place where you see the old law of the jungle, the survival of the fittest, and this is

what I have to point out to the Minister concerned, and my Government, well—not my Government—but the Government which I support.

This is the point I want to labour, and see that everything untold in the past is told today. I am supposed to start my own business, perhaps with a loan from the Agricultural Ministry, or perhaps a loan from the local authority loan board, and I am given £50 perhaps to pay at least Sh. 20 or Sh. 100 every month. I am supposed to run a business with £50 against a well-established firm who enjoy the monopolistic advantages that there are. Mr. Speaker, Sir, I would like to tell the House that this is a matter which I regard as being of crucial importance, and that the Government must be told in no uncertain terms that the pattern of the economy today must be changed.

The Parliamentary Secretary to the Prime Minister's Office (Mr. Nyamweya): Tell us what.

Mr. Ngei: If the Indian—we can do that by safeguards. They have tried in Ghana and have succeeded. They have tried in the United Arab Republic and you have got the guts to say, the Parliamentary Secretary has got the guts to ask us what. If I was in the Planning Ministry I would tell you what I would do.

If we see the pattern of Ghana, it provides facilities for the men with wealth, not material wealth, for the man who can think. It also provides for the lower strata of society but the society which we have at the moment is unpleasant. My hon. friends here, and I am not insinuating anything, if your pocket is empty and you have nothing to eat, my friends you will end up the next day in jail for theft.

The Speaker (Mr. Slade): Order, order.

Mr. Ngei: I am sorry, Mr. Speaker, I thought my remark was not insinuating to anyone, I was just trying to elucidate a point. I was saying something must be done, and it is lacking in this valuable Development Plan which will take us about six years before we realize it. What I am really concerned with is for the layman to realize that this is an independent country. I know the truth is bitter.

I want to come to another paragraph, Mr. Speaker, I intend to cover as quickly as possible. The preamble says "to reduce unemployment immediately, my Government, employers and labour unions", that is quite true. But don't forget that this monopoly starts as I say, the people who have money can control the employment by saying "my factory does not turn over

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 that much”, in fact you have seen them being unfaithful and running out of the country with large sums of income tax unpaid. They can also falsify their returns by saying that “my factory produces so much and I have so many over-heads my net profit is only one hundred pounds”. The rest he pockets. No one examines how much production and so on. No one can say everything which is Government controlled is perfect. There is always a leakage somewhere. These people are cunning. Even when a great country attains independence, they have their political alliance to their country. They say, “Gandhi *ki jai*”; they say, “Nehru *ki jai*”. I have never yet heard them say, “Jomo Kenyatta *ki jai*,” or even “Kenya *ki jai*”.

I must be very frank, Mr. Speaker, I am a nationalist of the first order, and I cannot really believe at any time that these Indians have any national aspirations at all. Because you have a national pride when you have an objective when you have an objective to achieve. Their objective is to push, squander us and get as much money from us by any means, whether crooked or straight and get money out of the country. I confirm in saying this, and I will say it tomorrow and even when I go to my grave. I believe that this is the truth and truth I abide with.

The Speaker (Mr. Slade): Order, order, Mr. Ngei I would ask you and hon. Members not to generalize more than you are really justified. You can so often say that everybody would agree with you doing one thing when you mean only some of them are doing it. I think the responsibility rests on Members
 (Inaudible.)

Mr. Ngei: I quite agree with you, Mr. Speaker, I think there are some good ones. I can list the good ones. I am sorry that I have been too general because there are good ones, there are faithful ones, those good ones are respected by Africans, but the rest I am afraid I have no place for them in my heart.

Mr. Speaker, in paragraph number two where we say “Rapid growth also requires the co-operation of other countries,” and so on, and while we appreciate the benefits of these dependents we propose to achieve greater control of our own economy and destiny by reducing the inference of external focus.

Our plan provides for production in Kenya for more goods, we know. That is the place where we have been told in the Development Plan that we want to have foreign exchange. I want to

ask one thing. Should we have big factories so as to attract foreign capital. What about the Kamba carvings? What has the Development Plan done about it? You tell me, what about the Kamba carvings, which have earned a lot of dollars from America, a lot of roubles from Russia, and a lot of liras from countries like Italy; England as well. Why have we not been told that these people should be put together into co-operative societies to organize the marketing of carvings which should be centralized by the Government with Government guidance. Why is it that these great economic factors or advantages been left out. This is one of the things that I believe must have the *Harambee* spirit within, but I am saying we must not have the *Harambee* spirit without *Harambee*. So I want to be very specific.

I want to come now, although I am not speaking on one large area, I am really speaking about Kenya. The whole thing, the whole economic Development Plan must be based first on the lower strata of our society. There are countries which started with local industries, right there, so that the village man can have something to earn. But this Plan is devoid of that. In this we are expected to be right up in the sky like a rocket before a shooting base. This is how this plan is. You can never expect a rocket to be right up there unless it has a shooting base. The shooting base of our Development Plan would have been local industries in the villages and in the urban areas so that the ordinary African can earn something, the ordinary citizen of Kenya who is incapable of being a professional man or otherwise can at least earn something. Therefore, Mr. Speaker, I am saying that this Development Plan is void of the basic foundation of any economy in any country.

Let us now generalize. We have been told here by the Parliamentary Secretary to the Ministry of Agriculture who is a very good friend and a very capable Parliamentary Secretary, that some money has been spent in Yatta. How long have we heard this story. The fact is that the water which was dug by the detainees is running to another river and escaping to the Indian Ocean. The detainees, the people who really fought for Independence in the real sense; some died there to dig this furrow, trying to see that it would benefit the people. What is happening here? I am very sorry for my hon. friend to tell the House that something is being done. There is nothing which is being done, and I am saying there is absolutely nothing. There is water flowing right up to another river, right out to the Indian Ocean. Yatta could be the Argentine of Kenya, in the real sense. You can have

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the best beef, the best ranching area, and to develop that area is not as expensive as is expected, but here in the Plan which I have read in and out, we are told that the Government can only develop about 1,000 acres. This is a great shame. The water is there, the furrow is there. We have been told several times that somebody from Israel is coming, somebody from West Germany is coming. We have told the people who elected us that somebody important is coming to advise us from Israel. They do not come. We tell the people somebody is coming from West Germany. That day comes and goes and no-one turns up. A letter is written saying I'm sorry and this and that. We have been told and are tired of this story. It is written here "there are areas of potential" but I am saying Yatta can be twice as much, because here it is not climatic conditions we are thinking of. What about countries like Israel which are really advanced agriculturally. I was there and I saw every corner of it. Go and see the beauty of it, the biggest oranges which can never be produced in Kenya, the biggest cabbage. Israel is the leading exporting country in poultry and eggs. It is semi-arid. Those people are determined to develop Israel, and yet we are told that Yatta, and only a thousand acres can be developed. Mr. Speaker, Sir, with due respect, these are some of the things which make the people feel that the Government is not playing fair. We can not have one area only being loaded with industry, with hospitals, with everything, with money, what about the other people. Is that the *Harambee* spirit we are really expected to support.

An hon. Member: And yet you support that Government.

Mr. Ngei: Therefore I am saying, if the Opposition could behave themselves and not act like school children, but I am not surprised because of their constant behaviour.

Therefore, Mr. Speaker, let us go on. Yatta could also extend not only to areas in Ukambani but further afield. We know about the Yatta Plateau. That is elementary geography. Even my learned friend, the Minister for—I don't know what you are for. These furrows could go up to the constituency of my hon. friend, the hon. Mr. Somo. It could also irrigate areas of lower Kitui and Embu. Therefore, what I am saying is that something must be done. Yatta could be the Argentine of Kenya, when a good Government, and this is a good one, puts up the money.

Let us look from there to another place, Mbooni. This is a place where a canning factory could be put. There are a lot of tomatoes, and this is the area where a lot of tomatoes come from. What is being done about it. There is no factory, we are told this and that, but I must say I disagree with what we have been told. It is high time we saw some action. Mbooni is another very feasible and potential area for a factory to tin tomatoes.

I now want to come to another area, dealing with the agricultural aspect first before I deal with other things. For three consecutive years my constituency has been number one, with the best coffee in the world. This is the truth.

The Minister for Agriculture and Animal Husbandry (Mr. McKenzie): Question.

Mr. Ngei: I am saying that this is true and if the Minister for Agriculture were here he would agree. This is an area where the coffee is the best, but what is happening. No loans are being given to these farmers, nothing has been done, I was checking up with the Senior Loans Officer. I underline the word *senior*. He gave me a figure of only three hundred thousand shillings, not pounds, which has been lent to Kitui and Machakos District. This is fantastic and you can't build a country like this, and therefore I say something must be done. Let me go one by one. You have the castor seed area, these fetch a lot of money for Kenya. What is being done? Nothing. No organized marketing at all. We have heard also about the nature of cotton.

May I tell the House that now we have one of the best cotton-growing areas in Kitui and Machakos and we can give a lot of economic advantages and money to Kenya if these people could be encouraged by way of advancing money to them. Look at all this wealth from one area, but yet the area has been neglected and a lot of money has been put in one particular area. What for?

Now I want to come to another aspect, tea supplies. I want to move quickly because I see the light. We have no hospital except in Machakos, which if I may say it is an old nineteenth century hospital, without any facilities. Every time the Minister for Health has talked to us he, says "you wait until you hear my plan". How long am I going to wait? How long is it going to take? At least something should be done in Machakos and Kitui. These are already suffering, Mr. Speaker, because there are other areas like Rendille, like Turkana, like Samburu. the North-Eastern, these people are suffering these things. The livestock trade is being controlled by

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European companies. And not even by the Somalis, and this is the cause of the Somalis being *Shifta*. If the Somalis are given the economic whip, they then will come and support the Government. They have organized European livestock companies which give an African trading company, whether run by Somalis, Kikuyus or Luo, I do not mind, provided it is an African owned. The cattel are held there in quarantine for a year so as to break these African companies. But if other Europeans come to trade and buy the cattle, they are hushed and there is no foot-and-mouth disease because they want to hurry them out to the Kenya Meat Commission. We are seeing these things and we are an independent country and I do not think we can allow them to go on. Therefore, Mr. Speaker, I am all out to see that the North-Easterners, the Rendille, the Turkana, the rest, do get their fair share in this economic plan.

I want to come to another point. Go to these areas I have mentioned and see the state of the roads. If you go to Kisumu, see my hon. friend the Minister for Home Affairs, you drive on tarmac roads. If you want to go to the home of the great man there, the national youth leader, the hon. Mr. Kariuki, the whole way, right up to his front door, is on tarmac roads. But when you want to go to Machakos, Mr. Speaker, and you want to have a tarmac road, you must invite His Imperial Majesty to come to that place so that the road can be tarmaced. Suppose we wanted the people of the Eastern Region to see His Imperial Majesty, Haile Selassie the First, the Lion of Lions, the Lion of Juda, the King of Kings, there would be trouble, because the roads were so bad.

The Speaker (Mr. Slade): Order, order, order.

Mr. Ngei: Even if the Government, the Regional Government Agent, wanted to be sure that his Imperial Majesty was coming to the Eastern Region, what would happen, Mr. Speaker? There is no telephone, there is no electricity, he would have to stay in the dark. There is no road, there is nothing. Therefore, Mr. Speaker, I would like more time but after all I am to be cut short, but I would like to—

The Speaker (Mr. Slade): No, no, Mr. Ngei. Your time is up.

Mr. Ngei: All right, Mr. Speaker.

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo): Mr. Speaker, Sir, I think as a Member of the Treasury I would like to congratulate the hon. Members

for taking a very keen interest in the Budget as well as in the Development Plan, and also on offering very good criticism. But I think, Mr. Speaker, that there are a few points which need to be mentioned and some kind of background that should be made clear as we go on discussing this Budget and the Development Plan.

Mr. Speaker, Sir, it seems that there is so much confusion in the hon. Members' minds with regard to what the Government is, and it seems that many of the hon. Members seem to feel that Government is confined to those people called the Ministers and perhaps to some Parliamentary Secretaries. The other thing that seems to come up all the time is the question of the structure of our economy and what the Government is doing about it and how this plan is envisaged to solve some of our economic problems. It would appear that many hon. Members feel that the problems that we have, whether they are economic or political, are the problems of the Government making. Now, Mr. Speaker, I think, it would be a good thing, in order to appreciate the economic as well as the political and social problems that we have in Kenya today, to look a little at the back and see how these problems originated.

With regard to our economy I think it is common knowledge to all the Members that when this country was Colonized by the British Government and when the European settlers came into the country, this country was supposed to be a white man's land.

After a while the policy changed and we had multi-racialism—which was mentioned by one of the Members just a while ago—and this meant that educated Africans who had an adequate civilized standard were to mingle with the Europeans to rule this country. However, it was not expected that the whole of the African population would participate in this. Likewise, you find that in the economy we started to develop two kinds of economy, one which is a modern economy, based on the industries that we see, the large scale plantations, the big commercial concerns, and the banks, and there was the other economy which was mainly a subsistence economy which was confined to the majority of the African population. This development was there before we achieved our Independence and now that we have our Independence, one of the foremost targets we have is to correct this imbalance. What happened was that while we had a good modern economy, or monetary economy, the majority of the people of this country were confined to subsistence economy which was, as a matter of fact, deteriorating all the time. This, of course, can be seen by mere

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observation, even if you do not have the figures. If you look at many of the African villages recently, they are much poorer than they were many years ago when we were young. Even if you look at the diet of most of our people recently, the diet is much poorer than it was during our childhood. Many of the hon. Members can remember that in the past, African homes had plenty of milk, meat, fish and things like that, and this has, recently, not been the case. As I said, Mr. Speaker, Sir, the aim of the Government, the aim of this Budget and the aim of this Development Plan that we have is to correct this imbalance so that we have one integrated economy where everybody would have a chance to do his best and to benefit. Mr. Speaker, therefore, this country, after the last elections, had a Government which represented everybody, and not a few people, not the educated, not the teachers, not the rich ones, it was a Government which was elected by everybody in the country except the children who were immature. Therefore, one thing that seems to be confused here is that the Government that is ruling this country today is the Government of the people, it is the African peasant in the villages, the African worker in the workshops in Nairobi, that are ruling this country. It is not just the Ministers, and this point should be made very clear. I think that if this point is made clear to tackle some of the problems that the hon. Members have raised, would be a little easier because if we realize that this Government belongs to everybody in the country and is the Government of the people, then we could approach all the problems that we have in that light. If we take, for instance, the Civil Service, this Government naturally expects the Civil Service to carry out the wishes of the people of this country and not just their own wishes or something which they learned from the Colonial period. This is something that the Government insists on because it is well known that there was a different kind of society planned at that time, the Civil Service was trained in a special way. Many of them learned to despise Africans, and many of them learned to despise African ways. It is now time that these civil servants must learn to respect everybody, all Africans and people living in this country because this Government belongs to the people and they are servants of the people, so they cannot despise them. Therefore, all those civil servants who used to refer to Africans as uncivilized people and who were educated in such a way that they became so British that they even referred to Britain as "home", they have now to refer to

Kenya as home and not Britain, and they are the servants of the people. The Government is not going to stand those people who are not going to change and this has been made very clear as the House knows. A number of chiefs have been expelled, those who could not adapt themselves to the new circumstances. The majority, who could not adapt themselves have been removed, and the Government will continue to remove those who are not going to change, whether they are Government Agents, or even if they are Permanent Secretaries. Unless they can change and learn that they are serving the people, certainly this Government of the people is going to get rid of them. So, Mr. Speaker, Sir, this is the point that we want to make very clear.

Another point which we should make very clear is this question of business. If we realize that this is a country which belongs to the people that live here, and that the majority are peasants and workers and so on, then the businessmen also should realize that they are members of the society. Now there might be some foreign *entrepreneurs* such as we have today. It is important that these foreign *entrepreneurs* must understand the wishes of the people of Kenya in which they are doing business. They must also appreciate the aspirations of the people and they must understand the problems of the people and adapt themselves to that. Whether they are European, or whether they are Asian, that does not matter at all. All of them have to adapt themselves to what they see here.

Mr. Speaker, one thing we do not accept is the interference of the foreigners in the Government of the country, for instance, when they want to change it to suit themselves. This is the problem which is not only in Kenya but is one of the fundamental issues over all of Africa today. It is quite clear that we are going to need foreign investors in Africa, and that we are going to need foreign *entrepreneurs* in Africa, but it is very important that these foreign *entrepreneurs* should understand the aspirations of the African people so that this co-operation can go on satisfactorily. If there is any interference from them so that they intend, for instance, to chose leaders for the Africans, to try to build some people up because they feel that these people maybe would make better leaders and that they would prosper under such leadership, this will destroy the good relation that we must have. Mr. Speaker, Sir, I think it is very important to advise everybody concerned that the most important man in Kenya today is not the Minister, or a Junior Minister like myself, but the most important man in Kenya

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today is the peasant in the village and the workers in the factories here. Therefore, I am saying this because quite a number of hon. Members said that—

The Speaker (Mr. Slade): Mr. Oduya, would you please cease that conversation there.

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo): Quite a number of hon. Members said that some of the Ministers like ourselves were in the pockets of businessmen. It must be made very clear indeed that this Government is made up of people who were elected by the people of this country and it is a Government of the people and any Minister who is going to be so small that he can fit into an Indian's pocket or into some *entrepreneur's* pocket, is not going to be accepted by the people of this country. This being the case, I do not think that it is necessary for anybody to make any noise because this is already the Government of the people and the people will see that they are governing properly.

Mr. Speaker, I would now like to come to this question of nationalization which has been mentioned by hon. Members. This question of nationalization can, of course, be over-simplified. When you nationalize you must have somebody to run the business and I think it would be wrong if we took it that anybody who runs a business in this country is some kind of a wicked person. To run a business you must have some talent and when you nationalize these factories, or whatever they are, you must have this talent. If you do not have those people, the business is going to fall and your nationalization is going to come to nothing. This I think we must realize, and, therefore, we cannot just talk of wholesale nationalization without considering or without being realistic about it. The Government is very aware of this policy and it is only last week that the Government nationalized, or at least passed a Bill to nationalize the K.B.C. So, Mr. Speaker, I think that we ought to move more carefully on this.

Before I sit down, Mr. Speaker, I would like to make a few remarks on this question of tribalism. This is one of the things that faces us all the time. We want economic development in this country after gaining our political independence, but tribalism is one of the enemies. The thing is we must understand it because all of us belong to one tribe or the other and we are Africans by belonging to a tribe. Being a member of a tribe is not a crime, and dancing your dance is

not a crime and this is known very well. But I think what is wrong is what we could call pseudo-tribalism. The pseudo-tribalist is a person who is actually not really a Masai, for instance, because he cannot speak the Masai language very well and he does not even know the Masai culture very well, but because he wanted a job somewhere and he could not qualify he comes back to Masailand and claims that he was not given the job simply because he was a Masai, the only people they want are the Kikuyu, or the Abaluhya. This kind of person is a very dangerous man because when he goes back to his tribe and says they must give him support because all the Luos and the Baluhyas and the Kikuyu are taking everything, he helps to promote instability and that is a pseudo-tribalist. What we want to do in this country is, if any hon. Member wanted to go to India for instance, he would find that in India they speak so many languages, they dress so differently and everything, but they are all Indians and that is the Indian culture. We are very lucky in Kenya to have so many cultures, so many languages and when we see a Luo dance or a Kikuyu dance or a Masai dance or an Ukamba dance, that is a Kenya dance and Kenya culture, and that is the attitude that we should take about this. But this defeatism, these people who cannot make their way due to inefficiency, people who are trying to hide behind their tribes, and say that it is because of tribalism, they are dangerous.

Mr. Speaker, Sir, I think I am coming to the end of my talk and before I finish I would like to refer to some conferences that I have had the privilege of attending to represent our country. There was one at Addis Ababa on the African Economic Development and also one at Geneva on the World Economic Development. Here, Mr. Speaker, we discussed various problems of African economic development and when in Geneva we opened the way, or nearly opened the way, for African economic development. We opened the way for trade so that *entrepreneurs* in Kenya, if they can produce manufactured goods, these goods can find their way to European markets. We have also opened the way, or tried to open the way a little, with regard to stabilizing the prices of our commodity products. We have also tried to open the way a little bit with regard to the flow of funds coming into this country for economic development. So, Mr. Speaker, the conclusion I had was that at the world level and the African level, there are good attempts for economic development. All we have to do now is to work ourselves. We cannot expect this country to be developed for us by somebody else. We have to develop it ourselves and this is why I

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would draw the attention of the hon. Members to read very carefully especially the Government plan with regard to the self-help schemes.

I think, Mr. Speaker, that the hon. Members could do much service by encouraging everybody in this country to get out and work instead of just talking and complaining. This is what I think is very important. We should realize that we shall have to rise up and stand on our own feet just by our own good selves. You cannot tell somebody to come and stand you up and give you everything to do and then leave it there for you to enjoy. That is not going to happen. We have to work ourselves and we have to encourage our people to work.

Mr. Speaker, with these few words I would again like to thank the hon. Members for being very keen to look at this Development Plan but, I would urge them that what really remains to be done is not a lot of talking but some work. Thank you, Mr. Speaker.

Mr. Mulama: Mr. Speaker, I would also like to congratulate the Minister for Finance for his able presentation of the Budget which is the first Budget of Independent Kenya. In spite of his able presentation, I have a few observations to make. To begin with I would like to draw his attention to his red book, the Development Plan, 1964-70. In that book there is no mention at all of the Western Region with the exception of the Bunyala Irrigation Scheme which is known all over the country. But that is only a small part of the Western Region. It is not only that, but the Western Region has a lot to contribute to Kenya's agricultural development, if it is given a chance to do so. We grow cotton. In the red book there is no mention of assistance to increase cotton production in the Region. We also grow sugar. There is no mention of sugar at all. With regard to sugar, this is a problem which we have put to the Minister for Agriculture time and time again. We want a white sugar factory in Mumias Division. This has been repeatedly ignored both by the Minister for Agriculture and the Minister for Commerce and Industry. I hear the Minister for Finance say this is parochial, but I see no reason why three industries should be located in one Region, that is Nyanza Region. Three sugar industries. Why not transfer one to the Western Region? The Ministry is more parochial than myself I should think.

Another point, Mr. Speaker, is about cassava. We grow a lot of it in Western Region and there is nothing about whether we will get a processing plant to process this into starch, there is no men-

tion at all. These are our problems. We have our people growing these crops. How are we going to benefit from these crops unless we are given processing plant? I think the Minister for Commerce and Industry should know much better. We put it to him during his last visit to the Western Region that we wanted these factories. We wanted a sugar factory, we wanted a cassava factory, we wanted a cotton mill, a paper project, something which is always mentioned but we do not see any of them even mentioned in this Plan. Mr. Speaker, it appears that the Government Ministers are only interested in places where their friends are and not in other places—

The Minister for Finance and Economic Planning (Mr. Gichuru): Question, question.

Mr. Mulama: This is true, I could substantiate. My friends are here from the Western Region, perhaps, they are not friends of any of the Ministers, and where are these projects. Why do you not give us these projects?

Another thing, Mr. Speaker, is that in a potential agricultural area the Minister seems to be purposely reluctant to provide us with vital things like electricity which we need urgently, when we have electricity in Busia which is very close, why is it not possible to get this electricity applied in the Western Region? If you cannot provide us, we have rivers from which you can get a hydro-electric scheme working to supply the whole of the Western Region. I would like to know, Mr. Speaker, Sir, why these supplies from the Uganda Electricity Board pass us by, why when the main line passes through Bungoma, why Western Region cannot be supplied from a transformer located at Bungoma. Why suggest Nairobi or other places so far away from the Western Region when there is a power line passing through the Region? It will not consume more. We have rivers just nearby to provide electricity.

Another thing, Mr. Deputy Speaker, is about the Maize Marketing Board. I understood that this would be centralized very shortly and I think the growers in Western Region will not benefit very much once this is transferred to the centre because, as I understand, it is suggested that the big positions on the Maize Board will be given to certain Europeans, and I think this will not be very good for the economy of the country. I would rather have this remain in Nyanza and Western Regions; if they want this position, let a part go to Western Region and a part to Nyanza Region. I think I am right there, Mr. Deputy Speaker, Sir. It is no good having these things at the top, when you have the General Manager a European, Assistant General Manager

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a European, and somebody else a European. How are we going to realize this economy, particularly as it affects Africans?

Mr. Deputy Speaker, Sir, another point about this foreign exploitation which I would like to put to the House, particularly to the Minister for Commerce and Industry, is that I think in our planning we need a financial wizard to plan for Kenya. If we cannot get him here, I would advise the Minister to go to any country, to Eastern countries for that matter, to get somebody who can plan the economy of this country on socialist lines because we just deceive ourselves that by planning on capitalist lines we will raise the standard of economy of the people of this country. That is nonsense. It is no good, and it does not help anyone, to see such big shops in Nairobi owned by foreigners. It does not help anybody, having all the big businesses in this country, monopolized by foreigners, and particularly Indians whom we fought. We fought foreigners so that after Independence we could remain, and create that economic independence which would raise the standard of living of the masses, not continue to feed foreign business.

The Minister for Finance and Economic Planning (Mr. Gichuru): Send them away.

Mr. Mulama: We are going to send them away. Mr. Deputy Speaker. The Minister for Finance asks me to send them away, Sir. I think if you can get somebody from socialist countries to plan for you in your Ministry, we will send them away within a very short time.

An hon. Member: Are you a socialist?

Mr. Mulama: Somebody asks me whether I am a socialist. Without socialism, I honestly tell you, Mr. Deputy Speaker, that the economy of this country will make no headway.

Turning to agriculture, Mr. Deputy Speaker, I would like to suggest to the Minister for Agriculture that it is very essential that most of the big farms should be nationalized. I see no reason why a few landlords should exploit the masses. Why should the masses be exploited? Why should we have big landowners like Lord Delamere?

Hon. Members: (Inaudible.)

Mr. Mulama: It is Kenya, not Masai, and I am voicing the opinion of the masses of Kenya.

Mr. Deputy Speaker, I would also like to make a point to the Minister particularly if he is here, the Minister for Works and Communications, about the Railways. For a long time, Mr. Deputy Speaker, we have been asking for a railway line,

a connexion between Butere and the Uganda line for the movement of agricultural produce, but nothing so far has been achieved. I would like the Minister to put this to the East African Common Services, that we would like to have a railway line linking Butere and the Uganda main line.

Another point I would like the Government to take note of is about tribalism. Mr. Deputy Speaker, I would also like to point out to the Government that it has been very bad, particularly in the Civil Service, where you get this disease of tribalism going on and on, despite all the shouting from the public and from the Members of this House. Why can we not, as representatives of these people, together with our elected Government, do away with anybody who is found to be corrupt, practising tribalism, whether he is a Permanent Secretary, or anybody within the Ministry, or even a Minister for that matter? If he is practising tribalism he should be sacked because we are now tired, some of us do not like the idea of tribalism at all. If people act in a way we do not like, we should do something about them. I would like the Government to make a very serious observation of this point, which is of cardinal importance, both to this House and the country at large. We are ashamed of ourselves. The world is noting all this, the world is seeing how Kenya is becoming too tribalistic. What is the next step in Kenya from tribalism? A collapse of the Government, and the entire Civil Service.

An hon. Member: You are running away.

Mr. Mulama: If they start saying, "You are running away," in the Opposition, we will say that we are running away from their tribalism which is even worse.

An hon. Member:(Inaudible.)

Mr. Mulama: That is why I do not like tribalism, from the Opposition. I am trying to put it to my Government—

An hon. Member: Tribal opposition.

Mr. Mulama: —not to allow tribalism to come into any aspects of employment.

Now, Mr. Deputy Speaker, Sir, another point here is the talk of federation which many of the hon. Members in this House have been talking about. You may be tired of this, but I think I have my own way of putting it. East African federation, as I see it myself, is not a matter for any Minister, any individual, or anyone in this country. It is a matter for the masses of East Africa. The masses want federation and I think we should agree with the desire of the masses of East Africa, and give them what they long for.

[Mr. Mulama]

Before I came to this House, this was something which was not new to me because everybody outside wanted to federate. I belonged to the group which wanted to federate, before I even came to this House. We have quite a number of tribes who were federated long before the artificial boundaries were introduced by the Imperialists. For instance, we had the Masai, the Baluhya, we had the Teso, the Meru tribes, all federated, and so on. My own clan members are among the Baganda, and yet somebody here refuses to join the federation because he will one day find himself in the bigger set-up as a very small tribe. We all want federation and I see no reason why anybody should come and tell us that this is a matter for a particular head of state or a particular individual. As I see it, it is a matter for the masses. Therefore, I support the federation issue just as other hon. Members have done.

Mr. Deputy Speaker. Sir, with regard to the foreign missions abroad, I would like to suggest to the Government that it appears that we are wasting quite a lot of money in appointing various ambassadors to different countries when our finances do not allow it. I would like to put across one suggestion, that if some of our good East African neighbours agree, we should be represented by one particular country in a certain place instead of having individual embassies in various countries.

With this, Mr. Deputy Speaker, I beg to support the Budget.

Mr. Obok: Mr. Deputy Speaker, like many other speakers, I would first of all like to begin by thanking the Minister for Finance for his—

Mr. Muliro: On a point of order, could the hon. Member speak a little louder so that we can hear?

The Deputy Speaker (Mr. De Souza): Mr. Obok, could you come a little closer to the middle of the bench?

Mr. Obok: Thank you very much, Mr. Deputy Speaker. Like other previous speakers, I would like to—

Mr. Makone: On a point of order, Mr. Deputy Speaker, Sir, is it not in order to give a chance to the Members who have not spoken on the Budget debate rather than giving the chance for one person to speak twice?

The Deputy Speaker (Mr. De Souza): This is completely unfounded. You came to me earlier on and I told you that Members can only speak

once. We have a list of the Members who have spoken. I also know that Mr. Obok has not spoken. Now you say that I am giving a chance to people who have already spoken before. You know that it is not true, and you must not make such allegations. I have a list here of all the Members who have spoken before, and Mr. Obok is not one of them. You must not make such allegations.

Mr. Obok: Thank you very much, Mr. Deputy Speaker, I have not spoken at all.

I would like to thank the Finance Minister for his finest Budget which was not a shock to the country. The children throughout the country will be able to buy Coca-Cola and drink it.

There is one thing. Like my friends, the other Back-benchers, I have many things to say and I will have to disagree with Government on certain matters. One concerns the speeches delivered sometime back by the British High Commissioner to Kenya, Sir Geoffrey de Freitas. We are running our own country, and we cannot go on allowing a foreigner from Britain or Washington or Moscow or anywhere to reside in Kenya as a representative of his country to make speeches which could destroy our unity or to roam the country like another British Governor here. We cannot tolerate this, and if our Government is really sincere we would like to know why it has not said anything, when we have a representative of a foreign country in Kenya, he is here to represent his country, but not to insult us by making speeches like those made recently by the British High Commissioner. Our Government completely refused to come out and ask Sir Geoffrey to withdraw his remarks. I think probably one or two Ministers in our Government are trying to make use of Sir Geoffrey as a technical adviser.

Another thing is that our Government seems to be very clever, Mr. Speaker. I am not repeating what other Members have said, but something our Government has cleverly jumped over and left behind is the question of tribalism.

[The Deputy Speaker (Mr. De Souza) left the Chair]

[The Speaker (Mr. Slade) resumed the Chair]

Tribalism in this country should be allowed to gain no ground whatsoever. It has gained ground in Nairobi City. The appointment of officers in the City Council is done on a tribal basis, and if this is going to be accepted, then we are heading for trouble. We were elected by the people of this country to represent them in this House.

[Mr. Obok]

The thoughts we express here are not ours, but the peoples' wishes and we are not going to accept tribalism inside or outside this House. Tribalism has gained ground in the police force, and this is very bad indeed. A number of Special Branch officers from other tribes have been removed from Special Branch Headquarters and replaced by Kikuyu. They have been replaced by Kikuyu Special Branch officers whose years and experience in the service are far less than those officers who have been removed. This is pure tribalism.

Mr. Kibuga: On a point of order, Mr. Speaker, could the hon. Member substantiate the fact that the Kikuyu special branch officers in Nairobi have replaced members of the other tribes?

The Speaker (Mr. Slade): Mr. Obok, can you substantiate this?

Mr. Obok: If the hon. Members want substantiation, I can give this in detail tomorrow.

The Speaker (Mr. Slade): Yes, you should give details tomorrow, but if you do not satisfy the hon. Member, he will have to tell me.

Mr. Kibuga: On a point of order, is he going to substantiate here, or privately?

The Speaker (Mr. Slade): Privately, and if you are dissatisfied you must let me know.

Mr. Kibuga: Would it not be in order for him to substantiate when he has made the allegation to the House?

The Speaker (Mr. Slade): Order, order. It is desirable that, when hon. Members are challenged on an allegation they should substantiate immediately if they can; but I know they cannot always, and if they have evidence which they are prepared to produce in the next 24 hours, it is fair enough. Either he will produce it, or having failed to do so, he will come back to this House and apologize.

Mr. Obok: Mr. Speaker, what worries my colleague I do not know. I think myself and other hon. Members of other tribes should be very frightened as to their security in Nairobi. It is something very disturbing that we have a police force in this country, which is in fact intended to be built with raw material. One of these days we shall find that the wall is cracking.

The Speaker (Mr. Slade): Order, order. I am sorry to interrupt you Mr. Obok. I wish hon. Members to understand that if they wish to move from one side of the Chamber to the other, they should do so at the Bar or behind my Chair, but not across the centre of the House.

Mr. Obok: We should have a police force with all members of other tribes who have served the police force for so many years. Most of them are London-trained officers, well educated, they have worked very well at Headquarters, they have been station commanders in various areas in this country. We find today that most of these very highly educated officers with so many years service in the police force have been removed from Headquarters. They have been made regional commissioners in remote areas where they are absolutely wasted. We would like to protect this country. Kenya for some time to come will have to depend on the police force. If we do not make use of our highly-trained officers, at this stage, if we keep them fifty miles away in Kajiado, we are making a big mistake and it is a waste of time and this is why *Shiftya* has a chance of making so much trouble. I am wondering what is behind this move.

Mr. Speaker, Sir, to deal now with the other point, in the Nairobi City Council these allegations could be substantiated at any time.

Mr. Kibuga: The hon. Member who is worried about it, is fully aware that recently there was a row over fraternization in the City Council. In many cases you find when you go to the City Council you are being spoken to in Kikuyu language and this is wrong.

An hon. Member: What about the Luo language?

Mr. Obok: With regard to the promotion of police officers, I think this is something on which I will speak later. I will do so when we talk about the Ministry of Health, and I do not want to detain hon. Members for a long time. Mr. Speaker, the Minister for Health toured several overseas countries, and since he has returned he has not told us how many countries have promised to give Kenya medical aid. We would like to know this. Why I say this, Sir, is because in Nyanza we need a better hospital, with modern equipment and instruments. This is a very serious matter. In my constituency sleeping-sickness has been allowed to gain ground and several lives have been lost. Kisumu Hospital is stinking today, because it is overcrowded, there is not enough bedding, there are not enough beds, and it lacks staff as well. The Ministry of Health has been concentrating very effectively in the Central Province, and I sincerely hope hon. Members on both sides of this House will support that.

Turning now to education, it appears that in this country after independence we have embarked on a policy of importing teachers from abroad, from overseas. I think this is a very bad idea.

Mr. Murgor: What is wrong with that?

Mr. Obok: The hon. Member who is asking what is wrong with that, is an hon. Member who has been in this House for many years, and other Members are expected to learn from Parliamentarians like himself. This idea should be abandoned. It has been condemned many times by our Prime Minister, in fact we should try and encourage the original thinking. African original thinking is taught at school level. Therefore the Government must also try and set aside a special fund for training teachers locally. We must try and improve their profession by paying them very well, they must be well housed. We cannot expect a teacher to teach our children well when he has slept in a hut the previous night, where there is no light, when he is not very well dressed, and so on.

Mr. Speaker, Sir, this is the sort of thing on which I think if we are sincere and honest, we will pull ourselves together and do better. The Government should try and set aside a special fund and special ministry for Masai affairs should be created.

Mr. Oloitipitip: Hear, hear.

Mr. Obok: The neglected Masai brothers should join the same bus with ourselves. The Masai should be well dressed, they should be told to go to work, but they can only do that if they have some education. In this case, Mr. Speaker, the British Government did not teach the Masai, they did not tell them anything. So the Masai were left completely, were left looking after their cattle, as the only thing they were capable of.

The Speaker (Mr. Slade): Mr. Obok, you have quite a lot more to say I expect?

Mr. Obok: Yes, Mr. Speaker.

The Speaker (Mr. Slade): Do you want to speak again when we resume?

MOTION ON THE ADJOURNMENT

LEGION OF MARY RELIGIOUS SECT IN NYANZA

The Speaker (Mr. Slade): It is now time for interruption of business, so I will call on the Minister to move that the House do now adjourn.

The Minister for Home Affairs (Mr. Odinga): Mr. Speaker, Sir, I beg to move that the House do now adjourn.

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo) seconded.

(Question proposed)

Mr. Muliro: Mr. Speaker, Sir, I am moving this Motion on the Adjournment because of the most unsatisfactory replies we had from the Parliamentary Secretary for Home Affairs in connexion with Question No. 206, the Legion of Mary, in this House. Sir, when hon. Members ask questions in this House, they are seeking information from the Ministers or from the Parliamentary Secretaries. We do not want to see Ministers or Parliamentary Secretaries coming to this House unprepared to reply to questions. This was the case when the Parliamentary Secretary to the Ministry of Home Affairs got himself into a mess in the House. That made the whole House dissatisfied, and that is why I am moving this Motion on the Adjournment.

Sir, the House wants to know whether the Legion of Mary is registered or not. If it is not registered, is the Minister taking any steps to see that it is registered, so that there can be a society in Kenya as a religious sect, like the Roman Catholic Church, my famous religion. Another question, Sir, we wanted answered by the Minister, was whether these people were collecting money and if so had they been given a licence or permit to collect it, because it is illegal in Kenya to collect money from any person unless the individual who does so has a permit.

The hon. Minister who is in charge of Home Affairs is here, and he will be able to tell us, and he is also the Member for that area and has represented the area for many years. We hope he will be able to give us a reply to these questions. We understand that this sect takes over the premises of a Catholic Church or a Protestant Churches in Central Nyanza for worship. Sir, a religious sect is a religious sect and ought to have its own premises. They should not interfere with the right of others to worship God on their own premises. I would be one of the last Members in this House, having struggled to see that *Dini ya Msambwa* was a religion, to deny any person in this country the right to worship God in the way he wants to do so, but I would never support any person or any sect in Kenya which tries to pervert and confuse other religious denominations by using their premises, the rightful premises of the Catholic Church in Central or South Nyanza. It is their right, they have those premises, they have bought the area, and they have built a church there; they ought to worship there. We do not want this Maria sect to go there and try to push the Catholic Church away from there. I myself, being a Catholic, would hate to see that our faith is being wiped out by the Legion of Mary.

[Mr. Muliro]

Sir, what we want from the Minister today is information in connexion with the questions I have put to him. Also, with regard to the Parliamentary Secretaries, we have some very capable ones. One of them is the Parliamentary Secretary for Agriculture, he is one of the best. We want the Parliamentary Secretaries, if they come to reply in this House, to have the answers at their finger-tips. If they are incapable of answering the questions, Sir, we would like the Ministers in future to be here to answer the questions which are of very great importance to this country. We do not ask questions in this House for the sake of doing so; we ask questions here for the sake of seeking information from the Government.

With this, Sir, I beg to move.

Mr. Odero-Sar: Mr. Speaker, Sir, I was the questioner in this matter. This is what I would like the Minister for Home Affairs, who is here, to clarify. I want to speak particularly with regard to my constituency where this thing has taken place. When this came in, people thought that it was a sect brought about by the coming of independence in this country. Many people thought that they would just join in, particularly youth wingers. They thought that this was the religion of the Prime Minister, Mr. Odinga and others. They even mentioned names, thinking that they were the founders of this sect. After hearing this, because people do not think very deeply concerning such things, they joined. Very many school-boys left school, and they went running about, thinking that they were praying. They also claimed that this sect was going to take over from the European missionaries. That was told me when I was with them, that the time had come to take over from them. Because I am still practising my faith, I said that this religion should be registered with the Government and that a constitution should be written.

These people began building their own churches where the mission stations are, trying to take over. One is just near my home. One day, they arranged to go and take over from a mission in North Ugenya. The police were informed and they intervened. That is why they do not interfere with the missionaries.

Mr. Speaker, Sir, just recently when I was at home, many parents of small girls who have been converted by these people have come to me and said that we are the ones who have brought this religion and that their daughters are now suffering from syphilis. Some of them are also pregnant.

Mr. Speaker, these are the facts which I want the Minister concerned to answer in this House.

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): Mr. Speaker, I have been an author of articles in the local Press about this religion, and I think I should say a little concerning it. I hope that when the Minister replies to the observations I have to make, he will make it clear from the investigations he has carried out with regard to the allegations that this religion has been introduced by political leaders. When I visited my constituency, people came, as the hon. Member for Ugenya has said, and asked me whether this religion was a Kanu religion. I had to denounce it, to disassociate my party from it, as the ruling party, and to say that we had nothing to do with the religion and that the Government had nothing to do with it. However, they insisted that that was so and because an instance was quoted whereby followers of this religion went to a bookshop in Tororo to buy a Missal. This is a big Missal which Catholic priests use during—

Mr. Murgor: On a point of order, Mr. Speaker, I am seeking your guidance. I thought this Motion was dealing with the unsatisfactory answers given by the Parliamentary Secretary to the Ministry of Home Affairs. I was thinking that we were dealing with our dissatisfaction of that particular day and should not be going through the whole question.

The Speaker (Mr. Slade): When hon. Members wish to raise a matter on an adjournment because they are not satisfied with a reply to a question, they are entitled to go right over the ground that question covered all over again.

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): Thank you, Mr. Speaker, Sir. I was trying to put across to the Minister for Home Affairs—and the Member for Elgeyo should note this—that there might be points which have not come to the Government. This incident happened in Uganda and these people had just left my constituency, when they went to a bookshop in Uganda trying to buy a Missal. They were told that the Missal cost about Sh. 700; it was a big one. They said that the price did not matter, they had the money to buy this book. The man in charge of the bookshop was a little suspicious and asked them why they wanted it. They said they wanted it for praying and that they had their own religion. I am told that the man in charge of the bookshop told them to go and get permission from the Bishop to go and get the Missal.

[The Parliamentary Secretary for Agriculture and Animal Husbandry]

What worries me is where these people get the money from to pay this price for a Missal. Also, when one looks at the uniforms they wear, one wonders how they collect the money to buy the uniforms. We are told that it is not registered, and we are told that they are not allowed to collect money legally, where do they get the money to buy the uniforms, the rosaries and the crucifixes?

Another point concerns an incident which happened in my own constituency, when some of these people—and I am glad they are in prison now—visited a Catholic mission when the priests and nuns and other Christians were praying in Church. Then these people, most of them youths with nothing to do—and I think that is why they have been taken over by this religion—marched into the Church and told the priest to stop saying Mass, told the nuns to stand down from where they were kneeling, and told their girls to come and kneel on the benches. These girls came with them and were also called sisters, by the way. This was very embarrassing. Unfortunately, I was not at home, but a telegram reached me here complaining that they were interfering with peaceful religious people. I went to the police station at Busia and reported this case. The outcome was that these people were arrested and are now, I think, somewhere in prison.

The interest of everyone in this House and, I think, of everyone in the country, is to find out the aim behind this religion. We do not object to a religious sect being registered and working constitutionally, but what we object to is a religion practising illegally when it is not registered and has no respect at all for other religious bodies, interfering with other religious denominations. Sir, this is a point which I think the Government should look into. Maybe the people of this religious sect have committed no dangerous acts, but I think interfering with a peaceful religious act is something which should be investigated by the Government.

Coming to another point, Sir, this concerns the habit which the followers of this religion have indulged themselves in. From morning until evening, you find them on the roadside walking about. It is the policy of this Government that everyone should work. These people do not work. You find them when you drive home on the road to Ahero Market. They have been there since morning, men and women, young boys and girls, all the time they walk in long cassocks with rosaries, pretending to pray. Obviously, if it is the intention of this Government that everybody must get down to work, why are these people

allowed to waste time? The men and women who should all be working. What are we going to get, Mr. Speaker?

The Minister himself tells me that they are working. If they are not going to cultivate the *shambas* and if they have taken away some girls from families who should be working, children from schools when they should be at school, I do not see how the Minister can tell us that they are working. I think they are working in the spirit of the devil and not in the spirit of *Harambee*.

In conclusion I would ask the Minister for Home Affairs, when replying, to bear in mind that this is a very serious issue particularly in constituencies which this religion has affected, such as my constituency in the Western Region, and we want clarification on this so that when we go home we can tell the people exactly what the Government's policy is on this sect.

Mr. Speaker, Sir, I reserve my vote.

The Minister for Home Affairs (Mr. Odinga): Mr. Speaker, Sir, I thank the hon. Member from the opposite Benches in bringing forward this question. In doing so, he actually confined himself to the clarification, he did not go as far as all the comments which have now been made by other hon. gentlemen. I was not present when my Parliamentary Secretary replied to this question, but according to my information the reply which he gave might not have satisfied the hon. gentlemen from the opposite Benches.

Hon. Members: The whole House.

The Minister for Home Affairs (Mr. Odinga): The whole House. Let me now briefly put it forward that the Government had very carefully investigated the question of *Legio Mariae* and we have come to the conclusion that this particular movement is not a sect of any kind. It is just a dissident group who are dissatisfied, probably with the Catholic religion, and have possibly become a nuisance. They are not in any way showing any sign of doing something which is different from what they were taught in the Church.

The Speaker (Mr. Slade): Order, order.

The Minister for Home Affairs (Mr. Odinga): You will please give me time to explain because you told the hon. gentlemen that you wanted clarification, and I must make it quite clear to you.

Now, these people, according to the Government, and according to the information which has reached me, are harmless. They are not in any way political in their behaviours or their

[The Minister for Home Affairs]

movement. The breakaway in the Church is not something which is new. It may have been new in that part of the country in the Catholic religion, but in other religions it is a very common thing. I can understand that the hon. gentlemen receive considerable pressure from their own churches, and although I can understand the feeling with which they are speaking, I do not think that they should drive us, as the Government, to take over the Catholic Church and run it for them, if they cannot run it properly in order to satisfy people. Let me say what I have seen. There is a part which is being played by this group when they move; this group probably profits from the training and the teaching which they got in the Church. They go to various places; people come to them, people with great superstition. These people practise witchcraft, and they force those who come to them to bring forth all the things they possess in the hope that they will be purged, be made clear. This has also been approved. I remember one hon. Member for that area asked these people to go away from this area. Later he had to ask them for permission to have back one *Legio Mariae* woman, because his own constituents were against him. And in that particular respect I disagree with the hon. Members because in some areas they say that the people do not approve of these people (*Legio Mariae*), while in other areas they like and respect them and like to go to where they are and talk to them. The Government can only interfere with the peace, but if he is not doing so trying to break the law or if he is trying to interfere with peace, but if he is not doing so I do not see that we can interfere.

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): Mr. Speaker, I seek your guidance here. I wonder if the Minister is trying to imply that somebody interfering with another person who is peacefully praying is not actually breaking a law.

The Speaker (Mr. Slade): That is not a point of order.

The Minister for Home Affairs (Mr. Odinga): Thank you very much, Mr. Speaker, the hon. Members should learn what is a point of order and what is interference.

Let me put it this way—so far, just as with any other sect which is in that particular area, or in the whole of Kenya, the Government is keeping an eye, a very close eye, on these particular movements when they begin. As soon as the Government finds that they are going out of control or they are becoming a nuisance, then the

Government will take steps to stop that. As the hon. Member said, we are not going to interfere with anybody who chooses to pray, or who chooses to pray in a particular way. Even those people who are in the Catholic religion understand that Martin Luther had to break away, and that breaking away is not a new thing.

The question of registering has not arisen. The question of these people being outside the Church has not come into it and I can assure the hon. gentlemen that these people, as far as we know of them, started about eleven months ago. One of the hon. Members from this side said that they interfered in Church affairs, and that they entered churches. They do not enter the churches as separate sects, they still consider themselves to belong to the churches in the places where they are.

We have no excuse at all for entering these churches and trying to control them. But if the hon. gentlemen want us to go into these churches and control them, or our administrative officers to do so, they had better say so. We can, but it is not our work and it is not our duty.

On the question of collection of money, I must say that this also has not come to our notice, or that these people collect any appreciable sum of money from any member of the public. What actually happened and came to our notice is that, witch-doctors who go to these people take a tribute as is done in the Catholic churches where someone goes and pays his own tribute, and in actual fact that is how they argue. They say that anybody who comes to them and who they have purged of their superstitions are then given something just as witch-doctors are given something for their food. If somebody gives someone else something for his food, I do not think you need ask me to interfere with that. As soon as we begin to interfere in such cases, it is you who will come here and blame us.

Now, Mr. Speaker, I have not finished—

The Speaker (Mr. Slade): Order, order. Mr. Odinga, although you have not finished, unless hon. Members wish you to continue, you must sit down, because there is a ten-minute limitation. I do not know if hon. Members wish to listen any longer.

Hon. Members: No, Sir.

The Minister for Home Affairs (Mr. Odinga): Mr. Speaker, Sir, I have not finished yet.

The Speaker (Mr. Slade): I am afraid, Mr. Odinga, that hon. Members do not wish to hear you any more. You have had the ten minutes allowed.

The Minister for Home Affairs (Mr. Odinga): Sir, this is the first time I have heard of this in this House.

The Speaker (Mr. Slade): It is in Standing Orders, I can give you the reference to it later.

The Minister for Home Affairs (Mr. Odinga): This seems to have applied just to me.

Mr. arap Moi: Mr. Speaker, Sir, I have two minutes to speak, but I would like to tell the House that we are still dissatisfied with the Government's reply. We feel that this country must be founded on strong moral standards and not be weakened by weak or immoral sects which would deprive the citizens of this country of the opportunity of bringing up their children in the right way. The Minister was not fair. This side never suggested that Government officers should enter into church affairs. With regard to this particular sect, the *Legio Mariae*, we want to know whether the Government knows something more than the Minister has told us. We, in the Opposition, know more than the Minister has told us. I pointed out before that there were 60,000 people who joined the sect, but, because of forces against the sect, the number has been reduced to 30,000. Therefore, we would like the Minister to make every effort. If a parent is very anxious that his child should go to school, why then should that child be deprived of her or his education by being influenced by this sect, or be forced to join this sect? I would, therefore, like the Government from now on to be on its toes so that every citizen knows that we have a Government which will protect everyone. But if the Government is incapable of pro-

tecting the citizens, they must say so or resign. This is the only road for the Government to take and therefore, Mr. Speaker,—

The Minister for Home Affairs (Mr. Odinga): Protect them from what?

Mr. arap Moi: Protect them from being molested, and protect them from these diseases about which we have just heard. How can we be satisfied if the people are being molested, or forced to join such a sect?

The Speaker (Mr. Slade): Order, order. It is the end of the half hour now. Before adjourning the House, for Mr. Odinga's satisfaction I will refer to the particular Standing Order which limits time to ten minutes in these proceedings. It is Standing Order 12 which is on Adjournment Motion on a normal sitting day, and subparagraph 3 of that Standing Order says:—

“No Member speaking on any such matter shall speak for more than ten minutes without the leave of the House.”

This does mean that if no Member objects the hon. Members can speak longer, but leave of the House is not granted if a single Member thinks otherwise.

ADJOURNMENT

The Speaker (Mr. Slade): The House is now adjourned until tomorrow, Wednesday, 1st July 1964, at 2.30 p.m.

*The House rose at
Seven o'clock.*

Wednesday, 1st July 1964

The House met at thirty minutes past Two o'clock.

[*The Speaker (Mr. Slade) in the Chair*]

PRAYERS

NOTICE OF MOTION

DISMISSALS OF FARM WORKERS

Mr. G. G. Kariuki: Mr. Speaker, Sir, I beg to give notice of the following Motion:—

THAT in view of the continued and calculated move by European farmers to frustrate their employees and cause a state of alarm in the country by dismissing them at any time and engaging new labour, this House urges the Government to require any farmer in future who dismisses any labour without referring the matter to the appropriate authority first, to show cause why he should not leave the country immediately.

COMMUNICATION FROM THE CHAIR

CONGRATULATIONS TO MR. ONEKO

The Speaker (Mr. Slade): Before the next order, I would like to make an impromptu Communication from the Chair.

I am sure all hon. Members would like to congratulate Mr. Onoko on the birth of his child, the Voice of Kenya today.

Mr. G. G. Kariuki: On a point of order, Mr. Speaker, I would like to report to you that my wife got a new baby today.

The Speaker (Mr. Slade): Order, order. After that Communication from Mr. Kariuki, we will go on to the next order!

ORAL ANSWERS TO QUESTIONS

Question No. 184

SCHOLARSHIPS FOR ACADEMIC AND TECHNICAL STUDIES

Mr. Ngala-Abok asked the Minister for Education if:

- (a) he would give a breakdown of the countries which had so far offered Kenya scholarships for "academic" and "technical" studies; and
- (b) how many of those scholarships had been awarded to Kenya students and how many were still left in reserve.

The Minister for Education (Mr. Otiende): Mr. Speaker, Sir, I beg to reply. I would like to start by pointing out that it is extremely difficult to separate academic from technical studies, especially at higher levels. In the circumstances the figures available although reasonable must be regarded as approximations. For the year 1963/64 and 1964/65 Kenya was offered 800 scholarships. Of these it is estimated that about 300 were offered for technical studies and 500 for pure academic studies. Thirty-four countries offered these scholarships. The United Kingdom, U.S.A., Canada, New Zealand, India, Pakistan, Australia, Hong-Kong, Denmark, Malaya, Sierra Leone, West Germany, Switzerland, Nigeria, Rhodesia and Nyasaland, Ceylon, Malta, Ghana, France, Israel, Ethiopia, Poland, Sweden, South Korea, U.S.S.R., Italy, Netherlands, Yugoslavia, Iraq, Egypt, Puerto Rico, Austria, Czechoslovakia, East Germany.

With regard to question (b), I would like to tell the hon. Member that there can be no question of keeping scholarship offers in reserve. Scholarships are either accepted or rejected. When the scholarship offers are accepted, the Central Selection Board, after selecting suitable candidates, recommends them to the donor countries which make the final selection which might result in all the offers being taken up or some places not being offered to anyone. If the latter is the case, the offers are lost for that particular year, and are not held in reserve by the Kenya Government.

Mr. Mutiso: Mr. Speaker, Sir, arising out of the Minister's reply, could the Minister tell the House out of 800 scholarships, how many have already been filled?

The Minister for Education (Mr. Otiende): Out of the 800 scholarships, most of them were taken up, except the few fellowships which required such high qualifications, about ten of them in Poland, and one or two other countries. That is UNESCO scholarships in Poland, we could not find people qualified enough to take them, and those who were qualified were so engaged in universities and colleges, they could not be spared. Most of the other scholarships were taken except the ten. One scholarship which was never taken up was a very good one, the one offered by B.O.A.C. for flying, to train one Kenyan to become a civil pilot. Up to now I have not had anybody take it up.

Mr. Ngala: Arising from one of the replies by the Minister, Mr. Speaker, could he give in relation to the technical scholarship a breakdown of the technical subjects that the students are studying, and also in which country are they studying?

The Speaker (Mr. Slade): I think really, that is such a detailed matter that it is only appropriate for a written reply. If you want to know, Mr. Ngala, perhaps you would ask the question now and the Minister could give you a written answer. We will take it that you ask a written reply at some other time.

The Minister for Education (Mr. Otiende): If the hon. Members want some more information, I can circulate it. This is very bulky.

The Speaker (Mr. Slade): He has asked for that information if you could give it to him at some other time.

The Minister for Education (Mr. Otiende): I will do so.

Mr. Balala: Can the Minister tell this House how many scholarships were rejected and from which country, if any?

The Minister for Education (Mr. Otiende): We rejected certain scholarships, but it is unfair to mention the countries, not because of anything else but because they did not offer transport for our students from Kenya and back again. We are very insistent on that because some people offer scholarships if we send our students and the committee decided that any scholarships that are offered must also have this transport element included.

Mr. Malinda: Mr. Speaker, can the Minister give a breakdown of the 800 scholarships that have been offered that are applicable to the academic year 1963/64 and 1964/65?

The Minister for Education (Mr. Otiende): I said I would do so.

Mr. Nyaga: Mr. Speaker, will the Minister give a breakdown on a regional basis?

The Minister for Education (Mr. Otiende): Mr. Speaker, Sir, that is a very, very good exercise for one who has the time to do it. I do not think I have succumbed to that temptation of reckoning everything by regions yet.

The Speaker (Mr. Slade): I think these breakdowns are not suitable for oral replies.

Mr. Choge: Mr. Speaker, will the Minister tell the House which country offered more scholarships out of the 800 scholarships offered?

Mr. Ngala: On a point of order, Mr. Speaker, I stand for your guidance. You have just finished saying that the detailed breakdowns are not suitable for this type of question.

The Speaker (Mr. Slade): I said for oral replies.

Mr. Ngala: Would you imply that? Well, I did not hear the word "oral".

The Speaker (Mr. Slade): That is the point. It is no good, even if the Minister has it, the House hearing a mass of detail orally, they cannot take it in. It is suitable for written reply.

Mr. Ngala: Is it in order, Sir, if it is in such detail, for the Minister always to circulate it in writing instead of saying he has no time, when he has had the question for two or three weeks?

The Speaker (Mr. Slade): I do not think a question like this implies the Minister coming along with an enormous mass of detail, but if he says that he will give you the detail in writing, I have no doubt that he will do so.

Mr. Kerich: On a point of order, Mr. Speaker, I think my question has not been answered by the Minister.

The Speaker (Mr. Slade): You are quite right. What was it?

Mr. Kerich: I said, out of these 800 scholarships, which country offered more?

The Speaker (Mr. Slade): Wait a bit, Mr. Murgor. We are waiting for an answer. We are waiting for an answer, Mr. Ngala-Abok, sit down.

The Minister for Education (Mr. Otiende): Mr. Speaker, I do not know the value of that question really. It is most undiplomatic, to say the least.

The Speaker (Mr. Slade): You are quite entitled to say you do not want to answer because you do not think it is in the interests of the country to do so.

The Minister for Education (Mr. Otiende): That is what I am saying.

Mr. Ngala-Abok: Mr. Speaker, could the Minister tell the House how many scholarships are now lying on his desk waiting for students to fill them?

The Minister for Education (Mr. Otiende): Mr. Speaker, Sir, I have literally almost one thousand scholarships.

Mr. Murgor: Mr. Speaker, Sir, could the Minister tell this House how many of these 800 scholarships were advertised in the local paper?

The Minister for Education (Mr. Otiende): All of them, Mr. Speaker, are advertised. They are advertised one at a time, they are not adver-

[The Minister for Education]

tised all together. If hon. Members would care to look at the local Press every week, every Friday, we have advertisements of these things, not only in the *Official Gazette* but all the local Presses. The scholarships run in groups of ten at a time, twenty at a time, and fifty at a time.

Question No. 190

MINISTERIAL VISIT TO WESTERN COUNTRIES

Mr. Omweri asked the Minister for Finance and Economic Planning what had been the outcome of the recent Ministerial visit to Western countries with regard to obtaining:—

- (i) Free grants.
- (ii) Loans and the anticipated interest to be paid thereon.

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, I beg to reply. I presume the hon. Member is referring to my visit with the Minister for Agriculture earlier in the year to London and Washington and to the further visit which I made in April. As the result of these visits the financial arrangements with the British Government have been finalized and details of this settlement have already been announced. The amounts being provided by the British Government include free grants of £1½ million towards recurrent expenditure in 1964/65, a grant of £1 million to support general development in addition to grants for land settlement schemes and the gift of military stores and military buildings. Loans include £3 million towards general development in addition to loans for settlement schemes and a loan of £1 million for the Land Bank and the Agricultural Finance Corporation. The rate of interest is likely to be between five and a half per cent and six per cent and the period of the loans twenty-five years. Negotiations were also conducted with the International Development Association for a loan of £1 million for tea development. It is expected that the rate of interest on this loan will be three-quarters of one per cent. Negotiations were also conducted with the United States Agency for International Development for a loan of £750,000 towards improvements to the Nairobi water supply.

Mr. Kali: Mr. Speaker, Sir, were there any conditions attached to these loans and if there were, what are they?

The Minister for Finance and Economic Planning (Mr. Gichuru): The condition is that we must pay back the loan within the period specified and that the payment should include the interest.

Mr. Kali: Mr. Speaker, Sir, the other day the City Council had to reject from the United States because the conditions were such that they were unacceptable. Do they attach the same conditions that, say a contractor should be from the same country which loans this money?

The Minister for Finance and Economic Planning (Mr. Gichuru): I did not say the loan for the City Council was, strictly speaking, rejected. I think they are still discussing it. The conditions that were attached to the Nairobi City Council loan were originally that the contractor should be American and that an American engineer should supervise the extensions to the dam. When we went to Washington we discussed all this and it was agreed that there would be no question of an American engineer, but that that question would be left out and that we would use the same engineers as built the dam. The other condition was that they wanted an American contractor to do the job. We argued that if they carried out the extensions to the dam it would cost the City Council a little more. I have been informed that this condition too has been withdrawn.

The Speaker (Mr. Slade): I think the question, Mr. Gichuru, was whether any similar conditions had been attached to any loans that you obtained.

The Minister for Finance and Economic Planning (Mr. Gichuru): The other loans had no conditions attached to them.

Mr. Anyieni: Mr. Speaker, Sir, recently we had £60 million. Is this included in what the Minister has referred to?

The Minister for Finance and Economic Planning (Mr. Gichuru): Yes, it is, Sir.

Mr. Jahazi: Mr. Speaker, Sir, will the Minister tell the House what type of security he put up against these different loans?

The Minister for Finance and Economic Planning (Mr. Gichuru): The confidence of the economy of this country.

Mr. Khasakhala: Mr. Speaker, arising from the Minister's reply, he only referred to two countries and during his visit it is recorded that he also visited West Germany. Could the Minister tell us whether he also negotiated for some loans from West Germany and failed to get them or not?

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, I did say in my reply that I presumed that the hon. Member was referring in this question to my visit,

[The Minister for Finance and Economic Planning] with my colleague, the Minister for Agriculture, earlier in the year, to London and Washington, and I attempted to give full details of what happened then.

Mr. Khasakhala: Mr. Speaker, will the Minister tell us whether he has also signed an agreement with West Germany?

The Minister for Finance and Economic Planning (Mr. Gichuru): Yes

Mr. Khasakhala: Will he tell us how much we are going to get and whether there are any strings attached to that too?

The Minister for Finance and Economic Planning (Mr. Gichuru): We have obtained £½ million towards the Development Finance Corporation and we also did get last year, about another £½ million or thereabouts towards the development of tea. The conditions were that the tea authority would take care of the tea and see that it was properly processed. If I may add, we have not finalized the other details of the other Ministers who visited the Eastern countries, and when they are ready I shall make an announcement to the House.

Mr. Matano: Mr. Speaker, Sir, will the Minister tell us how many pounds altogether, the total amount from all the countries he has borrowed from other countries, this country is in debt for?

The Minister for Finance and Economic Planning (Mr. Gichuru): Mr. Speaker, Sir, strictly speaking I do not see that that is relevant to the question which I have been asked.

The Speaker (Mr. Slade): We are now getting to a very wide field, we have the whole Budget debate for it.

Mr. arap Soi: Mr. Speaker, can the Minister explain whether the money which was loaned for tea has now been put to that purpose, because you find that the tea industry is lacking money, especially for development of tea in the African areas.

The Minister for Finance and Economic Planning (Mr. Gichuru): It is, Sir.

Mr. arap Soi: On a point of order, I did not hear what the Minister said.

The Minister for Finance and Economic Planning (Mr. Gichuru): I said, Sir, that the money is being used.

Question No. 213

DISCHARGES FROM MATHARI MENTAL HOSPITAL

Mr. Ngala-Abok asked the Minister for Health and Housing to state what factors were taken into account by the Mental Specialist at Mathari Mental Hospital before a mentally-defective person was discharged as sane enough to resume normal life in society.

The Minister for Health and Housing (Dr. Mungai): Mr. Speaker, Sir, I beg to reply. Several factors are taken into consideration before discharging mental patients from Mathari Hospital. The main ones being the type of patient or mental illness that is being dealt with, the degree to which the patient has responded to treatment, and the legal factors which governed the admission of the patient to the hospital. Those patients who come to Mathari Hospital on their own and are admitted voluntarily can be discharged whenever they wish to leave the hospital after improvement. Patients who are admitted under a magistrate's order come into the hospital either for thirty days' observation or as Certified Patients. If during the observation period they get well, they are discharged. If, however, they are classified as Certified Patients, their discharge is through a Visiting Committee with the advice of the Specialist. Those patients who show poor response to treatment, and whose behaviour shows violent or aggressive tendencies and would therefore be difficult to manage at their homes by relatives, are kept at the hospital for as long a time as is necessary. They can, however, be released on improvement if their relatives will bring them back for further treatment at the hospital if they show a tendency to be violent.

Mr. Ngala-Abok: Mr. Speaker, Sir, is the Minister aware that recently a European died as a result of an attack by a mentally defective patient, and would the Minister tell me whether this patient was sent to the medical hospital by the Government or did he go by himself?

The Minister for Health and Housing (Dr. Mungai): Mr. Speaker, Sir, I understand that a patient died. The Government operate many hospitals, and it is difficult to single out the individual patient to which the hon. Member is referring.

Mr. Agar: Mr. Speaker, Sir, will the Minister tell the House why the prison authorities keep mentally-defective patients in prison instead of mental hospitals?

The Speaker (Mr. Slade): That is a different question.

Mr. Balala: Mr. Speaker, Sir, can the Minister tell this House what training the staff are given so that they can protect themselves from mentally-affected patients?

The Speaker (Mr. Slade): That is a different question, too. This question is about the circumstances of discharge.

Mr. Agar: I am sorry. I put my question wrongly. Why do doctors in mental hospitals send patients who are not completely sane to prison instead of letting them heal first before they can go on to normal life?

The Minister for Health and Housing (Dr. Mungai): Mr. Speaker, Sir, they do not to my knowledge.

Mr. Agar: Mr. Speaker, Sir, is the Minister aware that I have been in prison and that I have seen it, that they send people they are not sure of to prison for a further period of treatment and then they send them back? They do it.

The Minister for Health and Housing (Dr. Mungai): Mr. Speaker, I do agree with the hon. Member that he is quite sane, and maybe even when he was in prison himself he was quite sane. The doctors examine these patients, and to my knowledge they do not send them. I would also say that the hon. Member is not a psychiatrist and cannot quite judge these patients.

Mr. De Souza: Mr. Speaker, Sir, I believe the hon. gentleman who spoke earlier was referring to a case of a Mr. Wood who was sent to jail for, I think, six months or a year for stealing money from a club. He was then stabbed to death by a person at the prison, and it was found that the person who had been sent to prison and had stabbed him to death was in fact a mental lunatic. I think the hon. questioner would like to know why a person who has not been certified as sane is sent to prison when he is dangerous to other prisoners.

The Minister for Health and Housing (Dr. Mungai): Mr. Speaker, Sir, this patient was not sent to prison because he was a lunatic; he must have committed a crime. At the same time, while he was in prison, I do agree that he could develop a mental illness.

Mr. De Souza: Mr. Speaker, would the Government consider establishing in this country something like Broadmoor Asylum where criminal lunatics are kept separate from the ordinary lunatics and there is no danger of having criminals and lunatics in the same prison?

The Minister for Health and Housing (Dr. Mungai): Yes, Sir, we do have criminal lunatics and we try to keep them apart from the others.

Mr. Anyieni: On a point of order, Mr. Speaker, is it in order for the hon. Minister to refer to an hon. Member personally, when the hon. Member has asked the question generally, referring to him as being sane.

The Speaker (Mr. Slade): It is all right as long as he said he is sane, I think!

Mr. Masinde: Mr. Speaker, Sir, would the "ho'rabable" Minister—

Hon. Members: Honourable.

Mr. Masinde: —Honourable Minister.

The Speaker (Mr. Slade): Order, order.

Mr. Masinde: Mr. Speaker, Sir, if honourable Ministers would like to be referred to as honourable Ministers, I will call them that.

Mr. Speaker, Sir, what are the guarantees from a medical point of view for a person who is drunk and confuses the doctors after committing some crime?

The Speaker (Mr. Slade): No, we are off the question now, and we will go off it altogether to the next one.

Question No. 230

CITIZENS: NUMBER OF EUROPEANS AND ASIANS

Mr. Mutiso asked the Minister for Home Affairs—

- (1) to tell the House how many European and Asian Settlers had so far become Kenya citizens; and
- (2) what action was being taken with those who had refused or had failed to qualify as Kenya citizens and were still farming in the country.

The Minister for Home Affairs (Mr. Odinga): Mr. Speaker, Sir, I beg to reply:—

- (1) So far as can be ascertained from the records held by the Department of Immigration, 188 Europeans and 1,416 Asians had registered as Kenya Citizens as at 15th June 1964.
 - (a) Out of the 188 Europeans who have registered as Kenya Citizens, 55 have described themselves as farmers.
 - (b) None of the Asians who have to date registered has described himself as a farmer.

[The Minister for Home Affairs]

(2) The Government does not intend to take action to compel anyone to become a Kenya Citizen.

An hon. Member: Question.

The Minister for Home Affairs (Mr. Odinga): Acquisition of citizenship is a matter of qualification in accordance with the law and of personal choice. To apply duress would vitiate the whole principle of citizenship.

Mr. Speaker, I beg to reply, and the hon. gentleman should know what he means by "Question".

Mr. Ngala-Abok: Mr. Speaker, Sir, arising from the Minister's reply, where he said that a number of Europeans have described themselves as farmers, could the Minister tell the House whether he has the machinery to check and to know if a person is a farmer, a trader or a thief, rather than saying that they have "described themselves" as farmers?

The Minister for Home Affairs (Mr. Odinga): Mr. Speaker, Sir, I agree, we have the machinery for checking.

Mr. Murgor: Mr. Speaker, Sir, would the Minister agree with me that those who have not registered should be classified as foreigners in this country.

The Minister for Home Affairs (Mr. Odinga): I quite agree with the Member, that when the time allowed expires, we shall consider doing so.

Mr. Anyieni: Mr. Speaker, Sir, would the Minister assure this House that immediate steps will be taken to refuse non-citizens voting rights?

The Minister for Home Affairs (Mr. Odinga): Mr. Speaker, Sir, they do not have them and I do not think, therefore, we can refuse them.

The Speaker (Mr. Slade): We are getting outside the question anyhow.

Mr. arap Choge: Can the Minister assure this House that the loans to develop farms will not be given to people who have not become citizens?

The Minister for Home Affairs (Mr. Odinga): I think that is also something which is already in practise.

Mr. De Souza: Mr. Speaker, Sir, would the hon. Minister consider refusing to allow persons who are not Kenya citizens buying agricultural land?

The Minister for Home Affairs (Mr. Odinga): That, Mr. Speaker, is under consideration?

Mr. arap Moi: Mr. Speaker, Sir, arising out of the Minister's previous answers, would he assure this House that those who are non-Kenya citizens will not be given priority in employment, and that those who have made themselves Kenya citizens will be considered as other Kenyans?

The Minister for Home Affairs (Mr. Odinga): I would like the first part of the question again, I did not hear.

Mr. arap Moi: Mr. Speaker, to clarify more, since the Minister is in charge of employment of civil servants, and the Public Service Commission is involved, would the Minister assure this House that a non-Kenya citizen will not be given priority when employment occurs?

The Minister for Home Affairs (Mr. Odinga): I can assure the hon. Member, Mr. Speaker, that is already in practise, and that is what we mean by Africanization.

Mr. Khalif: Mr. Speaker, is the Minister aware that while there are some non-Kenya citizens who have land in Kenya, there are some citizens who are suffering because they are landless?

The Speaker (Mr. Slade): I do not see what that has to do with the question.

Mr. Omar: Mr. Speaker, Sir, could the Minister give us information with regard to the Asians, whether that figure includes also Arabs from the Coastal Strip, or does it only include Indians?

The Minister for Home Affairs (Mr. Odinga): I did not hear the question very clearly, Mr. Speaker. Could the questioner speak up?

Mr. Omar: Mr. Speaker, Sir, will the hon. Minister define the word "Asians", whether it also includes the Arabs in the Coastal Strip, or does it mean only Indians?

The Minister for Home Affairs (Mr. Odinga): Mr. Speaker, according to our Constitution, the Asians are described very clearly, and I do not think it includes the Arabs at the Coast.

Mr. Pandya: Mr. Speaker, Sir, does the Minister agree with me that there should be no discrimination between citizens and non-citizens until the two years—

The Speaker (Mr. Slade): Order, order.

Mr. Pandya: Mr. Speaker, Sir, I think the Members should be a little patient. Till the two-year period up to 12th December 1965 has been reached?

The Minister for Home Affairs (Mr. Odinga): I appreciate the question, Mr. Speaker, but the questioner must understand that he puts us in a very difficult position because we must consider the person who has already decided rather than the person who is still doing so.

Mr. Mutiso: Mr. Speaker, Sir, assuming that the period extended to the foreigners to register to become Kenya citizens has not expired, could the Minister tell us out of the 180 Europeans and 1,416 Asians, how many so far have already qualified as Kenya citizens?

Hon. Members: All.

Question No. 278

RURAL AREAS: IMPROVEMENT IN HOUSING

Mr. Ngala asked the Minister for Health and Housing—

(a) to state his plans for improving the standards of houses and huts in rural areas throughout Kenya; and

(b) if those plans included loans to individual citizens through the Central Housing Board.

The Parliamentary Secretary for Health and Housing (Mr. Argwings-Kodhek): Mr. Speaker, Sir, I beg to reply.

(a) I am anxious that housing standards in the country, both in the rural and urban areas, should be improved as necessary, and steps are continually being taken towards this. The Central Housing Board has already made housing loans amounting to £4,278,000 since its inception in 1953—

An hon. Member: It has done nothing!

The Parliamentary Secretary for Health and Housing (Mr. Argwings-Kodhek): Shut up! —to local authorities, to erect with the advice of—

Mr. Murgor: On a point of order, was the hon. Parliamentary Secretary in order when he said "Shut up"?

The Speaker (Mr. Slade): No.

The Parliamentary Secretary for Health and Housing (Mr. Argwings-Kodhek): If I made a mistake, I apologize.

These sums are used for rental, tenant-purchase and staff housing including all services. Where possible slum areas and bad housing are being cleared and better houses constructed, for example, the new Kibera Estate and the proposed new

Kariokor Estate in Nairobi. In addition, my Ministry is trying out an experimental, pilot-aided, self-help housing scheme in the Langata area. The scheme is initially for £50,000 which could be increased and extended to other towns depending on the final results.

In the rural areas and in the county councils, general housing standards are being improved in a routine manner. Health inspectors and their staff provide plans and advice to owner-builders to conform to certain basic requirements. With regard to the overall housing needs and problems, the Government has invited a housing expert from the United Nations Technical Assistance Board to undertake a full study and advise on future housing policy within the framework of our social and economic development planning.

(b) Meanwhile a great effort is now being made to attract further loan funds from external sources in order to finance more industrial and local government housing through the Central Housing Board. The Board, under the present Constitution, does not make loans to individuals. Such loans are channelled through the local authorities for approved tenant-purchase schemes.

Mr. Ngala: Arising from that reply, Mr. Speaker, Sir, would the Parliamentary Secretary explain the routine manner which he is using in the rural areas to actually improve the housing standards? It is not sufficient to say that something is going on. I want something specific.

The Parliamentary Secretary for Health and Housing (Mr. Argwings-Kodhek): Every district has a number of health inspectors, and when I gave the first part of the answer, I said that health inspectors and their staff are moving all over the place to improve houses in the rural areas. But you cannot go and demolish the house or the hut of the Leader of the Opposition's mother if they do not want them to.

Mr. Ngala: Arising from that reply, Mr. Speaker, which is rather rude, I rise to seek your guidance on this question where the hon. Parliamentary Secretary is referring to my mother.

The Speaker (Mr. Slade): I do not think he meant it offensively.

Mr. Ngala: Well, I take it that he did not mean to be offensive. Arising from his reply, I am asking for his plans. He is telling me that health officers are going round. I want specific plans as to what is being done to improve the actual houses in rural areas, not in outback areas or urban areas, not the travelling and visiting of health visitors.

The Parliamentary Secretary for Health and Housing (Mr. Argwings-Kodhek): Mr. Speaker, I have already referred to the expert from the United States who has produced a report. This report is being studied and it will be ready some time in August, and if hon. Members would exercise a little of what they lack most, patience, they will see it.

Mr. Ngala: Arising from that reply, will the Parliamentary Secretary agree with me that at the moment we have no housing plans until the report is out?

The Parliamentary Secretary for Health and Housing (Mr. Argwings-Kodhek): We have plans, but they are in the report. This is July, next month is August.

Mr. Mutiso: Mr. Speaker, arising out of the Parliamentary Secretary's reply, assuming that he has plans for improving houses in Kenya, may we know in his plan how many houses he envisages building in the next six years?

The Parliamentary Secretary for Health and Housing (Mr. Argwings-Kodhek): Mr. Speaker, Sir, surely we are not going out as a Central Housing Board to build council houses for everybody? What we do want, as I said earlier, is to give advice through our health inspectors, and secondly we give loans, and I have told you that we have already given many loans out to the county councils.

An hon. Member: How much?

The Parliamentary Secretary for Health and Housing (Mr. Argwings-Kodhek): I have already told you in the first part.

Mr. Komora: Mr. Speaker, would the Parliamentary Secretary tell the House whether or not his Ministry keeps an eye, when granting loans to local authorities, that the local authorities use the money genuinely for the purpose?

The Parliamentary Secretary for Health and Housing (Mr. Argwings-Kodhek): If the hon. Member is saying whether we are keeping—

Mr. Amin: On a point of order, is it in order for a Parliamentary Secretary to answer questions on behalf of his Minister while the Minister himself is sitting in this House?

The Speaker (Mr. Slade): I answered that question yesterday. The answer is yes.

The Parliamentary Secretary for Health and Housing (Mr. Argwings-Kodhek): Would the hon. Member put his question again, because of this irritating interruption?

Mr. Komora: Mr. Speaker, Sir, my question was whether or not the Parliamentary Secretary's Ministry keeps an eye on the local authorities when his Ministry grants loans to the local authorities to see that the local authorities use the money genuinely for housing purposes.

The Parliamentary Secretary for Health and Housing (Mr. Argwings-Kodhek): Most county councils and local authorities are responsible corporations. The reason why we do not lend to individuals is because it is not easy to trust them, but you can trust local authorities.

Mr. Shikuku: Arising from the Parliamentary Secretary's previous reply, he did indicate that the loans were given to various counties. Could he give us the breakdown of these loans according to the regions?

The Speaker (Mr. Slade): No, I do not think so.

The Parliamentary Secretary for Health and Housing (Mr. Argwings-Kodhek): Thank you very much, Mr. Speaker.

Mr. Ngala: Arising from one of the replies by the Parliamentary Secretary, is he aware that the loans which go through the local authorities on a builders' scheme only go to the urban areas and the rural areas are neglected, and what is he going to do about it?

The Parliamentary Secretary for Health and Housing (Mr. Argwings-Kodhek): The county councils in the first place includes rural areas, but the hon. Member, with a number of his advisers, in inverted commas, was responsible for the regions. Now he must start with the regions.

Mr. Ngala: Mr. Speaker, is the Parliamentary Secretary aware that he has not answered my question?

The Speaker (Mr. Slade): He is well aware.

The Parliamentary Secretary for Health and Housing (Mr. Argwings-Kodhek): Of course I am very well aware. I am aware that the local authorities, first of all think of their own townships. Thereafter, thanks to you, you had better think of regions.

The Speaker (Mr. Slade): Order, order.

Mr. Jahazi: Mr. Speaker, Sir, is the Parliamentary Secretary aware that since he advanced money to the Mombasa Municipal Council, not a single man or woman has been granted any loan?

The Speaker (Mr. Slade): No, we are talking about rural areas. We will go on the next order now.

NOTICE OF MOTION ON THE
ADJOURNMENT

RURAL AREAS: HOUSING IMPROVEMENT

Mr. Ngala: On a point of order, due to the unsatisfactory replies I have received, I wish to raise this matter on the Adjournment.

The Speaker (Mr. Slade): Let me have the notice in writing.

Mr. Ngala: Yes, Sir.

The Minister for Health and Housing (Dr. Mungai): On a point of order, Mr. Speaker, we keep getting these Motions on the Adjournment, can we sometimes ask what was unsatisfactory in the answer so that we know?

The Speaker (Mr. Slade): That emerges when the matter is raised on the Adjournment.

MOTION

EXTENSION OF TIME FOR BUDGET DEBATE

The Minister of State, Prime Minister's Office (Mr. Murumbi): Mr. Speaker, Sir, I beg to move the following Motion. I would first like to draw the attention of the House to a slight correction on line three, two days should read seven days. I beg to move:

THAT the debate on the Financial Statement on the Annual Estimates be exempted from the provisions of Standing Order 139 (2) to the extent of allowing seven days, instead of five, exclusive of the Mover's speech and reply.

The Minister for Justice and Constitutional Affairs (Mr. Mboya) seconded.

(Question proposed)

(The question was put and carried)

COMMITTEE OF WAYS AND MEANS

(Order for Committee read)

MOTION

THAT MR. SPEAKER DO NOW LEAVE THE CHAIR

*(Minister for Finance and Economic Planning on
16th June 1964)*

*(Resumption of debate interrupted on 30th June
1964)*

(Fifth day of Budget Debate)

The Speaker (Mr. Slade): Mr. Obok, you were half way through your speech. You still have fifteen minutes left.

Mr. Obok: Thank you, Mr. Speaker. The House adjourned before I started to speak on federation. Mr. Speaker, although a colleague of mine, a strong Back-bencher, lost his job, despite the work he put in as Chairman of the Working Committee on federation of the three East African territories, I feel that I should still appeal to the big ones of East Africa to stop bargaining over petty trade matters. These are matters of secondary importance in the face of the political federation of East African territories which should come first.

Mr. Kibuga: On a point of order, Mr. Speaker, I would like to bring to your notice that the hon. Member has not so far substantiated the allegation he made yesterday, because so far the information that he gave to me as we were entering shows that the amount of people in the headquarters of the Criminal Investigation Department, we have two Kikuyu, Luyha and Luo. Could he still substantiate, Sir?

The Speaker (Mr. Slade): It is not really the right way of raising this, but as you have raised it, Mr. Kibuga, I think we should deal with it now. What was the allegation you made, Mr. Obok, which Mr. Kibuga asked you to substantiate?

Mr. Obok: The allegation I made yesterday was that Special Branch officers who were members of other African tribes have been removed from Nairobi Special Branch and C.I.D. Headquarters. I have given the hon. Members the information that at C.I.D. Headquarters we have one Baluyha as deputy director of intelligence service and one Luyha who does desk work as a C.I.D. officer.

An hon. Member: How many Kamba?

Mr. Obok: There are no Kambas. In fact, I can give him the numbers of other tribes if he wanted. There is one Kalenjin as Chief Inspector, and further, the women working as clerks in C.I.D. Headquarters are all Kikuyu or Europeans.

Mr. Kibuga: On a point of order, Mr. Speaker—

The Speaker (Mr. Slade): The position now is that Mr. Obok has substantiated his allegation in a sense, in the only sense which we mean in this House. He has stated the evidence on which he replied. That is all that is required of him. Now it is for the House to judge whether it was good evidence or not, whether it was justified or not.

Mr. Obok: I feel that with federation we will be able to do away with tribalism which I believe is dangerous, and once we have formed the federation of East Africa, Sir, all the problems

[Mr. Obok]

will solve themselves without any difficulty. The overriding issue at the moment in Africa is unity, unity first and last: that should be our slogan from now on. If Uganda has chosen to go its own way, why not wish her the best of luck.

The Speaker (Mr. Slade): Order, order. Mr. Obok, we cannot pursue now a debate we have concluded about Federation. I know that other Members have mentioned this subject but it is out of order to continue on another day a debate which has been concluded. So, I must ask hon. Members to keep off the subject of Federation.

Mr. Obok: Thank you very much, Mr. Speaker.

Another point I wanted to raise is that the Government should also examine the—

Mr. Pandya: On a point of order, Mr. Speaker, you have just ruled that the subject of East African Federation should be kept out of the Budget debate. What, Sir, if some new matter has come up since that debate has been concluded such as statements from the East African leaders. Would it be out of order to refer to that in this debate? I seek your guidance on this.

The Speaker (Mr. Slade): It might be, but the principle is that you do not continue with a debate after it is finished, under cover of another debate.

Mr. Obok: Mr. Speaker, another worry of mine is the set up of the Public Service Commission. I think the Government should re-examine the set-up of this body. I think when the House adjourned yesterday I had almost come to the end of my speech. I therefore wish to support.

Mr. Khalif: Mr. Speaker, Sir, I want to dwell at length on problems relating to the economy of this country which is confronting my people, not only in the North-Eastern Region but also in parts of the Eastern Region which was formerly known as the N.F.D. I wish to take this opportunity of dealing first and foremost with the security position because, Mr. Speaker, if there is no security of persons and property, there will be no economic growth and there will be no social or educational advancement. Mr. Speaker, Sir, the people in the N.F.D. will continue to be backwards as the British Imperialists had intended to let them be, if this Government does not wake up in time and do something for us. On the security position, the hon. Members must know that we are doing our best to stop the *Shifita* nuisance. The security position in the

North Region is far from satisfactory because the Government has not shown sufficient determination and strength in dealing with the problem. I am, however, pleased to know that the Government has now agreed to establish the national guard or home guard. For this, Sir, the Government deserves to be congratulated. The establishment of the national guard will enable the large majority of the loyal Somalis to protect themselves from the ruthless attacks of the *Shifita*. One of the reasons for the present unsatisfactory state of affairs in the North-Eastern Region, I think, is the continued employment of the Europeans. Mr. Speaker, Sir, surely if we can Africanize posts in the Civil Service, such as the Permanent Secretaries, the Director of Personnel, the Director of Intelligence and Security, I fail to see why we cannot Africanize posts like the Civil Secretary, the Regional Government Agent and the Police Superintendent in the North-Eastern Region. I did indicate, during my first speech in this House, the need for the immediate removal of the European Civil Servants from the North Region but, very unfortunately, the Government has taken no action at all. It must be remembered that it was the European officials who abated secession activities in the North-Eastern Region. It must be remembered that it was most probably people like Blundell who were the people encouraging our Chiefs, deliberately to go to London and demand secession. Mr. Speaker, Sir, there is no question that the British Colonialists were playing double with the Somali Government, promising them all sorts of things, giving them hope that they might get the N.F.D. Mr. Speaker, why, may I ask, if this is not true, did the British Government hold a referendum? Mr. Speaker, it was not only because they were trying to encourage the secessionists, but also the Somali Government itself. The fault is not so much that of the Somali Government or the N.F.D. Somalis, but of the British Government.

The Speaker (Mr. Slade): Order, order. Mr. Khalif, we have a Standing Order which says we must not criticize the Governments of friendly countries except on a substantive Motion for that particular purpose. If you have something critical to say about the British Government you have to move a special Motion for that purpose. You cannot just introduce it. I am afraid, in a general debate of this kind.

Mr. Khalif: Mr. Speaker, I do not think I have made any positive allegation as regards the British Government, but I think that I have only been saying what I think of that Government and of its past activities.

The Speaker (Mr. Slade): When you start saying something is the fault of the British Government, you are criticizing it and you must not do it.

Mr. Khalif: Thank you, Mr. Speaker.

Therefore, assuming that our Government is aware of all these things, how can these Europeans, some of whom were, I think, responsible for making those promises to the Somalis and who took advantage of the ignorance of the Somalis, remain as the administrators of the North-Eastern Region and how can they change their outlook? Mr. Speaker, Sir, I appeal to the Government to ensure the immediate withdrawal of the former imperialists and the immediate Africanization of their posts. I feel that the continued service of the British expatriate civil servant in the North-Eastern Region will mean nothing more than the creation of a greater degree of bloodshed and endless troubles to our loyal citizens in the North-Eastern Region, who are already confused and do not know where they are heading.

Mr. Too: Mr. Speaker, could the hon. Member substantiate his statement that the continuance of the British civil servant in the North-Eastern Region will continue to cause more troubles?

The Speaker (Mr. Slade): No, that is not the kind of allegation that can be substantiated because it is not really the allegation of a fact, it is a question of opinion. It is allegation of facts that hon. Members have to be prepared to substantiate. They may give their opinions of this kind and they give their reasons, which may or may not be considered by the House to be good reasons, and that is as far as it goes.

An hon. Member: On a point of order, Mr. Speaker, is it not true that all these civil servants who are British are now citizens of Kenya?

The Speaker (Mr. Slade): Order, that is not a point of order.

Mr. Khalif: Thank you very much, Mr. Speaker, for telling the hon. Members who tried to interrupt me and waste some of my time that I do not have to substantiate anything.

Mr. Speaker, Sir, we should be mature enough to rule ourselves without the help of those elements who divided us and who were experts in the art of "divide and rule". I can assure this House that today the majority of the Somalis in the North-Eastern Region are loyal and faithful to this Government. Such remarks of mine may, to the ears of some hon. Members, sound ridiculous and unfounded, but I challenge any-

body who might want to query this to come forward and visit the North-Eastern Region so that he might see things for himself. My people have every confidence in this Government. It is true that some of them are helping the Somali *Shifita* here and there, but, Mr. Speaker, this, by itself, does not necessarily apply to the whole lot of the thousands of Somalis in the North-Eastern Region. Mr. Speaker, Sir, it might interest hon. Members of this House to hear that only two days ago the hon. Minister for Works and Communications and his Junior Minister, the hon. Bomett, flew to Garissa, only to be taken by complete surprise on their arrival. They could realize the immediate change of attitude when, instead of meeting an army squad fighting the *Shifita*, or a bunch of unco-operative Somalis, they met hundreds of cheering Somalis, headed by their chiefs, Parliamentary and Regional Members, at the airfield. They mixed with the cheering Somalis who were extremely pleased at their presence and emphasized their desire to see our Prime Minister and Members of the Cabinet. I wish, Mr. Speaker, that all Members of this House who are present could see this for themselves. My people are tired of the *Shifita* attacks, they are disapproved of by vast majority of the population.

Mr. Choge: Mr. Speaker, what is your ruling on the speech being made by the hon. Member. There is not one single Minister here to take note of what he is talking about. Are we talking to ourselves or are we talking to you, Mr. Speaker?

The Speaker (Mr. Slade): The hon. Members of the House can notice it, that is all I can say. There is nothing I can do about it.

Mr. Choge: Mr. Speaker, when we come here we just talk and talk and nobody takes any notice of what we say and the Ministers and the Permanent Secretaries from the various Ministries ought to appear, and this is a very serious thing because we feel that we are just talking and talking and the Government does not notice. These Back-benchers are not—

The Speaker (Mr. Slade): I have taken your point of order, sit down. As I have said just now and on previous occasions, there is no Standing Order of this House which can compel any Minister to be present on any occasion. Naturally, when hon. Members are speaking on anything important they expect Ministers to come and hear and answer, and they have every reason to be outraged when they are ignored by the Government. But all they can do is to express their dissatisfaction when the subject arises, on

[The Speaker]

points of order of this kind, perhaps, by questions, or by Motions. You have plenty of ways of showing your dissatisfaction, and I must leave it to you to do what you think best.

Mr. Oduya: Mr. Speaker, could we therefore seek your guidance. Is there any possibility of making any order to restrict the number of Ministers who must be present here when the Members are expressing the views of the public. If that is not possible, could you give us any guidance on what action we can take because it is very serious to find that the Member speaking for the public is not being heard by any Government Ministers, and the Prime Minister and his Cabinet are out of the House.

The Speaker (Mr. Slade): As regards amendment of the Standing Orders of this House I cannot now express any opinion. That has to be considered by the Sessional Committee, and by the House on a Motion to amend Standing Orders, in due course. The procedure you can take was very well demonstrated on Friday when Mr. Axelander, seeing that there were no Ministers here to answer questions, or that several Ministers were not here to answer questions, moved that the House be adjourned until another day when they might be here. That is the procedure which could be taken at this very moment.

MOTION

ADJOURNMENT OF THE HOUSE

Mr. arap Moi: Mr. Speaker, on a point of order, I should like to move that the House do now adjourn under Standing Order 35 (b) because—

The Speaker (Mr. Slade): Order, order.

Mr. arap Moi: This is a very serious issue. Mr. Speaker. We are debating a very important matter, the Budget which the whole country is interested in, the whole country wishes to know what the Government intends to do for the people in the country, and here we are addressing empty benches. There is no responsible Minister except perhaps one or two Parliamentary Secretaries who do not even take the trouble to take notes of what the Members say. Therefore, Mr. Speaker, I move that the House do now adjourn.

Mr. Pandya seconded.

(Question proposed)

Mr. ole Tipis: Mr. Speaker, Sir. I think this is a very serious matter and I hope the Government will take it seriously. In the last two weeks we

have had causes to complain on the Floor of this House on many occasions due to the absence of the Ministers, and if these Ministers think that they can play about with the dignity of this House, then it is time we are told in no uncertain terms. I think we are discussing a very important issue which affects the spending of public money in this country and if we cannot have a single Minister, except the Minister for Lands and Settlement, who is just walking in, when we move the Motion on the Adjournment, then I think the Government should be ashamed of itself. Mr. Speaker, I think the Government is trying to play about and it is time that if they think they can play about in this way they should leave the Front Benches to some of the Back-benchers who are more capable, who can sit there and take note and answer for the Parliament, rather than walking about in the gardens and drinking tea.

Mr. G. G. Kariuki: Mr. Speaker, Sir, I rise to oppose the Motion that this House do now adjourn. I am opposing this, Mr. Speaker, because if we adjourn the House it will be showing the Ministers that because they are not in the House, the business of the House cannot be carried on. But we must do something and the something that we can do now is to amend the Standing Orders which will then force the Ministers to stay in this Parliament when the Session is on. Mr. Speaker, Sir, I wish to remind the House that the last few days it has been very unfortunate for the Government that they have had to apologize to this House nearly three times, and that shows that the Government is completely inefficient and at the same time the Government does not respect this House. Mr. Speaker, I would not accept anybody suggesting that we should adjourn the House simply because the Ministers are not here. I beg to oppose.

Mr. Oduya: Mr. Speaker, Sir, just recently it must be recalled that the Government has made several apologies to the House on its activities, and again the very Government do not take these things seriously as such. But it is surprising to find that the Government Benches, Mr. Speaker, are empty. Just a few minutes ago all the Cabinet was here, together with the Prime Minister, but then when they knew very well that we were about to discuss a point which is very important, all the Ministers left. The only Minister is the Minister for Lands who has just come in. I think he heard that we were having a Motion on the Adjournment. But, Mr. Speaker, it is very clear that this Government does not respect this House now. The Ministers have found themselves in the position of running the country without the directions

[Mr. Oduya]

of this Parliament and we are tired of this, Mr. Speaker. It is a very clear issue. Even now when they come to the House they just come in for a few minutes and then you find that the whole Cabinet has retired from the House and we no longer know where we are going, if Parliament rules, or if it is the Cabinet which rules this country. If it is the Cabinet that rules, it must be made very clear to the nation, rather than having the Members coming to this House and expressing their view without anybody taking notes of what they are saying as to what should be done for the future of this country. Mr. Speaker, there is a rumour that the House is going to adjourn because some Ministers are going away. This is a clear reason that the Cabinet disregards the responsibility of the Parliament, which, constitutionally, is the only power and the supreme body which can govern this country. Therefore, Mr. Speaker, Sir, I do agree that the House should adjourn now to prove this to the nation. I ask my colleagues to be patient. I should say that we want to prove to the nation that it is not this Parliament that is going to wreck this country, it is the Cabinet. The individual Ministers have come to consider themselves more powerful than the rest of the Parliament of this country. Therefore, Mr. Speaker, I say that we must point out now that we, the Members of this House, want to prove to the Cabinet that the Cabinet has no powers. We cannot have the Ministers who are confused going outside when there is a meeting of the House.

Mr. Jamal: Mr. Speaker, I move that the question be now put.

The Speaker (Mr. Slade): No, I do not think I can agree with that just yet. It would be better to hear a little bit more from hon. Members and then see whether the Mover would not like to withdraw the Motion.

Mr. Agar: Mr. Speaker, Sir, in supporting this Motion and even after seeing some of the Ministers coming back in, I still support the Motion. We come here to express certain views and we come here also to try to correct our Ministers on certain things. You see, immediately after question time there is an exodus from this House and recently, Mr. Speaker, this Parliament passed a Motion in which the Government was defeated. You saw Ministers queuing that side and voting against the whole House. Nothing has been said or done about it. I think if the Government is tired, then it should just go out. I go to my constituency, Mr. Speaker, and they ask me several things. They want to hear exact answers from me as to what the Government is considering doing

about such and such, particularly about the things that they were promised during the elections. A Minister is not here when I express those views, and the time comes for the Minister to reply and because he was not here he says absolutely nothing, he just summarizes and thinks that is all right. If we are being requested that the House should adjourn because the Ministers are going overseas—I understand the Prime Minister and a few other Ministers, about four or five of them, are going overseas—and we are told that we must adjourn because the Ministers are going to be absent. While they have not gone to Europe they do not come into the House, yet still they want us to sit. When they go to Europe they want us to adjourn. What is the point, Mr. Speaker? I think today the House must show very strongly that the Government must be responsible enough to leave somebody answerable to the Members, somebody who is responsible, a Senior Cabinet Minister, even if the other Ministers are occupied. They must arrange to leave somebody here who we know will take our matters seriously, not just the Junior Ministers who we understand are not taken into the confidence of the Government, they do not understand everything. So, I support the Motion, Mr. Speaker, even if the Bench is now being filled, the Ministers having heard that we are talking of adjourning. We must teach them a lesson, Mr. Speaker.

Mr. Khasakhala: Mr. Speaker, Sir, it is most unfortunate in the history of this House that just lately, in two weeks, the Government has been forced to apologize to the House more than twice. Secondly, in the history of this House—and I have been here for three years—never before did I hear of any time when such a Motion was moved in this House, that the House should adjourn because there were no Ministers. This afternoon, just a few minutes ago, we had the Front Bench empty, Mr. Speaker, we had only two Junior Ministers taking notes for the Government, for their various Ministries, and all the other Junior Ministers were out of this House, together with the Ministers. This is the most important time in this House, when a Member, elected by the people, has an opportunity to express his view, drawing the attention of the Government to major issues, concerning his own area. When they are doing all this, we find that no Minister is taking notes in order to reply to the Member's allegations and suggestions.

Mr. Speaker, I would now make a very strong request to the Minister from now on to take this House as the policy making House and as the real House which governs this country, and not just the sixteen Cabinet Ministers.

[Mr. Khasakhala]

With these few remarks, Mr. Speaker, I beg to oppose because of the time we would waste if we adjourned, but the Ministers should come to the House.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, I have said here before and I say it again, that the Government fully acknowledges the importance of this House and there has never been any time in which the Government has failed to recognize that in fact, this Parliament is the supreme body, the supreme legislative body of this country. There is no action of the Government which ought to be enacted through Parliament which has not been enacted through Parliament; there has been no action which by-passes the authority of the Parliament, and I think it is necessary, when Members express themselves on this kind of Motion, however right they may be at a particular given time on a particular incident, that we do not have an extravagance of generalized allegations.

Now, Sir, it is true, and I sympathize and agree with the Members that Ministers—

Hon. Members: Apologize, apologize.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): I am not going to give an apology. If this House adjourns this afternoon it is not just the Ministers who are going to lose, it is this country and its people. If Members wish to point out a mistake on the part of the Ministers, they have the right to do so and we listen to it attentively. But I do not think it is fair for the Members to begin to adopt the attitude, the negative attitude, that the relations between the Ministers and the Back-benchers is going to be the type of relations which some Members now wish to create in the House. Mr. Speaker, how many times in the last week or weeks has this House, twice or three times in one afternoon, been found without a quorum, and the bell has been rung several times, not because the Ministers were out, but because hon. Members were themselves missing. There is no question of Members pretending that after Question Time the only exit through that door is for the Ministers. Anybody who has sat in this House knows that even Members of the House have made the habit themselves of going out. This heckling is not going to help. Mr. Speaker, if all of us are determined to enhance the prestige of this House, and to give it maximum respectability, then all of us have a contribution to make, and each Member has something to contribute to that respectability and prestige of the House, not just

the Ministers. We are doing our best, that is, the work, the different responsibilities that we must carry out should be spread so that each one of us can spend the maximum time in the House, and deal with all the questions that arise in Parliament. But, I am sure, Sir, that those Members who have spoken about this Motion, however well-intentioned their views may be, they too must take cognizance of the fact that however hard we try, it is not possible to sit in these benches one hundred per cent of the time all the days when Parliament is sitting. Just as much—

Mr. Speaker, no Minister is just being paid in order to sit here.

An hon. Member: Why not?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): On the contrary, Ministers are Ministers, not only because they sit in Parliament, but because they also perform other duties. Members are always paid in order to sit here.

The Speaker (Mr. Slade): Order, order.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Yet, Sir, I have seen the hon. Member for Tesso being dragged back here because the Quorum Bell has been rung, and he was missing. I have seen the hon. Member who spoke a few minutes ago being brought back here by the Whip because he was also missing. I would suggest, Sir, that it should be the resolution of this House that all Members, not only Ministers, but all Members should give it greater respectability, greater prestige, not only by staying in, but also by using it reasonably and sensibly, and cutting down on the amount of time spent on matters which do not promote debate and discussion intended to benefit the country and the people as a whole. I oppose.

The Speaker (Mr. Slade): I would remind hon. Members of the object of this Motion. The basic object, of course, is to draw the attention of Government to the House's dissatisfaction of their absence. However, it has been done very fully, and any apparent disrespect which has been shown to the House by Government has been remedied by their presence in full force now. I would suggest that now, or at a very early stage, the Mover should ask leave to withdraw the Motion.

Mr. arap Moi: Mr. Speaker, Sir, before I decide whether I should withdraw or put it to the vote, I should like to say this—

The Speaker (Mr. Slade): I am afraid not, Mr. Moi, you cannot speak twice.

Mr. arap Moi: Nevertheless, Mr. Speaker, I should like to say that the Government has behaved very badly, and therefore, because they have come back I withdraw it.

The Speaker (Mr. Slade): Order, order. The Motion being in the possession of the House, it does require the leave of the House to be withdrawn, that is to say, that no Member is dissenting. I have the leave of the House to withdraw the Motion? Very well, it is withdrawn.

(The Motion by leave of the House was withdrawn)

COMMITTEE OF WAYS AND MEANS

(Resumption of debate on Motion "That Mr. Speaker do now leave the Chair")

Mr. Khalif: Mr. Speaker, when I was interrupted, I was saying that my people are disgusted with the *Shifita* and are deeply disturbed by them, particularly the loyalists or the loyal Somali who find themselves without the help of security forces of the Government, when they killed two *Shifita* and they had to surrender their arms to officials, to the authority.

Mr. Speaker, Sir, coming to the social and economic position of our people, I must condemn the deliberate policy of the former imperialist body to keep our people in the N.F.D. very backward and separated from their brothers in the rest of Kenya. It was easier for the Somali or Boran to go to Ethiopia or Somalia instead of Nairobi. I would like to know what the Government is doing to remove the colonial legacy? Is it any wonder that many of our people felt closer to Somalia and Ethiopia rather than Kenya, when this was a deliberate plan of the imperialists? What was known as the N.F.D. is found today to be exactly the same as it was in the days of the colonial régime when they came here about seventy years ago. A one-time while administrator in the N.F.D. who is now known as Sir Gerald Riese once described one of the N.F.D. tribes, known as the Gabbra, as if they were living in the days of Moses which meant that they were hundreds of centuries behind the rest of civilization. I would be perfectly correct, if I may say so, in saying that their position has not changed at all up to this very moment. They are still living in the time of Moses, and they will continue to live in the time of Moses if this Government does not do something to improve their economic position.

The N.F.D. is lagging behind the rest of Kenya in all walks of life. As far as education is concerned, there is not a single secondary school, or

even an adequate, well-staffed intermediate school. We are very short of properly equipped hospitals and dispensaries. I would like to mention that we are a nomadic people—

The Parliamentary Secretary for Home Affairs (Mr. Moss): On a point of order, Mr. Speaker, is the hon. Member in order to read his speech?

The Speaker (Mr. Slade): It is not in order; there is a Standing Order which expressly prohibits it. Hon. Members are allowed to refer to fairly full notes, but they are not allowed to read every word and I think you are getting near to reading every word, Mr. Khalif. That is out of order.

Mr. Khalif: On a point of order, Mr. Speaker, does this apply exclusively to Members and not to Ministers? Are they allowed to read their speeches?

The Speaker (Mr. Slade): No. The rule against reading speeches applies to all Members, like any other rule. In this House, as in the House of Commons, there is a considerable latitude allowed to Ministers who have to quote from large masses of figures or deal with technical subjects, or rely upon briefs prepared by their permanent staff. That is a heavy burden, so they are allowed some dispensation. Hon. Members who do not have the burden of being Ministers are expected to be spontaneous.

Mr. Khalif: Thank you very much, Mr. Speaker. I was saying that we are a nomadic people and we depend on our cattle for our lives. The whole of the eastern world are crying out for meat, yet we who raise sheep, do not get good prices for our meat. The Government has adopted a policy of allowing various bodies like ALMO or the K.M.C. to monopolize the livestock trade throughout this region. This is very unfair, and the Government should adopt a policy whereby they should encourage the formation of local co-operative societies which can buy beef cattle, sheep and goats and export them to other regions of Kenya.

Turning now to the question of water and veterinary services, Mr. Speaker, Sir. In the past, these services have been completely forgotten and most of the services were concentrated in the European Highlands. It is places like the N.F.D. or the North-Eastern Region which need development of the water services and veterinary services. The present services are completely inadequate.

Mr. Speaker, Sir, to conclude, I would like to say that as a Kenya citizen I fully endorse the views expressed by other Members with regard to the nationalization of key industries.

Mr. arap Moi: Mr. Speaker, Sir, although it is not unfair, I would like to say first that the Budget as a whole was not first class; it is a fair one and the Minister for Finance did his best to do what he could for the country which became independent recently. It is well understood that the country attained independence six months ago, and the Minister for Finance has had to work out what would suit Kenya best in the next twelve months. However, I should like to criticize by saying that the Budget does not go very far, as far as the ordinary person is concerned. The ordinary man expected more because of the expectation of the policy of the Government in the past, but this has fallen short of their expectations. Nevertheless, I welcome some of the suggestions which might bring the country back to the time when the country was wealthy enough to enable the ordinary person to have most of the things which he or she requires. There are many factors which affect the Budget as a whole. First, I do not think that the House should accept all aspects of the Budget which will be twisted, or at least mishandled, by the Government.

I should also like to say that unless patience, tolerance and wisdom are carried out by the Prime Minister through his own Ministers, whatever proposals are contained in the Budget, the country is bound to collapse. I say so, Mr. Speaker, because development within various districts in Kenya is planned or it is collated between various departments in the districts through the Regional Government Agents, but if the policy of the Government is to transfer Regional Government Agents and those within authority within two weeks, I do not think any district will benefit from any of the development plans the Minister has in mind. I say this, because being President of the Rift Valley Region, I have on many occasions protested to the Public Service Commission, which is no longer the executive authority as far as the constitution is concerned. A Regional Government Agent is posted to a district and remains there for two weeks, and before he knows a few places near the headquarters, he is told to leave, without even consulting the Regional Authority about his transfer. If it were a question of him being promoted, neither I, nor any other responsible person, would stand in his way. We do not object to promotions, but we do object to transfers merely for the sake of transfers, simply because the Minister is guided by political considerations in transferring such a person. Therefore, I completely oppose this, and if we vote thousands or millions of pounds here which are going to be wasted, then I do not think we are doing justice to the people of this country, par-

ticularly the Africans who are doing everything they can to develop the country as a whole. That is one of the most important things which I would like the Minister to note when he is replying on this debate.

Furthermore, Mr. Speaker, there are many things which most of us would like to see happening. Many Members talk of nationalization. Of course, that is a cheap way of catching the minds of the people, but the most important thing is this, that the best thing for the Government to do is to exploit the mineral resources so that the country can get its own money. I wonder if the Minister is aware of the National Debt the Government has, even if we borrow from Britain, Russia or China. The country is no better off because it has not got the money to develop itself. Today, because of political agitation and political ideologies, the country has been swayed from one side to the other simply because the country is not wealthy enough to depend on itself. The Minister should work and other economists, Mr. Okelo-Odongo, possibly, and the Minister, and others who are interested in economics, should work for the independence of Kenya so far as the economy is concerned. Unless and until we achieve this, our independence is meaningless. We shall be talking nonsense if we cannot help our people to produce wealth, exploit the mineral wealth and resources within Kenya. That is the most important thing. The country is not satisfied with the surveying of minerals here and there, and when questions are asked, the Government merely tells the House that progress is being made. We would like to know definitely that progress is being made and that something is being done so that the people in the country can benefit from such wealth.

The country is not happy, when they hear Ministers talking as one did yesterday, of the things which were worrying some of us, the Minister said that the Legion of Mary was harmless and so on. That does not bring confidence into this country. We would like our people to work together with the Government, but if the Government is going to by-pass everybody, simply because they are in power, well, nobody knows whether they will be in power next time. Therefore, they must work for the people and not merely for themselves. There have been various mistakes made by the Government, and I should like to refer to the Budget on page 35, which refers to the Budget Statement, saying that they are extending the transitional period of funds which should have been in the hands of the regions by now, and that this is included in the Budget. However, I would like to say, that if we

[Mr. arap Moi]

are to be fair to the country this matter should be referred to the court to give a ruling on that matter because it is complicated and it affects the people in the country and, therefore, personally, I and the Opposition, as a whole, oppose it because it is unconstitutional.

Here in the House, if we agree to it, it means we are committing the same offence which the Government is committing. I would like to draw the attention of the Minister to the fact that he is the Minister or the Chancellor of the Exchequer. He is the man who is entrusted to keep the money safe, but if other Ministers are trying to influence him as a Minister for Finance, then his authority is going to dwindle away, and in the end we will find he is powerless because he has given all his powers away. Therefore, I hope that the Minister will be very careful on this matter. I do not object, if the Government brings any amendment before the House, to amending the Constitution, rather than bringing it through the back door. What we have experienced is that the Government is taking itself as the supreme authority over Parliament. If that question is in the negative, then the Minister should reply and say that is not the case.

With regard to development, unless that book is not in order, the Minister for Finance did not give priority to the areas which are sparsely populated and areas which were very neglected by the past régime. I hope that the Government will give every encouragement to the pastoral tribes who, not as a result of their own faults, could not manage to develop their own areas. We would like more schools, more agricultural schools, more veterinary schools, to train youngsters so that when they leave such schools they will be able to be useful citizens in the country. That is the surest way of developing those areas. Secondly, it is important that the dryer areas should be able to get water for their own cattle, and this is a matter to which the Government did not give priority. The past suggestion that high-potential areas should be given priority should not be the criterion by which the present Government spends the money, but they should spread the money throughout the country so that every citizen benefits from the money.

An hon. Member: You are right.

Mr. arap Moi: Another point on which I would like to talk concerns the question of tribalism, and so on. Perhaps the Government may think today that by adopting the line they are taking at the moment that the country will benefit. Overseas Press report possibly the speeches they make in the House, and outside they think the Govern-

ment is a nationalist Government, whereas it is a tribalist Government. I say this because of deeds, not theories, and I do not want to give the names of those responsible. I have the list of names of people within the Ministries and the promotions they have had, but I do not want to disclose them here, because if I did it would damage some of the Ministers.

An hon. Member: Whom have you promoted?

Mr. arap Moi: I do not think I have promoted anybody. The point is this: as I said before, the Public Service Commission is no longer an independent body, and I would advise the Government to reshuffle the Public Service Commission and make it fully representative.

The Minister for Commerce and Industry (Dr. Kiano): We will make it Kalenjin.

Mr. arap Moi: There are no Kalenjin there, only other people. But I would like to say that since the old Chairman of the Public Service Commission has retired, we should like to compliment him on what he did in the past. Possibly he retired because of pressure, nobody knows and because he has been used on impartial Public Service Commissions in other countries of the Commonwealth, possibly certain individuals might have brought pressure on him which necessitated his retirement. However, I would like to add that the present deputy should immediately take over and be Chairman of the Public Service Commission until the whole thing is reviewed, so that the country will be satisfied. I do not want to say that the promotions, and so on, reflect the country as a whole. I want today to know from the Government why, the Public Service Commission is not independent. The point is this: some Permanent Secretaries were appointed through the normal channels, i.e. through the Public Service Commission; others straightaway became Permanent Secretaries. We want to know why this was so.

An hon. Member: Africanization.

Mr. arap Moi: Africanization does not mean jumping from standard one to standard eight. They must go through all the stages.

Mr. Speaker, I have also heard that one of the Kalenjin civil servants is being considered for demotion, but it remains to be seen whether this is the case. I do not want to talk on a tribal basis, but I would like to tell the Government that this shows quite categorically that they are tribalistic in their dealings. Sometimes they compromise; perhaps I can explain this by saying that in the Immigration Department, the Principal Immigration Officer is a Mkamba and the deputy

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is a Luo. Therefore, there was a compromise: "if you take the Principal Immigration Officer, I will take the deputy".

The Parliamentary Secretary for Local Government (Mr. ole Konchellah): Mr. Speaker, Sir, on a point of order, can the hon. Member substantiate that?

The Speaker (Mr. Slade): What do you want him to substantiate, Mr. Konchellah?

The Parliamentary Secretary for Local Government (Mr. ole Konchellah): He said that there was a compromise between the Ministers in the Immigration Department. Can he substantiate that?

The Speaker (Mr. Slade): No, that is not the sort of thing you can substantiate, because it is an expression of opinion. He says, "Here you have a Principal Immigration Officer of a certain tribe, the deputy of another tribe. My suspicion, or my conclusion is, that that represents a compromise." You can judge whether you think he is justified, but he cannot substantiate.

Mr. arap Moi: Thank you very much, Mr. Speaker. It was factual information. I have complained in the past that there was another man who was a graduate who is in the third row and who has nobody to assist him, to push him up. Nevertheless, this is the sort of thing which should not occur in this country. If somebody is loyal to the country, he should never be denied the right of rising, even to the highest rank, and if we continue thinking that simply because this person belongs to my tribe, therefore I should assist him, we are heading for trouble. The reason for this is what I have said before; the Prime Minister, through his Ministers, should have patience, tolerance and be guided by wisdom so that the people in this country may be satisfied that they have a national government. We cannot have a national government if we approve the Budget here, but when the money is allocated it goes to individuals, and to various tribes and other tribes are left at the mercy of those in power. Therefore, the Minister for Finance should use his influence over other Ministers to see that the money voted in this Parliament for public purposes and for public services is used wisely and allocated for the benefit of the people as a whole. That is the guiding principle by which our Minister for Finance should work.

I have said before, with regard to money allocated for development, the Minister should

have consultative bodies in the regions through which he can organize the schemes or projects which he wants to plan for the country.

The Minister for Commerce has been doing a lot within and outside Kenya, and I think we should be grateful to him, but—and it is a big but—some of us are waiting very eagerly for local industries. As I have said before, primary industries in this country are of great importance because unless we have primary industries I do not think our people will benefit much from what we are doing for them. Therefore, the Minister should pay attention to all the regions so that primary industries or local industries are spread throughout the country. As I have said, to date he has done his best, but nobody knows what he has in store, whether this will reflect what we have said about him remains to be seen. We hope this problem will be solved.

Another point, Mr. Speaker, is that the Government increased the salaries of the police as a whole and the army, but the tribal police were left out. They are the backbone of law and order maintenance in the country. They also deserve better pay, and I hope the Minister will reply to that, because it is important that the tribal police are, at least, given the same salaries as those received by people in the Kenya Police. They are doing the dirtiest work at the lower level, at the country level, and if they are not given encouragement I think the country will be doing them a disservice.

Further, I should like to mention this point, Mr. Speaker, that the Minister for Commerce and Industry should give priority to home or local markets.

[The Speaker (Mr. Slade) left the Chair]

[The Deputy Speaker (Mr. De Souza) took the Chair]

We should do everything possible to make our people drink more milk, instead of drinking beer. If the hon. Members were to drink three pints of milk a day, they would be boosting the milk market in the country, but instead they drink more than four bottles of beer which means that they are boosting foreign capital instead of the local markets.

Hon. Members: No, no.

Mr. arap Moi: I have mentioned a very touchy subject, Mr. Deputy Speaker, as far as hon. Members are concerned. They have been talking about nationalization and the rest of it, and yet they are boosting those companies which are controlled by foreign capital, and although one Member has a very small share in them, I do

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not think the whole country benefits from that. Therefore, Sir, I urge the Minister to campaign for people to drink more milk. The whole country produces 140,000 gallons a day, but it sells only 40,000. The rest should be consumed by the——

An hon. Member: Members!

Mr. arap Moi: ——by the people in the country if better publicity were given. That is why I am talking about encouraging home markets or local markets. This also applies to coffee and tea, although people can only drink two cups of coffee or tea, not more, they can still drink more milk.

Before I sit down, Mr. Deputy Speaker, I should like to say that the Government in its Budget did not do well. I hope that they will not repeat the same mistakes that were made in the past. The national debt must be reduced, so that when we move forward we know definitely that, in the long run, Kenya is going to depend on itself. I should like to quote a proverb which says "many people mend the stable after the cow has been stolen". The Government should mend its own ways now after it has seen quite clearly that the mistakes which have been made in the past are not repeated, and they should not repeat them ever again.

The Members should be patient; I have not finished yet.

With the reservations I have made, Mr. Deputy Speaker, I beg to support.

Mr. Makone: Mr. Deputy Speaker, Sir, I rise to say nothing new, but to join with my colleagues in congratulating the able Minister on the way he presented his Budget. I would say that this is the first political bible which the Minister has produced; this is Kenya's first political bible. However, Sir, we must be careful as regards to the way we present it.

Mr. Nyaga: On a point of order, Mr. Deputy Speaker, is it in order for the hon. Member to refer to the Development Plan as a Bible?

The Deputy Speaker (Mr. De Souza): You heard what he said. He referred to it as a "political bible", and there is nothing wrong in what he said.

Mr. Makone: Mr. Deputy Speaker, I would like to say one thing which has been said by many Members, but I will mention it superficially. There may be a number of things which may hinder the implementation of the Six-year Plan,

and one of them is tribalism. It is necessary for us to repeat all the time this word, "tribalism". It must be given a very special treatment, and that should be as big a campaign as the one we carried out during the struggle for independence. Tribalism is not practised by the ordinary man. The people who are practising tribalism are the top Government officials. When I say "top Government officials", I include the Ministers and the people in the Ministries. At home, Mr. Deputy Speaker, Sir, they understand tribalism in a different way. Who employs the people? How does the word tribalism come in? It comes in because some people favour their friends. You find that if a Minister does not find a suitable person from his constituency to build his case for the next election, he finds a person from his district. They must come out, not with mere words which are printed on the front page of the *East African Standard*, but with actions. We have a saying in Kisii which is that if you have some bananas and there are several children, only one of whom is your own, and you want to divide the bananas among them, you give your own child the least; you give more to the other people's children. That is fair. What happens here in this country is that each person is fighting for his own good; each person is fighting to see that he stays longer in the Parliament. That is the case here. How does the common man reply to this problem of tribalism? When there is talk in the cities, in the towns about tribalism, the common man goes into a beer hall and they talk about tribalism. What is the reaction? They go out and steal cattle from the neighbouring tribe. What is the action from the Government side? You find that the Government has to withdraw one of the development plans, either for tea or for extension of water in Kiambu in order to spend the money on sending the General Service Unit or the tribal police to the area. That is one way in which, if the Ministers and everyone is not careful to come out with actions instead of words, we shall get nowhere with the implementation of the political bibles. We shall get nowhere.

Mr. Deputy Speaker, Sir, I would like to refer to the foreign services. Kenya's reputation outside depends very much, I think, on the dignity and personality of our Ambassadors outside. That does not mean that our Ambassadors are inefficient or anything like that; not at all, they are quite efficient, but what I would like to see, now that we are independent, is that there should be an institute of foreign languages. A school should be built somewhere whereby some of the youngsters go there to be trained so that they become Ambassadors. It should not be as

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it is with me: Makone, go to a job here, Makone go to Russia. That is not enough, because I do not know the language of those people, nor do I know how they behave. I understand that if an Englishman wants to tell you that what you are doing is not right, he will say, "If I were you, I would not do that." How am I to know that saying, "If I were you, I would not do that." Perhaps he means that what you are doing is not in accordance with his taste or that what you are doing is no good? Our people must be taught. Those who go to Russia should attend an institute so that when they go there, they are ready. I would recommend that out of one hundred people attending these institutions, only twenty might be picked to qualify for the foreign service; not everybody would be suitable.

Mr. Deputy Speaker, when the hon. Minister replies, I would like to hear what he says about this.

An hon. Member: The Minister is not here.

The Minister for Commerce and Industry (Dr. Kiano): I am taking notes for him.

Mr. Makone: Before I finish on that point, I would like to say that much of the inflow of information to Kenya from these foreign countries should depend on those people, on the Ambassadors and their staff. I think it is very important that we should rely on our own Ambassadors as far as information is concerned. We would like to know if Government is aided, what the conditions are; they may tell us it is all right and there are no strings at all, but we would like to know the implications.

Mr. Deputy Speaker, Sir, I want to come to the teachers' side. I have been a teacher for a long time, and I notice that a prominent ex-president of the Kenya National Union of Teachers is here (he is the Minister for Local Government) and I am sure he will support me.

Mr. Deputy Speaker, Sir, during the last strike of the teachers' the teachers were promised that as soon as Kenya had her independence their salaries would be revised, and they accepted the interim salary. Mr. Deputy Speaker, when the salaries of the teachers were announced, I discovered that they were far too little for a teacher to live on. The conditions attached to the salary were also bad. It is doing the country more harm than good. How can you respect a person who does not earn much pay? How can you? You find that these teachers are not respected because the pupils know they are getting very little pay. They dress very badly although they wish to dress very

nicely—because they get very little pay. One gets the pupils despising the teachers and the discipline is very low as the teachers do not command any respect from the pupils. This is because the pupils know that the teachers draw very little pay. For example, Mr. Deputy Speaker, Sir, a bus conductor gets the same pay in a month as a teacher who has undergone two years' training. The ex-president of the Kenya National Union of Teachers, who is here, and some of the prominent teachers, told the other teachers that if they were elected to this House they would fight for the teachers' rights. We come here and find that they have kept quiet: this is no good, Mr. Deputy Speaker.

We find that we have no skilled manpower. How can we get skilled manpower? We must have good teachers first to train the young so that we can produce skilled manpower. Without them, Mr. Deputy Speaker, there is no way out. We will continue to keep pushing a wheelbarrow containing sand mixed with water and cement.

Mr. Deputy Speaker, Sir, we are all moving in the same boat and the people in that boat are all important. In that boat we have crew, drivers, conductors maybe and some *mzima moto*. They are all important for the welfare of that boat and yet we are told, Mr. Deputy Speaker, Sir, that there is no money for the teachers, and yet they are in the same boat with others.

Mr. Deputy Speaker, Sir, some teachers only earn Sh. 500 a month. Is that enough for a man to live on? It is only enough for a Minister's travelling allowance! This is a national shame, Mr. Deputy Speaker, Sir. Money must be shared equally among the people in the same boat.

Let me continue—

Mr. Ngala: Why did you drop your Motion about it?

Mr. Makone: You should not take advantage of me. Mr. Deputy Speaker, Sir, here is something very interesting. When we tell the Minister for Education, who is unfortunately not here now, that something must be done about the teachers' demands, we find that they have established a Commission of Inquiry. What for? What we need to do is to bring the Kenya National Union of Teachers' officials into the matter. They know the teachers' troubles, Mr. Deputy Speaker, Sir. I understand that Mr. Pandya, whom I respect very much, is on the Commission of Inquiry. What does he know about the things they are investigating, about the terms of service? What does he know?

Mr. Omar: Mr. Deputy Speaker, Sir, on a point of order. Is the hon. Member right in alleging that Mr. Pandya, being a member of the Commission of Education, is ignorant of what is going on? Could he substantiate his allegation?

The Deputy Speaker (Mr. De Souza): You should avoid names if possible, but that was not an allegation.

Mr. Makone: Mr. Deputy Speaker, I will continue to speak—

Mr. Ngala: On a point of order, Mr. Deputy Speaker, I stand for your guidance on this matter. The hon. Member has implied that the hon. Mr. Pandya does not know the business of the Education Commission of Inquiry to which he was duly appointed by the Minister. If he has implied that can he withdraw it?

The Deputy Speaker (Mr. De Souza): The point is this, that the hon. Member is entitled in this House to challenge the qualifications of any person who has been appointed for any particular job. He has full liberty to do so. It is at his discretion to use a certain amount of courtesy when referring to individual persons when normally one would not like to refer to individual persons, unless there is a glaring case. There is nothing in Standing Orders which restricts him from referring to any individual and saying, "I do not consider that he is qualified for a particular job", particularly when he is a Member of Parliament. But, in my opinion, it is not advisable to do so.

Mr. Pandya: The hon. Member did use the words "what does he know about it?" Does this not amount to an insinuation? I am seeking guidance on this. He did say that I know nothing about it.

The Deputy Speaker (Mr. De Souza): Mr. Pandya, I appreciate your point of view, and we are all entitled to our points of view, but it is not out of order.

Mr. Makone: Mr. Deputy Speaker, Sir, all that is needed by the Ministry, if it wants a genuine case, is to draw the attention of the Kenya National Union of Teachers to the matter and have them brought together and discuss the problem with the Ministry. The officials of the Kenya National Union of Teachers know the problem best, better than anybody. I did not say that Mr. Pandya is not learned, we all know that he is.

Mr. Deputy Speaker, Sir, before I leave the question of teachers, I would like to say a few more words. You find that one of the teachers' aims has been to strive for one employer. Mr.

Deputy Speaker, when the Ministers came from London, they said that the teachers would be under the regions and under the Central Government. Now, this has got more and more behind-hand. Today, almost all the teachers in my region are under the county councils. This is an insult. How can the county councils pay the teachers? Government should not waste its money setting up commissions of inquiry. I would say that the Commission of Inquiry should be kept to study why we have more rainfall than ever before in our country.

Mr. Deputy Speaker, Sir, I have almost finished, but I would like to say something about settlement. The last time we were speaking about settlement I thought that the position as it was then was going to be changed. But I find, Mr. Deputy Speaker, Sir, that even in our new Development Plan the same situation prevails. Mr. Speaker, Sir, the terms of allowing the settler to come on to a new piece of land are such that once they have been given a loan, they are asked to pay six per cent interest on the whole loan. Which bank pays six per cent? To make it worse, Mr. Deputy Speaker, Sir, when a new settler begins to reorganize his piece of land within six months only, he is asked to begin paying back his loan plus interest of six per cent as income tax. How can a man who has been there for only six months be in a position to pay six per cent interest? I hope the Minister, when replying, will tell us exactly how he expects these people to pay six per cent within the first six months.

Mr. Deputy Speaker, Sir, when such a man comes to the settlement area he has to plan his own business. Furthermore, he has to pay school fees for his children; he has to pay graduated personal tax; he has to clothe his children. When he has been given a piece of land to farm it does not mean that he has to ignore all his personal needs and then begin paying off his loan plus six per cent interest to the Settlement Board.

Mr. Deputy Speaker, Sir, thank you for allowing me time. These people should be given a longer period just as the outgoing settlers were given. Some outgoing settlers were given ninety-nine years to pay back the loan. How is it that these Africans are asked to start paying after the first six months and pay six per cent interest? I am sure the Minister will now wake up and look into these things.

Mr. Deputy Speaker, the last thing I want to say about settlement is what is mentioned here from time to time and that is that the settler who has been bought out from these areas should not again be given jobs on the spot on his farm.

[Mr. Makone]

If anybody asks me to substantiate now there are three and more settlers who are being engaged to take up the posts of Settlement Officers on their own farms. How can that happen? You will find that the same settler his head boy—the people call him *nyapara*. He may have hated one *nyapara* and he might have hated some of his workers. Now he becomes again the servant of those people. How can he become the servant of those people and serve them well? That is impossible. We know the whole background. If I might say, because we have said all these things several times and the Minister does not seem to take the initiative of correcting them.

[The Deputy Speaker (Mr. De Souza) left the Chair]

[The Speaker (Mr. Slade) took the Chair]

You find down here in the Ministry the Principal Settlement Officer. Next, Senior Settlement Officers: former settlers. In the Ministry the same trend prevails. Now, Sir, we find that if the Minister puts these good boys from Siriba, from Egerton College, even some of the experienced and good boys in the field could be employed, but they will not obey some of these senior settlers in the area. You will find that the Senior Settlement Officer orders the Settlement Officer, who is a settler again, to take Anyieni's bad cows—excuse me using your name, it is because you come from my country. Anyieni comes in the evening and he wants to put his case to this farmer as a compassionate farm. I do not know why it is called a compassionate case farm. He says, "I have twenty or one hundred cows which I have neglected and you have all seen how they walk about on the neglected farms. They are not cared for." The Settlement Officer tells him, "now look, sell them to your settlers". Such bad cows are sold to the Settlement Board. The Settlement Officer takes all the bad cows from Mr. Anyieni and gives them to the incoming settlers whether they like it or not. What I would like the Minister to do is to give free choice to our settlers in selecting their own cows, and when they die it is not his *shauri*, because they have chosen the good cows. I am a member of one of the settlement areas, and I have given you a report. Nothing has been done. We want these boys from Siriba College and Egerton to be made Settlement Officers and move in with our own people because they can command the respect of the people; they have the confidence of our people. We prefer them to those boys who put a *kiko* in their mouths and smoke while talking to one about the progress

of this country. Some of them are not responsible at all. Everybody who knows me knows that I am not a bad Member.

An hon. Member: Not a bad boy?

Mr. Makone: I said Member. Mr. Speaker, Sir, I call this a Bible, with its laws for the country. We must be very careful in briefing people on the laws of this book we must be very careful because on page 50 they say that expansion of tea in Kisii will be given priority. All right, I will go back tomorrow and stand on a platform and tell the people, "right, come on—be quiet—Kanu is doing a very good job for you, we are going to give you more tea. Carry on and leave *pombe* and save money for buying tea stamps". They will say, "it is a good Government". However, Sir, if the Government is not going to keep these promises in an area which has such a specific plan for it, so that we see the fulfilment of the book's law, then that will be a good way of wiping out the Government. Therefore, the Government must be very careful in the way they have told us to preach the laws of this book.

I have one very small point which I thought the Minister for Health and Housing and his Parliamentary Secretary, who are both punctually here, would have taken into consideration in their estimate to the Minister, this is the provision I thought they would have made for the Members of Parliament's houses. I do not think any provision has been made for Members of Parliament's houses. Our being here is a long-term contract, it is not everlasting, but it is something to stay as long as we live if there is no war. If we die, other persons will come in so this is not a contract where we stay only for a month and then we go home forever. Mr. Speaker, we would like to get decent houses for Members. If they want to deduct rent from our little salaries for that, it is a different matter. Therefore, the Minister for Housing should not regard our presence here as being under contract, we are resident Members of the country and this House should make provision for Members' houses in Nairobi. So, I hope he will bring in Supplementary Estimates for the Members of Parliament's houses in order to preserve the dignity of this House.

Mr. Agar: Thank you, Mr. Speaker, for giving me a chance to say a few words on this Budget. They say that you should give the devil his due. Therefore, we say that the Budget is good. We give that credit to the Minister for Finance, who has carefully worked out quite a good financial statement. Sir, we criticize a few things, and we

[Mr. Agar]

want to state to the Government that what we will say is what we have felt through experience. The things that are needed, the things that are omitted and those which have been committed by this Government, and they are the things that may ruin this country or bring progress. Sir, this Government has now got into the habit of saying whenever they hear criticism, "Oh! we are quite a young Government; we only got our Independence six months ago," instead of working hard, and encouraging us to say "Oh! what achievement our Government has made in six months." They want to say "Oh! six months—we can sleep." They must never get into the habit of doing this; it does not help anyone to say that because a person is young or because he has not been in the office for a long time he should take things easy. When we used to ask for Independence, we used to say "Colonialists go away—we are ready to govern this country even better than you do," and, Sir, it is sad to see that a few things are now run in an inferior manner, and at a lower standard to the days we were under the Colonial Government. We want to state categorically to this House, and I think this is the view of all the Members, and they would support me, we criticize our Government, we point out certain things so often in this House that we even go so far as not supporting the Government because we want Kenya to stay a first-class nation, not a second-class one or a backward nation. Kenya has been a prominent country, it is a rich country, it has a vigorous population and therefore all the statements we make, all the criticisms we bring here is because we feel patriotic enough and proud enough, because we want Kenya to be a leading country in East Africa and Africa is possible.

The other day a Minister was speaking here against the vote on federation and he was saying that Kenya does not want to lead anybody. The Minister was deliberately misleading the House. We did not say we wanted Kenya to lead anybody, we said we wanted Kenya to be a leading country, taking the initiative on the liberation movement, taking the initiative on development plans, which will bring more money and wealth into this country. A few things which developed after our vote on federation. Mr. Speaker, if I may refer to the subject of federation—

The Speaker (Mr. Slade): No, I am sorry. Mr. Agar, I have said we cannot resume that debate on federation in this debate.

Mr. Agar: I thought you agreed with Mr. Pandya that if certain things developed after our debate we might be allowed to mention them.

The Speaker (Mr. Slade): There might be, we will have to see.

Mr. Agar: After the vote had been carried out here unanimously without division and the Government accepted the Motion in the House, we expected the Prime Minister to go to the country and say "We accept the will of the Parliament and we are going to do everything we can," and we saw that accordingly he called a meeting at Kamukunji, Shauri Moyo, Nairobi, the capital of Kenya. We all listened very carefully to see what he said, but he did not say anything about this matter to the public about that matter. We Members who supported that Motion also heard categorically that Tanganyika committed itself to the federation and, therefore, we expected the Government to take some action. Now, we see that the present Government, however good the Budget or the Development Plan may be, if they begin losing the confidence of this House or disregarding the Motions in this House, all the Development Plan and all the good intentions of the Government cannot be carried out. A number of Members of this House have expressed the opinion that there is manifestation of a lot of tribes in our Government. There are cases, Sir, which support this kind of allegation, and I stand as one of the Members who have genuinely and carefully looked into the activities of our Government. Various appointments in various departments, various appointments in the Ministries, and various activities in settlement and in other economic activities, and we are now convicted—and nobody can stand up and deny—that there is a lot of tribal trend in the activities of our present Government. I am ashamed even to stand up and speak of tribal things in this House because I have always considered that we can only survive in this country if we are united as one nation. Anybody who feels that he can get away with tribalism, with tribal practises in the Government, a Government of the whole of Kenya, is not going to get away with it. It is totally unacceptable to Kenya. We tell the people who have tribal trends in their minds to note that they are digging their own graves.

Mr. Speaker, Sir, we have noted that when we took over the ruling of this country, and were united in our national struggle, although there were two parties, Kadu Members asked for Independence, Kanu members asked for Independence, and we only knew that after Independence we would all settle down, and whoever was at the top of that Government would try his best to see that the African, the indigenous Africans, would be the people who would see the fruit of Independence immediately. Now when we see the Budget it is generally good, the Development

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Plan is generally good, but we want to state that we do not see anything dynamic in these plans. We do not see socialist plans in the Government's plan today. The Africans stayed down where they were and, in fact, we can say that by the end of seven years of the Plan I think their conditions will have deteriorated. Where has the Minister shown clearly that he is going to add more money, more cash, into the pockets of Onyango Otieno and Mutuko?

Take an African farmer in Karachuonyo or any other place. We have noted that by the very fact that we have our independence, but the prices of farmers' produce have gone down. The farmers are getting less for their produce. Mr. Speaker, if our Government says that these prices are controlled internationally, I do not see why the Government should not be prepared to spend something to subsidize the prices of this produce in the rural areas where the bulk of our people live, so that they can get better pay. This is the only way you can put more money into the African pockets. But when they see that now he is paid far less for his maize, he is paid less for his groundnuts, he is paid less for his cotton, how, Mr. Speaker, will he know the difference between the African Government and the exploiters of the past? Mr. Speaker, Sir, we would have seen something more dynamic to help African traders. There are allegations that certain African traders have failed to pay back their loans, but, Mr. Speaker, as one Member mentioned yesterday, if there was a proper efficient plan to give the Africans who are given these loans, this money, and a proper way of checking that they are making good progress in their farming affairs or in their business activities, I hope this would not have been as it is now. I know the machinery of local government that issues these loans is very inefficient. Sometimes they are given on a friendly basis. If an African goes, and he is known by the chairman of the county council or he is known by the chairman of the regional assembly or the chairman of some trade committee, he is given a large sum of money, sometimes as much as Sh. 3,000, and he does not know what to do with it. He has never shown that he is capable of doing anything, he has never done anything, but he goes and gets the money and after some years he still has done nothing. There are genuine cases, Mr. Speaker, where farmers have failed because the crops have failed due to nature, due to too much rain or to drought, but, Mr. Speaker, these are rare cases. The Government must re-examine how to give out these loans and how to recover them and how to put an African on a true business footing so

that he can compete with those who have the monopoly of the wealth in this country. Mr. Speaker, I would like the Government policy to make the workers participate in economic enterprises in companies and in the industries. We know that this system is working in other countries very well. In other countries the workers are made to buy shares, their conditions are improved more, and after a certain number of years you find that the workers jointly own the enterprise or factory with the fellows who had started the factory. We want Government policy to work towards this line.

An hon. Member: Communism.

Mr. Agar: Mr. Speaker, Sir, an hon. Member is saying this is Communism. It is not Communism. This is done in America and I do not think America is a Communist country. These things are done in Scandinavian countries and these countries are not Communist. Some Members should not just shout out of ignorance.

There are Members who have expressed strong views about nationalization. I am not a very enthusiastic advocate of nationalization. I only advocate nationalization where it will work more efficiently than private ownership. In the modern world there are laws which have become quite common in many countries whereby the Government has sufficient control over private enterprise so that the people can profit from them. These are the laws that we want the Government to revise and improve on. I do not want to see a firm or a factory nationalized just for the sake of nationalization, and then be run inefficiently, with tribalism, favouritism and so on creeping in and the thing falling to pieces. But, Mr. Speaker, I do not see why essential services such as the electricity, power, and the things like road transport and so on, I do not see why these things are not nationalized so that the Africans can get the full benefit and the cost of travelling and transportation would be much lighter than it is now. They are the things that can be nationalized right away and we do not see why the Government is moving slowly. We congratulate the Government for having nationalized the Kenya Broadcasting Corporation, and we hope the services will be much better than they have been under private hands. Mr. Speaker, we also warn the Government, any Government, whether I am in it tomorrow or I am out of it, any Government, that they must prove that when they nationalize something they will do better, people will benefit more than before it was nationalized.

Mr. Speaker, Sir, economic development in Kenya is unbalanced at present. There are some

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things for which the Government cannot be blamed; there are some areas which are less developed and other areas which are more developed. However, the start that should be made by the present Government is that it should show that the Government wants to balance economic improvement, economic development throughout the country. Some time back we had a feeling that the Minister for Commerce and Industry was cluttering most of the industries in Nairobi and the Central Region. Mr. Speaker, some Members went as far as to call the Minister the Member for Thika! That was because there was a time when a company was negotiating to start a textile industry in Kenya, and instead of the Minister drawing the company's attention to where these raw materials for textiles were produced, they were directed to Thika. I think that is his constituency, Mr. Speaker, if I am not wrong. I understand the company deals with nylon, Mr. Speaker, but it could be supplemented with cotton.

We are happy now that we will have a cotton textile industry in Kisumu, but I know that it was after a lot of criticism and questioning and stormy debates in this House that these things were changed. We have met some of these people coming in delegations from overseas and we know some of the advice that they get from the Ministry and therefore we speak from knowledge, not from rumours. We want the Minister for Commerce and Industry, the Minister for Finance, the Minister for Agriculture and the Minister for Settlement all to see that facilities for development should be given to the various areas which so far have been neglected. I want to quote Nyanza as a region which was economically neglected. We have a population of over two million people and nearly all the industries that people can work in are away from Nyanza Region. People have to come all the way to Nairobi and Mombasa and at one time the Leader of the Opposition, when he was so *Majimbo* minded, was trying to chase our men away from Mombasa and so we were faced with the big problem of women running away back to Nyanza saying that they had come back because their husbands had been threatened and they had come back with their children. We now would like the Minister to take note of the fact that Nyanza Province has a population of over two million people and it should have a lot of economic activities. If, Mr. Speaker, certain investors, because of former economic facilities cannot be persuaded to go to Nyanza we would like to request the Government to spend more public money in Nyanza. We have this problem

of tsetse fly in South Nyanza and Central Nyanza. We would like the Government to take prompt action to eradicate tsetse fly which brings sleeping-sickness. Mr. Speaker, Sir, the death toll brought about by tsetse fly sleeping-sickness in Nyanza is greater than the number of Africans being killed by the *Shifta* in the Northern Region. We do not see why the tsetse fly problem could not be handled an emergency matter. It is very sad to see young men turning mad. There are the farmers who are trying to farm in the Lumbwa valley and they are becoming sick and sleeping and running away, and we expected that this year we would see, as number one priority, an immediate activity by Government to eradicate tsetse fly so that they would eradicate sleeping-sickness. Mr. Speaker, Sir, there is no sign of any start yet. We understand some dispensary will be set up to treat the already sick people, but how can the Government be expected to do that? They want to wait for the people to get ill and then treat them, and go on like this. Yet the cause will stay, and the cause is known and it can be eradicated. Why should that kind of thing happen? I am sure, Mr. Speaker, that this is why many of our people feel that there is tribalism. If there was such a thing in the Central Region this would have been done at once. Mr. Speaker, Sir, we say these things with all seriousness because when we go back to our constituencies a lot of things are pointed out to us. When there was the problem of landlessness, there was what was called the crash programmes to settle the landless in the Central Region. A lot of money, which I am going to point out later, was spent. But where people are dying, why should we not go and rescue our fellow human beings. How do they know that they are under an African Government when we watch them die, we watch the cause which makes them sick, and we say that we are going to treat those that are already sick. Mr. Speaker, Sir, the same problem applies to the mosquitoes which exist because of the floods. The mosquitoes in the Nyanza area are nearly all malaria carrying mosquitoes, and the incidence of malaria has increased so much that you find that a lot of death is being caused by mosquitoes. We do not see anything being done by the Ministry of Health in this matter. You cannot tell people to take quinine or to take anti-malarial pills all the time when they know that if they take the tablet today they will get well and the next time a mosquito comes and bites you get the same disease again. Why not have a crash programme to get rid of the mosquitoes at once? We want the Government to see if there is not enough

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money from say an international organization to spend and help us in Nyanza.

Mr. Speaker, Sir, the roads in Nyanza are horrible. They are just horrible and our cars are already rattling before we pay back the loans. Mr. Speaker, Sir, there is less spending and private companies do not exist to spend money in Nyanza, they do not want to set up factories in Nyanza. Let us have more money from the Ministry of Works to reconstruct the roads in Nyanza.

Mr. Speaker, people would then get more employment. You can keep that area more stable and people will spend more money so that businesses can get going. In Nyanza Province nowadays people have closed shops, Africans who are trying to set up trades, have closed their shops. Why? Because you are never safe, not even for one night. There are so many unemployed people there and they have organized themselves into gangs and the police are incapable of dealing with them. They have killed people, they have robbed them, and now traders are just sitting idle. People have closed shops and the Ministers and the Government can inquire from the Commissioner of Police and they will find that it is the truth. You cannot keep things in the shop for a week without being robbed. Why? Unemployment. How can we expect an area with a population of over two million and without any source of employment not to have trouble? Yet the cost of living has gone up even higher. There are plenty of educated people and they expect jobs, but they get nothing.

Whoever is in charge of defence should know that the police force that is in Nyanza just protects the Indian shops. They do not protect the African trading centres, and therefore the people in Nyanza, Mr. Speaker, have not felt any change, in fact they have felt a change for the worse in this change of Government from the Imperialist Government to our Government. We would like to request Government to spend a little bit more money, and quickly too, to help these people who have been the victims of the floods. You keep on hearing of the Kano pilot irrigation scheme, but it has never started. How do you expect a whole location of people to stay hungry and destitute indefinitely? There has been an attempt by the Ministry of Home Affairs to give them food but you cannot supply a whole location of people with food for more than a year and yet this plan repeats itself, on paper, every year. Let these projects start at once, give them priority. We are the peoples' representatives and we see cows dying, animals going,

chickens going, and the people going away into the hills for safety. When they come out of the hills they have nothing, the crops have gone, and yet the Government continue to say "£10 for the Kano Pilot Irrigation Scheme", but this is still only on paper. Next year it will be late again, again money will not be available. We would like some projects, such as settlement, suspended so that we can help these people. This way the Government can spend more money in Nyanza. If the investors are only coming to Nairobi, Central Region and Mombasa, let money be spent in Nyanza to encourage them there. Mr. Speaker, Sir, we say we have asked the Government several times in this House to intensify the surveying for minerals in Nyanza. Nyanza is rich in minerals, the Government does not deny that, but the old company that has been working has failed to work efficiently so many mines had to be closed down. All these things we want to be dealt with more vigorously so that if the mines can be reopened, people will be able to get employment and this will enrich Kenya further.

Mr. Speaker, Sir, our farmers in Nyanza are the ones who have been neglected most. We want to see Government helping the farmers, the cotton farmers, because cotton is the source of our big income. I want the Government to see that the farmers get more acreage of cotton and also to purchase the ginneries which, so far, have been owned by the Indians—we call them the middlemen—and they have been taking most of the profits. We have not seen something substantial being given as help to an African in Nyanza Region at all, such as has been given elsewhere. Mr. Speaker, Sir, let me touch on settlement schemes as my time is running short.

This has been the most confused issue and I have a few facts which I want to bring before the House. I think the Minister will listen carefully and see whether they are true. We have loans from the United Kingdom, from West Germany, from the International Bank for Reconstruction and Development, and this amounts to a substantial sum of money which has to be paid back sometime by the whole of the Kenya public. Mr. Speaker, how do we expect the Africans to look on this Government as a fair Government if on the Muhoroni Settlement Scheme an African farmer has to deposit Sh. 1,500 and then only gets seven to ten acres, and then he pays what they call legal fees of Sh. 180. To get this acreage he has to pay all that. He is a poor man, but the Government wants from him Sh. 1,500. What a plan! I do not know who sat down to devise such a plan. We are not going to take such things for granted.

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Nobody can deny that there is favouritism in some areas. Take the Nyandarua Settlement Scheme in Central Region. A family gets an average acreage of forty acres. Besides this land—Mr. Speaker, I stand to be corrected if this information is not correct, but I have been told by an officer on the spot that this is the figure—is supplied free. He is also entitled to a loan of Sh. 5,000. Automatically entitled to it. Yet a man in Nyanza has to deposit Sh. 1,500, then he only gets ten acres in Muhoroni, and the other man gets forty acres and he is also entitled to a loan. Mr. Speaker, this is ridiculous and these things must be corrected. We are not going to agree to public money being spent which favours one place so that other places are neglected. When the Vote for Settlement comes, Mr. Speaker, we will manifest our protest in a very special way.

Mr. Speaker, Sir, Africanization in the settlement schemes is almost nil. We are surprised to see that Africans are wanted who have university education, degrees, some special training, before they can be employed, but that a farmer or a farmer's son, who has either sold his land or has changed his occupation, or has sold part of his land—a European farmer I mean—becomes a Settlement Officer on contract. We don't think they go through the Civil Service Commission. I do not think so. Mr. Speaker, they earn big money and to make things worse, if it is a Mr. Smith who becomes an assessor and who goes to assess the land of Mr. Brown who was his neighbour, they go and chat over a bottle of whisky and then this land is assessed according to what they agreed in a friendly way, in a special friendly way. Mr. Speaker, Sir, the money is paid into a London bank, it does not come to Kenya. We would like to see the Government taking vigorous steps in this Ministry to change these things, otherwise, as I have said, we will show our protest in a special way.

The Speaker (Mr. Slade): It is the end of your time, Mr. Agar.

Mr. Pandya: Mr. Speaker, Sir, during the period before the presentation of the Budget the usual speculation took place about the taxes that were likely to be imposed in this country, and I am very glad, Sir, that for once these speculating pundits have been proved wrong. The Minister has really done a magnificent job this year and it was a pleasure to listen to him tell this House of the state of the economy of the country which is so bouyant, so self-generating and all this was to evident from the Economic Survey that has

been presented to the country before he presented his Budget. His good work is all the more evident when we look at the Budget proposals of the neighbouring countries of Tanganyika and Uganda, which have suffered and will suffer during the course of the year the high level of taxation that has been imposed on the people of those countries. I think, Mr. Speaker, the Minister has clearly demonstrated that given the right climate and background the economy can still further revive and the time, I think, has come for an end of the political acrobatics which, unfortunately, I have seen from some of the Members of this House. We must settle down and prove ourselves and devote ourselves and our energies to the task of constructive work and the building of a nation into one strong unit. I emphasize those words, Mr. Speaker, the building of this nation into one strong unit if we are really going to make any impact on other countries of an independent and democratic existence. Mr. Speaker, commenting on one or two general observations with regard to the Budget, several hon. Members have welcomed the protective tariffs that has been announced by the Minister which will be an incentive to the local and overseas investors in this country. I only wish to say that I support them in their observations and caution the Government that they must maintain the highest standard of quality of goods for we cannot allow some of these producers to benefit at the expense of the consumers who are the largest percentage of the people of this country. Mr. Speaker, another welcome feature of the Budget proposals was the extension of the investment allowance of 20 per cent, not only to new hotel buildings but also to other major extensions to the existing hotels. I think the Government has rightly and at last recognized the value of our great industry which is tourism in this country.

Mr. Speaker, Sir, if I may say so the other taxes that have been imposed, while there can be differing opinions on this matter, are reasonable particularly as we were told there is not likely to be any significant change in the Cost of Living Index which would affect the ordinary man.

Mr. Speaker, I want to quickly refer to some of the new developments that have taken place particularly after the debate on the East African Federation in this House, and I want to bring out this point, Sir, that several statements from the East African leaders have clearly shown, without any doubt, that there have been differences of a very vital and important nature other than those that we have been led to believe by

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the Prime Minister in this House. One of the reasons given by him which came in the way of East African Federation was the pattern of the Constitution of this country, and not one of the leaders of the East African territories have cited this as an example. All the other important matters have been brought, that it is because of other vital reasons that the East African Federation is being delayed as it is.

The Speaker (Mr. Slade): I think that is too much, on this subject Mr. Pandya.

Mr. Pandya: I just want to stop at that, Mr. Speaker, sorry about it.

Now, Mr. Speaker, referring to another important aspect of general security I would like to say that during the last few months the situation has deteriorated again and I say, deteriorated again, Sir, because some months ago there was a period of great tension and strain and stress in this country, and then, fortunately, because of the strong measures of this Government, there was a period of calm, but I am sorry to say that this activity has revived again. This is more serious, Mr. Speaker, Sir, when these activities have been associated with violence. It is necessary that the Government must take strong and effective measures to maintain law and order for, in my opinion, personal security is of paramount importance, and a firm stand on the part of the Government—and a very strong and firm attitude, Mr. Speaker—is essential if we are to stamp out this evil from our society.

Several hon. Members have spoken in this Budget debate on the question of foreign investment, in what I think, Mr. Speaker, are rather derogatory terms, but the Government has got a very clear and bold policy on this matter. It is, in my opinion, essential that foreign investors must devote their energies in the interests of the people of this country. I am certain that once they have taken the decision to come to this country they have decided to do so, or otherwise they would never have thought of bringing investment to this country. But we must remember that money in world capital market is scarce at the moment and it would be attracted where it finds good and—I emphasize—stable returns. There are many highly developed countries that require this scarce commodity, and there is nothing to be ashamed of in requiring it. We must remember that we are in a competitive market. So let us make every effort to attract capital to this country by showing ourselves the necessary confidence and, what is more important, economic stability. I know the Government is doing all it can, but what I am worried about is the ill-

informed criticism by some of the hon. Members of this House which is surely going to scare away this much-needed commodity.

I want to refer, Mr. Speaker, to the question of currency control. Several hon. Members have spoken with emotion on this issue rather than face the realities and consequences of the situation. I would like to put only two points for consideration before the Members of this House.

If there are restrictions, then the value of our currency in relation to the other world currencies is bound to go down. This, Mr. Speaker, is a very serious matter. Countries which have imposed such restrictions have found to their disadvantage that they have suffered this disastrous consequence and countries which have freedom of currency have been better off than those which have had restriction. I appreciate the fact that that is a question for Members to decide—I am only expressing an opinion. My mind is very open on this matter but I thought it was my duty to put the points which I feel I should before the Members of this House for their consideration. I am not going to be dogmatic on this. We are all entitled to our opinions, but these are for consideration by the hon. Members. I can give you an example of local conditions. I think hon. Members will reluctantly remember the mutinies of January which did, to a certain extent, have serious repercussions on the economy of this country. If we had had currency control the consequences would have been disastrous, but since we had no control—because there was free currency—our economic strength was regained within a very short time and we did not have such serious effects as we might have had if there had been exchange control. This, Mr. Speaker, is the view of the people who know about this, and I am not considering these very vital questions in a haphazard or emotional manner. These are my considered views on this matter; these are the views of the people who have been dealing with the economics of this country and have the necessary background to appreciate these things, but, as I have said, my mind is quite open and the Government knows these things and will, I know, act in the best interests of the people of this country as a whole.

Now, Mr. Speaker, the hon. Member Mr. Makone—the Member for Kitutu East—while speaking during the debate referred to the Education Commission and the appointment of some of its members. Unfortunately, he referred to me and said: “What does he know about it?” Mr. Speaker, I was appointed a Member of the Education Commission by his own Government, by his own Minister, and the only reason I can

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deduce is that he did not find enough people of capacity or ability on the other side, and he valued my experience and the contribution that I could make to the work of education in this country. Mr. Speaker, coming more seriously to this question; I was rather horrified by the ignorance of the hon. Member because nowhere in the Terms of Reference of the Education Commission are we supposed to look into—and I put this here, Mr. Speaker, for the reference of the hon. Member—the terms of reference of the salaries of teachers. These are the Terms of Reference (showing the House), but I do not propose to go through them as I have other important matters to raise. The terms of service of teachers are not part of the Terms of Reference of the Kenya Education Commission and it is unfortunate that the hon. Member should have referred to me in such derogatory terms. If he cares to see me later on I can show him the Terms of Reference which have been published and to which we were asked to work by the Minister for Education. I think, Mr. Speaker, that will be enough because I am not supposed to speak on the work of the Education Commission as we are still working on it.

Now, Mr. Speaker, I want to turn to a very important matter, and I think this is going to provoke a bit of controversy and interruption. I want to speak on the relationship between the tribes and communities in this country. We must not ignore realities, that we live in this country amongst a variety of people. Let us not ignore the realities of our existence in this country. I want to make it clear, beyond any doubt, that I am not speaking as an Indian or as an Asian as so many times I have been called by the hon. Members of this House, but I am speaking as a Kenyan; I am speaking as an African. I am as good as any of the hon. Members, and although I may have a slightly different colour I can, when I look round the House, see others who have as bright a colour as I have. I want to assure them that I am speaking in the interests of all the people of this country whatever their origins.

There are always some bad people sprinkled throughout a large number of good people. But this is no reason to attack remorselessly a particular tribe or community in this House. I condemn very strongly some of the actions and attitudes of these people. It is these systematic allegations of exploitation on general observations that will do most damage and will rouse emotion and I would like to warn the hon. Members that these emotions will be difficult to control

particularly when they have been engineered by responsible Members of this House. I am the first one to admit, and I want to tell my African friends, my fellow Africans, that there must be increasing local participation in the business and economic structure of this country—and I mean this, Mr. Speaker. The exclusiveness of the old Colonial days was not the fault of those people who you are trying to run down today. Many of them, I assure you, are prepared to do everything to share their knowledge, their experience and acumen with their fellow countrymen. Those who do not wish to change, who do not wish to move with the new Kenya must be put right, but this systematic and derogatory propaganda will not achieve the objects the hon. Members have in view.

Now, Mr. Speaker, the Minister for Justice and Constitutional Affairs made a significant and important point when addressing a Regional Conference at Nakuru a few days ago and I would like, with your permission, Sir, to quote from his speech. On tribalism he commented "We know that tribes exist, but we refuse to agree that tribalism is inevitable; we refuse to agree that because we have tribes we must have tribal conflict and discrimination. Far from accepting the inevitability of tribal, and I emphasize, racial antagonism, we believe these differences are a challenge and an opportunity for creating a nation united in its purpose, yet rich in the diversity of its people." Rich in the diversity of its people, hon. Members! Tribalism should, in fact be dreaded just as much as we dread plague or leprosy. Let our Party go all out to eradicate this evil and forge the unity upon which we can build the economic prosperity which should be dreaded more than plague or leprosy that we have promised our citizens.

Now, Mr. Speaker, I go further and say that racialism should be dreaded more than plague or leprosy for it would lead to disaster in our relationships and you cannot one day condemn discrimination in the United States or in South Africa, and then in this House propose the practice of the same evil in our country. Let us be honest and sincere instead of using this House as a platform to please our constituents who are, in the majority, bound to follow us. Against this background, Mr. Speaker, if I say so, what are the facts? Several hon. Members in both Houses, and I emphasize, in both Houses, have spoken in an offensive manner. I am going to refer to them for a minute. In a debate in the Senate, in our Upper House where the Members are supposed to be the Elder Statesmen of this country (I sometimes wonder whether I was

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wise when I supported the creation of an Upper House), on the 24th June, last Wednesday, Senator Sijeyo had this to say, and I quote from his speech, Mr. Speaker—I understand that Senator Sijeyo belongs to the Government Party—and he said that: “But in Kenya the Asians thought it was a sin to have Africans in their shops.” This is what he said further: “Asians are devils, they are sucking our brothers’ blood, they monopolize everything in Kenya, the Government must see that all Asians be allowed to trade in big towns only.” They want to bring in South Africa here, Mr. Speaker, and have Asians in big towns only and not in the small ones. He then accused some European officers in Kenya of having secret organizations, adding that, “Since Kenya has achieved Independence we must put a stop to this.” Now, this is the sort of thing that is being propagated in this country by responsible Members of the National Assembly. Mr. Speaker, this is not going to do any good for the future relationships between the different people of this country.

Now, Mr. Speaker, I want to give a further example. Only this year the Coast Regional Secretary of the Kenya Federation of Labour, who I understand has since broken away from that Body, attacked the Asian community on a number of points, and these were very provocative. If anybody has said that the Asian community did nothing to meet some of these objections and some of their short-comings, this is not the case. I would like to quote from the statement which was issued soon after this attack was made. With your permission, Sir. This is a statement which was issued by the Indian Merchants’ Chamber of Mombasa. “We all have welcomed the great and inspiring efforts by our Prime Minister and other responsible leaders to work together and build a new Nation and I am sure that the Indian community will, as in the past, continue to work in the spirit of *Harambee* for the good of our beloved country.” This is what was said—“beloved country”. “It is therefore all the more painful to read, at this time, less than a month after our country attained Independence, of these vicious attacks on our community by such a well-known Trade Union leader.” If you want the name, it is Mr. Akumu. “Such attacks cannot help in the task of nation building and I would ask Mr. Akumu to follow the example of our other African leaders and by deeds and words help to create an atmosphere of co-operation between all races and communities so that all can work together for the advancement and good of our country without any bitter recriminations.”

Again, Mr. Speaker, a new group of unions—and this is a very recent incident—have just been set up and are controlled by this same gentleman who was sacked by the Kenya Federation of Labour, and this organization issued a pamphlet in Swahili which was to affect further the relations amongst the people of this country. The pamphlet was entitled “Tuesday is the day of Indians”. I do not know if that means the Tuesday which has gone, or the Tuesday which is coming.

Mr. Kamau: On a point of order, Mr. Speaker, I would seek your guidance. As the hon. Member who is now speaking has condemned racialism and tribalism, and the speech he is now giving is protecting one nation, which is the Asian, I would like to ask your guidance as to whether he should speak on the national issue or only dwell—

The Speaker (Mr. Slade): What do you want guidance about, Mr. Kamau?

Mr. Kamau: On whether the hon. Member is right to defend the Asian community instead of speaking generally for the whole nation.

The Speaker (Mr. Slade): Of course he is; continue, Mr. Pandya.

Mr. Pandya: This has taken a lot of my time.

The Speaker (Mr. Slade): We will give you another minute.

Mr. Pandya: Mr. Speaker, I can assure my hon. friends that I am not protecting any community, I am only trying to give a correct picture as I see it of this country and trying to tell the hon. Members that we should all try and work together.

Now, Mr. Speaker, this sort of thing is exciting and provoking racial hatred. It is nothing short of that however much we may like it or not. I think the Government must take strong measures to stop this malicious and, if I may call it so, dirty propaganda against a community to which I no longer belong. As I have said, I am an African.

There is another example, Mr. Speaker. This is what was said. Mr. Speaker, I am sorry to quote, but my friends the Asians have tried to come and help the Africans. Now this is what the President of the Indian Merchants’ Chamber of Mombasa said at the annual general meeting which was held some time in February: “We should assimilate with the people of the country and all your loyalties should be to Kenya. The Constitution has provided equal rights for all citizens irrespective of class, creed or colour, and I am sure the

[Mr. Pandya]

Government will implement the Constitution and no one should have any fear of discrimination. You should not forget the aspirations of your underprivileged African brethren. The gap now existing between us should be narrowed, not by lowering our standards but by raising theirs. This can be achieved by putting into practice the principles of co-existence; better wages and working conditions in return for increased productivity; education for all and equal chances to progress on merit and ability." This was said, Mr. Speaker, at the annual general meeting by the President of the Indian Merchants' Chamber, Mombasa. One has only to refer for more examples to the HANSARD of the last two weeks to see the continuous trend of propaganda which will damage—and I emphasize damage—the relationships of people in this country. Could we not take a leaf from the excellent speech of His Excellency the Governor-General, Mr. MacDonald, who has, as we all acknowledge, done a great service for this country, when he spoke last Saturday at the presentation of the prizes at the Kaptagat preparatory school, and I quote: "Only when all the people of every race worked together in brotherly friendship would there be peace, progress and prosperity for mankind." I say to the leaders of this country and to the people that it is not too late to follow a constructive and positive policy. Instead of mud-slinging at the people of one country on the ground of tribe, and I say tribe or race, let us all pull together, accept the challenge of putting right the wrongs of the past, and demonstrate to the world that we can and we will live together on the basis of equality as citizens of this country. Mr. Speaker, I wish to emphasize that I have said all this in the spirit of forging—yes, forging—those relationships between the different people of this country. I want to make this final appeal: let all our efforts, the efforts of all the Members of the National Assembly and the people in this country, be crowned with success. That is my prayer to Almighty God.

Mr. Speaker, I beg to support.

The Parliamentary Secretary for Home Affairs

(Mr. Moss): Mr. Speaker, Sir, I rise to support the Motion, and I wish to thank the Minister for Finance for the great pains he has taken to produce this detailed Budget which, I believe, by the time it is accomplished Kenya may look another second heaven.

Mr. Speaker, Sir, the colour of this book is red, and the future of all people in Kenya and the country of Kenya is contained in this book. It is red, and it is true that our blood and Mr.

Ngala's blood is red. Our flesh is red, and underneath our soil in Kenya, after digging two inches you get red soil, so the colour is the true one, and we must study this book very carefully, Sir, I only appeal to the hon. Members to take great pains in the same way that the Minister for Finance took to produce the Budget and to study it and bring what they think is not included in this Budget to this House so that the Minister for Finance may include it in his Budget for next year. Therefore, Sir, if I may look again to the Minister, all I ask him is that although the Development Plan for 1964 to 1970, is well drafted, there are a few things which I would like to suggest, and I will be only too glad if he would record them without reservation. In the first place, I want to suggest to the Minister that with regard to my area, Mount Elgon, the area which is very potential in Kenya, and the area which all of us should be proud of, there are a number of things of great importance which are completely excluded from this Development Plan. I find that in this Plan, only about 200 acres of tea are recommended for the entire area of Mount Elgon for tea, and I believe that these 200 acres are not nearly enough.

An hon. Member: 400!

The Parliamentary Secretary for Home Affairs

(Mr. Moss): It could be 400 or 800, but I believe whatever the number is, if it is under a thousand, this can only be planted by one person. However, Sir, there are many people in the area who would like to plant tea, so I would be most grateful if the Minister would view with great concern that the 400 acres are absolutely insufficient for the people who are willing to plant tea on Mount Elgon.

I want to bring to the notice of the Minister for Education, to the need for education in the Mount Elgon constituency. The area of my constituency is approximately 3,000 square miles and the population is approximately 58,000 people. We have 14 intermediate schools.

An hon. Member: You are lucky!

The Parliamentary Secretary for Home Affairs

(Mr. Moss): But, the trouble we have today is there is no secondary school.

An hon. Member: How many do you have?

The Parliamentary Secretary for Home Affairs

(Mr. Moss): We have none, and this is why I am asking the Minister, rather appealing. I take it to be a right for my people that they should have a secondary school for secondary education early next year.

Mr. Omar: But you had one in Uganda.

The Parliamentary Secretary for Home Affairs (Mr. Moss): I built a secondary school in Uganda, because the Colonial Government was not serving the interests of my people, but today, I want the Minister to put this down, that Mount Elgon must open a secondary school to cater for childrens' education next year.

An hon. Member: What about a self-help scheme?

The Parliamentary Secretary for Home Affairs (Mr. Moss): I should not be a man to use a self-help scheme when other people are getting schools from the Government.

Mr. Speaker, there is one very important point which I want to raise in this House, and that concerns health. I have already mentioned the part that I come from, and hon. Members would be very surprised to learn that in the entire area of Mount Elgon there is not even a dispensary or a subdispensary, not one. Expectant mothers have the choice of dying either in the jungle or in the bush. I hope the Minister will note this because we do not want to lose the population of the country simply because we as leaders have failed to help, to build health centres, hospitals and clinics in the area to safeguard the lives of the people.

The Parliamentary Secretary for Home Affairs (Mr. Moss): A further point, Mr. Speaker, Sir, I would like to mention is directed to the Minister for Commerce and Industry, and I believe it is very important. I propose that in future, when the Minister gives out the loans to the various regions and county councils in the countryside, they should all be centralized first so that a fair distribution is given. I say this, Sir, because we have gone through difficulties in the past. If you come to a district where more than one tribe lives, you will find that one of the tribes benefits more than the other. This is why I say that instead of giving these loans directly to the county councils or to the regions, the Minister must study the composition of such districts or regions before he gives out the loans. If he finds that the composition does not warrant giving a loan to the regional authorities or the county councils, then it should be his own responsibility to see how the loans should be distributed. I prefer loans to be given to local authorities rather than to county councils or regions.

At the same time, as I have already mentioned, Mount Elgon is a very potential area, Mr. Speaker, Sir, and I am sure if the Government takes a great interest in listening to what we say and suggest, it will not only benefit the people from the area but Kenya as a country. I would suggest that the Minister also consider

the building of a first-class hotel on Mount Elgon, because the area is so rich. If there was a hotel, I am sure many tourists would visit the area. The climate is good, there are animals of all kinds, not as poor as the ones in Masai, but these are first class. We have a first-class forest. The mountain is ever green, there are caves for elephants and buffaloes to hide themselves and shelter when it is raining. I appeal to the Minister to consider very seriously building a first-class hotel on the mountain to attract the tourists.

Another point I would like to stress, Sir, concerns the Minister for Settlement, but unfortunately he is not here. I have visited his Ministry on many occasions, but to my surprise since we had our internal self-Government the Minister has never thought of allocating land for resettling the people of Mount Elgon, the Sabaot, who were evicted during the colonial time. These people were left without choice and are wandering about in East Africa. There are those who went to Uganda, they are landless. Some are in Tanganyika, some have gone down to Kibigori and they have no land. So, Sir, I want the Minister for Finance to note this down, on behalf of his colleague, the Minister for Settlement, that the Sabaot of Mount Elgon would like some land allocated for their resettlement. If you read books which were written during the time of the Colonial Government, about the time of their arrival, they remarked that the Sabaot were a dying race. In order to make them disappear completely from the face of the earth, or to wipe them off the face of the earth, we should continue dispersing them in different directions in East Africa, but I am surprised to see that today the population of the same people who were alleged by the colonialists to be a dying race, is rapidly increasing.

The Minister for Finance and Economic Planning (Mr. Gichuru): Medical facilities.

The Parliamentary Secretary for Home Affairs (Mr. Moss): Had they not been interfered with by the colonialists there would have been twice as many by now. Mr. Speaker, Sir, I appeal to the Minister for Settlement to note these points, and to make sure that some land is allocated for the people of Mount Elgon for their resettlement.

At the same time, Mount Elgon is a coffee-growing area, and I am glad to see that most of the Members of this House, if not all, have their lunch here and they drink coffee. However, they do not know where this coffee comes from. So I would ask the Minister for Agriculture to consider his decision of stopping coffee planting. I am glad that the Junior Minister is here, Mr. Speaker, You must—

The Speaker (Mr. Slade): Order, order, Mr. Moss. You are not obliged to stare at the Speaker all the time, but you are expected to address the Chair, and you cannot really be considered to be addressing the Chair when you have your back to the Speaker all the time.

An hon. Member: He should sit down.

An hon. Member: He is saying nothing.

The Parliamentary Secretary for Home Affairs (Mr. Moss): Thank you, Mr. Speaker.

The Speaker (Mr. Slade): Whereupon you turn your back to the Chair again.

The Parliamentary Secretary for Home Affairs (Mr. Moss): Somebody remarked that I am saying nothing, but what I am saying is going in the record.

Mr. Speaker, Sir, I was asking the Junior Minister for Agriculture to note this down, that they should consider allowing the people, the Africans on Mount Elgon, and in other coffee-growing parts of Kenya, to plant more coffee. At the same time I would appeal to them to look for a market in order to get this coffee a better price.

Sir, there is a new type of maize which is known as hybrid maize, and which I believe commands a better price than the maize we used to plant in this country. I ask the Junior Minister for Agriculture to note this point down so that they consider bringing more seed—

The Speaker (Mr. Slade): Order, order. Mr. Moss, if there is somebody down there you have to talk to and have to look in their direction, I

suggest you stand down at the end of the Table. I must warn you again not to turn your back on the Chair the whole time.

The Parliamentary Secretary for Home Affairs (Mr. Moss): Thank you, Mr. Speaker, for your ruling. I hope I will not turn around again.

The Speaker (Mr. Slade): Go down to the end of the Table.

The Parliamentary Secretary for Home Affairs (Mr. Moss): These are some of the crops which I believe, if introduced into this country, will boost the economy of the country, and this is why I have taken the trouble to mention them.

All that is contained in this book, Mr. Speaker, is not going to help us unless the Ministers, before implementing what is stated in this book, take the trouble to visit the various parts of Kenya so that they are in a better position to decide in which parts they should start implementing the Plan.

Therefore, Sir, I appeal to the Ministers that when the time comes for the implementation of this Plan prepared by the Minister for Finance, they should start first with the areas which were neglected during the colonial times.

Mr. Speaker, with these few remarks, I beg to support the Motion.

ADJOURNMENT

The Speaker (Mr. Slade): It is too near the time for the interruption of business to start another speech. For the convenience of Members, the House is adjourned until tomorrow, Thursday, 2nd July, at 2.30 p.m.

The House rose at Twenty-Seven minutes past Six o'clock.

Thursday, 2nd July 1964

The House met at thirty minutes past Two o'clock.

[*The Speaker (Mr. Slade) in the Chair*]

PRAYERS**PAPERS LAID**

The following Papers were laid on the Table:—

The Marketing of African Produce (Kenya Agricultural Produce Marketing Board) Regulations, 1964.

The Marketing of African Produce (Kenya Agricultural Produce Marketing Board) (Movement of Regulated Produce) Rules, 1964.

The Marketing of African Produce (Central Province Marketing Board) (Movement of Regulated Produce) (Amendment) Rules, 1964.

(*By the Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo) on behalf of the Minister for Agriculture and Animal Husbandry (Mr. McKenzie)*)

Survey of Kenya Administration Report, 1963.

(*By the Minister for Lands and Settlement (Mr. Angaine)*)

NOTICES OF MOTIONS

Mr. Wamuthenya: Mr. Speaker, Sir, I beg to give notice of the following Motions:—

REORGANIZATION OF LAND TENURE SYSTEM

THAT, having regard to the present unsatisfactory and tardy methods employed by the authorities in tackling the country's land tenure problems, this House calls upon the Government to revitalize its present system so as to give a live impetus to productivity and a guaranteed livelihood to the unemployed and landless.

MEASURES TO CURB DRINKING IN YOUNG PEOPLE

THAT, in view of the present alarming prevalence among young people to drink intoxicating liquor with consequent social degradation, this House urges the Government to take immediate steps to prevent the spoilage of the present youth of the country and coming generations.

ORAL ANSWERS TO QUESTIONS*Question No. 176***PURPOSE OF "FIELD MARSHALL" OKELLO'S VISIT TO KENYA**

The Speaker (Mr. Slade): I have to inform hon. Members that Question No. 176 by Mr. Lorema has been withdrawn for the reason that it is now entirely out of date.

*Question No. 208***FREEDOM FIGHTERS FROM OTHER COUNTRIES: OFFICES**

Mr. Bala asked the Minister of State for Pan African Affairs what arrangement the Government had made for freedom fighters from other countries in Africa still under colonial rule to have their offices in Nairobi and what facilities were provided for their personal and office maintenance?

The Minister of State for Pan African Affairs (Mr. Koinange): The Government is fully committed to the liberation of those areas in Africa which are still under colonial rule. Assistance in one form or another is rendered frequently to freedom fighters from dependent African territories and efforts are being made to increase such assistance. This is indeed an obligation assumed by Kenya under the terms of reference of the Committee of Nine of the Organization of African Unity.

Mr. Bala: Arising from the Minister's reply, would the Minister tell this House how many freedom fighters have approached the Kenya Government to have an office in Nairobi, and also, how many freedom fighters from other countries have asked the Kenya Government to support them with finance or in any other form?

The Minister of State for Pan African Affairs (Mr. Koinange): As I have said, Mr. Speaker, the Government of Kenya subscribes to the Committee of Nine which has its headquarters in Tanganyika. Since then a number of freedom fighters from Southern Rhodesia, from Angola, from Swaziland and from Basutoland have come, and the discussions have been carried on on a mutual ground and that I think, Sir, is sufficient.

Mr. Ngala-Abok: Mr. Speaker, Sir, would the Minister answer yes or no on whether some freedom fighters have asked the Kenya Government to provide them with facilities to have offices in Nairobi. I mean this a request which—

The Speaker (Mr. Slade): All right, your question is clear.

The Minister of State for Pan African Affairs (Mr. Koinange): This is a matter which is confidential, but it is true that some of the freedom fighters have come to us and talked to us and discussions are still going on.

Mr. Makokha: Mr. Speaker, Sir, could we know from the Minister whether in countries like Southern Rhodesia, where the nationalist parties are divided and you have Zanu and Zapu, is the policy of this Government to help both or only one party?

The Minister of State for Pan African Affairs (Mr. Koinange): Mr. Speaker, Sir, the salient point of assisting any African group is either to help them fight for liberation or to help them to fight one another. When there is an organized group with one single purpose, we help that organization.

Mr. Choge: Arising from the Minister's reply, Sir, what fighting does he mean, does he mean using manpower or political power?

The Minister of State for Pan African Affairs (Mr. Koinange): Mr. Speaker, the fighting within themselves to obtain the freedom of Africa with party politics.

Mr. arap Moi: Mr. Speaker, Sir, arising from the Minister's reply, could he answer the House that whatever assistance is given to any group, that assistance would not go to create chaos in those countries which the Kenya Government is intending to help to get rid of the Colonialism?

The Minister of State for Pan African Affairs (Mr. Koinange): We have nationalist organizations in every part and we are quite sure to support the proper group.

Mr. Kali: Mr. Speaker, is the Minister aware that among these freedom fighters, some of them are spies for the Colonial Governments?

The Minister of State for Pan African Affairs (Mr. Koinange): It is with that point, Mr. Speaker, that we weigh very carefully those who come to us under the guise of freedom fighters.

Mr. Godana: Mr. Speaker, Sir, would the Minister tell us what methods he is using to recover the freedom fighters from out of this country, that is the freedom fighters, are freedom fighters as spies in this country?

The Minister of State for Pan African Affairs (Mr. Koinange): I could not get the question, Mr. Speaker.

The Speaker (Mr. Slade): Would you like to repeat your question, Mr. Godana?

Mr. Godana: Mr. Speaker, I would like the Minister to tell us what methods he is using to discover that the freedom fighters from outside this country are true freedom fighters or whether they are spies?

The Minister of State for Pan African Affairs (Mr. Koinange): Mr. Speaker, I think you will agree with us that we must not disclose our methods of finding this out.

Question No. 216

CENTRAL HOUSING BOARD: ALLOCATION OF FUNDS, NYANZA

Mr. Obok asked the Minister for Health and Housing:—

- (1) Why the Central Housing Board had not allocated to the Nyanza Region as much money as it had provided to other areas?
- (2) What the Board was doing to publicize the existence of such funds through the Municipalities, County Councils, Local Authorities and other agencies?

The Parliamentary Secretary for Health and Housing (Mr. Argwings-Kodhek): Mr. Speaker, I beg to reply. Up to the end of 1963, Nyanza received loans from the Central Housing Board amounting to £256,582 of which £234,582 was for Kisumu Municipality. This was in fact more than other regions had received with the exception of East, Western and North-Eastern Region. In answer to the second part of the question, the existence of the Board was frequently publicized by the Municipality and Local Authority. Moreover, each region has representatives who sit on the Board as Members. The Chairman of the Central Housing Board has written to all Presidents of the regions informing them of the existence of the Board and explaining its functions.

Mr. Anyieni: Of the £256,000 which was given to Nyanza, how much of it was given to Kisumu and to Homa Bay and to Kisii Townships?

The Parliamentary Secretary for Health and Housing (Mr. Argwings-Kodhek): You wanted to know how much is given to whom?

An hon. Member: Kisii.

The Parliamentary Secretary for Health and Housing (Mr. Argwings-Kodhek): Kisumu Town, £234,582. South Nyanza, £20,000. Central Nyanza 12,000. Kisii have an application in.

Mr. Komora: Mr. Speaker, Sir, would the Parliamentary Secretary tell the House whether or not area councils do qualify to apply for housing loans?

The Parliamentary Secretary for Health and Housing (Mr. Argwings-Kodhek): Only councils.

Mr. Khasakhala: Mr. Speaker, Sir, arising from the Minister's reply when he said that £234,582 were used for Kisumu, and £12,000 were used for Central Nyanza, could the Minister tell us what capital of Central Nyanza was this money spent on?

The Parliamentary Secretary for Health and Housing (Mr. Argwings-Kodhek): If the man is thinking about Maseno he is mistaken. It is the county council.

Mr. Mongare: Will the Junior Minister tell us since Kisii has not received anything, will he assure this House that if there is any money left it will be given to Kisii?

The Parliamentary Secretary for Health and Housing (Mr. Argwings-Kodhek): Before I came here, I was with my friend, the Minister for Natural Resources, and he informs me on very good authority that only a few months back, for Kisii see South Nyanza.

Mr. Murgor: Would the Parliamentary Secretary agree with me that most of this money—the man who was chairman of the committee actually came from Central Nyanza? That is why the money was poured into Central Nyanza.

The Parliamentary Secretary for Health and Housing (Mr. Argwings-Kodhek): As a matter of fact, the Chairman of the Central Housing Board was not a man from Central Nyanza.

Mr. Jamal: Mr. Speaker, Sir, would the Parliamentary Secretary confirm that the reason Kisumu Township received more money was because Kisumu is more progressive than other districts in Central Nyanza?

The Parliamentary Secretary for Health and Housing (Mr. Argwings-Kodhek): This is a very slippery question, but of course Kisumu has been leading the Western part of Kenya.

Mr. arap Moi: Mr. Speaker, arising out of the Parliamentary Secretary's previous reply when he stated that the Kisii's application was on, could he state how much the Kisii people have applied for?

The Parliamentary Secretary for Health and Housing (Mr. Argwings-Kodhek): I will tell you what they want. They want £9,000, for a rest-house.

Mr. Anyieni: Mr. Speaker, Sir, will the Parliamentary Secretary tell us whether at the time of the allotment of these funds, Kisii had submitted an application.

The Parliamentary Secretary for Health and Housing (Mr. Argwings-Kodhek): As a matter of fact, the application which came was posted at Kisii but Kisii was part of South Nyanza. That is what I have had to repeat.

Mr. Anyieni: On a point of order, may I be allowed to raise this matter on the adjournment?

NOTICE OF MOTION ON THE ADJOURNMENT

UNSATISFACTORY REPLY TO QUESTION NO. 216:
CENTRAL HOUSING BOARD: ALLOCATION OF FUNDS,
NYANZA

Mr. Khasakhala: On a point of order, Mr. Speaker, if the Minister has given the House wrong figures how do we go about it, Sir, because if I add the figures he has given the House I see that they are not correct.

The Speaker (Mr. Slade): If you can prove that the Minister or Parliamentary Secretary has given wrong figures, the thing to do is to prove it to him, outside the House, and he will then have to come into the House and correct these figures. If he will not then do so, I should be informed.

Mr. Ngala-Abok: On a point of order, Mr. Speaker, the Minister stated that South Nyanza received Sh. 20,000 out of the entire loans given to Nyanza Region, and at the same time the Parliamentary Secretary stated that the application from Kisii was in the name of South Nyanza, and Kisii. If an answer of this sort is given in the House, should the Member not have the right to argue this question further?

The Speaker (Mr. Slade): No, we have finished this question, and when questions are finished, they are finished.

Mr. Mongare: On a point of order, is the Junior Minister right now to tell the House that Kisii is part of South Nyanza, when it is a district?

The Speaker (Mr. Slade): No, that is not a point of order.

ORAL ANSWER TO QUESTION

Question No. 235

BOUNDARY DISPUTE, RIFT VALLEY AND WESTERN REGION: SETTLEMENT

Mr. Godia asked the Minister for Justice and Constitutional Affairs if the Government would consider the appointment of a new Commission to settle the dispute over the boundary between the inhabitants of Nyangori Location and the Western and Rift Valley Assemblies.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, Sir, I beg to reply No, Sir. Provision exists in section 239 of the Constitution defining the procedure for alteration of boundaries.

Mr. Ngala: Arising from that reply, Sir, would the Minister give an assurance to this House that the boundary will in practice be confirmed and settled?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, I do not know what boundary the hon. Member referred to.

Mr. Ngala: Arising from that reply by the Minister, Sir, the boundary I am referring to is in Nyangori Location which was determined constitutionally by the Western Region, and the Rift Valley Region.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, Sir, I will not give such an assurance.

Mr. Shikuku: Arising from the previous reply by the Minister for Constitutional Affairs, he referred to a section in the constitution which means he abides by it. Will you tell the House now that—

Hon. Members: He, he.

Mr. Shikuku: Will he tell this House that this section is going to be upheld by the Government and there will be no need for this question in the House?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, I have replied to this question and if the hon. Member had been awake he would have heard me.

Mr. Oduya: Mr. Speaker, would the Minister therefore assure this House that when under any amended Constitution, that a question of this boundary between Nyangori and Rift Valley, the Nyangori people should not be deprived of their right to be in the Western Region?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, Sir, I do not intend to give such assurance.

Mr. Murgor: Mr. Speaker, Sir, does the Minister agree with me that we know entirely that the people of Nyangori originally came from the Rift Valley, and they belong to the Rift Valley?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, I am only aware of one thing, that all people living in these parts are Kenyans, Africans, and that they continue to live in Kenya.

Mr. Gichoya: Mr. Speaker, Sir, arising from the original reply of the Minister, and again taking into account a previous statement by that same Minister some time back, as far as boundaries are concerned, and also realizing that we are going to have a republic, could we be assured that the present arrangements stipulated in the Constitution, Part 2 will have to be amended so that it accommodates the feelings of the people?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, Sir, when the Government comes to table the amendments to the constitution, they will, I am quite sure, reflect the feelings and views of the people.

Mr. Ngala: Mr. Speaker, Sir, would the Minister agree with my suggestion that because the constitution is being reviewed, this matter of boundaries should remain suspended?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, Sir, I am not aware of anything that is suspended at the moment. All I am aware of is that the Prime Minister has informed the House that we are actively reviewing the constitution, and that job is continuing.

Mr. Murgor: Mr. Speaker, Sir, would the Minister agree with me that the island in which he lives should come under Central Nyanza?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, Sir, I was under the impression that the hon. gentleman had grown out of witchcraft, but I am sorry, I am wrong.

Mr. Oduya: Mr. Speaker, Sir, would the Minister therefore, assure this House that when the Nyangori demands are made to the committee who are reviewing the constitution, that consideration will be given to the people?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Yes, Sir. Any issues which are given to us or presented to us will be reviewed.

Mr. Pandya: On a point of order, I would like to seek your guidance, Mr. Speaker, with regard to question 176. I am raising it on a matter of principle and not the subject matter. You ruled that the question was withdrawn because it was out of time. Would it not have been right for the Government to have answered this question when it was the right time for it to do so? I believe they avoided this question by delaying it for so long. I would seek your guidance, Mr. Speaker, on this matter.

The Speaker (Mr. Slade): Standing Orders do require questions to appear on the Order Paper within a specified time limit after they have been presented to the Ministry. Frankly I do not know how this answer was delayed so long. I have not actually had a complaint from Mr. Lorema about the delay. He simply said that he saw this Question on the Order Paper and decided then that he wanted to withdraw it. If any hon. Member who wants further inquiry, we will make it. Since this has been raised by Mr. Pandya, we will make inquiry.

MINISTERIAL STATEMENT

QUESTION NO. 134: CORRECTION OF FIGURES

The Speaker (Mr. Slade): Before proceeding with the next Order, I think Mr. Jan Mohamed has a Ministerial statement to make.

The Parliamentary Secretary for Commerce and Industry (Mr. Mohamed): Mr. Speaker, Sir, I would like to make a personal statement and explanation—

The Speaker (Mr. Slade): Order, order. Hon. Members said they wanted to hear the Parliamentary Secretary.

The Parliamentary Secretary for Commerce and Industry (Mr. Mohamed): Mr. Speaker, Sir, in answering Question No. 134 put by the hon. Mr. Kali about the Magadi Soda Company on Tuesday, 23rd June, I said that in December of last year only seventy-six men were declared redundant as a result of the South African boycott. Unfortunately, Sir, I read out the wrong figures—I think perhaps it happens to the best of us at times—I want to take this opportunity of correcting this. The correct figure is 240 employees, thirty-five of which left on retirement or personal resignation, six left for disciplinary reasons, and 199 were redundant. The company advised the Ministry of Commerce of these redundancies in August last year, and all redundancies have been negotiated with the trade union who have agreed to the generous redundancy terms offered by the management.

Mr. Speaker, Sir, it might be worth noting there has been since an increase of twenty-nine labourers who work on the salt production.

I apologize, Sir, for inadvertently misleading this House and I hope no real harm has been done.

NOTICE OF MOTION ON THE ADJOURNMENT

SOUTH NYANZA LUOS IN THE FORCES

The Speaker (Mr. Slade): I have to remind hon. Members that on the Adjournment today Mr. Okwanyo is to raise the matter of the number of Luo in the Army, Police and Prison Department.

An hon. Member: Tribalism.

MOTION

BY ORDER OF THE HOUSE: PRECEDENCE OF BUSINESS

The Minister of State, Prime Minister's Office (Mr. Murumbi): Mr. Speaker, Sir, I beg to move the following Motion:—

THAT, at this day's sitting, the House orders that Order No. 7: Group Motion with all subsequent Orders on the Order Paper, shall take precedence over Order No. 6: Ways and Means—Budget Debate.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Oneko) seconded.

(Question proposed)

Mr. Ngei: On a point of order, Mr. Speaker, I would like to draw your attention, Mr. Speaker, to the fact that the typist has indicated some of the Motions which belong to the Government Back-benchers as being those of Opposition Members' free-lance Motions. I am very surprised about this because Mr. Gatuguta is a Member of the Government, Mr. Gaciatta and Mr. Ngei are Members of the Government, but here it shows that we are Members of the Opposition.

The Speaker (Mr. Slade): Order, order. That is an obvious clerical mistake which has now been noted.

Mr. Gatuguta: On a point of order, Mr. Speaker, could you throw some light for the benefit of the House as to how these Motions are placed on the Order Paper, because my Motion, for instance, which is No. 11, has been on the Order Paper for several weeks every Thursday, and it has never been debated because it is put in a place where it cannot be reached. This is very puzzling because it has been missed at every debate. We would like to know how the Motions are put on the Order Paper.

The Speaker (Mr. Slade): At present, the allocation of free-lance Motions and the time that is available for them is regulated by the Sessional

[The Speaker]

Committee. The procedure in future for the allocation of free-lance Motions is now under discussion between me and the Sessional Committee, but at the present time, as I have stated, the Sessional Committee decides.

(The question was put and carried)

MOTION

WATER DEVELOPMENT: MASAI

THAT this House urges the Government, in view of the fact that the past Colonial Government ignored the development of the Masai country and especially the provision of water supplies, to give first priority in its programme to the provision of water supplies in order to alleviate the water hardship predominant in Masailand and enable the inhabitants to concentrate on other activities and play some significant role in the development of Kenya.

(Mr. ole Tipis on 25th June 1964)

(Resumption of debate interrupted on 25th June 1964)

The Speaker (Mr. Slade): Mr. Osogo, you were speaking, were you not?

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): Yes, Sir.

The Speaker (Mr. Slade): You have another five minutes.

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): Mr. Speaker, Sir, when the House rose on 25th June I was telling my friends, the hon. Members from Masai, that in our red book, the Development Plan for 1964 to 1970, there was provision for an item on Masai rehabilitation for an amount of about £207,000 which was allocated to the Masai, and that this amount is going to be used in the Masai country, as the hon. Members have put it in the Motion. Also, in the same book, Sir, on page 72, an amount has been allocated for water development in semi-arid areas, of which Masai is part. Some of this amount is going to be used for the development of the Masai country.

I do not want to labour a great deal on the Motion, for I know the Prime Minister of this country, when he spoke the last time he was in Masai, emphasized the Government's attitude in trying to help the Masai people. It is up to the Masai themselves to take the advice they are given and to come forward and co-operate with the Government so that their land is developed.

Sir, before I conclude, I would only sound a small warning for the benefit of my friends from Masai. The fate of their land greatly depends on how they handle the ideas which are put to them. If they become divided, as they are already, it is going to be very difficult for this Government to help the Masai and—

Mr. Ngala: Are they divided?

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): They are divided in turning down projects put to them by the Government.

An hon. Member: Can you prove it?

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): Yes, there is no need to try to prove it, when they have turned down the Mau Narok scheme which was going to cost this Government a lot of money. That is proof enough, to show the Opposition that they are divided in the way they are handling their problems.

Mr. Ngala: They turned it down unanimously.

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): I am pleased to hear that they turned it down unanimously, and I hope that the hon. Mover when replying will tell us that they have turned down this project unanimously and that therefore they do not want any help at all.

Mr. Speaker, Sir, I will not tire the House, as I know very well that this Motion is actually accepted by the Government with some minor amendments. I will leave it to the hon. Members here to realize that when the Minister for Natural Resources, who is responsible for answering this Motion, comes to do so they will see that the Masai Members and Masai people are going to be satisfied with the plan of the Government.

With these few remarks, Mr. Speaker, Sir, I beg to oppose the Motion as it stands.

Mr. Masinde: Mr. Speaker, Sir, I rise to support the Motion wholeheartedly. This Motion is very clear and straightforward. Masailand, which could be very useful land in Kenya—there are 16,000 square miles—has been left for the tourists. It is very attractive at present for the tourists. The money obtained through the tourists does not go back to Masailand to develop the land. It is very unfortunate for this Government to do this when it is an African Government. Every African expected that the time had come when an African was ruling the country and they would solve those mistakes that were

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made by the previous Government which was not an African Government. What is important here, Sir, is that it is already indicated in the Six-year Development Plan that water is going to be provided in other districts, for example, Kiambu District, where there is no problem at all as far as water is concerned. We have said from time to time that Kenya is very large, but that some of the land is being wasted because the previous development did not look to some of these areas. The area in question, Sir, is Masailand.

The Kenya Meat Commission at present do not have enough animals, steers, for the purpose of supplying meat to the country. We are worrying because the people who have been supplying the Kenya Meat Commission with steers have been European settlers, but this is the time when we can go out and find those people who are interested in keeping animals and who can supply the Kenya Meat Commission. This is another organization which today brings a lot of money to the Kenya Government. However, the hon. Parliamentary Secretary is trying to say that he does not accept the Motion as it stands, and this means that we are only embarking on what was done previously by the Government which we did not like.

What is asked here is very simple: what best can the Government do to enable the 16,000 square miles of land which is now being wasted to have a water supply? An African Government says that they reject the Motion, but the question is not that they supply water there, but what the Government is going to do. They should tell us that in six years' time or twelve years' time that they are going to do that, or even—

An hon. Member: The red book.

Mr. Masinde: The red book is nothing, Mr. Speaker, Sir. The question of what is provided in this book with regard to the Masai is immaterial. What we want is a definite answer to what the Kenya Government is going to do.

To go further, Mr. Speaker, we know there are some districts which are a little developed. These developed districts should not have priority in development in this country. We have water problems in many places; we are getting them just because these people think that the Kenya Government are going to do a lot in their areas. They are expecting more in their areas. These are the urgent problems which our African Government must attend to. If they expect more development in Tanganyika, tomorrow there will be another secessionist group

leaving Kenya. Look at Uganda. I am mentioning these things, Mr. Speaker, Sir, because we are faced with a problem and our Kenya Government is not taking it seriously. We are quarrelling over land settlement. In Kenya we would not have land problems today if most of our land was developed. There are 24,000 square miles of Turkana land which is lying idle, just because the water problem has not been tackled. Whatever assistance we get—and our Ministers are travelling all over the world looking for money—the Government must lay out projects and the ones we want concern water. It is not a question of getting water from another country, we have water, but what we need is the pipes to get water from Lake Victoria, in order to supply the whole country. Piped water is what we want. The Minister concerned should say how much he needs, not ask people to come to Kenya, to go to small, beautiful hotels and look at Masai Moran jumping, and to spend their hundreds and thousands of shillings or pounds, and, after all, have that money come back to Nairobi to demolish Kariokor and start new buildings. This is doing nothing to help the Masai. They have contributed a lot to attract tourists, but that is not enough. What we want now is for the Masailand to contribute to Kenya's economy on a larger scale than it is doing today.

For the Masai to do that, it is not only a question of saying that the Masai must co-operate. What happened in the past when the missionaries came to this country and they wanted us to go to school? We were forced and sometimes arrested. This is the time for the Government to go to the areas in this country where Africans are still backward and force them and maybe arrest them. It is no use our thinking that the Masai are like the Kikuyu or the Baluhya, or the Jalu. They are not, and if we wait too long and it may be too late, then we are not going to help them. These are the things the Government has to know, Sir. Unless they know these things, then we must tell them all the time in the Ministries that they are helping possibly Kikuyus, Baluhyas and Luos, and the Masai remain as they are.

Mr. Speaker, Sir, some hon. Members think that we are trying to bring up such a Motion for position; it is not for position, but this is something which Government should do. It is up to them to look into Kenya's problems.

We are not going to stop these words of tribalism if the few Masai who are seeing the light today, who are seeing their problems today, will continue to see their problems increased just because the Government is going where a

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Muzungu Government went, leaving these people there and turning to some other areas. These are the people, when we came to Kenya, we found like that. We will not help this country by dividing it further. If we get Ministers who do not realize the problem of the country, the Prime Minister of the country must realize that the problem of this country is not supplying Kiambu. If you satisfy the areas which are underdeveloped you can develop the other areas in a month or two. Look at Uganda, look at Lira, when you look at Lira, it is almost like Turkana, but if you go to Turkana there is not one hotel there. You cannot see one hotel. This is very important. We should not build hundreds of hotels in Nairobi, that will not build Kenya.

The Speaker (Mr. Slade): You have come to the end of your time, Mr. Masinde.

Mr. Masinde: Thank you, Mr. Speaker, and I beg to support.

The Minister for Natural Resources (Mr. Sagini): Mr. Speaker, Sir,—

The Speaker (Mr. Slade): You can take half-an-hour, Mr. Sagini.

The Minister for Natural Resources (Mr. Sagini): Thank you, Mr. Speaker, Sir, although the needs for water supplies in the Masai country are fully recognized, it is not entirely correct to say that these needs have been ignored. The problem was first investigated as early as 1927 and 1929. Since that time the Government has drilled and equipped the majority of the eighty-eight boreholes now found in the area. Mr. Speaker, Sir, five of them were drilled and equipped in 1927 and 1929 and the rest between 1949 and 1951.

Mr. ole Tipis: Were you born then?

The Minister for Natural Resources (Mr. Sagini): Mr. Speaker, the hon. Member is asking me whether I was born. He knows that he was a teacher like I was, he knows the history, and during 1960 to 1961 six boreholes were drilled and equipped in the vicinity of the Amboseli Game Reserve at a cost of £12,000 to supply water for cattle. These are maintained by the Central Government at an annual cost of £1,800. All these boreholes were handed over to the various county councils. In addition the Government has constructed two pipe-line schemes to provide water supplies in Masailand. These are the Little Kedong pipe-line, with a capacity of 93,000 gallons per day and the Namanga pipe-line with a capacity of 26,000 gallons per day.

Mr. Ngala: Mr. Speaker, on a point of order, is the Minister in order to be reading his statement?

The Speaker (Mr. Slade): Order, order—

The Minister for Natural Resources (Mr. Sagini): I will not give way—

The Speaker (Mr. Slade): You must on a point of order, Mr. Sagini.

Yesterday I said, as I have on other occasions, that although we have a Standing Order against reading speeches, there has to be considerable relaxation in the case of Ministers who have to make a speech which relates to a lot of facts and figures and technicalities and, to some extent, briefs supplied by permanent staff. This is a very good example of that kind of speech, where Mr. Sagini is reading facts and figures which he must rely on paper for.

Order, Order, I think that when he gets away from that and gets an opportunity of being more spontaneous, he will do so.

The Minister for Natural Resources (Mr. Sagini): Mr. Speaker, Sir, may I tell the hon. Member that the figures are very many and even if he memorized them, he would find them very difficult. Mr. Speaker, Sir, during the past year the Government has spent some £5,000 on laying that one mile of pipe-line between the Ngong Hills and Kajiado. This pipe-line replaces the old and worn out pipe-line formerly operated by Magadi Soda Company to supply its workers at Magadi. Mr. Speaker, the new line, with a capacity of 100,000 gallons per day, will provide an assured supply of water to Kajiado township and the area around it. Sir, the Government has constructed two further public water supplies at Narok and Ngong townships. Mr. Speaker, Sir, between 1947 and 1951, the Government through ALDEV and the Board of Agriculture, non-scheduled areas, has spent some £68,584 on a water development in Masailand. Mr. Speaker, Sir, following the 1961 drought and floods, the Government has devised a comprehensive development plan for Masailand. The plan envisages the expenditure of over £200,000 between 1964 and 1967, of which £59,000 is exclusively for water development and improvement. Sir, an application for funds has been submitted to the Freedom from Hunger Campaign authorities in England. The hon. Member may be very pleased to hear that the very first instalment of this money is expected to be made available some time this year and work will commence on the development of water supplies in an area which has already been investigated

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in detail. Sir, a full-scale development plan of the area is already in the course of preparation. In view of this, Sir, I wish to amend the Motion to read as follows:—

THAT this House noticing the efforts of the Government to develop the Masai country, urges the Government to continue its good work.

I beg to move the amendment.

Mr. Oduya: Mr Speaker, Sir, I stand to second the amendment—

The Speaker (Mr. Slade): I am sorry, I do not quite know what happened just then. I was talking to an hon. Member.

The Minister for Natural Resources (Mr. Sagini): Mr. Speaker, I amended the Motion.

The Speaker (Mr. Slade): In actual fact, you are supposed to give the Speaker notice of an amendment in writing before you move it. No, I am sorry, I cannot allow this amendment, Mr. Sagini, it is too different from the original.

I must warn hon. Members that when they want to move an amendment they are wise to tell the Speaker first, because otherwise this may happen again. I do not like having to reject amendments, but sometimes I have to. If a Member consults me beforehand I can help him to frame an amendment which I can accept. Have you finished your speech, Mr. Sagini?

The Minister for Natural Resources (Mr. Sagini): Yes, thank you, Sir.

Mr. Oduya: Mr. Speaker, Sir, thank you very much for this opportunity to express a few words. I do not have very much to say because my colleagues here have given the details of their feelings on this Masai problem. But I also want to say that my hon. friend Mr. Tipis is not very far from the point of the truth because it is not only a question of saying that he is a Member of the Opposition, so we Members on this side will ignore his Motion. The Motion is specifically for the Masai, but as far as I am concerned the Masai, being citizens of Kenya, are entitled to certain things from this Government. Therefore I will support this Motion although my colleagues may not like it. I would have liked to second the Minister's amendment, but that amendment has been suspended by the Chair so I will go ahead and support the Motion as it stands and this is what I am going to say.

This is a very, very touchy question. Even a fool knows that the position that the Masai are in is very bad and it is very shameful for an

independent Kenya Government to continue using the Masai as an attraction for the people who come to Kenya to see an independent country. The tourists go there to see how they live and what they are doing and what type of people are living in the Masailand, and it is therefore that I say in this House that it is time to correct the colonial mistake which has been imposed on the Masai without their wishing it. That is why I say my hon. friend, in moving this Motion, thought very, very seriously about it and he said that the Masai should be given the priority rather than the priority being given to the people in any other regions of Kenya which are already developed. Therefore, Mr. Speaker, Sir, I am speaking for the Masai, although I am a Teso, when it comes to seeing that the Masai rights are protected. The Masai at the moment, comparing them with the other tribes in Kenya, including the Turkana—as a matter of interest the Teso are badly off—are not well developed. But let me say that it is high time my Minister, and the Government, realized that the Masai need more money for development than any other area such as Kiambu, such as Central Nyanza, such as Nyanza in the south, such as Kisii, these areas do not require more money than the Masai do. If we are looking forward, we must see that that land which the Masai call theirs is not wasted. Let us be very clear on the point. It is not because I want to develop the Masai but I want to see that the Masai also become like the Kiambu people. They have been neighbours for many years, but they have not been administered properly. The previous Government thought that the Masai should be hidden from the regions of development, and that they would make a lot of money for tourism, and even the education of the people in other areas, such as Kiambu, the rest of Central Province, Central Nyanza and other places in the Rift Valley, was much better than that of the Masai. They had this progress because of the money that came from the Masai areas because the Masai was just a region for tourism.

In this case I would have liked, in our new Budget, or in any other thing that Government is thinking of, or any other organization which is likely to be more responsible for development in this country, to see that the Masai are given more priority than any other area at all.

First of all, when we speak on the question of water irrigation, we understand that there are certain United Nations organizations which are very keen and many other governments outside who are very keen to support Kenya development plans, and if the Minister concerned is very genuine he should direct these people to make

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contributions to the Masai and to make sure that help is given to the Masai Tribe. We are not just going to shout here preventing the Masai from deciding their future, whether they want to go to a place where they think their future can be determined fully. We know very well where the Masai could go, but we do not want the question of secession or the question of Majimboism to come up here. We want to see that each area is developed and I do not see why this Government should not put money into developing the water supplies in the Masai areas.

Mr. Speaker, Sir, recently, only a few years ago, in Masailand there was a lot of trouble. The Masai people are always considered to be the best cattle-keeping people and in that time I would not blame anybody because that was during the Colonial régime, but now that we are an independent nation we do not want to see this ugly thing happening in the next few years. We want to see, as from today, that these Motions in the House should be accepted by Government without any further argument. If there is anything that they want to amend they must give the Masai priority. The Masai people must be given priority in every aspect of development. The Prime Minister recently sympathized with the Masai problem, he went there and gave them a secondary school, he gave them Sh. 30,000—according to me Sh. 30,000 is not very much, is nothing and it was only given to the county council—and many other things were promised, scholarships and so on and they did not appreciate it because these promises were made to the Teso and nothing has taken place. Therefore, Mr. Speaker, I think apart from the Prime Minister's policy, promising to the Masai people that such and such is going to be done, ten scholarships, Sh. 30,000, the secondary school, water development, and so on, I feel water development must be made available as a whole to Narok and Kajiado so that the land which lies from here to Tanganyika could be very fine land. The Kenya Government has always advocated the economic position of this country. We cannot raise the economy of this country if we are going to concentrate on one province or one district which contains several Members of the Cabinet or of this Parliament. Therefore, we must look into this question of the Masai because the Masai, as far as I am concerned, are not in a position to be heard by this Government. We have a few representatives from that area but the entire land of the Masai, the contribution from that area, will help Kenya as a whole. Therefore, the Kenya Government must look forward to giving more money to the Masai area as a whole.

The Speaker (Mr. Slade): It is the end of your time, Mr. Oduya.

Mr. Oduya: Thank you very much, Mr. Speaker.

The Parliamentary Secretary, Prime Minister's Office (Mr. Nyamweya): Mr. Speaker, Sir, after listening very carefully to what the hon. Minister for Natural Resources has told the House as to what the Government has been doing since 1927, when possibly the Mover of this Motion was still behaving as a *Moran* somewhere in a small hut in Kajiado, one feels that the Government is doing something for the Masai. The Government does not intend, as someone has already said in this House, to treat the Masai as a show-piece in a museum. Masailand is not part of a museum but it is that part of the country which we all enjoy travelling through to see the beauty of nature.

An hon. Member: The beauty of nature wrapped up in a blanket!

The Parliamentary Secretary, Prime Minister's Office (Mr. Nyamweya): In order to continue to maintain the beauty of this wonderful nature in the Masailand the Government intends to increase its programme, particularly in the aspect which has been dealt with in this Motion, and that is the provision of water. I do not want to take up the time of this House for what is more or less agreed upon by the rest of the House, but the Government has a lot of programmes to look into, not only the question of water in the Masailand. For this reason, Mr. Speaker, I wish to amend this Motion in the following manner, and it will now read as follows:—

THAT this House urges the Government to give more consideration in its programmes for the provision of water supplies in order to alleviate the water hardship predominant in the Masailand and to enable the inhabitants to concentrate on other activities and play some significant role in the development of Kenya.

The reason why, Mr. Speaker, I suggest the deletion of the words as they appear in the original Motion is because, as I have already said, the Government has a lot of programmes which are included in their Development Plan and in that Development Plan the Masailand and the Masai people have been very well thought of. For these reasons, Mr. Speaker, I beg to move the amendment.

The Parliamentary Secretary for Natural Resources (Mr. Njiri): Mr. Speaker, Sir, I would like to second the amendment. Many people would say it is true that the Masai people in the

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Masai area were not treated like those in other areas, but so far, in what the Government has been doing to bring the water to the Masai area, it has been doing very well. I remember last Saturday, Mr. Speaker, I went to Namanga and I went to all the places which belong to the Masai and I could see that the Government is doing as much as it can. If we can go further, as we would like to tell the hon. Mover, he can go through the Development Plan to page 63. The Government has decided—

The Speaker (Mr. Slade): Order, order. Mr. Shikuku, I have said, perhaps on occasions when you have not been here, that if hon. Members wish to move from side to side of the House I expect them to do so at the Bar of the House or behind my Chair but not across the Floor.

The Parliamentary Secretary for Natural Resources (Mr. Njiiri): Thank you, Mr. Speaker. I would like to say that the Government, through the Plan, is doing very well to see that the Masai people are not suffering. But there are not only the Masai, Mr. Speaker. We have some other areas, and, for example, we had questions here last week about the other areas, and I can tell you that the Government is doing as much as it can to see that all the people will be able to get water. For sure these things which are being worked out by the Government will require more help. We have some organizations known as the Men of Trees. These voluntary organizations usually encourage the Masai people to plant the trees. Unfortunately, Mr. Speaker, the hon. Member has not helped the people to plant the trees to preserve the water—

Mr. ole Tipis: On a point of order, Mr. Speaker, can the hon. Parliamentary Secretary substantiate that I have not planted trees and encouraged the people to help?

The Parliamentary Secretary for Natural Resources (Mr. Njiiri): Mr. Speaker, Sir, I did not say that he did not plant the trees. All I said was for him to tell the people to plant more trees so that they will be able to get more water.

The Speaker (Mr. Slade): You did say he had not encouraged people to plant trees. Perhaps what you meant was he did not encourage them enough.

The Parliamentary Secretary for Natural Resources (Mr. Njiiri): That is right, Mr. Speaker.

Mr. Ngala: On a point of order, Sir, if he meant what you have put into his mouth, would he not withdraw the first statement?

The Speaker (Mr. Slade): Yes, that was what I was helping him to do.

The Parliamentary Secretary for Natural Resources (Mr. Njiiri): Mr. Speaker. I have done it. All I am saying is that we would like to get some more people, like the hon. Member here, to put more weight to getting the money to plant more trees for people to get water. For that reason, Mr. Speaker, when I am supporting the Government amendment I would like to say that self-help is of very great importance, and self-help for people to get water is what the Government is doing. Therefore, Mr. Speaker, I would like to second the Government amendment and encourage the House to continue to support the Government in its programme of developing the water scheme in the Masai area.

The Speaker (Mr. Slade): Now the amendment I have to propose really consists of two separate amendments: the first is to leave out the words in the second, third and fourth lines and the word "supplies" in the fifth line; and the other one is a different one, to leave out the words "first priority in its programme" and to substitute the words "more consideration". I shall have to propose the question of the first amendment first.

(Question of the first part of the amendment that the words proposed to be left out be left out proposed)

The Speaker (Mr. Slade): Debate on this amendment must be limited to that particular matter, that is that those words be left out of the Motion.

The Parliamentary Secretary for Health and Housing (Mr. Argwings-Kodhek): My intervention in this one is because I am very fond of the Masai, and it has been my greatest pleasure to support anything Masai, or Masai language!

The Speaker (Mr. Slade): Now, Mr. Kodhek, you know that we are discussing certain words which are to be left out of the question.

The Parliamentary Secretary for Health and Housing (Mr. Argwings-Kodhek): I agree with you, Mr. Speaker.

The Speaker (Mr. Slade): We are discussing whether we leave out of the question any reference to the shortcomings of the former colonial government.

The Parliamentary Secretary for Health and Housing (Mr. Argwings-Kodhek): Mr. Speaker, Sir, according to my own view any reference to a past colonial government really has very little

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relevance to what is going on here at the moment. What the Masai Proposer of the Motion insisted on, was—

An hon. Member: The Masai Proposer?

The Parliamentary Secretary for Health and Housing (Mr. Argwings-Kodhek): Yes, the Masai Proposer—was that the Masai should be given priority.

An hon. Member: On a point of order, I was just wondering whether it was in order for the hon. Member to refer to the hon. Mover as a Masai Proposer.

The Speaker (Mr. Slade): No, he should use the proper term. “The hon Member” will do.

The Parliamentary Secretary for Health and Housing (Mr. Argwings-Kodhek): Now, the hon. Member for East Mara—

Mr. ole Tipis: On a point of order, there is no such Constituency as Mara East. It is Narok East.

The Parliamentary Secretary for Health and Housing (Mr. Argwings-Kodhek): Narok East, I am sorry, Mr. Speaker, the hon. Member has moved and urged the Government to give certain priorities to the Masai and has referred to the fact that the past colonial régime ignored the Masai. I suggest, Mr. Speaker, that those words should definitely be left out and if I may add my own comments on the Motion as it stands now and—

The Speaker (Mr. Slade): No, not at this stage. You may when we have disposed of the amendment.

The Parliamentary Secretary for Health and Housing (Mr. Argwings-Kodhek): Could I then speak after that?

The Speaker (Mr. Slade): Yes, but you can only speak on the amendment now.

The Parliamentary Secretary for Health and Housing (Mr. Argwings-Kodhek): I support the deletion of any references to the past colonial government.

The Speaker (Mr. Slade): You are entitled to speak on the amendment if you like, to say whether or not you approve of it.

Mr. Ngala: Mr. Speaker, Sir, I take it that we are now debating the question of whether these words should be retained or deleted. That is to the effect of giving first priority in talking.

The Speaker (Mr. Slade): No, not this time, this is the reference to past colonial government, the other question comes later.

Mr. Ngala: Yes, on that reference I would like to make it quite clear that I could not feel that it is right that these words should be deleted, because they do a very useful service as they stand here. In the past we have always been criticizing the colonial government policies with regard to development of backward areas and the semi-arid areas. It is because of that colonial policy in the past that the Masai were overlooked, and many other areas which were backward were overlooked, and here we are—

An hon. Member: Interjection.

Mr. Ngala: One hon. Member said I was leader of the government. The Minister concerned has been quoting figures from 1927. I was at college at that time. Mr. Speaker, Sir, today—he was sitting eating potatoes with his mother somewhere—I would like the words “colonial government” to be maintained, because it reminds us—

An hon. Member: On a point of order, is the Leader of the Opposition in order to refer to the Member as having been eating potatoes?

The Speaker (Mr. Slade): I do not see anything wrong in it.

Mr. Ngala: Mr. Speaker, Sir, we have included these words purposely to reflect the fact that the colonial policy or development did ignore such backward areas as the Masai areas, and because we do not want the African Government to imitate the bad example of the Colonial Government we have decided on these words. We do not want the policy of the high potential areas to be given attention and concentration, and the areas like the Masai areas, with less potential productivity, to be completely brushed aside. This does not do any harm, Mr. Speaker, it only reminds us of the colonial time when we were ignored, and the real substance is not there, perhaps a line or two below, we can really argue, but here we are reminded of the past and I think there is no point in such a learned Parliamentary Secretary to dilly-dally on a useless Motion. Therefore, I think the words “Colonial Government” should be there to remind this Government that it is a little worse than the Colonial Government itself.

Mr. Ngala-Abok: Mr. Speaker, Sir, I stand to be frank. The intention of those words referring to the Colonial Government was because we know that Masailand is underdeveloped. Only a person

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who has not flown over Masailand could argue that the past Colonial Government ignored or did not ignore the Masai, but only a person who has really seen Masailand from the air would know that there was a bit of or a somewhat deliberate ignoring of the Masailand. I know that my colleagues on this side will agree with me that the retention of these words will not harm the Government in any way. I think what is important is that our Government now is doing something about it. That I accept, but as to referring to the past Colonial Government, that should stand. Moreover, the Government argues that trees should be planted and so on. Masailand consists almost entirely of trees, and there may be many areas in Masailand which are dry. Therefore the dry areas are there and they could be developed by some means, but we could not be cheated now, be told that self-help schemes could be promoted to alleviate the problem. This is an urgent need: we need water just now.

The Speaker (Mr. Slade): Mr. Ngala-Abok, will you please keep to the amendment. Do not wander away from it.

Mr. Ngala-Abok: Therefore, Mr. Speaker, I think that these words are doing no harm to us on this side. Probably one of us here feels that these words are causing an injury, but personally I feel that these words are only referring us to the fact that the Colonial Government ignored the Masai.

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): I stand to clarify the Government position on these words and that is that we actually have no objection to these words being retained, but we do feel that when we are referring to the past Government there is no point in referring to the past Government on this particular Motion.

Hon. Members: Why not?

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): Hon. Members are asking why not, but why should we refer to the past Government when we are prepared as a Government to do our best to help the Masai?

Hon. Members: History.

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): Mr. Speaker, hon. Members shout "History", but we thought that here the Leader of Government Business was a party to the past Government. Here we also thought that the Mover of this

Motion was a Minister in the past Government. He was also a Parliamentary Secretary in that Government and—

Mr. Ngala-Abok: On a point of order, Mr. Speaker, Sir, is the Parliamentary Secretary in order to refer to the Leader of the Opposition as the Leader of Government Business now when Kenya is already independent?

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): Actually, I said that the Leader of the Opposition was the Leader of Government Business then, in the past Government. What the Government intended to do, Mr. Speaker, if hon. Members will only listen, was to try and forget the past as that is the policy of the Government, and look at what is happening now. Now, the Mover of this Motion should agree with this amendment because he was party to what he calls Colonial Government.

Mr. Speaker, Sir, the Mover of the Motion is attacking the past Government so if we include this in this Motion, he is going to be told that he was a party to that Government and when the Opposition party was a Government in the Colonial days and they ignored the Masai. We considered this point, and that is why we ask the House to remove these words. Now, the Leader of the Opposition who is trying to retain these words is finding himself included in this, and only when history is being referred to as hon. Members say, are people going to blame those who participated in the Colonial Government for this.

An hon. Member: Why worry?

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): There is no question of "why worry", the Government is looking a long way ahead, it is not only looking to tomorrow. That is why we are trying to exclude this word. If hon. Members in this House accepted that the Government is looking ahead they would agree with the Government that this word be left out in the Motion. With these few words, I beg to oppose.

Mr. Muliro: On a point of order, is this not the moment now to put the question so that the Mover is called on to reply? I think this has been debated long enough, and the Members who are getting up are not contributing anything to the question of whether the words should be retained or not.

The Speaker (Mr. Slade): Mr. Muliro wishes to move that the question of the amendment be now put. We only have another quarter of an

[The Speaker]

hour before we have to call on the Mover to reply, or twenty minutes, perhaps. I think it right for the House to decide that question of closure now.

(Question that the question of the amendment be now put was put and carried)

(The question that the words proposed to be left out be left out was put and carried)

(Question of the Motion as amended proposed)

The Speaker (Mr. Slade): The further amendment which has been moved is that the words, "first priority in its programme", be left out of the question and that we substitute the words, "give more consideration". The question I have to put now—it will be in two parts—is that the words, "first priority in its programme", be left out of the question.

(Question of the first part of the amendment that the words proposed to be left out be left out proposed)

The Speaker (Mr. Slade): I think for this also we shall limit the debate strictly to the amendment, and not mix it up with the main question.

Mr. Ngala: Mr. Speaker, Sir, if we delete this wording here, to give first priority in its programme, and introduce the question of considering, I think that will be very vague and will not give the Government a chance to carry out what this Motion wants to do.

In fact, this is the heart, the key, to the subject matter of the Motion. We want this matter to be given first priority so that places which are already well served like Kiambu, and so on, are not given further services, and places which have been ignored in the past are given first priority. If this African Government is aware of what has happened in the past, and would like to improve things, then I cannot see the reason why Government does not want to give first priority to the Masai, who have not been given any attention in the past. What the Government wants to do is easily to get away with a situation whereby they will have a very vague wording so that they are not committed and so that they continue serving the areas of high potentiality and can go on ignoring the Masai.

Therefore, we feel very strongly that giving first priority in our programme to the Masai is the crux of the matter in the development scheme. Some of the people have called this book a political bible; I do not even call it an economic bible. I believe that if we delete this the main point of the Motion will completely

disappear and the meaning will go. What we want is for the first priority to be given, and the Government should say that they are going to give this or that they are not going to give it; they should not "consider" it because it is very clear that they have only provided £59,000 for six years for water supplies. This is about one small well per year, six wells only up to 1970. To say that we are considering the Masai, instead of giving this matter as first priority, I think is quite wrong.

The Parliamentary Secretary for Local Government (Mr. ole Konchellah): Well fight with us then!

Mr. Ngala: You are talking about it and I am fighting for Masai as well.

The Speaker (Mr. Slade): I should point out the words of the amendment. Hon. Members might like to make a note of them. The proposed words to be inserted are the words, "more consideration", "to give more consideration to the provision", instead of, "to give first priority".

The Parliamentary Secretary for Health and Housing (Mr. Argwings-Kodhek): Mr. Speaker, Sir, I speak in opposition to the inclusion of the words, "first priority". Over the last fortnight, the Prime Minister himself "did" the Masailand very thoroughly. There are a number of areas in Kenya here which are quite dry. The population of Masailand also has to be considered, *vis-à-vis* the other parts of Kenya as well. The Leader of the Opposition will wish us to give first priority—

Mr. Ngala: To the Masai.

The Parliamentary Secretary for Health and Housing (Mr. Argwings-Kodhek): That is not what he said less than a fortnight ago. He thought first priority should be given to Kilifi. I do not know what they expect the Government to be doing, with the first priority here, the first priority there, but in my humble submission, Mr. Speaker, Sir, "more consideration" is, in fact, many times better than "first priority". The Opposition people keep repeating it, but it is just tautological and they are going round and round.

Mr. G. Kariuki: Mr. Speaker, Sir, I rise to oppose any suggestion that the words "first priority" be left out. Inclusion of the word "priority" is to show that we must give the first priority to the Masai people. If Government, according to their information, is satisfied that the previous Government ignored or neglected the Masai people, they must give the Masai people first priority. We should not accept every time

[Mr. G. G. Kariuki]

being given another vaguer word, without any of it being put into action. We want to know exactly what this Government has in mind to help the Masai people.

Mr. Speaker, Sir, I support the Motion remaining as it is.

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): What the Government is doing here, Sir, is trying to avoid these words "first priority" because it might only be tomorrow that the hon. Member for Turkana comes to ask for first priority; it will be the next day that an hon. Member from Kilifi will seek "first priority"; it was the other day that hon. Members from Machakos were seeking "first priority". If we allow this expression to stay in this Motion, Sir, we are going to be left in a difficult position whereby we are not going to know which one to give first priority to. We are prepared to give this more consideration. Consideration is already being given, Mr. Speaker, to—

If only hon. Members paid a little attention, Mr. Speaker, they would hear what the Government has to say on this.

We have agreed on this, and we have pointed out in the course of the debate that consideration has been given to the development of the Masai. We are putting in a proviso here that more consideration is going to be given to the Masai, not first priority, Sir. The Government is not prepared to commit itself to these words "first priority", which will commit the Government to using all the money it has under this Ministry on the Masai.

An hon. Member: Oh, no.

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): The hon. Member says "Oh, no", but it depends on how he is looking at this point. These words cannot be accepted by the Government—

The Speaker (Mr. Slade): Order, order, hon. Members must stop talking.

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): The Leader of the Opposition has said that this was the main point of the Motion; that is accepted. However, we are also putting in a main point, that there should be "more consideration". We have not denied that we have not considered the Masai people. We are only saying that more consideration is going to be given, and I would ask the House not to commit this Government to giving the Masai first priority, because other hon. Mem-

bers will come here asking for first priority, and they will not get it. We are reserving these words "first priority" so that more consideration can be given to the Masai and further consideration can be given to other hon. Members who might need it badly.

Mr. arap Moi: Mr. Speaker, Sir, I am in favour of the inclusion of the words "first priority". The Government itself is confused, simply because they are still following the past colonial régime tactics, in that when a genuine proposal is brought forward they amend it to suit themselves. I think that Masai country cannot be developed without giving it first priority with regard to water. As a Government, if they are ignorant of this, they ought to know that there are first priorities, there are second priorities, there are third priorities and so on, and if they do not know that, then they must tell us that they are ignorant and that they are just displaying their ignorance here.

The Minister for Natural Resources (Mr. Sagini): Mr. Speaker, Sir, I am very surprised that people are getting emotional about this Masailand. Hon. Members should know that other areas which suffer from aridity exist. These are, for example, the Turkana area and areas like Lake Rudolph, the Northern Frontier area, areas in Ukamba and Central Nyanza. These areas are very dry indeed. To talk of giving first priority to Masailand would be folly on the part of the Government. I think the words "more consideration" fit very well, and people will have a chance here in future to discuss other areas. To give first priority to Masailand would be very, very unwise. Masailand suffers from an acute shortage of people, the population is not enough to warrant first priority.

Number two: there is very little water underground, and this means that millions and millions of pounds would have to be used to take the water there. This is not like Israel where there is water underground. So I ask the hon. Members to think very profoundly about this question of first priority.

The Speaker (Mr. Slade): Order, order. It is only two minutes now before I have to call on the Mover to reply, so we will have to dispose of this amendment.

(The question that the words proposed to be left out be left out was put and negatived)

(Question of the Motion as originally amended proposed)

The Speaker (Mr. Slade): I think I must now call on the Mover to reply.

Mr. ole Tipis: Mr. Speaker, Sir, I must thank all hon. Members for the contribution they have made in the debate on this Motion.

First, I would like to deal with the Minister responsible for Natural Resources, and I hope he is listening. As he said the other day, he is a great friend of mine, and he is a man whom I admire and have respect for. However, I would like to tell the hon. Minister that he should check over his figures again because I feel very, very strongly that he was only given one side of the facts, the figures as he put it. Whatever little development money has been spent in the Masai country—which he went on outlining—has been spent almost exclusively in only one of the Masai Districts. He went on to mention eighty-eight boreholes. I would like him to quote a single case of a borehole which has been drilled in the whole of the Narok District. He went on to quote the Kedong pipe-line, which we know originates from wonderful springs near Kijabe, near that beautiful church which was built by the Italian prisoners-of-war, and he should just watch that small spring, especially during the dry weather, to see how those *Kaburu* who farm in that area take all the water from that spring and leave nothing to flow through the pipe. I am glad that his Parliamentary Secretary is here so that he can convey these words to the Minister.

He went on to talk about Namanga, and the pipe-line from Ngong to Magadi, and so on. All these facts go to strengthen my case, that very, very little has been done. Of course, they have some Members like the Member for Narok West who is on the Government's side. They can ask him and they will be told that whatever little development money has been spent on water provision in the Masailand has been exclusively spent on one district and that is Kajiado.

Another point, Mr. Speaker, which must be made absolutely clear here is this, that either the Government accepts the urgency of the situation in which the Masai people have been placed or they do not. We are fed up and tired, Mr. Speaker, of lip service. We are tired of being told that the matter is being considered, that there has to be more consideration. More consideration of what? They have had ample time to consider these things. What we want now is drastic steps and immediate action to be taken, not to go on thinking, thinking all the years, and so on.

Now, Mr. Speaker, some of the points raised by my hon. friend the Parliamentary Secretary for Agriculture, Mr. Osogo—whom I see is also chanting with his friends over there—are quite irrelevant. He went on to mention the Mau

Scheme. Surely he knows this Mau area, if he has ever visited the Mau, that beautiful country. In Mau, over there, water is no problem, and I do not see how he could bring such a lot of irrelevant stuff into a Motion specifically dealing with the provision of water. The scheme he talked about was a complete flop through some stooges supported by the Government undermining the plan which was going to benefit the Masai people.

The Speaker (Mr. Slade): Mr. Tipis, I have to tell you that we do not like that word "stooge" in the House. It is never pleasant and hardly ever justified.

Mr. ole Tipis: Mr. Speaker, if I may explain. I do not mean stooges in this House, stooges from outside this House.

The Speaker (Mr. Slade): Even so, you do not need to use it. It is very unpleasant.

Mr. ole Tipis: Thank you Mr. Speaker, I withdraw it.

Now, this is very, very serious, and I believe that we ought to be realistic. I could not understand at all how the hon. Parliamentary Secretary could stand in the first place to oppose the Motion. That is what he said, "I oppose the Motion." I do not understand him at all, Mr. Speaker.

Last Saturday at Narok the hon. Prime Minister of this country spoke in a big rally there and promised the Masai that he was going to do everything possible to help them to get permanent water in the Masailand. Now the hon. Junior Minister is standing here to oppose. We want to know what is going to happen now. I can see the hon. Parliamentary Secretary walking out, no wonder!

Now, Mr. Speaker, let me say this. Out of all the Ministers who travelled on Saturday, by road to Narok, I would like to ask the Minister for Natural Resources in particular to visit this District, to see the hardships, the sufferings of the people before coming here just to quote the figures and things like that. To see the hardships, there is no water at all there, so how does he expect these people to survive there at all?

The Parliamentary Secretary, Prime Minister's Office (Mr. Nyamweya): There are no people there.

Mr. ole Tipis: My hon. friend, the Parliamentary Secretary in the Prime Minister's Office says that there are no people there. He knows very well there are. He comes from the border of the Kisii and the Masai. He knows that they exist.

The Parliamentary Secretary, Prime Minister's Office (Mr. Nyamweya): A few.

Mr. ole Tipis: Not a few.

The Parliamentary Secretary, Prime Minister's Office (Mr. Nyamweya): How many?

Mr. ole Tipis: The number does not come into it, Mr. Speaker, but honestly I feel that the time for promises and lip service has gone. Our people are not contributing anything to the economy of this country. In fact, unless we try to lift them up by building more schools— If you have a school in a given place, at least you need water for the school's children. If you want to stabilize the people instead of encouraging them to roam all over the country, there will have to be water. To make things worse they go on taking all the tourists to the Masai country to see the game, and so on. This game is animals which consume the little rain-water that there is, and in addition the Government does absolutely nothing to provide water. It is surprising to find that in some game areas they take the trouble to provide water for these animals, and not in those areas which are inhabited by human beings. Surely the Government should be ashamed of that.

My hon. friend, the Parliamentary Secretary for the Ministry of Natural Resources, went on saying that the Government is doing everything possible. That is one of the most colonial expressions which has been inherited. That is, "We are doing everything possible." They do not realize that they are breaking our people in this way. He went on to say that we should encourage the planting of trees and things like that. He should go to the Mau and see the fine forest which has been protected by the Masai people and which, only the other day, according to Legal Notice No. 174, was taken away from the Masai and gazetted as Central Government forest. If the Government wants the planting of trees, how can you plant trees on dry sand without watering it? Let me take the Minister tomorrow if he so wishes to tour these areas around Uaso Kedong in the south, to plant trees and see if we shall find that plant alive if we go back in another day's time, it will be dead unless it is watered. How can you plant trees without water? Trees need water to live.

In conclusion, Mr. Speaker, I hope that the Government will take this matter very, very seriously, and provide more money, not only the £270,000 rehabilitation money. There is no water at all there. No water. And yet the Government say they are doing everything possible. The Minister for Justice and Constitutional Affairs

ought to realize this. If he represents justice—he has been there—he ought to know whether there is water there or not.

Mr. Speaker, I beg to move.

(The question of the Motion as originally amended was put and negatived)

(Several hon. Members rose to their feet)

The Speaker (Mr. Slade): Order, order. The provision under Standing Orders is that hon. Members are entitled to a Division, either if I think there is real doubt as to the Ayes and Noes, or if fifteen Members support the Member who seeks the Division. I am afraid, Mr. Ngala, that I do not think there are fifteen, and I have no doubt as to the votes.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): On a point of order, Mr. Speaker, is it in order for us to make a statement on this Motion or on its results? Can we make a Ministerial statement tomorrow morning?

The Speaker (Mr. Slade): Yes.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Thank you.

The Speaker (Mr. Slade): You know, Mr. Mboya, that I do want to see it before it is given?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Yes.

MOTION

NATIONALIZATION OF COAST BRIDGES AND FERRIES

Mr. Babu: Mr. Speaker, I rise to give the following Motion:—

THAT, in view of the economic hardships caused to users of the privately-owned Nyali and Mtwapa Bridges and the Likoni and Mtongwe Ferries in the Coast Region, this House urges the Government to nationalize those bridges and do away with the tolls.

I believe to a certain extent that some of the Members who have had the good fortune to journey around the Coast, having used these projects—

[The Speaker (Mr. Slade) left the Chair]

[The Deputy Speaker (Mr. De Souza) took the Chair]

An hon. Member: Carry on.

Mr. Babu: I am sure that today they will find it necessary for the House to approve the nationalization. Going further, these projects

[Mr. Babu]

have been used not only by the rich people, but mostly by those who are poor. The Nyali and Mtwapa Bridges take the Africans mainly who are living between Lamu and Kisauni. They are the daily users of these two bridges, such as cyclists, motor-cars and lorries. After a careful examination I have come to the conclusion that these companies are collecting a lot of money from the public who have already paid their taxes, either in the Graduated Tax or indirectly. Take a cyclist. He pays his yearly licence. A motor-car owner buys petrol, pays his licence, pays insurance and in all these moneys there is being paid an indirect tax. The people who use the footpaths pay their Graduated Tax and after receiving these lower wages, some of them are unemployed and yet they have to pay this 10 cents or 50 cents daily. Some of them do not only cross these bridges once, they have to cross them twice or thrice a day, and nothing is done for them.

Now then, if you go further, you will think of the Nyali Bridge since its establishment. I wonder if I am correct here, I think it was opened in 1927 or 1928. From all these areas these people are receiving this money, all the time, day and night. I think it is time for the Government to go through the books from 1927 to this day and see how much profit they have made. I think they have over-recovered their expenditure, and they have over-received profits for them.

Now, then, we come to Mtwapa Bridge, which is about four or five years old now. If we look back, we may find that Mtwapa Bridge and Nyali Bridge, considering their daily maintenance, differ a lot. Mtwapa Bridge, I think, has little maintenance carried out on it, it is small, it is like a common bridge. Coming back to Nyali Bridge— You will find that if you check every cent that is received from Graduated Tax, petrol consumption, licences and so many other items, the Government today is capable of nationalizing these bridges.

Turning now to the ferries, Likoni Ferry and Mtongwe Ferry. These ferries were established long ago from the rowing boats and motor-boats. Today we have these big ferries which carry about twenty motor-cars. I remember when I was young it was with the Public Works Department and the Railway companies.

An hon. Member: You are not young now.

Mr. Babu: Not as you are.

These were divided in contracts for a number of years. For a certain number of years they were run by the Railway Company. For the next

number of years they were run by the Public Works Department, until eventually, I found out, they are monopolized by the Kenya Bus Services. I am sure that the company is getting money from the Coast. That money is not only taken away from the Coast, it also goes away from Kenya. Sometimes I find people from up-country while I am crossing. They just stand there surprised, they ask you "Who owns these ferries?" You tell them that they are owned by the Kenya Bus Services and they say "What a shame, a lot of money is made by these people." This money should come to the Government, and highways which are part of the major road system, should be financed by the Central Government. If you think that roads are made and maintained free for the public, ferries and bridges are part of the roads. They should be nationalized. If a Minister tells me that this is one way of scaring investors from the country, that is the common answer and I will never accept it. You might as well finish with the nationalization idea.

An hon. Member: Address the Chair.

Mr. Babu: This time I am addressing the Chair.

There is no scaring of investors here. I know very well that after war there is peace, and after peace there is prosperity and understanding. If you tell me today that we will stay behind with the war, thinking investors will not come to the country, I can tell you they are very pleased to come to this country. Even after *Mau Mau* activities they were still pleased to come to this country.

It is very, very difficult for me to predict whether the Government will approve this Motion, but at the same time I must emphasize that they may go through very carefully thinking of the position of the public, thinking of the position of those who are using the ferries and bridges daily, taking into consideration the unemployment at the present and taking into consideration the peoples' position. Most of them are living in the rural and remote areas, unless they walk they have to drive or ride. By the time they reach the bridges they have to pay the tolls. How can they maintain their lives, Mr. Deputy Speaker?

If you take into account the ferries and bridges, the rest will follow. From one bridge to the other from one ferry to the other. Likoni bridge is where motor-cars are crossing, scooters and lorries, but Mtongwe ferry is only for foot-passengers or perhaps cyclists. If we cannot nationalize these ferries, perhaps we can nationalize Mtongwe ferry and the money which is derived from there could cover the expenditure and maintenance for the other side.

[Mr. Babu]

However, Mr. Speaker, Sir, if you cannot nationalize even Likoni ferry as a whole, at least you must sympathize with those poor people who have to pay ten cents daily, not only daily but perhaps they cross twice or thrice. Consider the people who are using the manpower like the foot-passengers or a handcart and they have to pay the fare to. Take a cyclist, when he comes to the ferry he has to pay, apart from using his manpower. He has got to eat, he has to get strength so that he may use the pedals, he has to pay the toll as well. I am not trying to force the Government at this stage into thinking that they must do it today or tomorrow, but the matter should remain in the minds of the Government and the hon. Members here. In future, and when I say in future it should be now or tomorrow, there should be nationalization. There will be nothing to fear.

Mr. Deputy Speaker, Sir, these are at least the items where the ferries and bridges are charging the public. Passengers, cyclists scooters, motor-cars, lorries and trucks, handcarts, all on different rates. A man carrying a load on his back has to pay for this load on his back.

Hon. Members: Shame! Shame!

Mr. Babu: He is paying for the load on his back because he is occupying space in the boat with it. Perhaps some of the Members may think that I am saying this because I am using the bridge daily, no, that is not so. I am saying it for and on behalf of all the users of the bridges, whether they are Africans, whether they belong to the coast or up-country, or whether they are tourists. We have to sympathize with the public as far as money is concerned.

As I have already said here, all four services, Mtongwe, Likoni, Nyali Bridge and Mtwapa Bridge, at least for a start before nationalization, should be excluded from the tolls as far as foot-passengers, cyclists and handcarts are concerned; they should be excluded from the tolls. This should be done from the very beginning before we consider nationalization. It is very, very hard. I know that both the ferries and the bridges have a certain way of reducing the fares so that residents are excluded from paying the full rates from the full tolls. For instance, if it costs a car to go and come back Sh. 4, if you are a resident and you have applied, you will be charged Sh. 3. That is what they call a return fare. A lot of money is involved. Sometimes they have a return fare for a certain number of hours. After the expiration of those hours, you pay the full fare. This is all a waste of time and a waste of thinking. The

proper thing is to have complete nationalization now, and for certain people to be excluded from paying those tolls. They are used to create an excuse of cowardice. We have won our independence, Mr. Deputy Speaker. We knew perfectly well that difficulties would come on our shoulders, and I remember that during our campaign we went on shouting, "All foreigners must quit." We are capable of organizing our own destinies. Yet today, here in the Cabinet, where all the Africans are here to help their fellow-Africans, they are cowards on nationalization. There is no necessity for worry or to be scared by nationalization. This is a position known all over the world. The highways must be nationalized. If you think today you are scaring away investors, the investors are there also to overcome you. They are there to make money, and you make money from them. What worries you?

With these words. I beg to move.

Mr. Omar: Mr. Deputy Speaker—

Mr. arap Choge: On a point of order, I wonder if you could say who is to speak. I want to speak but other Members keep on standing up first.

The Deputy Speaker (Mr. De Souza): I refute the allegation that there is any favouritism. That is not the type of insinuation to make. I was told that Mr. Omar would be seconding the Motion, and the proposer is entitled to choose his own seconder. You have no right to make such allegations. Will you please leave the Chamber.

(The hon. Member withdrew from the Chamber)

Mr. Omar: Mr. Deputy Speaker, Sir, I would like to second the Motion. This is a very important Motion, Mr. Deputy Speaker, as far as the Coast people are concerned and Kenya as a whole. I am sure that the Back-benchers and even the Ministers will also support this Motion and let it pass in this National Assembly.

Mr. Deputy Speaker, Sir, these bridges are very important and they really cause hardships on the users. Take for instance, Kilifi North, and Kisauni, where there are two bridges—Mtwapa Bridge and Nyali Bridge. For a small car you have to pay Sh. 2 one way at Mtwapa Bridge and at Nyali you have to pay Sh. 1 one way when you want to cross: for lorries which are over three tons I think they are charged Sh. 5 one way and the bigger lorries of seven tons pay over Sh. 5 one way. There is a very heavy traffic on these roads because farmers from Kilifi North, Kisauni and Utange always go to Mombasa to sell their agricultural produce and they normally want to sell their produce in Mombasa in the mornings. There is no alternative bridge which

[Mr. Omar]

they can use. There is, of course, one bridge at Kisauni, but it is not well maintained and there is a lot of delay there. The farmers and people from all Kilifi North often use the Mtwapa Bridge and Nyali Bridge. With the Likoni Ferry one also finds that farmers from the Kwale District must use this ferry and there is no alternative there at all. Sometimes it is difficult for the farms because they have their agricultural produce which they want to sell in Mombasa and when they come to Nyali Bridge they are bound to pay out tolls and in many cases they do not have money to pay and, therefore, they leave the produce in the districts and you find some people from Mombasa going there and buying this produce at a very cheap price. Therefore, this is a very important Motion, Mr. Speaker, which has to be taken into consideration very seriously by the Government.

In Kilifi District also the farmers have first to pay cess for their agricultural produce when they wish to sell it in Mombasa and when they come to Mtwapa Bridge they pay tolls and again when they come to Nyali Bridge they pay toll. First they pay the county council cess in order to bring their agricultural produce to Mombasa District and then they have to pay Mtwapa Bridge and again at Nyali Bridge and we therefore find that a farmer arriving in Mombasa has already spent over a pound for bridge tolls and county council cess. This really affects the commerce in Kilifi District as well as in the Kwale District and therefore I think it is very important that these bridges should be nationalized and all the tolls be done away with in order to make it easier for the farmers in Kilifi and Kwale Districts to go and sell their produce in Mombasa.

I am seconding this Motion. Mr. Deputy Speaker, for this reason also, that in the Coast and particularly in the Mombasa District, all the people residing on the mainland—by that I mean those at Changamwe, Likoni, Mtongwe and Kisauni—have only one hospital and it is on Mombasa Island. Sometimes there are very poor people who fall sick and they want to go to the Coast General Hospital which is in Mombasa, but, because they have no tolls to pay at the bridges they are bound to stay at home and probably go to the people that the hon. Jahazi referred to the other day, the witchdoctors, because they have no money to pay tolls at the bridges to go to the Coast General Hospital. This is causing hardship to a lot of people.

Another reason is that Mombasa is the central marketing centre for the Coast Region and therefore you find that all agricultural produce and

other things from all over the Coast Region have to come to Mombasa to get a better market. Many of these Coast farmers who want to sell their produce in Mombasa, which is the marketing centre of the whole Coast Region, cannot sell their produce there and so it is left open for the Asian and Arab traders who are well-to-do to go to the reserves and buy the agricultural produce at very cheap prices and bring it to Mombasa and send it to Nairobi and all other parts of the country and get a very high price. Therefore, our Coast farmers are really exploited by the well-to-do Asian and Arab traders who have a lot of money; who have vehicles which enable them to go to the reserves and buy the agricultural produce at very cheap prices. If the Government is not going to nationalize these bridges it means that they are supporting those Arab and Asian traders who are exploiting the African farmers in the Coast Region.

Another thing, Mr. Deputy Speaker, is that on Mombasa Island there is no adequate housing and, as you know, most of the industries in Mombasa are concentrated on the Island. We, therefore, have workers from Kisauni and Likoni, some of whom are paid very small salaries, and because of the shortage of housing on the Island they are bound to stay at Kisauni, Mtongwe and Likoni. Some of them have bicycles and others have not, and they have to come in the morning, some go in the afternoons for lunch, and others in the evening, and whenever they use these bridges or ferries they are bound to pay the tolls and, therefore, this also affects the workers working on Mombasa Island. They have to pay house rent and at the same time they have to pay tolls to use the bridges and the ferries.

Now, we understand that the Nyali Bridge made an Agreement with the Colonial Government that if it is to be nationalized the Government of Kenya must give a notice of twenty-five years and then pay compensation. It is unfortunate that I have not a copy of this Agreement, but according to the information that was passed to me I think it is true. I do not want the Government to take this as an excuse for not nationalizing these bridges and ferries and I do not believe that it is right for this African Government to give a notice of twenty-five years to the owners of the present bridges and ferries before they nationalize these bridges. We want them to ignore, to neglect, that Agreement because it was made by the colonialists. The present owners of these bridges and ferries, I understand, are not even in this country. They are far away and they make a lot of money. According to one of the staff on the Nyali Bridge

[Mr. Omar]

that they get about Sh. 20,000 per day. This is a lot of money and if the Government is going to nationalize this bridge the Africans at the Coast, and also those who come from up-country, will make free use of these bridges. By nationalizing these bridges the Coast African will realize that Kenya now is independent. If these bridges and ferries are not going to be nationalized some of the Africans will not think that we are really independent until these bridges and ferries are nationalized.

There is one further thing, Mr. Deputy Speaker—

The Deputy Speaker (Mr. De Souza): You have had your time, Mr. Omar, I am sorry.

(Question proposed)

Mr. Jahazi: Mr. Deputy Speaker, Sir, I wish to support this Motion very strongly. Whatever excuse the Government wants to advance we do not care what method they want to use, but we people in Kenya and the Coast in particular are tired of paying tolls to these bloodsuckers. These bridges were constructed in 1928. Since then the owners have been overcharging people because they are controlling all the communications from Mombasa Island to the mainland. Now, no one can live on the Island for years, or even days, you have to cross over at one time or another. Every time you cross over you must deposit on your way off and on your way back. How long will this continue?

Mr. Deputy Speaker, Sir, we were entertaining a hope that this exploitation would go on only as far as Independence Day, and that the moment we moved into independence our Government—which has been suffering, the whole Cabinet has been suffering—would discontinue this practice. Now, we do not expect any excuse from the Minister who has also suffered from this exploitation for a long time.

An hon. Member: Which Minister?

Mr. Jahazi: The Minister for Communications. Mr. Deputy Speaker, Sir, the Government can find methods. All the citizens are demanding today is that they should cross free of charge. Whether the Government will nationalize the bridge or will pay for them, or whatever they will do does not matter, but we demand that we cross free of charge. The Kenya Bus Service has a monopoly over everything. Now the Government—not this Government, but the Colonial Government—gave them a monopoly to control all the inflow and outflow of African people on the South Coast, and they gave Nyali

Bridge the monopoly to control the inflow and outflow of all our people on the mainland north. They were not satisfied with this—there was a free ferry at Mtwapa and I expected the Government to improve the free service which is now being operated by the Minister for Communications, but instead they gave the monopoly to another company to construct a bridge in order to exploit people more.

This type of thing cannot go on in our Independence, and I ask the Minister to act now and take over these bridges and ferries. Mr. Speaker, Sir, these people who have left these bridges and ferries have arranged it so that they cannot allow even a free passage of ambulances which carries sick people. If somebody is sick on the mainland, the ambulance driver must deposit two shillings first before he takes the sick man across. This only shows how mean these people are because everybody would have expected these cars to have a free passage in emergency times. The funny thing is that they allow a free passage for the fire brigade. All fire service vehicles pass free of charge. You know very well, Mr. Speaker, that where there is fire there is sometime loss of life. They allow free passage of fire trucks, but the ambulance which goes to where people who have been burnt or something cannot pass without paying something. With all due respect to this company, if they had any heart or there was a little *Harambee* spirit in them, they would allow an ambulance to pass with a sick man but the fact that they don't, shows what a monstrous spirit they have to exploit the citizens of this country. We cannot allow these people, whether they are foreign or local who do not have that *Harambee* spirit which we always sing here, and the moment we find them, we can start a witch-hunt for these people to get them out of the country. Mr. Speaker, Sir, I don't think the Minister will find an excuse that when we take over bridges we will scare away the investors, or we won't be able to run this service as efficiently as we should, because these links are essential. They must be there, and no one can afford to boycott, because if a person is on the mainland and we boycott a crossing, we will all die on the mainland. On the mainland there is nothing, everyone goes to the island to work, and cross back in the evening. Therefore when the Government take over this, they can take it over today, and we won't mind paying a little something to our Government to meet the expenses but there should not be an open market of exploitation. Mr. Speaker, Sir, the Government only pays £10,000 to one bridge, Nyali bridge. Pay £10,000

[Mr. Jahazi]

a year. All this goes to compensate people because they always threaten the Government that if you don't pay this we will raise the fare to five shillings, and the Government gets scared and they pay £10,000 a year.

[The Deputy Speaker (Mr. De Souza) left the Chair]

[The Speaker (Mr. Slade) took the Chair]

If the Government pays £10,000 a year, why can't they run the whole service. The owners of Nyali bridge are keeping the bridge at such a dilapidated standard that every time they want to nationalize it they show that the bridge is an old one, and it won't take another ten years, it needs reconstruction and all that, and if you want to take it, you must take it and get a new one, but if you want to take it you can but still continue to give them £10,000 a year. This is since 1938. How long will the Government continue to give these people this amount? This is unacceptable to this Independent Government of ours. If the Government cannot act, we can. We shall demand that we give orders that there are no more payments on this bridge, to force these people if the Government can't act, but we cannot do that now. We know that the Government is ours and they are only being a little sleepy about the problem. They have a lot of problems. maybe this one is not burning but it is up to us to nationalize this service.

Mr. Speaker, I think this clearly shows how funny this issue is, and I expect the Minister not to give other excuses, but to accept this Motion in the true spirit of *Harambee* and nationalize this bridge tomorrow.

The Speaker (Mr. Slade): Order. The two hours allowed for group Motions has now expired, so we have to move on to free-lance Motions. That is Order Number Ten.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Onoko): On a point of order, Mr. Speaker, I thought the Government would be allowed to answer that debate.

The Speaker (Mr. Slade): You are referring to the debate we were discussing, Mr. Babu's Motion. That debate will be resumed on Private Members' Day in Party Motion time. The Government will have an opportunity of answering them. We cannot go any further with it now. That is all.

(Interruption of debate)

MOTION

TRADE MONOPOLY

Mr. Ngei: I beg to move:—

THAT this House being aware of the monopoly of trade in Kenya by Indians and complete exclusiveness of African traders to participate in building Kenya's economy, urges the Government to take steps immediately to remove this malicious imbalance of trade and to frustrate the exploitation of prospective African traders.

Before I begin my speech, I would like to say that always I have been in the House, and I would like to say that at one time I said something which I thought was to the benefit of the whole country. I was accused of being tactless and being very frank. However, I took that as being a compliment. This Motion, Mr. Speaker, if taken very unwisely, could seem as if it is causing dissension between different races in Kenya, but I must say with emphasis that dissension has been created already and you will find that part of the African community, at least the majority of it, are today suffering quite a lot because of this imbalance of trade. Therefore any person who says that I am trying to cause dissension from the different races, this is an accusation which does not hold water at all.

I am doing this with a simple and pure determination, to see that the people in Kenya, the citizens of Kenya, live together without any friction at all. If we want to have a situation, I would say not very unlike that of South Africa, and very near to that of the Congo, it is if we are to hide the truth. I am sure that by saying what I am saying today, it will remove a situation which may arise because of the frustration of many inhabitants and indigenous people in Kenya. Mr. Speaker, I am not going to make a second mistake. Last time I was given by the hon. Speaker about one and a half hours to speak, only to realize that I only had half an hour, and I left the structure of my speech and the most important part unspoken. Today I am not going to do so. I shall try to speak as rapidly as I can.

The Speaker (Mr. Slade): You have only twenty minutes, Mr. Ngei.

Mr. Ngei: That is quite enough. As I say I am going to speak as rapidly as I can, as is humanly possible. I would like to start with the history of trade in Kenya, because I want to show where the whole foundation of the imbalance of trade started. When the British Government under the inspiration of the great Disraeli of England

[Mr. Ngei]

thought that they should spread their Empire everywhere, they brought along workers from all over the country to try and see whether they could help them to do what ever they wanted to do, that is exploitation in various countries. They brought along the Indians to make the Kenya/Uganda Railway, and these Indians were brought as the employees of the first East African Corporation. Some were brought by the Arabs to carry the ivory and the treasure of East Africa and especially of Kenya. Later on they were compensated by the British Government by being given farms and privileges to enable them to carry on trade in Kenya. This brought us to the 1939/45 World War, the second one, and many Africans who were employed in the British forces to fight the well-known man, Hitler, travelled in many places and saw many advanced countries. They came back with a spirit of doing more trade because they had learnt a lot from what they had seen. When they came back they found that the Indians who were brought here with the railway well established in petty businesses and they grew into business magnets at a later stage. When the Africans came back there were no credit facilities in general, the bank would not lend them money because the African did not have securities or any facilities in law, land titles to provide security at all. Therefore the African did suffer quite a lot, because he did not have a lot of money, and as you know, Mr. Speaker, the most highly paid African, perhaps a Regimental Sergeant-Major, was getting Sh. 120 and therefore could not build up enough capital unless he got into very unpleasant activities, these of the black marketing system. Later on the Africans were encouraged in trading markets to building houses, and laws were enacted, and it was the intention of the Imperial Government or the Colonial Government that these concrete houses must be built. Therefore, most of these people who had acquired a little capital up to about £500 built these stone buildings, and you go around in many African markets you find some pleasant, but now they are getting old, stone buildings without anything. To me they are walls and nothing because there is nothing inside. They were forced to spend the little capital they acquired by any means at all, and therefore when they required money at a later stage they were not able to acquire adequate capital to run the small business. But we must not think that even if they had had capital they could carry on the trade. They were facing quite a lot of things and very unpleasant ones. There were no facilities, and I don't want to repeat myself. There were so many things, they went to these well-established

Indian firms to beg for credit facilities and the most they could get was between Sh. 100 and Sh. 200 in credit facilities.

Later on, we came to the stage of independent Kenya. There was the Colonial Government first of all; there were things like agencies, maize agents, sugar agent, distribution of something, and thanks to the East African Tobacco Company, and the Pepsi Cola Company who are trying to better the African traders by giving them distributive facilities to foster up and coming traders. East African Breweries—this Company as well as the East African Tobacco Company and Pepsi Cola Company I must thank for the contribution they are making.

Now, Mr. Speaker, as my time is going quickly, I would like to come to the present moment. I have shown you the original picture I want to bring to an independent Kenya. Two and a half miles away from this very Supreme House of the National Assembly, we have seen in the last four weeks. Mr. Speaker, many petty traders who have been removed from little open markets they were trying to establish, and they were moved by the City Council for various reasons. When you look at it, they are good reasons, but reasons which could be kept until such facilities are provided by this independent Government so that the traders could do something and have houses, proper business premises to run whatever business they wanted to run. This is rather unpleasant. The African is looking and is a human being like anyone else. He says—I am the indigenous person, look how the Government load the Indian traders with big businesses yet when I try to put my business there I am removed to a remote area and I am either to expect the giraffe to buy my commodities, or the "Thommies". I leave that for you to decide. Mr. Speaker, this is to the African traders and hawkers, the most remorseless thing, while they see these prosperous, wealthy, well-established Indian merchants.

What will they think? They will think this is an independent Government. During the election days, we used to meet at public meetings, and promises were made; everything would be all right, with prosperity after independence. Now it seems quite the opposite, that even when they try with the little capital to establish businesses around the African locations, these poor traders are removed to the remote areas, where they cannot expect any customer unless they hire a truck to go and buy things from the place where they are removed. The question arises whether it is possible to have any business competition between the African and Asian? This is

[Mr. Ngei] impossible unless this Government has a deliberate policy to encourage the Africans to participate in wholesale or retail trade. The Government must tell us today, and I am glad that the hon. Minister, who is a learned Ph.D. in Economics, has not been able to make the grade at Geneva.

Mr. Speaker, without really killing my friend, I would rather ask him instead of spending years at Geneva conferences, to concentrate on trying to see that the African has something in business. Therefore, I have said competition, no, unless the Government is prepared to have a deliberate Government policy to encourage African participants in wholesale and retail trade.

I want to move now to my suggestion to the Government. I have already said that dissension existed, and the only way to remove it is to say what I am saying. If we look at the business today, we will find that there are some businesses which have fixed marginal profits. For example, there is a franchise in Pepsi Cola—that is a safe business—because the Government says a bottle is sixty cents, Mr. Speaker. Therefore, there is no risk.

Mr. Alexander: No, no, no.

Mr. Ngei: I have already said that I congratulate the Pepsi Cola Company for doing so, and if my hon. friend there was running a bottling company, I am afraid to say that I think it is quite true and I think you can correct me later if you think I am wrong.

Mr. Alexander: What you have just said is wrong.

Mr. Ngei: I was going to concentrate on a few things. The Minister for Commerce and Industry can help the petty African traders to improve in business, by definite endeavour to see what businesses can be safely taken over by the Government and passed over to traders. This is my little suggestion, Mr. Speaker. Things like school uniforms could be given to petty tailors. If, let us say, there is a Government school at Machakos, Kisii, let those well-trained tailors at Kisii or at Kabete be given the credit facilities to buy khaki drill or whatever material is needed to tailor the uniforms for respective secondary schools, and have a little money going to those traders. That is one.

Government tenders, we know, are always in big quantities and these poor traders with a capital of at the most Sh. 10,000 cannot cope with a large tender from the Government, and therefore, if these tenders could be split and

given individually to African traders, say—instead of huge tenders for 5,000 khaki shirts have these split into 500 shirts—and then you advance the money to these tailors, then we shall be doing a service to our own country. There are other things, as I say, Mr. Speaker. The Government contracts, say, for school buildings. We have some good African masons. These could be given buildings which cost about £10,000, and the Government advance money, by way of credit facilities to enable those who have learned masonry at Kabete or Kilifi to practise the art which they have really learned. Things like furniture, the Government can also give tenders for furniture to carpenters.

Mr. Alexander: It is all made in the prisons.

Mr. Ngei: All that which is made in prisons can be made by small masons in various places.

Mr. Alexander: What will the prisoners do then?

Mr. Ngei: The prisoners can do many other things.

Mr. Alexander: What?

Mr. Ngei: The most important thing to which I want to come is the wholesale trade. The Government can establish a wholesale trading corporation so that they are able to supply consumer goods, and things like textile and piece goods, to various trade retailers. This is a very important thing. Let us come to the main agents. Before you become a main agent you are required to be able... Just, wait, if you cannot interrupt, listen please. You are required to have quantities of money to be able to buy large quantities of 1,000 bags. How can an African afford to have 1,000 bags at Sh. 27 per bag?

An hon. Member: You are a chairman.

Mr. Ngei: I am the chairman, but the law was there before I became chairman, but if the law had been made after I became chairman I would have done something. What I said, Mr. Speaker, is that these are some of the things. The produce should be handed over to some of the farmers through the Kenya African Traders' Union; let the producers form them into a small body and buy and sell the produce to the marketing boards, like the one which has been established, instead of just leaving it to big Indian traders who are making a lot of money for the storage costs.

Mr. Speaker, we have been told that the Asians are trying to encourage Africans to join them in partnerships in business. What I want to do is to see effective participation in trade, not mere directorships. You could be offered a director-

[Mr. Ngei]

ship but sit there and know nothing. The Indian traders must be told that they must welcome the Africans in effective participation of business and not mere directorship alone.

I think, before the light comes, I have covered my points. There are towns and cities like Nairobi. What are we going to do? The African is pushed away down in Kariakor where there is no business. Even the Africans, like the Wakamba, ought to have big consumer stores in Government Road, but now the cream of their business is being taken by the Indian traders. If the Government can give us a deliberate policy and establish consumer stores in Government Road then, of course, Mr. Speaker, I will be the happiest man in the world. Therefore, I am saying that the Government must establish co-operative consumer stores in big places like Mombasa, Nakuru, Kisumu, Nairobi and other towns like that, so that co-operative consumer goods can bring would-be African traders into the real business.

An hon. Member: What about Machakos?

Mr. Ngei: I am sorry I am not a regionalist. I live in Kenya and I am a Kenyan. Mr. Speaker, Sir, I beg to move this Motion, and I hope that those who are going to speak will support me.

The Speaker (Mr. Slade): Order, order. Mr. Ngei, I have mentioned several times, but perhaps you were not here, that if hon. Members wish to move from side to side of this House, they should do it at the Bar or behind my Chair, but not across the Floor of the House.

Mr. Ngei: I am sorry, Mr. Speaker.

Mr. Gatuguta: Mr. Speaker, let us make it quite clear from the beginning that we are not at all against any particular community in this country, but by moving this Motion all we are trying to do is to remove the imbalance. In other words, we wish our Government to remove the exploitation of one section by another. We want all the people of this country to have a fair chance in the business of this country, and to participate evenly. The systems which have been encouraged by the colonialists in this country was with the European on the top, the Asians in the middle and the African on the bottom. Now that this country is free it is the responsibility of this Government, of this House, to see to it that Africans are also on an equal basis with the other communities. There is no question of having anti-Indian feelings or anti-European feelings. If this Government cannot put Africans on top—or on an even basis with other communities—we will have failed in our job.

The only way this can be done is by trying to help the Africans who have been suppressed economically for many years; because an African is a man who is industrious, a man who wants progress, a man who has determination to advance, but he has to be assisted in coming to the state that he wants to achieve. There is no question of African inability to participate equally in business. Where the African has been given the opportunity, we have seen that he even does better than people of other communities. We know that the pattern has been established for over sixty years, and that in this pattern the African cannot participate in business unless this pattern is destroyed. Take, for instance, the question of trade business in Nairobi City. The Asian had an opportunity before to create a situation whereby the African could not get into business. Then, for instance, if an African got into a shop in Nairobi and he wanted to trade, to enter a free enterprise with other communities, we know what happens. The Asians do not want him, so he raises the rent of this building, so much so that the Africans cannot make any profit and within a few months the African moves away. The Asians are doing it. The other method—

Mr. Alexander: How can he raise the rent if there is a lease?

Mr. Gatuguta: There is no lease or any other point. The Indian is in a position to control the business the way he wishes, and I hope the Minister will reply to this because there has been talk of exercising rent control. This thing has not been effective, and this is one of the methods by which the African is pushed back. The other method, as you all know, is that the Asian has big capital. He has facilities to borrow money from the bank, and from other institutions, to import goods into this country from the United States and from other countries. The African does not have that. When the Asian gets his goods here, having got them wholesale, he sells them to the Africans at a very expensive rate. I think our Government should look into this and see to it that African co-operatives, the ones which have been mentioned by the hon. Mover of this Motion the Government should see that African traders are given credit facilities, either through commercial banks or through our own Government in order that they may be able to import goods into this country directly, because the Indian in this country has always been a middleman as far as trade is concerned. We, as a free country cannot continue to follow this system.

[Mr. Gatuguta]

Now, the African also is oppressed in various other ways. Take, for instance, agencies. The agencies in the sugar industries have always been in the hands of the Indians. I know, and I can provide a list of people who have applied for these agencies, and they have never been allowed to have the sugar agency in this country. Things like *unga* which is manufactured in our own country is also given to the Asians. No African is given the agency of these things. In spite of the fact that they are the biggest consumers. As I said from the beginning, I have no objection to an Asian being an agent in sugar, or in *unga*, or anything, but let the Africans also be agents in these things. I know a group of Africans have been trying to get this thing, and they have not been able. They are told, you have no capital, you have no transport facilities. After all, how did the Asians start? Business starts with transport and credit facilities. They had to start somewhere. We are asking our Government to try and look into this question of helping the Africans into the business world. Let me make it quite clear that the Africans are not going to realize that freedom has come, merely because we have a House full of African representatives. They are going to recognize that freedom has come by the opportunity that they are going to be given in all walks of life, social, economic and political.

Therefore, Mr. Speaker, Sir, we would very much like the Minister for Commerce and Industry to look into this. I know that the Minister for Agriculture also comes into the picture, because we have various statutory bodies in this country which are supposed to control, not only the production, but even the marketing of the produce, and these statutory bodies, which normally make the policy as to how certain produce will be marketed, are usually European dominated. These people, whenever they make the policy, look into the interests of the non-Africans. We would like to know whether there is going to be a change as far as policy is concerned, and whether the Government is prepared to change the pattern of things in such a way that the Africans also have a fair place in industry. We want the imbalance to be removed, and we also wish to know that our Government is going to play a part in establishing free enterprise.

With these few words, Mr. Speaker, Sir, I beg to second the Motion.

(Question proposed)

Mr. ole Oloitipitip: Mr. Speaker, Sir, I rise to oppose this Motion.

Mr. Anyieni: You had better go home.

Hon. Members: Shame, shame.

Mr. ole Oloitipitip: I know the hon. Members will say shame, but they had better listen first before they say shame.

Mr. Speaker, Sir, the nature of the Motion does not make any sense at all. For example, Sir, the word "monopoly" does not mean anything to anyone here, because if the Motion reads, "That the House, being aware of the monopoly of trade in Kenya by Indians and complete exclusiveness," what does this "monopoly" mean? Mr. Speaker, Sir, the Mover of this Motion is himself a merchant and that is not monopoly. An Indian trader has a shop; I also have a shop, and many of the hon. Members here have shops, and where is the monopoly there, Mr. Speaker?

Mr. Anyieni: On a point of order, Mr. Speaker, can the hon. Member substantiate the allegation that probably the majority of the Members here have shops?

The Speaker (Mr. Slade): Can you substantiate? You need only give a few examples.

Mr. ole Oloitipitip: Mr. Speaker, Sir, I personally have a shop. If an Indian has a shop, if an Indian has a petrol station, if an Indian has a farm, the African has a shop and—

Mr. Anyieni: On a point of order, Mr. Speaker, the hon. Member says that many Members here have shops, and in substantiation he has said that he himself has one and he cannot say any more. Does he himself mean more Members?

The Speaker (Mr. Slade): I should not worry about that. He has made his point that Members have shops, and the Member does not really matter.

Mr. ole Oloitipitip: For the benefit of the hon. Members who want me to substantiate, I can give them a list, not only of the few people which I can produce tomorrow, but also of 1,000 people in Kenya, or even 3,000, who have shops in this country. I say this very strongly, they know it, if they go in Nairobi here they will see that Africans have shops. I am not speaking for the sake of speaking, but they know that Africans have shops, they have buses, they have firms. Therefore, Mr. Speaker, there is no monopoly of trade by Indians. You must be realistic.

Mr. Speaker, Sir, this is how I feel; the only thing is that the Indian traders are stronger than the African traders, and if this Motion was put

[Mr. ole Oloitipiti]

that way it would make sense to everybody. But if you say that there is a monopoly of trade, this is nonsense, because you know that Africans have a share in every means of trade in this country. However, I agree with the Mover of the Motion if he says that the Africans are financially weaker than the Indians. If you put it this way, we would urge the Minister to give money to African traders so that they can compete with the Asian traders in this country.

Mr. Speaker, the trouble is this, we know our friends are not serious when they also call themselves nationalists. They must realize the fact. This is true, there is no monopoly of trade in this country. If I wanted to have a shop or perform a trade in my country, all I would do would be to submit my application to the county council and I am quite sure the county council is not controlled by Indians; it is controlled by Africans, and I would get my licence and I could start tomorrow.

Therefore, I do not know how my friends feel but I deny the fact that there is a monopoly of trade in this country. The Africans have been prospering in trade and they are doing so today. I do not want any monopoly but I cannot say that there is a monopoly of trade when there is none at all. I believe that the Asian traders are stronger financially than the Africans. This is because they have money. If a Member urges the Minister for Commerce and Industry to realize this and says, "Look here, our African traders do not have sufficient funds to start their businesses, therefore they want money," if the Motion had been put this way, I would have agreed with the Mover of the Motion. But simply to discriminate or to be racial because the Indians are in trade in this country, I believe that means you are not a true nationalist. That is the only trouble I see in this country, Mr. Speaker, and I am going to be very frank and short and say that all we should ask the Minister to realize is that the African traders are weak and they need money. They should be given sufficient grants, loans, so that they improve their trade. I do not agree with anybody saying that there is a monopoly.

Another point, Mr. Speaker, is that the Seconder of the Motion said that if Africans ask for a licence for a job, they are denied. Who is denied? You are the heads of the Government. If an African brings an application, you are a chairman, he is a chairman, he is the chairman of the Maize Marketing Board. Why should people be denied their rights while he is the chairman of a Board?

What happened during the colonial time was that we had many people who were buying maize from Loitokitok at the flat rate. I will quote: "About five traders were allowed to buy maize and sell it to the Maize Marketing Board." But today, the hon. Mover of this Motion is the chairman; there is only one person who is monopolizing the whole thing. Who allows this person to monopolize this trade? It is the chairman and the hon. Member, the Mover of this Motion.

Mr. Speaker, the Government today is ours. If you know that you are there, and you deny the Africans the privilege of qualifying in the trade, whose fault is that? It is your fault.

Another point which I would like to make, Sir, was raised by the hon. Mover of this Motion. Today if you walk along Nairobi's streets in the direction of Pumwani, what do you see? You see 1,000 African traders who have no money, who have nowhere to put their produce, they are just on the side of the road. This is bad. This does not mean that they have been denied trade, they are trading, but the trouble is that they do not have decent places where they can trade well. You would not like to go and see an African person trading in Pumwani and such dirty places like that. This is very bad, so the city council is right to chase them away, or give them a decent place to sell their foods.

If the Mover of the Motion would have come in his true colour and said, "Look here, you should build a decent place for Africans to carry out trade," it would be quite admissible, but to see that they are denied, yet the Government is ours, this is absolutely shocking. Mr. Speaker, Sir, this Motion, I believe, has some sense in it, but I do not agree with the monopoly of trade whatsoever. They all know that.

I think this Motion ought to be amended, rather than putting up a Motion of this nature so that the whole world can hear that there is a monopoly of trade in Kenya while our Government is in power. We should be ashamed. Therefore, I believe that the African traders ought to be financed, ought to be given enough money, ought not to be refused trading places, as the hon. Mover claimed, and then I believe in the near future the Africans will come up. But, you should not compare yourself with the Indian who started trading long ago, because you are a newly born nation. You cannot be child today and run tomorrow, it is impossible.

Mr. Speaker, Sir, this is the time for the Africans to correct all the previous mistakes. If the Indians are rich today in this country just because they have been financed, and just because

[Mr. ole Oloitipitip]

they knew what to do before, the Africans also must try to finance their own Africans. You must do this. It is the Government's duty to provide us with money and then when we get the money I believe the Africans traders will be able to compete with anybody. How can you say today that it is trade imbalance—if you are given a share, let us say a share somewhere, and you do not have the capital, how can you compete with a man who has sufficient capital in his pocket?

Mr. Speaker, Sir, with these few words, I strongly recommend that the only thing the Africans need is money, and I oppose this Motion and it should be amended.

Mr. Ngala: Mr. Speaker, Sir, I think this Motion is very important. The intention of the Motion can, I believe, win sympathy from both sides of the House, but I think the wording is entirely wrong. The wording is entirely wrong. I do not want to go into the details very much, but I would like to make it quite clear that the Mover of this Motion very much emphasized the need for effecting participation by the Africans in building up the economy of our country. "Effective participation" were his words in the Motion and nobody here can disagree with the Mover that it is necessary to have effective participation in building Kenya's economy by the Africans. That is something which is very obvious indeed. We know that we must struggle to become masters of our own economic destiny if political independence is to mean anything in future in this country. Therefore, I think the Motion has the right motives, but unfortunately the wording is very misleading and I think is not right.

First of all, Mr. Speaker, to talk of monopoly of trade in Kenya by Indians when the Mover himself is the biggest trader in Kangundo, the biggest capitalist trader there, is absurd.

Mr. Ngei: On a point of order, Mr. Speaker, I would like the hon. Leader of the Opposition to substantiate that I am the biggest trader in Kangundo.

The Speaker (Mr. Slade): Really, no, I do not think so.

Mr. Ngala: Mr. Speaker, Sir, I was intending to elaborate on the point that there was no monopoly because the Mover himself has a business in Kangundo. Therefore, there was no monopoly. This is why I challenge the wording. Again, to talk of "exclusiveness of African traders to participate". Exclusiveness, my word! Unless the Mover does not understand the English he is using, exclusiveness is not the question. Nobody is being excluded. What we

want is effective participation. Some of the hon. Members here own shops, I know, in Homa Bay, Kisumu, Kilifi, in other places. I am just giving examples. Now, where is the exclusiveness? They are not excluded, Mr. Speaker. What we want is greater participation in trade. We have the Luo Thrift Organization in Kisumu, we have all these. They are there in the trade, they are not excluded. Therefore, I would like to make it quite clear that the word "monopoly" is out of place, the word "exclusiveness" is out of place, but I think the spirit of the Motion is good, which I very much support.

Having shown the Mover that there is no monopoly because he is himself a trader, and also having said that there is no exclusiveness at all in the trade, but supporting the spirit of the Motion, I would like, Sir, to move an amendment. My amendment is:—

THAT all the words after the word "monopoly" be deleted up to "Kenya's economy" and therein substitute "lack of effective participation in building Kenya's economy by Africans". Then, "urges the Government to take steps immediately to remove this malicious imbalance of trade", and all the words from "to frustrate the exploitation" to "African traders" be deleted and substitute therein "between the Africans and other communities in Kenya".

Therefore, the Motion would now read as follows:—

THAT, this House being aware of the lack of effective participation in building Kenya's economy by Africans, urges the Government to take steps immediately to remove this malicious imbalance of trade between Africans and other communities in Kenya.

Now, Sir, I think we do not want to talk with racialistic attitudes on this, but it is very, very clear that the Mover wanted to indicate that the indigenous people of Kenya need special help so that they come up in trade, and it is very clear that they need special help; they need special loans; they need the creation of special co-operatives that will be safe-guarded because of the intensive competition which is quite risky and, I think, rather damaging as far as the African trader is concerned. Therefore, I think that these matters should be attended to in a special way so that the Africans as well can come up, can productively run businesses with other people. We cannot blame the Asians for making headway. They make it out of their own effort and out of their brain.

Hon. Members: Through cheating!

Mr. Ngala: Out of their effort and out of their brain, I repeat it. If you can use your brain to cheat, do so, and I wish you luck.

The point is this, Sir, that these people have used their brains, they use their manpower to do their work. Now we have an African Government and we are asking the African Government to enable the African to come up as well and this is my amendment, and the amendment is very agreeable, I hope, to the Mover.

Mr. Shikuku: Mr. Speaker, Sir, I do agree with the spirit with which the Mover moved this Motion, and indeed it is a very important Motion because I do recall very well only a few days ago I pointed out, during my speech on the Budget, that at the moment the people of Kenya, the Africans, were not taking their full part in the economic development, and that I was of the opinion, and, Mr. Speaker, am still of the opinion that we are still not independent yet. We are not economically independent. All that we have at the moment is political independence. Therefore, Mr. Speaker, I did also point out that the trade in this country, or the economical power of our country is actually controlled by some people other than the natives. Those other people are the Asians or rather, to be precise, the Indians. I stand to support the amendment, because this provides an encouragement.

In the original Motion there is no encouragement at all. It does not tell the Government to do anything at all except to debate the Motion and to take note of it. What I feel, Mr. Speaker, is that these people have a better hand in everything because the Colonial Government was in power. Today we are proud to say that we have an African native Government in power. We have to change the wheel, we have to change the course of events. Since we achieved our independence those events have not changed at all and today we are going to tell the Government how to change the trend of events. The events are going to be changed this way, Mr. Speaker. The Minister concerned, or the Government, must know that the Asians, the Indians, got where they are because of the Imperialist Government, but today the African Government is going to revise that by providing better facilities to the African traders. Firstly, they must give them loans. At the moment when an African applies for a loan he is asked to give security, he must give this, that and the other thing, but the *Muhindi* who does not even have money gets a loan, and it is evident now, Mr. Speaker, from the recent report that most of them are not even citizens of this country, yet they are in business. Mr. Speaker, I say that that is one of the things

that could be done, there should be protection of the African traders. When the new traders that we have in the country try to compete with the Asians they end up with frustration. Why? If Njeroge builds a shop in Butere and he wishes to trade in a general goods shop or a provision store what happens is that the *Muhindi* knowing that this man is building his shop next to him lowers the prices in his shop so that the Africans will go to his shop and forget their fellow-African's shop because his prices are higher than those of the Patel. He does that several times until Njeroge finds he cannot keep up his shop and he is forced to close down his shop and, when Patel sees this, he lowers his prices again. This is the unfair part of it which I feel this Government, this African Government, must protect the African trader from and encourage more people to take part in this by providing this protection and by providing them with loans but no more loans to the *Wahindi*.

Mr. Speaker, I am supporting the amendment because, as I have said, it is not emotional nor is it racial in outlook. I feel that there should be a control on the licensing boards. I am of the opinion the time has come for the Government to apply a system whereby they will be able to bring up these Africans to the stage that the *Wahindi* is at. A child of eight cannot compete with a boy of eighteen, and, therefore, the only way to make the game fair is for the Government to now institute a system whereby—and I suggest this, Mr. Speaker—

The Speaker (Mr. Slade): Order, order. I cannot have you holding debates across the Floor of the House, Mr. Oneko and Mr. Oloitipitip, please.

Mr. Shikuku: Thank you, Mr. Speaker, for your ruling.

This is a very serious issue and I think the hon. Members should be serious and stop playing about like kids. Mr. Speaker, the control must be instituted whereby we should rationalize—I am not talking in terms of nationalize, but rationalize—the trade. The difference between rationalization and nationalization is—and I want to teach this to the Parliamentary Secretary for Finance and Economic Planning—that if a *Muhindi* or an Asian is, let us say, licensed to sell twenty bales of Americani a year, we should cut that down to less than twenty bales next year, so that he gets ten, and ten go to Kamau or Shikuku. In the following year, we issue him with a licence to sell five bales only and the remaining five are given to another man. This will bring the ordinary man up, and at the same

[Mr. Shikuku]

time not only treating him fairly but also assuring him of protection and giving him what we call the loan. Mr. Speaker, any further encouragement of loans to Indian traders will actually be making it impossible for the ordinary African trader to come up. Therefore, there should be no more loans for Indians. The second thing should be the rationalization of the economy in order to give the African facilities to get on. Thirdly, African traders must also be protected against these people who have been given the field for a long time and are out to exploit.

With these few words, Mr. Speaker, I do not wish to be accused of being a racist, but of being a man who reasons with events and here, if you leave the Motion to go through as it is, it will not only be racial but discriminatory, and we are responsible people and, therefore, Mr. Speaker, I feel that the Government today should assure us that they are going to bring an African into the development of the country economically by giving them those things I have mentioned. With these few remarks, Mr. Speaker, I do not think we should take a long time on this, we only need the assurance from the Minister that African traders will be given their due. I beg to support the amendment.

The Speaker (Mr. Slade): I will now propose the question of the amendment. There are two amendments so we will have to take them separately. In the first amendment I am proposing that I might just change the words a little for convenience, without changing the sense.

(Question of the first part of the amendment that the words proposed to be left out be left out proposed)

The Speaker (Mr. Slade): I do not think this can be separated from the debate on the main question, hon. Members may speak on both at once.

Mr. Speaker, Sir, it is very fortunate that this afternoon the House appears to be quite unanimous in the spirit of this Motion and I am glad to say that the Mover is not going to find himself in contradiction with me.

Now, Sir, before I refer to the various statements and the points made by the Mover I would like to make a short comment on what the Leader of the Opposition said and his Seconder as well. While supporting the Motion they sought to amend it in order to, as it were, improve the English language with regard to the Motion. It is true that this Motion if it had been written by

a former school teacher—I do not think that the Mover is a former school teacher; if the Mover had been a former school teacher perhaps the English language might have been improved. However, the point is that we do not want to turn this House into a battle of words. What is most important is the substance of the Motion and the operative words which are immediate steps to be taken and the circumvention of the exploitation of the people. The difficulty with the amendment is not so much of the first part of it but because the amendment left out a somewhat substantive element in the original Motion which talks about frustrating, I hope he meant circumventing the exploitation of the people.

The Speaker (Mr. Slade): We are not dealing with that amendment yet, Dr. Kiano. There are two amendments here, and we are just now only dealing with the first amendment which is the deletion of the second and third lines. We shall deal with the second amendment later.

The Minister for Commerce and Industry (Dr. Kiano): To facilitate the matter and to avoid a battle of words in the House I have decided, Mr. Speaker, to accept the Motion in its original form and to expedite the matters and to—

Mr. Anyieni: On a point of order, Mr. Speaker, I seek your guidance. The other day when we had a Motion on federation we wanted to move two amendments at the same time and you directed, Mr. Speaker, Sir, that we should take one amendment at a time. However, today there are two amendments which were moved at the same time and you are only asking us to speak on the first amendment first and then speak on the other amendment. I would like your ruling on this, Sir.

The Speaker (Mr. Slade): Where there are two amendments they cannot both be discussed at once. I think you are right, strictly, that I should only have allowed Mr. Ngala to move one, and somebody else should have moved the other one later. Although they were two separate amendments, they are so closely tied together that it is more convenient really to keep them so, although I have to put separate questions. I thought the right way of dealing with it was that Mr. Ngala should propose the two amendments which are so closely tied together, and I then put them to the House one after the other.

The Minister for Commerce and Industry (Dr. Kiano): Thank you, Mr. Speaker.

Now to be quick, because I do not know how many minutes I am allowed to speak on this—

The Speaker (Mr. Slade): Twenty minutes.

The Minister for Commerce and Industry (Dr. Kiano): Twenty minutes, thank you, Sir.

I said to avoid the battle of words that we had this afternoon on another Motion, whether we are going to give the Masai the first priority or more consideration, to avoid that kind of battle of words, I thought the quickest way is to deal with the substance of the debate rather than of the wording of it, and, therefore, I have accepted the Motion in its original form.

To argue, Mr. Speaker, on the meaning of "monopoly" some people may say if you have 90 per cent of a certain trade you have the monopoly, or if you have 100 per cent you have the monopoly, or if you have 75 per cent you have the monopoly, and people begin arguing when should we use the word monopoly and when should we not. The point is that in this country the Africans have a very small part of the total trade. I would rather put it that way and therefore stop arguing as to whether it is monopoly or not, and consider the effect of the situation as a whole.

The other point I want to bring here is this: that as the Mover has said, as the Seconder has said and as the Leader of the Opposition has said, this is not a racial Motion. If anybody wants to see race in a Motion just because the word "African" is mentioned, or the word "Indian" is mentioned, then that person is going to make the conversation in this country very difficult, because people still say that this is an African, they still say that this is a European, they still say this is an Asian. There is no racial nonsense in this Motion. All that the Motion says, as far as I can understand, is that the gap between the indigenous citizens of this country, and some other communities is so very wide that something ought to be done to close the gap. Mr. Speaker, if we accept that as the basic intent of the Motion, the closing of the gap, then we would be on safe ground because otherwise if we say that the Motion is racial simply because it talks about the Africans, then, of course, we would be told that Africanization is also racial. The word "Africanization" is not racial because it is the correction of past mistakes in order to put people on an equitable basis.

Having explained the basic purpose of the Motion—I would appreciate very much if people did not comment so much so that I can finish my notes in the shortest possible time—I would like to make a number of points. In the first place I am afraid to say that the Mover of this Motion apparently had not read the Red Book as it has

come to be known in this House, which is the Development Plan, because we have been very concerned as the Government with regard to how we can help the Africans to get into the wholesale business. We have, therefore, the Industrial Development Corporation in my Ministry to form the Kenya National Trading Company which will be essentially State-owned—probably over 51 per cent—also co-operatives will be invited to own shares in it and the Kenya National Trading Company will be importing items and then distributing them at wholesale prices to some of the retailers who have been small retailers buying items from bigger retailers in the next town and so on. This has already been approved and it is in the Development Plan. The Mover also talked about the importance of consumer shops in order to reduce the possibilities of exploitation. In the same Red Book, Mr. Speaker, it is stated very clearly that a chain of consumer stores will be established in this country to be known as *Maduka ya Mwanainchi* for the very purpose that the Mover was talking about. I would like to ask the Mover to do a little reading. As a matter of fact, my Ministry has been given a thousand pounds (£1,000) by the Minister of Finance to study the question of how to set up this chain of stores to be known as the Peoples' Shops. This has been done.

We come to the question of loans, Mr. Speaker. Here again I would like to put briefly that the Industrial Development Corporation which, as we saw in the Red Book, is to be known as The Industrial and Commercial Development Corporation which will handle traders' loans and industrial loans for the Africans; and as we saw in that Book we have discovered that lending people Sh. 1,000 or Sh. 2,000, as has been the practice before, through the African district councils, had very very little effect on the economy of the country. This was because if you lend somebody £50 or £75—if he comes from Ukambani, as the hon. Mover comes from Ukambani—in the first place although he does not want to be unfair to the Ministry, he spends a bit of it for transportation to come here. He then has to have a bite. He knows that this money is lent to him for a special purpose, but he has to have a piece of meat somewhere, and by the time he reaches a shop he has spent a considerable amount of the loan. Then he buys such a small amount of goods that his shop does not increase its standard very much. The trouble has been that a very large number of people who have borrowed money from us, because of this system, lost a lot of the money and were unable to pay it back. Therefore as far as small loans of that kind are concerned our Ministers decided that

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that would not be our business, but would be the business of the county councils if they want. We have decided that as far as the Industrial Development Corporation is concerned it will be handling loans of not less than Sh. 10,000. For loans lower than that we shall send the applicants to their own rural areas.

Again, the Red Book, Sir. We also hope that the Kenya National Trading Company would be provided better facilities than cash. In other words, it is going to be a Government importing company and will actually provide goods themselves to the trader instead of hard cash. In this way, before getting the next lot the trader begins paying for the first lot and so we shall have less default, and this is accepted. This is what the Industrial Development Corporation say that they are planning now, not that they are going to do it tomorrow. The Kenya National Trading Company has been approved and is now in formation.

I would like to say a few words with regard to directing trade. I was rather surprised—of course, business men are supposed to be conservative and maybe that is why the Member for Narok, or Loitokitok (I am not quite sure which) said that we should not be impatient; that non-Africans have been in business for a very long time and, therefore, we should be ready to work hard and eventually get there. I do believe that if we use that type of philosophy we will be out of step with the spirit of modern Africa. The spirit of modern Africa is to do in decades what has taken other countries centuries; and what other countries took decades to do we are trying to do in individual years. Therefore, it is not so much a question of gradualism, it is a question of directing the economy towards the goals you have. If a person starts with one shilling, by the time that person makes enough money to have Sh. 100 it will have taken a long time and, in fact, he may lose his initial capital. We believe, therefore, in one point which was made by the hon. Seconder of the Amendment, which was that some sort of licensing could be used to direct trade. By this I mean that already Government does have the power to licence importing and exporting and when an African of ability comes he could be given a licence for importing in which case he will be able to get a bit of the market. This is already accepted.

Another point I would like to make in this regard is this, that let us, having agreed in the House, learn one thing. Let us not believe that by sheer getting of loans you get somewhere. This must be fully understood. So many people

believe that the only thing to do is to give them the money and they will be all right. I think the question of ability to carry on a business is very necessary and that is why we have now the people known as the Executive Officers for African Trade. Unfortunately, because of the Constitution, those fellows who were in the Central Government, those Executive Officers for African Trade, had to be regionalized. It is very wrong because some regions are very interested in other things and not particularly in trade. However, I do not wish to raise a constitutional matter here, all I can say is that we are concerned with personal ability as well as question of getting the capital. The two must go together.

Coming to the question of contracts, I think I am speaking on behalf of the Government and particularly the Minister for Works who handles tenders, in accordance with the policy of supporting local industry the same policy does apply and we are taking note of the recommendations made by various speakers that a number of the contracts should be directed to enable the local citizens to benefit from such tenders. We shall take note of that and I shall inform the Minister for Works about it.

To close this I want to say one thing very seriously, Mr. Speaker—

Mr. Alexander: That is a change in Government policy.

The Minister for Commerce and Industry (Dr. Kiano): I have not changed the Government policy at all. This is what has been done. I am not saying anything new. These are things that have already been done by the Government; but unfortunately were not known by the House. I think that is where the difference comes.

I do want to say one thing very seriously. Because of the way the people misinterpret this debate I must repeat again that all we are trying to do is to push the economy of Kenya ahead and, at the same time, try to close the gap so that the economic differences in the country do not coincide with the racial differences. So long as racial differences and economic differences coincide you are going to have difficulties in this country. Therefore, I would like to put forward one very, very important point. Sir, although the economy is important, although money is important—everybody knows money is important—some people here have money and some do not, but let us not believe that because somebody has money he must therefore be given more respect than a poor person. I have already, this morning, Mr. Speaker, seen some merchants talking to

[The Minister for Commerce and Industry] villagers in such language that these are the people who create misunderstanding. Because a villager is a poor person it does not mean that he should not be given as much respect as a wealthy person.

Mr. Speaker, Sir, I support the Motion.

The Speaker (Mr. Slade): Mr. Kibaki, you have only five minutes before I have to call on the Mover to reply.

The Parliamentary Secretary to the Treasury (Mr. Kibaki): Mr. Speaker, Sir, I will only be two minutes because as has been said the Minister has accepted the Motion as it originally was put.

The only point, Mr. Speaker, I would like to make applies also to the original Motion and to the amendment now proposed and it is that it is not very much in the spirit which has been expressed by Members here in relation to other debates, for them to stand up here and insist that what is called for is for us to give bigger loans, bigger moneys to a certain number of African traders. It seems to me, Mr. Speaker, that the time has come when the hon. Members in this House should make up their own minds so that they do not try to give Government double advice. On one hand they want us to promote a society where the ordinary person has an opportunity and, on the other, they are talking about promoting some African traders to supply goods which were being supplied by Asians.

I would like, Mr. Speaker, for them to know that what we have said in the Development Plan is that there should be a State Corporation for importing and that this State Corporation for importing should be able to deal directly with African co-operative producers. I very much hope, Mr. Speaker, that the hon. Members who stand up here will, therefore, support this kind of actions rather than ask us merely to promote 500 Africans to replace the 500 Asians who now dominate the trade in Nairobi. We will not have proved the point. What I am trying to stress, Mr. Speaker, is that our programme is not merely racial, it is a programme whereby we want to prevent a small group of people having unfair advantage of the opportunities.

The second point, and this is very important, Mr. Speaker, is the very wrong attitude of mind displayed by a few speakers here. It is not a question of being given a loan by Government, it is not merely a question of Government doing things for you; we must instil in the minds of

our own people the truth and the truth is that they themselves have to be prepared to work hard. We can give them all the money possible; we can give them all the organization and direction possible, but we must, ourselves, be prepared to tell them that the only way in which the economy can grow—whether it be socialist or capitalist or any other type—is when the man works hard and must be prepared to save money and plough it back into that business, whatever sort of business it may be, whether it is Government business, company business, private business or any other sort. It is no use encouraging the very irresponsible attitude which some African traders now have that all they need is to be helped by Government. We are willing to help, but in the long run there is not enough money with the Government, it must first come from the public themselves.

So, Mr. Speaker, let us have the Members who speak from now on make up their own minds whether they want merely to promote five Africans to replace five Asians or whether they do not want a more decent, more organized, more co-operative society in this country.

The Speaker (Mr. Slade): We must now dispose of the amendment as there is a time limit on this debate.

(Question of the first part of the amendment that the word proposed to be left out be left out put and negated)

(Question of the original Motion proposed)

The Speaker (Mr. Slade): I now have to propose the other amendment.

(Question of the first part of the amendment that the words proposed to be left out be left out proposed)

The Speaker (Mr. Slade): Because of the shortage of time, I have to put the question of the amendment straight away.

(Question that the words proposed to be left out be left out was put and negated)

The Speaker (Mr. Slade): The question of the latter part of the amendment that words be substituted does not now arise, and we are now proceeding with the Motion as originally moved and I call upon the Mover to reply.

(The question of the original Motion proposed)

Mr. Ngei: Mr. Speaker, I thank the Minister for Commerce and Industry for the very important words that he has said. I am only going to make one comment before I sit down.

[Mr. Ngei]

We know pretty well that remarks which have been made by the Parliamentary Secretary for the Ministry of Finance and Economic Planning are quite acceptable to any African trader, but I would like to remind the hon. Member that it is provided also in that very red book that the Government shall provide the national guidance. Therefore, it is the duty of Parliamentary Secretaries to provide that national guidance when the time comes, and I think the time has come; it is now.

Mr. Speaker, turning to other remarks which have been made, I would like to say this briefly. We know, Mr. Speaker, that our friends have got brains and they put in much effort, but the difference here is the question of a person who is smart and dishonest, and I am of the opinion that these people have been very smart and dishonest. Therefore, I would like to say that to say we have to wait decades in order to achieve whatever they have achieved in the past years is yet another attempt to implant the old colonial mentality of: "You wait; what has taken us 200 years must take you 200 years, no matter what sharp brains you have." This I refute emphatically and I say that it is high time that the African traders knew the technicalities and intricacies of trade.

Mr. Speaker, Sir, referring to a remark that I am a businessman, I quite agree, but I would like to say that the Leader of the Opposition, the hon. Mr. Ngala, is a great landlord and he owns almost the whole of Malindi, and we know this pretty well.

Mr. Speaker, Sir, another remark has been made by the hon. Member, Mr. Oloitipiti, that there is no monopoly, but I would say that this hon. Member does not have any problems with Indian traders at all. If he tells us that he has a problem with lions, well, I will be very delighted to say, yes, but he has no problems at all about Indian traders.

Mr. Speaker, with due respect to you, Sir, I thank the Minister once again and I am very pleased that the spirit of the Motion has been the one which I stipulated at the beginning when I was moving the Motion. Therefore, Mr. Speaker, I beg to move the Motion.

(The question was put and carried)

MOTION ON THE ADJOURNMENT

SOUTH NYANZA LUOS IN THE FORCES

The Speaker (Mr. Slade): It is now time for the interruption of business, so I will call on a Minister to move that the House do now adjourn.

The Minister for Commerce and Industry (Dr. Kiano): Mr. Speaker, Sir, I beg to move that the House do now adjourn.

The Parliamentary Secretary for Education (Mr. Gachago) seconded.

(Question proposed)

Mr. Okwanyo: Mr. Speaker, Sir, just about three weeks ago I asked a question which was answered by the Parliamentary Secretary for Internal Security and Defence. I wanted to know how many Luos from South Nyanza were serving in the police force, the military and also in the prison service. He did not answer the question, Mr. Speaker; all he said to the House was that he was unable to give the answer because it would constitute a breach of security if he disclosed the exact strength of our police and army.

Mr. Speaker, I was not satisfied with the answer and asked for a Motion on the Adjournment. After hearing that I was going to ask for a Motion on the Adjournment, the Parliamentary Secretary for Internal Security and Defence called a Press conference and gave the following statement: that the total number of Luos, irrespective of the district of origin, serving in the police force are 989; it is not possible to tell how many of these come from South Nyanza alone. In the prison service he said there are 157 and in the military 8.3 per cent. Mr. Speaker, Sir, I just do not know how it was a security risk to give a definite answer to this House, and when the Parliamentary Secretary called a Press conference the following morning I was very surprised to hear that he gave to the Press the answer which he was supposed to give to this House.

I was surprised, Mr. Speaker, because it was the second time his Ministry has confused this House. I would also recall a certain time, just early this year, Mr. Speaker. I have two reasons for wanting to know the exact number of Luos in South Nyanza serving in the police. Early this year the Government announced that each district was going to give forty-five youth wingers to serve in the police force, and this was given wide publicity. Every district in Kenya was prepared to give forty-five youths to serve in the police. This was started a week after in Nairobi and about 3,000 youths from all tribes in Kenya went to be recruited. Only eight Kikuyu were recruited, the rest were sent away. When this was questioned in this House, Mr. Speaker, the following answer was given by the Parliamentary Secretary for Defence. Mr. Speaker, Sir, the police decided to recruit mainly from the Kikuyu, in order to bring up the number of Kikuyu in the police force because it is a policy that the

[Mr. Okwanyo]

police force in this country should become more and more national. The last paragraph says, "The police force have said they have only recruited eight people from Nairobi who are also Kikuyu, and fifty-three from Kiambu, Kikuyu, sixty from Fort Hall, Kikuyu, and seventy-nine from Nyeri who are all Kikuyu. These 200 Kikuyu are undergoing training in Nyeri at the moment." There is nothing said about the forty-five which was agreed upon for every district in Kenya.

Mr. Speaker, Kenya is a country which has suffered so many times from tribal feeling that anything which is done in this country must be thought about first. As I said the first time, Mr. Speaker, the Ministry of Defence is a very important Ministry in this country, because all our national security, all our internal and external security depend entirely on this Ministry. Therefore, any question that is given to this Ministry must be answered properly. I thought—and it is true—that there is only one way to break tribalism in Kenya, and that is by using tribalism itself. I have two examples to give, Mr. Speaker. Firstly, this National Assembly was elected on a tribal basis. There has never been any complaint from any tribe since this House was elected because it was elected on a tribal basis. Another example, Sir, is the way in which our ambassadors were appointed: all six of them were appointed on a tribal basis. There has never been any complaint from any tribe that they are not represented outside, because the ambassadors were appointed on a tribal basis. If anybody here or this Government wants to kill or cure tribalism, the only weapon or medicine that they must use is tribalism.

I am confused and I want to ask the Minister, when replying, to tell me what is the Government policy. Is it to recruit forty-five from each district, as they announced early this year, or to cure the tribal imbalance which exists in the police force, as is said in the Parliamentary Secretary's statement, which he claimed was the right answer from the department; it was the policy of the Government? He said that this Government will recruit from those tribes which were under-represented in the police, and he gave the example of the Kikuyu being under-represented, the Luo being under-represented, and the Kisii. They have already 200 Kikuyu being trained at Kiganjo at the moment. There are none from any other tribe. We want to know when the Kisii are going to be recruited into the police and the Luos who are not represented and we want to know whether forty-five from each district are going to be recruited, as announced by the Government earlier this year.

Mr. Speaker, as I said, we have only one weapon to use to kill tribalism, and that is tribalism. We are small men, and as small men we cannot ourselves kill tribalism; it has to be done from the top. We want our Cabinet to begin to kill tribalism. We want them to show that they are against tribalism. We do not want to be told here that we now have to be national and that we do not have to be tribalistic when there are 200 people being trained at Kiganjo without other tribes being there. When the Minister replies, he should tell us definitely what the policy is they have in mind, whether the forty-five are going to be recruited, as they say, or the tribal imbalance which they say exists in the police is still going to exist.

Mr. Speaker, I beg to move.

Mr. Ngala-Abok: Mr. Speaker, Sir, I only have three or five points to make and I will be quick. One is to establish a fact that as Members elected from constituencies or districts, our Government should tell us whether we have the right—which we ourselves expect to have—to know all the answers to our questions. It is only for the information of our people, the people who elected us. We give them information about various things. If the Government thinks that Members duly elected and trusted by vast numbers of people cannot receive information from their own Government, if it is the policy of the Government to keep us in darkness, we want the Minister to tell us today.

I want to point out, Mr. Speaker, that this concerns South Nyanza, and we want to know, because the word Luo is very general. Luo applies to two different districts, and that is a fact. We are elected as Luos from South Nyanza and Luos from Central Nyanza. When you see Luo in the police, Luo in the military force, Luo going overseas, you will find that the majority come from Central Nyanza. This has been the practice in many cases. So that we know whether our own Government recognizes the fact that there are two Luo districts, and that whatever they are doing with regard to the Luo must accommodate these two, we want the Government to give us information about the number of Luos in the various categories in the police, in the prisons and in the military force. This is not to say that we do not wish the Luos from Central Nyanza to be in these important places it is only for our own information, for our own information for South Nyanza, and that is why we want information right now.

The mistake which the Government is making now is in making announcements in the papers when they cannot implement what they announce.

[Mr. Ngala-Abok]

Now that 200 Kikuyus are undergoing training it means that one tribe is sleeping in one dormitory and being given military training. This is not a way by which people must be brought to understand one another it is not something which can be used for one tribe to understand another tribe. What will they understand?

Mr. Anyieni: Shame! Shame! Shame!

Mr. Ngala-Abok: Mr. Speaker, we want to be told clearly whether we are going to have 45 youths joining the police. The worst mistake which was made by the Government was that the districts of the Kikuyus were the districts that were chosen instead of selecting some from South Nyanza, from Ukambani and from the Kikuyus, so in choosing all these groups from one camp to give them training, they made a terrible mistake. Mr. Speaker, the next point I want to make to the Government is this. We are now a party and if any Ministry wants to undermine its own Members, then I can only promise that Kanu will never come to power again. You will hardly find Members of Parliament justifying their Government when they practise tribalism here. The people who stand in the next election will be showing us these facts and how shall I get the voters to come. The Government must know that in order to return us here or in order to get Kanu candidates, if they do not like me and put a Kanu candidate to come in my place, they will only manage to do that by trying to detribalize in everything. If there is tribalism in our own Government, then I can only assure the Government that this is its last time in power and there will be no Kanu Government in the future. It is not that I am condemning this Government but it is understandable because these things will be shown to us by our opponents in the field next time, and how shall we justify them? The Government has black and white tribalistic ideas. Look at the trouble going on now in the City Council? Nobody will defend anything and, therefore, I am appealing to my Government. I do not want them to make me a candidate next time, but they must know that there is going to be vigorous opposition to any kind of candidate. The examples are already seen here with the City Council. How many independent candidates went, and how many Kanu candidates were defeated?

Mr. Muliro: Mr. Speaker, the hon. Member is now talking about the City Council, he is not talking about the police.

The Speaker (Mr. Slade): Yes, he is entitled to illustrate his point, by reference to the City Council, but not to dwell on matters outside the scope of this debate.

Mr. Ngala-Abok: Mr. Speaker, I was explaining that this is a political Government where the people supporting the Government were elected and where everything else must be done with a great sense of justice and where the Government must know that in order that it may get the party back into power again, it must show not only (Inaudible.) but it must show practically that it is doing the best for the people, but not that it is promoting tribalism on the basis of one tribe dominating in all fields. If this country sees how they are dominating it, if only they could do it privately, they could be cunning, but it is so obvious. Speeches are made by Permanent Secretaries, tomorrow they will be refuted, speeches are made by Ministers, tomorrow they will be refuted, some Ministers joke with people instead of giving definite answers to questions, these are the sort of things that are going to undermine us and a man will not stand and defend Kanu during the next elections without having the facts to stand with. Therefore Kanu will not come to power when tribalism is going on. Tribalism is a very sensitive thing, any person bent on tribalism is also bent to ruin. I end by saying that the Minister for Internal Security is now here and with all his sense of justice he will not justify the case. In future he should answer questions himself because we are still in the state of confusion with his Ministry.

The Speaker (Mr. Slade): Mr. Murumbi, are you replying on behalf of Government. If you want to speak your full ten minutes I think you had better speak now otherwise you might not have them, we only have half an hour altogether.

The Minister of State, Prime Minister's Office (Mr. Murumbi): We hear this word tribalism so often in this House, mentioned both by—

Mr. Muliro: It is sickening.

The Minister of State, Prime Minister's Office (Mr. Murumbi): We heard this word so often here by people who say they do not profess tribalism but the very nature of the question they put shows how tribalistic they are. We must remember one thing. Tribalism is still a very deep factor in our lives, in our individual lives. To uproot this tribalism, you cannot just do it by asking questions in the House. You have to cure yourself personally. Each individual has to clear this out of his own mind, out of his own soul, because the people who come and ask questions here in the House asking them on the composition on the Kenya Army, the Kenya Police, on a tribal basis are themselves tribalistic people. Each one wants to defend his own tribe, and see

[The Minister of State, Prime Minister's Office] that his own tribe is fully represented in the Government and the Kenya Police. The Government is not prepared to reveal these numbers because the Government has to undertake the defence of this country, and they have to see that our enemies do not know the strength of our army.

I am not a tribalist in any sense. I believe that we take people into the services, into the army, into any place based upon a man's qualifications, upon his ability and not upon his tribe, and when we understand that there will be no need for questions in this country. It is no use trying to force the Government to make a statement on the tribal composition of anything because the Government does not believe in tribalism. The Government is in a very difficult position to satisfy everybody's demands. I get letters in my office every day, people saying please help me to get so and so into a Government job.

Mr. Ngala-Obok: On a point of order, Mr. Speaker, Sir, is it in order for the Minister now to appeal to us not to talk tribalism and yet he has introduced in his own speech from his own Ministry, a tribal statement.

The Speaker (Mr. Slade): Oh, yes. Quite in order.

The Minister of State, Prime Minister's Office (Mr. Murumbi): Mr. Speaker, Sir, I am not making a tribal statement. I am talking on facts.

The Speaker (Mr. Slade): Mr. Murumbi, I think it would be better if you stood at the end of the table, otherwise you are turning your back on me so much. As I have said to hon. Members you have not got to stare at me the whole time, but you must address the Chair.

The Minister of State, Prime Minister's Office (Mr. Murumbi): Mr. Speaker, Sir, as I said before, the Government is in a very difficult position to satisfy all tribal demands. We talk of redressing the imbalance in the forces, in the police, in the administration and so on. This is in effect talking of tribalism, but the Government has to do this in order to satisfy the demands of the people, but it is not a policy of the Government to give any privileges to any particular tribe.

Mr. Omar: On a point of order, Mr. Speaker, Sir, I am rising to seek your guidance on the statement by the Minister that the Government's policy is not on tribalistic lines when he knows very well that—

The Speaker (Mr. Slade): Are you raising a point of order?

Mr. Omar: Yes, on a statement of 1964, the Government issued a circular reference number—

The Speaker (Mr. Slade): Now, Mr. Omar, I cannot see that that is a point of order at all. You are arguing with what he said.

Hon. Members must understand the meaning of a fraudulent point of order.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Onoko): On a point of order, as the Minister has twice been interrupted and has much information to give to the House, could he be given a little more time to finish?

The Speaker (Mr. Slade): Yes, we will give him a little longer.

The Minister of State, Prime Minister's Office (Mr. Murumbi): Thank you, Mr. Speaker, Sir. What I was trying to say was this. It is no use the House trying to force the Government to make a statement on the composition of the army, or any other units of the armed forces. I think hon. Members should be more responsible in this respect. We have an army to defend this country, and as you know we have evidence at the same time. Are going to reveal to our enemies the strength, the tribal composition, etc., and thus endanger the security of this country? Those who are trying to force the Government to make that statement are, I should say, in a sense doing more harm to the country than good. It is much easier for you to come to our office, to come to the Ministry, and lodge your complaints in private. I am quite prepared to listen to anybody who comes to the Ministry, and I do listen to people. I see people from the early morning, and I stop only at half-past five; and I start my work at half-past five and work till nine in the evening. I am quite prepared to see anybody and to listen to anybody's complaints and to do what I can to redress them. But, I am not prepared to answer questions in the House which will endanger the security of this country.

Now, Mr. Speaker, Sir, recruitment is going on throughout the country. There is always a loss in the army, in the police, due to retirement, people who are invalidated out and so on, and from time to time the army recruits personnel, the police recruits personnel in order to bring the army or police up to strength. The army, as you know, will be increased, and therefore recruitment has been going on and will be going on throughout the country. But I am not prepared to give you the statement of what our army is going to be raised up to. It is illogical to ask the Government

[The Minister of State, Prime Minister's Office]

to make a statement on this, because I think hon. Members in this House must also, if they feel anything for Kenya, be prepared to understand the difficulties the Government will have in revealing the strength of our forces. We have enemies, as you know, and we cannot reveal to these enemies the strength or the composition, because in modern warfare today you may try to undermine not the whole army but you might try to undermine a section of the army. These things are being done. If we revealed the whole tribal composition of the army or the police, there may be attempts to undermine that particular section, not only from outside but even from within the country itself. So I would beg of the House and of those hon. Members who have been pressing this question so often to have a greater sense of responsibility and to understand the difficulties with the Government.

Mr. Omar: Thank you very much, Mr. Speaker, for giving me an opportunity to speak.

It is a fact, Sir, that before Kenya became independent the police force was recruited from every region, and from every district within the country. Opportunities for higher training for the forces at Kiganjo was even open to all tribes in Kenya. But since independence has been achieved the recruitment to the police force has been confined to one or two regions only and, to some extent, to two big tribes in Kenya, that is Luo and Kikuyu. The fact that at the moment there are about 200 personnel being recruited at the training school shows clearly that what I am saying is quite true. When I was at the Coast last month, Mr. Speaker, I happened to go to one of the offices of the Government, and to my surprise I was shown a circular, reference GEN. 342.142.001 dated 17th March 1964. This circular states that the civil servants, and particularly the police forces, are not supposed to make complaints to any politician or to Members of the National Assembly and Senators. The Motion behind this circular is that the other tribes in the police force are not given opportunities in Kiganjo Higher Training Centre. There are newly engaged Luo tribesmen who have joined the police recently, also Kikuyu and there are some other tribes, for example, Kisii, with long service, policemen, who have been neglected. Newly engaged policemen were taken to Kiganjo Training School for promotion courses and today they are Assistant Superintendent of Police, or senior police officials, and so on. This is a fact, Mr. Speaker, and if the Government thinks that I am telling lies I challenge it to go and see this circular for which I have given a reference

number. I feel the time has come when the Government should change its attitude in recruiting—

The Minister of State, Prime Minister's Office (Mr. Murumbi): On a point of correction, Mr. Speaker, I would like to correct the hon. Member. If that circular refers to the procedure of lodging complaints that is quite right because a policeman, or a soldier, or even a civil servant has the normal channels of lodging a complaint, and that is through his superior officers.

Mr. Omar: Mr. Speaker, I do not think that that was really behind this circular, because they know very well that when the policeman or the civil servant bring their complaints to the Members of the National Assembly or the Senators the matter will be dealt with in the House and that it will be a shame for the Government. This is what the Government does not want. There is a certain plan to keep the big tribes in the police force and to occupy all the high posts so that the other small tribes like the Kisii, Kalenjin, Giriama and Wakamba do not come up to the top. In this way the whole police force is dominated by the big tribes.

Mr. Ngala-Abok: On a point of order, Mr. Speaker, I seek your guidance on this matter. The Minister has only dealt with the security part of the question when he said that he could not reveal the composition, as far as the police force is concerned, but he has not dealt with the tribal procedure in his Ministry. Is it in order, Sir, if we introduced a Motion, a proper Motion on this subject?

The Speaker (Mr. Slade): I do not understand what you are getting at.

Mr. Ngala-Abok: I am asking whether we should introduce a Motion on this subject because the Minister has not justified the tribal procedure by which the people are selected to the police force. He has only dealt with the security aspect and has not revealed the composition.

The Speaker (Mr. Slade): A discussion of this kind on the adjournment does not prevent any hon. Member from giving notice of a substantive Motion afterwards.

Mr. Omar: What I was trying to make quite clear to the Government, Mr. Speaker, is that whenever it wants to recruit a person to the police force the Government should do as the previous Government used to do. The previous Government used to come to the Coast and interview about 100 or 200 recruits; it used to go to the other districts and other regions and recruit the same number there. This is what our

[Mr. Omar]

forces should be composed of, of all the tribes in Kenya, not only of two or one particular tribe. All the people pay the taxes so all the people should receive equal benefits. Without paying the taxes the policemen would not receive their salaries. Therefore, we want equal opportunities in the police force just as we used to get during the Colonial rule.

Therefore, Mr. Speaker, I want our Government to recruit the policemen and the army from all the people in Kenya, and not from two particular tribes.

ADJOURNMENT

The Speaker (Mr. Slade): It is now time for the adjournment. We actually started on this Motion just before half past six and we have had half-hour.

The House is therefore adjourned until tomorrow, Friday, 3rd July 1964, at 9 a.m.

The House rose at fifty-eight minutes past Six o'clock.

Friday, 3rd July 1964

The House met at Nine o'clock.

[The Speaker (Mr. Slade) in the Chair]

PRAYERS

COMMUNICATION FROM THE CHAIR

OFFENSIVE WEAPONS IN THE CHAMBER

The Speaker (Mr. Slade): Hon. Members it has come to my notice that yesterday there was a Member in the Chamber wearing a pistol. I must remind hon. Members that this is completely forbidden. In fact, it is out of order for any hon. Member to bring into the Chamber anything which might possibly be an offensive weapon, even a stick or a fly-whisk or a rolled-up newspaper. That is why, when the Prime Minister attends this House, you will have seen him always leaving his stick and fly-whisk with the Serjeant-at-Arms at the Bar. It is, of course, because this is a House in which we fight with words and not with blows. Although Members are not liable to come to blows, one has to avoid the possibility of a Member putting his hand on something dangerous in the heat of the moment. Will you please, therefore, remember that any hon. Member who comes to the building at all with a firearm must leave it in the strong-room at the Members' entrance until he leaves the building, and any Member carrying a less offensive weapon must either leave it outside the Chamber or keep it with the Serjeant-at-Arms at the Bar before he enters the Chamber and leave it there until he goes away.

Mr. Ngala: I rise for your guidance, Sir, in relation to what you have said. Does this ruling apply to Ministers as well?

The Speaker (Mr. Slade): Yes. I would say that all rules of the House apply to all Members.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Oneko): On a point of order, Mr. Speaker, I do not know why he is trying to question whether this matter also refers to the Ministers. I think when you announced this you said Members and I do not think Ministers are excluded. They are very much part of that.

The Speaker (Mr. Slade): That is quite all right, Mr. Oneko. Hon. Members should not take offence too easily. That is a perfectly reasonable question.

CONSIDERED RULING

NO QUESTIONS ON ORDER PAPER

Mr. Gatuguta: On a point of order, Mr. Speaker, may we have an explanation why we do not have questions this morning, when there are a number of questions which have been submitted by Members and they have not been answered?

The Speaker (Mr. Slade): The reason for this is that we have notice of the wish of the Government to move the adjournment today. At the same time, we have to get in at least two hours of the debate on the Budget in order to have a day on the Budget. If we had had questions, allowing for the hour and a half that we have on an Adjournment Motion, it would have run us fairly far into the afternoon. So, for the convenience of Members, it was my direction that we should turn a blind eye to the Standing Orders, on which you are quite right, Mr. Gatuguta, and not have any questions today.

COMMITTEE OF WAYS AND MEANS

(Order for Committee read)

(Sixth day of Budget debate)

MOTION

THAT MR. SPEAKER DO NOW LEAVE THE CHAIR

(The Minister for Finance and Economic Planning on 16th June 1964)

(Resumption of debate interrupted on 1st July 1964)

Mr. Godia: Mr. Speaker, may I congratulate the Minister for Finance and Economic Planning for his Budget. His documents were well prepared by his Ministry, and were very useful indeed in showing the Members of the House details of his plan.

However, Mr. Speaker, I feel that the Minister should have consulted Members of Parliament in drawing up the Development Plan which is quite detailed, because it appears that certain sections of the country have been left out of the Development Plan. It would have been better if the Minister had consulted Members on various aspects before drawing up the full plan. I feel that he should consider very seriously matters which have been raised by Members of the House regarding this plan, and I hope he will have it adjusted in such a way that it will suit the wish of all the Members of the House.

[Mr. Godia]

After thorough scrutiny of the documents, Mr. Speaker, I have the following points to make. One concerns land settlement. It is well known in this country that Kenya is the land for the African, and although there are settlers who acquired this land a few years ago because they were stronger people than we in this country were, they were very fortunate indeed in being able to make the best of Kenya. Some of them are leaving and we are asked to buy this land. However, many of the people who have no land have no money; they have no money to go and buy the land. It is a fact that those who have enough money can buy the land from the settlers, but the poorest Africans, the mass of the people in this country, have no money to be able to afford to buy land from the settlers. That is why you find that even though there are settlement schemes, there are still a number of people who have no land. It is only fair that these people should be allowed to settle freely.

Hon. Members: Where?

Mr. Godia: Hon. Members are asking where. This is the land of the African, the land of Kenya. Therefore, I think that although there are shouts from the other side, it must be realized that the man who is suffering, the man who is landless, has done a lot and it is unfortunate that he does not have land. He should not be compelled to find money when he has none. I feel that consideration should be given to our people, because unless there is some kind of remission for people who are poor, people who cannot afford to pay for resettlement, the troubles in Kenya with regard to land will not come to an end. Therefore, I hope the Minister and the Government will consider settling people, particularly those who are poor and who have no means, no money, on some of this land.

I understand, Mr. Speaker, that some of the land which has not been well used has been left and has been taken over by Government. I congratulate the Government for doing that and I hope that this land which has been taken over by the Government will be given to the landless people.

An hon. Member: Which land?

Mr. Godia: Mr. Speaker, you can refer to the Minister for Agriculture.

With regard to unemployment, very little indeed has been done to give people employment in this country. I feel that with so many people out of work we are not safe; the country cannot be stable or secure when a number of

people have no work. I know that the Government offered certain people the chance to take cards for seeking employment, but many of them do not have work, they are still waiting to find work. Unless we find them employment, unless we give them employment, we are not safe at all. The Government should consider finding employment for all the men and women who have cards for employment. If this is not done, this country is in trouble.

We understood from the Minister for Natural Resources that he was considering bringing to Kenya a team of experts to exploit the mineral wealth in the country. I believe that the sooner he does this the better, because it will provide work for millions of unemployed.

Some of the land is not well used, Mr. Speaker, and as I have said before this land should be given to people who have no work, but it must be under the Government, of course.

Mr. arap Moi: But in Kenya.

Mr. Godia: In Kenya, Mr. Speaker.

We have had here in this country a group of experts from the Soviet Union touring the country. We want to know what their recommendations are. They were touring this country, particularly with regard to agriculture. We would be pleased to know their findings, and if such findings can be of use to this country, we would be pleased to have them considered. Some of the people from the Soviet countries have means whereby most of the people in their country have work.

The Speaker (Mr. Slade): Order. Mr. Ndile, you must not pass between the Chair and an hon. Member who is speaking.

Mr. Godia: I think that we should adapt other ways. Of course, we have learned a great deal from the Westerners, but we also think it is now time we learned a little from the Socialist countries. If there is anything good which could help Kenya, let us learn it, particularly as far as the economy and as far as land is concerned. We feel that Kenya is free from the bondage of the imperialists.

An hon. Member: Interjection.

Mr. Godia: Mr. Speaker, someone is mentioning my name. I do not know what he means. I feel that the sooner the Government does this, the better.

An hon. Member: That is why they tour the country.

Mr. Godia: Yes, they tour to see what is happening in other countries, and when we find something good in another country we can make use of it. That is why the hon. Member has also toured many countries, Mr. Speaker, and therefore what I am saying applies the same way.

Mr. Speaker, we have had freedom fighters who want land. Some of them are not satisfied; some of them have said that they thought they were fighting so that after Kenya acquired independence they would be given the land they were fighting for. Many of them are not satisfied, and we feel that as long as we have some land, as I have said before, which is not in use, as long as people are still landless, we cannot be stable, and therefore everything should be done to find work for them.

With regard to the management of land in this country, Mr. Speaker, we have statutory boards which are connected with agriculture. These boards are now managed, I think, by people whom we consider to be interested in settlers. It appears that Members of this House have not been given information as regards these boards. I consider that it is now time that the policy of the boards was changed in favour of the landless men in this country.

With regard to education, Mr. Speaker, one of the policies of Kanu was to fight ignorance, and I do not think Kanu's policy can materialize if teachers are dissatisfied. Most of us who are here have been teachers, and we realize the problems of teachers. They are not well paid, they complain every year, and with regard to this plan I feel that if the teachers are not contented, and as they are the key nation-builders, things are not going to be very successful. The teachers' terms of service are appalling and they ought to be given immediate consideration by our free Government; if we do not do that, then our plans will suffer. Therefore, I ask the Government to negotiate with the Kenya National Union of Teachers with a view to meeting teachers' requests.

Mr. Ngala: Why did you leave teaching?

Mr. Godia: The Leader of the Opposition asks why I left teaching. I ask him, why did he leave teaching as well? I feel that the strike which is threatened by the teachers ought to be called off and the Government should consider their problems. This country cannot tolerate strikes and we ought to do what we can to avoid them. Most of the young men and women who are leaving colleges are not interested in taking up teaching, because they feel that the profession is not well-cared for. For this reason, Mr.

Speaker, the conditions of teachers must be made more attractive. To that extent, Sir, it would be a good idea if the Government considered raising the minimum salary scale for the T.3 teacher or the primary-three teacher to about £25 a month. This would, I think, bring some kind of satisfaction to our teachers, and if considered this will keep Kenya as a nation steady, because many teachers have left the teaching profession. Some of the them are now politicians and are sitting in this House.

An hon. Member: Including you.

Mr. Godia: And you. Some of the teachers are now businessmen, and some of them have joined the Civil Service, and there are very few people left in the profession. Unless Government considers the betterment of the teachers' conditions, this country is going to suffer.

Turning to the schools, Mr. Speaker, this country has very many primary schools, but only, shall I say, two per cent of the total number of schools are secondary schools. This is not fair because it means that most of the people, most of the students, from primary schools have no chance to go on to a secondary school.

It is a pleasure to hear that the Government is continuing to organize schools which are themselves thinking of shutting up. I would say, Mr. Speaker, that such schools ought to be given full support by the Government because, unless we educate our children, we are not doing anything of any value at all. Education is so important that it must be considered vital and I feel that schools which are helping themselves should continue and be given as much Government assistance as possible so that they do not lack anything. At the same time, Mr. Speaker, the Minister for Finance should have considered very strongly expanding the number of places in the secondary schools. I suggest in this country particularly, every location should have at least one secondary school, unless it is obvious that it cannot find enough pupils. In some locations they ought to have four or five, and the more secondary schools we have in this country, the better for the country. I do feel, Mr. Speaker, that education being so vital, being so important, it should have priority in this Development Plan. Therefore, I call the Minister for Finance to make adjustments to provide for more substantial grants for secondary education in this country. This again goes on to teacher-training. I cannot see very much provision made for expanding teacher-training in the country. I see also that when we expand secondary education we must also expand the teacher-training colleges

[Mr. Godia]

so they take in more of the young men and women who want to be teachers. I do think, Mr. Speaker, that the first thing should be to consider the terms of service which would attract all the young men to take up teaching.

An hon. Member: Interjection.

Mr. Godia: You must not speak when you are sitting down.

Mr. Speaker, arising from this, that would be a very important thing and, therefore, we would put education on a very strong foundation. Education is of great importance and I hope that the Minister will consider this suggestion.

Now I come to business. Mr. Speaker, very little has been done according to that plan to induce the African, who is interested in business, to carry on business. Of course, many Africans are interested in business. It must be realized that when settlers were running this Government, it was their duty to support their fellow-men who were out in business, including the Asians. That is why the Asians have a very strong foundation in business, but the Africans have no foundation at all. It is not because they came with a lot of money from India, but they found the money in India. We want our Government to give as much assistance as possible to the Africans who want to expand their businesses, who are interested in business, so that they can grow, so that they can be proud. When you go to an African shop, Mr. Speaker, you cannot enter, there is nothing to buy because there is no capital. What happens when he goes in for a loan is that he is told he can have one on one condition—

The Speaker (Mr. Slade): Mr. Godia, we did have a full debate on this yesterday, and that debate should not be resumed immediately during another debate.

Mr. Godia: Thank you, Mr. Speaker. I come to something very serious in this country, and that is the big companies. These companies have had back the money they invested in Kenya, and what they are now taking from us is interest. Therefore, they seem to be sucking us, Mr. Speaker, because they are now taking out what should be for an African. I do feel it is time for some of these companies to be nationalized. It has been suggested that some companies—

Mr. Ngala: On a point of order, Mr. Speaker, is the hon. Member in order repeating what you have just told him he should not debate?

The Speaker (Mr. Slade): I was going to stop him again, but I think he is now talking on a

wider field. He is coming to the subject of nationalization, and I think he is free to continue to discuss what other Members have discussed in this debate in that respect, which, is going beyond what we discussed yesterday.

Mr. Godia: The hon. Leader of the Opposition ought to be able to show a good example to this House, Mr. Speaker.

The Speaker (Mr. Slade): He does.

Mr. Godia: I do feel that some of these concerns should be nationalized. Some of these companies, I suggest, Mr. Speaker, in addition to those that were mentioned some time ago, are the oil companies, the tobacco companies, the tea estates, and the banks. It is time these were nationalized. Mr. Speaker, this is the view of the people of this country. The view was that the Government ought to consider these things because these are the feelings of our people, and, therefore, I ask the Government to consider this in the light of what I have said.

Mr. Speaker, I now come to socialism. Of course, it is the policy of this Government to see that socialism is introduced in Kenya and, therefore, I do feel, although this is in our Kanu Manifesto, that it is time that a contribution was made to provide for some kind of socialism. If this is done, it will show that we are aiming at some kind of evolution for everybody. In this country all human beings are equal and we should all consider one another like that. The sooner we get advice from those who know of a way of introducing some kind of socialist plan into Kenya, the better. That is why it has been suggested that a team of experts should be sent here to advise us as to what we need to attain this. Mr. Speaker, to come now to another point, I do feel that the Government should consider fixing a new scale of salaries for Ministers and Parliamentary Secretaries, because the present scale was set by the settlers, who were well off, and it is time that this matter is considered.

An hon. Member: Socialize the scale!

Mr. Godia: To come to the Ministry of Home Affairs, I would like to mention that the people would like the chiefs who have been dismissed to be re-elected by the people. We are supposed to be democratic and with democracy the people want to have some representatives elected by themselves.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): We shall elect them here in the House.

Mr. Godia: Mr. Speaker, the Minister for Justice and Constitutional Affairs suggests that we elect them in this House, but that is again a matter that could be considered.

Mr. Ngala: Mr. Speaker, on a point of order, I rise for your guidance. This Member has continued for a very long time and he is repeating and saying nothing. Is there nothing in your power to stop such a man from continuing to talk?

The Speaker (Mr. Slade): There is a Standing Order against repetition of the same argument, whether by the same Member or others, but I have not heard very much of that from the hon. Member. The hon. Member has a right to be heard in the House, and it is up to other hon. Members to decide whether he is talking wisely or foolishly. You ought to know that by now, Mr. Ngala, it is not for me or any other Member in this House to say that a Member is wasting the time of the House. He is entitled to his rights of speaking; and, though I have just now said you are setting a good example, you are now letting yourself down.

Mr. Kibuga: On a point of order, Mr. Speaker, was the hon. Leader of the Opposition in order to suggest that the Member who has just been speaking was saying nothing?

The Speaker (Mr. Slade): No, I have just said he was not in order.

Mr. Godia: Mr. Speaker, I now come to the question of the police. I do suggest that we should not have a ruling on this. People who come forward to be taken into the army or police ought to be received with open hands by whoever is concerned because only those interested would come to be taken in. Taking only certain people, Mr. Speaker, is not fair. I would also like to draw the attention of the Government to do what they can to avoid what happened some time back when the Kanu Back-benchers voted against the Government. I feel, Mr. Speaker, Sir, that the tie between the Back-benchers and the Front Bench must be appreciated and everything ought to be done by the Front Bench to see that the Back-benchers are always well informed as to what is happening.

With these few remarks, I wish to support.

(Interruption of debate)

MINISTERIAL STATEMENT

MASAI: WATER DEVELOPMENT

The Speaker (Mr. Slade): Order, order. I did have notice before the House sat today that Mr. Sagini wanted to make a Ministerial Statement

today, but owing to the shortage of time I was not able to approve this statement in time for it to be made at the right stage. So, I have said that I will allow him to intervene now to make his statement, and then we will continue with this debate.

The Minister for Natural Resources (Mr. Sagini): Thank you, Mr. Speaker. Yesterday the Government rejected a Motion to the effect:—

THAT this House urges the Government to give first priority in its programme for the provision of water supply in order to alleviate the water hardship predominant in Masailand and enable the inhabitants to concentrate on other activities and play some significant role in the development of Kenya.

The public, and especially the people from the Masai area, need to have a clear explanation from the Government on the issue. Unless this is done there may be a danger that the Government's intention may be misunderstood. The reason why the Government rejected the Motion was the insistence on the part of the Opposition to include the words "first priority" in water development to be given to the Masai District. This would suggest that the Government's other priorities would be set aside if the Motion were passed. The Government agrees with the Opposition that the Masai districts are in need of water, and further, that this should be treated as a matter of urgency. The Government reaffirms the pledges made last week by the Prime Minister, that every effort will be made to accelerate development of the Masai districts. To this end the problem of water in the area continues to receive the Government's urgent efforts. However, the question of priority in the allocation of Government's funds must be the subject of careful consideration with all other equally urgent problems. This is normally done by each Ministry and the Development Committee of the Cabinet. I am sure that must remain the best way to approach our various problems. I would like, therefore, to assure the House and the people of Masailand that the rejection of the Motion does not in any way affect the Government's efforts to increase the water supply in the area. Every effort will be made, and where and when funds permit, priority will be given on the basis of the Government's Development Plan, in co-operation with the local authority and the people of the area. The Masai people would not wish to be accused of thinking only of themselves however urgent their demands may be. We have areas like Turkana, North-Eastern Region, Ukamba country and some parts of Nyanza whose water problems must also be faced and I am confident that the Masai will

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accept in the spirit of *Harambee* the Government's determination to do what is possible for all these areas, including the Masai country.

The Speaker (Mr. Slade): Before we proceed with the debate, if any hon. Member wishes to ask a question seeking further information he is quite entitled to follow up the Ministerial Statement in that way.

Mr. arap Moi: Mr. Speaker, Sir—

The Speaker (Mr. Slade): Mr. Tipis.

Mr. ole Tipis: Mr. Speaker, firstly I would like to seek some information from the hon. Minister to clarify the position. He said, "When and where funds are available." I want to know from the Government whether the rejection of the Motion yesterday nullifies the specific promise made by the Prime Minister on Saturday, that he was going to provide water for the Masai, or whether he made it without consulting the part of the Cabinet responsible for water development.

The Speaker (Mr. Slade): No, Mr. Tipis, I do not think you were listening to the statement. It reads, "The Government reaffirms the statement made last week by the Prime Minister and every effort will be made to accelerate the development in the Masai District." You cannot ask him to say it again.

Mr. Ngala: Mr. Speaker, having noted that the Government takes the question of the Masai water supplies as an urgent question, can the Minister explain a little further, with regard to this problem, what he said yesterday, that Government has set aside £59,000 for water supplies. Bearing in mind that the question is urgent, could he explain how much is intended to be made available yearly as from this year on to 1970, out of this fund?

The Speaker (Mr. Slade): No, I am sorry. The actual purpose of this statement is to explain the attitude of Government in relation to their rejection of yesterday's Motion, and I am afraid we cannot let it run into a series of questions on what Government is going to do. I quite understand why you ask the questions, but we shall go too far and a little too much off the point, the real point of this statement. It is the question of Government's attitude, rather than the details of what Government is going to do, at this stage.

Mr. Balala: Mr. Speaker, Sir, could we know from the Minister when he mentions the area which need water supplies these days, he men-

tions the Masai and the North-Eastern Region, and I would like to know if the Minister is aware that Marsabit and Isiolo—

The Speaker (Mr. Slade): No, no, I do not think you are on the point. I do not think there is really any question that hon. Members can want to ask for further information relevant to this statement.

Mr. Balala: On a point of order, Mr. Speaker, Sir, is it not a question of the Minister telling us now things with regard to the water supplies?

The Speaker (Mr. Slade): It is really regarding the attitude of Government to yesterday's Motion. That is what the statement is about. I am not going to let any supplementaries be asked about water supplies all over the country.

We have actually taken about eight minutes, I think, on this, so we will add that to the time that we are allowing for the Budget debate.

COMMITTEE OF WAYS AND MEANS

(Resumption of debate on Motion "That Mr. Speaker do now leave the Chair"—Sixth day of Budget debate)

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Thank you very much, Mr. Speaker.

Mr. Nyaga: Thank you very much, Mr. Speaker.

The Speaker (Mr. Slade): I beg your pardon. I should have said which Mr. Nyagah. I mean Mr. Jeremiah Nyagah.

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Thank you very much, Mr. Speaker, for catching my eye and not that of my friend who is my namesake! I must say thank you also to the Minister for Finance for having produced before this House a more or less painless Budget, and particularly for the accompanying documents which include among them the "Red Book", the Development Plan. I am not sure whether from 1964 to 1970 is six years or seven years. It is a piece of work that needs congratulation from this House. Before I come to speak on specific points in this document, I would like to say how very grateful we are in the Ministry of Lands and Settlement to this House for showing excessive interest in the work of the Ministry, particularly as the Ministry is the youngest in this country, and particularly when the Ministry is doing a lot of work which, in the years to come, will more or less transform

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this country from a poor country into a rich country. Certain facts, however, Mr. Speaker, must be put forward for the Members here to understand. Having welcomed the interest shown, I am also pleased to say that we welcome criticism in the Ministry. We take it in the spirit it is offered and after we have finished listening and hearing the criticism, I am sure my Minister and my Ministry will do all it can to sort out whatever is practicable and whatever is relevant, and act on the criticisms. Therefore, you are most welcome to criticize, but it must be constructive criticism.

Mr. Speaker, another point which perhaps the Members ought to know or ought to be reminded of is that the work that this Ministry has undertaken is the biggest of its kind in Africa. The time that we have had to deal with the problem of landlessness has been very short, and what has been done so far might have had mistakes in it—we do not pretend to be angels in the Ministry—but the mistakes can be rectified, can be corrected, and there is time to do it and the Ministry is not unaware of such criticisms.

Mr. Speaker, for the interest of this House it is important for the Members to know that the Ministry deals with five aspects of this country's development. We have Land Surveys, Town Planning, Settlement and Land Consolidation or Land Registration. So far this House has concentrated on criticizing the settlement. We feel very proud in the Ministry that no one has said very much against land surveys; and as a matter of fact we have produced a most comprehensive document which was laid on the Table yesterday, which covers every single corner of Kenya from Mandera to Vanga. Nobody has said anything against that, so we feel very proud that we have done at least something that the House appreciates. Town planning, Mr. Speaker, which is also included in this document, has also been accepted. As nobody has said anything against it, we feel that everything has gone well. Mr. Speaker, let me now turn to settlement and land registration. One learns from the criticism that there are one or two points that have been attacked. And one also learns from the criticisms that people are not against settlement, they are for it and all that they are doing is to ask the Ministry to extend, to expedite settlement. Mr. Speaker, the House should be well aware—

Mr. Ngala-Abok: Mr. Speaker, on a point of information.

The Speaker (Mr. Slade): You can only have a point of information if Mr. Nyagah wishes to give way.

Mr. Ngala-Abok: I wish to inform the Parliamentary Secretary to the Ministry of Lands and Settlement that as far as the Survey Report is concerned, South Nyanza was not mentioned on the list of districts surveyed, and I am now going to do something about it.

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Speaker, Sir, I can do nothing better than to remind hon. Members that my Minister laid this annual report on the Table yesterday. It covers every single inch of Kenya, from Mandera right to the bottom of South Nyanza, and there are eight comprehensive maps in it.

Mr. Ngala-Abok: There is nothing done in my district.

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): We do not have to mention every single small bit and inch in the country in these maps.

Mr. Speaker, I was going to explain a little about settlement. I said it emerges out of the Members' criticism that they are interested in the work being expedited, in the work being done, and the House should understand the conditions under which we operate at present, not the conditions under which we shall operate in the future, but under which we work now. We have limitations and until the Government and the House can remove those limitations we cannot do any more, it is an honest Ministry and we must stick to what we are supposed to do. First of all, we have the limitation of farms, we have the limitation of time and we have also the limitation of trained and qualified staff. We cannot do more than is humanly possible to be done. We also need co-operation from members of the public in order to achieve as quickly as possible what is being asked of us. The terms under which the money is borrowed, the loans under operation in our Ministry, the grants, have been stipulated by the lenders and we cannot do very much outside that. We note that people are interested in land settlement, however, and it is up to the Members to press the Government to get more money if it were possible, and to get not only more money for buying land, but also to go back to the country, to the Embu country, to the Masai country, to the open spaces of Ukambani, Meru and other places, and convince the people that this is Kenya land and it needs to be developed. Also, to remind those people to whom those lands are considered

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as their "spheres of interest" that their brothers and sisters from other parts of Kenya should be welcomed. Also to remind those other people that when they are welcomed they should not take an arrogant attitude when they get there; they should go there in the spirit of co-operation and attempt to become part and parcel of the area where they go in the cause of development.

The House should also be reminded when they constantly keep on attacking the Ministry, that the selection is not our responsibility. Time and time again we have said that the selection is the responsibility of the regions, and if the Members here can go back to their regions, with their fellow-members in the Regional Assembly, and talk to their presidents, we might avoid a number of questions that come up in this House.

Mr. Speaker, Sir, there has been much talk in this House about the freedom fighters having no land. I want to explain this one. This is not a national issue in the way that it is being presented in this House. It touches on the old Central Province, the Districts of Embu, Meru, Nyeri, Fort Hall and Kiambu. Embu includes Kirinyaga in this context here. It should be understood, Mr. Speaker, that in Embu and Meru and a large part of Nyeri, this problem is not acute, it is almost non-existent. It is in Fort Hall, for the simple reason, Sir, that in Fort Hall somehow, some people—for what reason I do not know—sabotaged the work of land consolidation. If it had been done in time, we would have had a clearer picture of the problems, but today the Ministry and the Government has advised land consolidation taking place in Fort Hall to take note of this, and it is being taken care of. We have advised the President of the Central Region in his selection to take care of this too. I do not, therefore, see how the Ministry can be accused of not taking the part of helping the landless among the freedom fighters. If the hon. Members from the affected areas can go back and see their Regional Assembly Members and the President, I am sure that these problems would be alleviated. It is the same thing with the squatter problem at the time of the crash problem. Mr. Speaker, this could have been avoided, but due to pressure from outside the area where settlement is taking place, people were taken from outside into the area, thereby causing this problem to be as acute as it is today. We are very concerned, and everybody in the House should be concerned about this.

Now, Mr. Speaker, I have mentioned all the aspects possible to make Members understand. My Minister has agreed that we should make arrangements, and invite Members of this House to go and see for themselves what is being done on these settlement schemes, so that they have a clearer picture, instead of attacking from a high place and looking down on the Ministry; they should see for themselves, and this arrangement is on hand. I hope Members will avail themselves of the opportunity to come and see for themselves. For the interest of this House, it must also be remembered that land that has been taken for settlement is being very extensively farmed. Production has been on the increase and, instead of anybody standing here and refuting this, will welcome you when you come round to see for yourselves, and talk to the settlers to ascertain whether this fact is true or not.

Mr. Speaker, other criticisms that have been made in this connexion will be dealt with, will be considered, and sorted out; we are not deaf in the Ministry, we shall try and act on anything that we think needs appropriate action.

Now, Mr. Speaker, let me turn to another aspect of the Budget, and here I must be allowed to wear my other hat, that of the Member for Embu South if possible. The Budget which contains the Development Plan adds a very good note on pages 136 and 137. Section 18 is about the implementation of the Plan; it describes the Plan as an ambitious one, as a Plan which is appropriate for action, and it also calls on elected Members of all Governmental units to take an active part in explaining this Plan to the people. The Government pledges to define as soon as possible regional and district targets. It also goes further: it invites businessmen to take the initiative in expanding the productive capacity in the private sector and in searching actively for new markets for Kenya products.

Mr. Speaker, if this is the spirit in which the Development Plan is going to be taken by the Government, I welcome it. I hasten to say, Sir, that the details must be produced as quickly as possible so that we know what particular projects are being planned for particular areas of this country, what industries are being encouraged to go to particular areas in this country. This is an ambitious Plan, it is a flexible Plan, so we are told. Whatever the Members in this House say, it is intended in the spirit that we have been invited under this section, to suggest, because the Plan is flexible so that in the defining or planning by the Government, they will take note of what the leaders, the represen-

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tatives, of all the people of Kenya have said in this House.

In the field of agriculture, Mr. Speaker, I am glad to say—here I must congratulate the Minister for Agriculture—that they have avoided—especially the marketing side—being drawn into the limitations and restrictions of the regional boundaries. The Central Province Marketing Board which has suffered for a few months under the threat of Eastern regionalism and Central regionalism has now been considered as one unit, and I hope that this is going to be the trend throughout the country. When it comes to planning, say for the irrigation schemes, I hope the Government will take similar lines and I would like to see the irrigation scheme go beyond the Kirinyaga District by being extended to the District of Embu past the boundary of Embu to Kirinyaga District.

With regard to education, Mr. Speaker, much can be said. I do not want to prejudice the work of the Kenya Education Commission which is going on. Members are welcome to say what they want to the commissioners so that what emerges from the report will be something which is practicable, something which is acceptable to the Members and to the country as a whole. The report in the Development Plan talks of community projects, drawing on the peoples' initiative to help themselves. I must say in connexion with adult education, that there is a need of our Voice of Kenya being more educative and more effective than it is today. It is no use spending about one-third of the time of the Voice of Kenya on music. I am not against people who love music, I love it too, but I do not like music of an obscene nature which sometimes seems to go on for hours on end.

An hon. Member: It is a grievance.

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): An hon. Member says it is a grievance. What education is there for instance in a record which keeps on playing good music? A person who has never been to Nairobi before, on his first introduction into Nairobi will find it atrocious coming from a village. I am sure that if this medium is effectively used, we shall be doing a service to this country. Another thing which ought to be done with regard to the Voice of Kenya is to make sure that anyone in Kenya can tune his radio and be able to catch a station. There are some places in Kenya where you cannot do that. The other day I was in Kaptagat, I had my little radio

with me, and I could hardly hear what Nairobi was saying.

[The Speaker (Mr. Slade) left the Chair]

[The Deputy Speaker (Mr. De Souza) took the Chair]

Uganda was easier to hear than Nairobi. We want to hear everything that this Government intends us to hear, and everything that is good through the Voice of Kenya.

Let me touch on television, a very expensive commodity. We do not want television to be confined to Nairobi and a few other areas. The Government must find some companies which can produce the screens much cheaper than they are today, on the same lines as the radio if possible, so that we rural people can enjoy that service as well, Mr. Deputy Speaker.

Turning to secondary schools, one of the most encouraging aspects of the Development Plan is that part which talks of loans to secondary school pupils. It helps very much. Their parents have suffered a lot in the past, in that some deserving children could not go to secondary schools because they had no fees. Children at secondary schools suffered because they lived in a period of uncertainty and anxiety. They never knew how they would get their fees, whether their parents would get their fees or not, or whether they would continue up to Form 6 or not. With a system of loans I am sure this is the fulfilment of the Kanu Manifesto of fairly free education and opportunity for all.

I would urge that with the development of new secondary schools throughout the country, a better system of road network is necessary. A better co-ordination of public service vehicles is necessary, so that it is easier for children on arterial roads to be collected and driven to school in the normal public service vehicles, and back again without much difficulty. In this regard, Sir, I would like to ask the Government and this House to think very seriously whether, although the Constitution stipulates that only a few schools should be national, whether all secondary schools in existence today especially the ones that have boarding facilities should not be national schools. If they were national schools, at least we would have the nucleus of a good secondary education.

I want to speak on another aspect, and this is the one I described as equality of opportunity for every Kenya citizen in employment, in training, and in Government services.

An hon. Member: Education.

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Training will cover education, Mr. Deputy Speaker. Today there are certain remote parts of Kenya, like my own, where employment facilities are not available because there are no industries where people can be employed, or after the Government, had enrolled people and given them cards, never bothered to go back and fix up any employment for them.

An hon. Member: Question.

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): If the hon. Member, the Parliamentary Secretary for the Ministry which is now under fire, would like to come with me, I will give him a free lift and drive him to Embu. For two days he will see how people waste their time, collecting every day at the Boma to find out whether employment has been found for them in the so-called labour exchange. Mr. Deputy Speaker, if I knew better than that I would not have said it, but the facts I have given the House are accurate, and can be checked by anyone if he wants. Employment in the armed forces is a national issue. I am anxiously waiting to see the Government fix a day for all the places, if possible, for enlistment of people into the police and into the army. We want everybody to have an opportunity, let them all be enrolled in Kenya on the same day and be given the same training facilities. I do not want to see people having preferential treatment of six months' training before the others have that opportunity, only to make sure that these will be the officers, and the others will stay for ever and a day as recruits and N.C.O.s and nothing more than that. I do not want to attack the Government here, but I must express my disappointment at the enlistment of the police,—

An hon. Member: Attack them.

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): —even if the problem is being rectified, for the areas which in days of the Emergency did not have enough people in the police. If the enlistment was to save the Central part of Kenya, then surely I would have thought that Kirinyaga was in that Central part, Embu was and so was Meru; but I am still waiting to see imbalance rectified there, and in other areas as well, with regard to the army and the police.

Mr. Speaker, Sir, as far as the service which we call the Public Service is concerned, the Civil Service, I must tell the Government that we have a very solid skeleton. What it needs is the flesh. The skeleton of the Civil Service is firm enough

now. The Government must look wider, to other areas, and make sure that the flesh for this skeleton comes liberally from the remote corners of the country, although it should not take inefficient people. I say this, knowing Kenya as I do, because nearly every corner now, apart from the northern part of Kenya, can produce somebody of integrity, of quality and of understanding, who would be able to do what the Government expects. I think the imbalance among the Regional Government Agents, the Assistant Secretaries and other civil servants should be looked into as a matter of urgency. I would be very ungrateful if I were to attack the Public Service Commission.

An hon. Member: It must be attacked.

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Maybe the Public Service Commission is working under pressure, but the Government must take its hands off the Public Service Commission. Let them be independent; let them do their work as independently as possible. I have no evidence, except I am forced to believe it by the quality and the number of people I see being employed; some people who joined the service only two years ago have rushed up the ladder right to the top, leaving behind graduates of long standing right down at the bottom. It is very worrying and frustrating as well.

Mr. Deputy Speaker, I would like to refer now to the National Youth Service. The other day I went around with the national leader of the Youth Service when he was trying to get some people in my constituency. This man was asked questions by women which I think, this Government and this House ought to know about. They said that if we were catering for the young men, what about the young women. It is time the Government thought of a similar scheme for young ladies to participate in national building. If the hon. Member who is a Parliamentary Secretary to the Ministry which is concerned with this thinks this is not a fact, I do not know what other facts he wants.

Mr. Deputy Speaker, I would like to end on this note. The Government must keep very firmly to section 18, page 136, of this ambitious Development Plan, to the blueprint, that they will confer with the representatives of the people at all governmental elected levels, to produce as quickly as possible the regional and district targets, to define as quickly as possible the projects for each of these areas, and also to direct the businessmen to find new markets and new investments where everybody will have a hand in and will play his part in the development of this country.

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Finally, Mr. Deputy Speaker, referring to section 19, this plan is flexible; I hope sincerely that it is flexible. If in some aspects of it there are some projects which are designed for today area A, and as a result of this debate it was found that area B had priority, then the Government should not find it difficult to move that project from area A to area B. For instance, if it were found that more piped water was needed in the Kano Plains than in Kiambu, then the Government should be bold enough to remove the project from Kiambu to Kano. This, Mr. Deputy Speaker, is just a suggestion and an example on the lines and in the spirit of this blueprint, which is a flexible development plan.

With these few remarks, Mr. Deputy Speaker, I beg to support.

Mr. arap Choge: Mr. Deputy Speaker, Sir, I would like to say that in the years past, 1961, 1962 and 1963, we all began to chase an animal, and that animal was known as *Uhuru*. We managed to kill *Uhuru* and to divide it on 12th December. Everyone has taken part in at least taking a piece of meat from it. The meat from this animal has all gone to two sides—namely Kikuyu and Luo—based on tribalism.

I have to attack various Ministries, and I must begin with the Ministry of Home Affairs. In this Ministry they have the Assistant Regional Government Agents and the Regional Government Agents at the present time, and all the Regional Government Agents belong to two main tribes. Whenever they go to employ some District Officers, Assistant Regional Government Agents or Regional Government Agents, they only look among these two main tribes. Our people, the Kalenjin officers who are in the field at the moment, are being frustrated because they are forgotten, there is no promotion, nothing. In fact, some of them are being demoted. This is a very serious situation, Mr. Deputy Speaker, because when we were asking for *Uhuru* we did not mean it to come so as to say “down with the Kalenjin” and “up with the Luos, up with the Kikuyus”.

Mr. Deputy Speaker, Sir, we all know that Kenya is ours, and since Kenya is ours—

Mr. Mbogoh: On a point of order, can the hon. Member substantiate the fact that some of the Kalenjin Regional Government Agents are being demoted?

The Deputy Speaker (Mr. De Souza): Yes, can you substantiate that?

Mr. arap Choge: If you go to the Ministry of Home Affairs today, Mr. Deputy Speaker, you will know how many Kalenjins are being demoted. Some of them are being brought to Nairobi here to work under some of the officers who are their equals in the field.

The Deputy Speaker (Mr. De Souza): That is not the point. You have made a serious allegation, that Government is demoting Kalenjin people. The point is, can you substantiate it.

Mr. arap Choge: Yes, Mr. Deputy Speaker. What is happening to the former—

The Deputy Speaker (Mr. De Souza): If you can substantiate, would you give the evidence on which you base this allegation? Would you say why you are making this serious allegation?

Mr. arap Choge: Yes, Mr. Deputy Speaker. We have the present Civil Secretary of the Western Region. He is coming here to work under the secretary of the Permanent Secretary. Is that not demotion?

The Deputy Speaker (Mr. De Souza): As long as you have stated exactly what you mean by saying this, the House can decide whether in fact that is demotion or not.

Mr. arap Choge: That is demotion, working under a secretary in the Permanent Secretary's office, because a civil secretary is equal to a Permanent Secretary. You cannot fool me on that.

QUORUM

Mr. Kase: On a point of order, I wonder whether we have a quorum?

The Deputy Speaker (Mr. De Souza): No, there is no quorum. Ring the Division Bell.

(The Division Bell was rung)

The Deputy Speaker (Mr. De Souza): There is now a quorum. Continue, Mr. Choge.

Mr. arap Choge: Thank you, Mr. Deputy Speaker. Under this Ministry, Sir, we have also the chiefs. Most of them, about 200 of them, have been summoned to leave their duties, and they have all done so, and we have the so-called acting chiefs. It is high time that the people were allowed to have their new chiefs to go to their duties. They should be appointed as it is laid down in the Constitution. We do not want to be dictated to from here, Mr. Deputy Speaker, with the Minister for Home Affairs getting up and seeing a list of three chiefs which has been sent to Nairobi and appointing the chiefs from

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here. Of course, the Minister does not know the chiefs personally; he does not know the people himself, and he relies on the recommendation of various people who will have sent the names to him. As such, Mr. Deputy Speaker, I think we are likely to get the wrong type of chief if they are going to be appointed from Nairobi. They should appoint them as it is laid down in the Constitution, and the Minister for Home Affairs should not get up from his bed one morning in Nairobi and announce the list of the chiefs.

With regard to the police, we have some Kalenjin who have been left as sub-inspectors, some of them are just inspectors, and these people have been forgotten completely. There is no promotion, nothing is done for them; they are just left to rot, and others, junior people come up, they are given the big posts. We have some of them being demoted from Nairobi here right to the field; we do not like this. When recruitment to the police took place about six months ago, we were told that recruitment would take place all over the country. Since that time, recruitment into the police force has not taken place. We were told that recruitment would take place in various parts of the country, but it seems as if they have now stopped recruiting people into the police; they only want those people from Kiambu and Nairobi to go into the police. Of course, I am sure that they are not going to recruit people any more, because the time they said they were going to recruit more youths has past, and that indicates, that what the Parliamentary Secretary said, that they are trying to recruit people on a tribal basis, is quite true, although the Minister for Information got up very early in the morning and turned his machine round and announced that what was said in the House was not true. Of course we know that it was true, but the hon. Mr. Achieng-Oneko was trying to muddle the people, it seems—

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Oneko): Question.

Mr. arap Choge: —and it was said, and we are seeing it now in practice. You cannot deny that, and I think you should be ashamed of turning round your machine and announcing to the nation wrong things.

You will find that the police houses at Kapsabet, in my district, are awful, Mr. Deputy Speaker. These houses are leaking, four or five policemen live in a *rondavel*, and these people suffer quite a lot. I think it is high time that the police lines in Kapsabet were demolished

and new buildings were put up. They are now earning higher salaries, but we would also like the standard of housing in this particular area to be improved.

In the Budget, Mr. Deputy Speaker, these people are completely forgotten. Nothing is said about the Kapsabet police lines. I think the Minister for Defence should look at this matter and see that he gives some amount of money to this police station so that the houses there are kept in good condition. We also want these people to lead good lives, not so that they just have increases in salary but continue with a low standard of housing. I hope note is being taken of that.

With regard to recruitment into the military forces, it was not the mistake of the Kalenjin that they went into the army during the colonial rule. Nobody stopped other tribes from going into the army.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Oneko): There are too many Kalenjin in the army.

Mr. arap Choge: You should be ashamed, as a Minister, for having practiced tribalism in the Cabinet.

The Deputy Speaker (Mr. De Souza): Order, order, address the Chair.

Mr. arap Choge: Thank you, Mr. Deputy Speaker, but when they tell me such nonsense, I have to reply.

It is a mistake, Mr. Deputy Speaker, to eliminate the Kalenjin, to leave them out, so that they are not taken into the army, just because some of them happened to go into the army previously. Of course, the Kambas are also in the army, but they are being recruited into it again. You cannot escape it by saying that they got into the army; this is very clear discrimination. It is not a mistake, they are very loyal to this Government. You cannot deny that fact, they are serving you at the moment, and you cannot say that because they went into the army, you have to go round Ukwala, Kisumu and other places, Nairobi, where others were discriminated against and so on, and forget the Kalenjin completely. We want the Kalenjin to feel that they are also taking part in this new Government. The colonial government is past, and during the colonial times they did not say that other tribes had to stop going into the military forces; nobody stopped the other tribes from joining the army. The Kalenjin now should not be stopped because it is not their mistake. I feel that this business of saying that we have

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a station at Kakamega, at Vihiga, at Ukwala, at Kisumu some in South Nyanza, some in Nairobi, and all other places will come later is wrong. Of course, we know the tactics of this Government. They usually do it like that, and in the end they do not do anything. They just keep it like that and they wait until such time as they have enough recruits in the army and then they will say they have enough people there. We would like to cease this tribalism in this Government, and we would like every tribe to participate in all activities. If they want 800 people, they should take twenty from every tribe. Every tribe should take part. You cannot tell me that I am a tribalist in this House. Of course, you know that this Government is full of tribalism, and you cannot change it. It is of no use to say that the Cabinet is not bad; of course, you know that the Cabinet—

The Minister for Justice and Constitutional Affairs (Mr. Mboya): The Cabinet is what?

Mr. arap Choge: The Cabinet is working on a completely tribal basis, you cannot deny it.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): On a point of order—

Mr. arap Choge: Yes?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Could the hon. Member substantiate this statement, Mr. Deputy Speaker, Sir?

The Deputy Speaker (Mr. De Souza): Mr. Choge, it is a very serious statement to make, but, Mr. Mboya, I do not think it is one he can possibly substantiate. It is a very general allegation.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): On a point of order, Mr. Deputy Speaker, this is a very serious statement to make, and we must be given at least a few instances of the Cabinet acting on nothing but purely tribal grounds. It cannot just be left, the House cannot just be treated to this vague accusation of this serious nature without some examples being given, even if he cannot give us a whole list of them.

The Deputy Speaker (Mr. De Souza): Mr. Choge, if you can give examples, do so.

Mr. arap Choge: Yes, Mr. Deputy Speaker. It is a mistake for somebody to come here from outside after giving—

The Minister for Justice and Constitutional Affairs (Mr. Mboya): No.

Mr. arap Choge: I am giving substantiation about some officers who have already been discriminated against on a tribal basis. Of course, he was out then, and if he wants me to go back again and repeat my speech, he can say so.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): On a point of order, Mr. Deputy Speaker, either you give a ruling and the hon. gentleman gives us the examples you have asked him to give, but it is not for him to say what time I come into this House. That is entirely my business.

The Deputy Speaker (Mr. De Souza): Can you give us some examples?

Mr. arap Choge: Mr. Deputy Speaker, Sir, without going far away, there are so many people on the Government side, and the Back-benchers are made up of various tribes. There are four Luo Ministers, five Kikuku Ministers; is this not tribalism? That is what I meant, Mr. Deputy Speaker.

The Deputy Speaker (Mr. De Souza): If this is your evidence, that is all right. Do you want to raise a point of order?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Yes. The point made was not that the Cabinet was composed on a tribal basis; the point made to the House was that the Cabinet worked on a tribal basis. The people who compose the Cabinet are bound to come from some tribe or other. What we want to know, and what I rise on, is what are these instances in which the Cabinet has acted on nothing but tribal grounds? This is the accusation which has been made.

The Deputy Speaker (Mr. De Souza): Let me make a ruling on this. This is a very difficult situation. There are quite often allegations made which are not specific arising out of particular points, but with regard to a general allegation against the Government such as saying that the Government has been guilty of many injustices or acting on this basis or that basis, the Member is compelled to say on what grounds he bases his general allegation. This is, in fact, a very general allegation, not as specific as Mr. Mboya has said. I think the hon. speaker has said on what grounds he bases his allegation. The House is then entitled to come to the conclusion that the evidence or the grounds on which he bases his allegations are completely spurious and therefore the allegations are unfounded or not necessary. I do not think Mr. Choge will go further and give details. He has said on what

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reasons he bases it, and I think the House can come to the conclusion, if it wants to, that the allegations are unfounded. I do not think we can go into a further debate on this particular point.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): With due deference, Mr. Deputy Speaker, and I do not wish to challenge your ruling at all, but I wish at least, on behalf of the Government, to say that it is most unfair that Members should use a privilege to make these general allegations and pretend that they can hide behind the umbrella of later on saying, "I did not mean that." Do we understand, therefore, in this case that all that the hon. Member was trying to tell the House was that in the Cabinet there are five Kikuyu Ministers, four Luos, and so on, and so forth, Ministers, and that he was not making any allegations about their actions? That this is a question of the composition of the Cabinet? Is that his understanding of tribalism?

The Deputy Speaker (Mr. De Souza): I think that is what he has explained. He has already said that.

Mr. arap Chogo: I have already explained my case, Mr. Deputy Speaker. Thank you for your ruling.

Turning now to education, Mr. Deputy Speaker, you find that there are teachers in the Education Department today—I am referring to the unqualified teachers at K.A.P.E. level—who have been teaching for well over five years and they have not been given teaching certificates. The Ministry of Education should consider this very seriously, and see that these teachers are given certificates, because it means that they are inclined to discourage the unqualified teachers from going on teaching. When somebody is just put there, you tell him to get out because he does not have a certificate or something of that kind, and he is bound to be persuaded either to join some other department or something of that kind. This is because these people have failed to give them teaching certificates as they were promised. As far as this Department is concerned, it has to consider this matter very seriously, otherwise they will find themselves without teachers in the near future. Of course, our country cannot today do without the educated men, and the educated men come from the teaching profession. If they do not have something to interest the younger teachers coming into the service, they will find themselves without teachers in a few years to come.

The Minister for Finance and Economic Planning (Mr. Gichuru): But your tribe can do without education.

Mr. arap Chogo: Referring to my tribe, as the Minister has said, Mr. Deputy Speaker, the Nandi have the fewest trained teachers, and we ask the Minister for Education to consider taking most of our boys into the teacher-training colleges so that we are not enslaved by other tribes coming and teaching us, simply because we are deprived of the right to go to teacher-training colleges. I think the teachers from various other tribes can only teach in the intermediate schools, not in the primary schools. We are very short of T.3 teachers, and I raised this last year when I said that we did not have enough trained T.3 teachers, but the Minister did nothing.

Referring to secondary schools, Mr. Deputy Speaker, Sir, we have only one secondary school for boys in my district. This is not enough. We had well over 200 children who passed their K.A.P.E. very well, and we think this Government should give us one more secondary school, so that we can take in all these people. Of course, this is a very serious issue, and we have made an application to come to the Regional Assembly, and the Minister for Education is just sitting on those recommendations in Nairobi. I think it is high time that the Nandi had some more, at least two more, secondary schools so that they also improve educationally, because we are behind in this respect. If we go on like this, it will mean that the Nandi will remain behind completely, and they will not see the light for many years to come. As such, we must have more secondary schools in order to improve our civilization and our standards of living. Of course, the Luos are very lucky, because they have more schools.

With reference to the Agricultural Department, there are some European farmers who have planted coffee. Some of them have far worse coffee than the Africans, and they are still being allowed to plant more coffee. I think that the Africans who have been planting fifty, twenty-five stems of coffee should be allowed to plant at least three or five acres of coffee. These Europeans, who have very poor coffee, such as the ones I have seen around Koru, Soba, East Potana, all these areas, should be stopped, be told to cut down their coffee, and the Africans, who are looking after the coffee very well today, should be given more acres, at least two or three more instead of only having twenty-five stems.

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): Mr. Deputy Speaker, could the hon. Member substantiate that the European farmers are continuing to plant more coffee, which is what he has just said?

Mr. arap Choge: Yes, Sir, of course there are some Europeans like Dickson and Duncanson, around Koru who have the worst coffee, and if you visit their farms today you will find—

The Deputy Speaker (Mr. De Souza): Mr. Choge, we must be careful in this House not to make vague generalized allegations about people, communities or anything, without being able to substantiate them. This is quite a serious allegation to make, that people are planting coffee when the Government has passed a Bill preventing this. If you have examples, if you have any reasons, or if you have any evidence on which to base these allegations, you can provide the House or at least the Minister or Parliamentary Secretary, with the evidence, you must do so, now or tomorrow, it is up to you, but if you do not do so within a reasonable length of time, you must come back here and withdraw it. It is not enough just to stand up and make accusations against or allegations about somebody without any evidence. If you do, your speech is not worth anything.

Mr. arap Choge: Thank you, Mr. Deputy Speaker, I think I have substantiated that there is somebody at Koru—

An hon. Member: Withdraw.

Mr. arap Choge: How can I withdraw—

The Deputy Speaker (Mr. De Souza): Order, order, I think I can clear this. What you have said, Mr. Choge, is that certain Europeans are continuing to plant coffee. What you have now given us is the names of two or three people, who possibly the Parliamentary Secretary knows, who you say have rotten coffee. But this does not substantiate your allegation. Your allegation was not that some Europeans have bad coffee or rotten coffee, you said that they are continuing to plant coffee and Africans are not allowed to continue planting coffee. That is a very different allegation.

Mr. arap Choge: Of course I have to make some clarification here, Sir, I said that there are some Europeans today who have the worst coffee and these Europeans should be told to cut down their coffee and the Africans should be allowed to plant more coffee instead of only being able to plant 25 or 30 coffee plants. Secondly, I have seen some other European farms where they have planted either six months ago or a year ago, and the coffee is very young, but I thought that in

this House we debated a Motion that the Government should reconsider allowing some people to plant some more coffee instead of banning it altogether.

The Deputy Speaker (Mr. De Souza): Are you substantiating or withdrawing the allegation that Europeans are continuing to plant coffee?

Mr. arap Choge: I am prepared, Mr. Deputy Speaker, Sir, to substantiate to the Parliamentary Secretary outside this House and if he is not satisfied I will come back and withdraw it. I cannot just withdraw like that.

Mr. Kiprotich: Is the hon. Member on the Opposition side really a citizen of the country?

The Deputy Speaker (Mr. De Souza): That is not a point of order. Let us not abuse the privilege with this sort of point of order.

Mr. arap Choge: Thank you very much, Mr. Speaker. As far as tea is concerned, I would like my people, especially the Nandi, because Nandi is good tea land and I did not see much being given to Nandi, to be allowed to plant more tea. We would also like to see that the Nandi are also encouraged to plant more tea on their land. On the subject of the quotas of pyrethrum and milk and other such things, Mr. Deputy Speaker, I think the Africans should also be given a bigger quota instead of having a similar quota. They will be discouraged from farming pyrethrum and producing milk, if they do not get bigger quotas and—

I see it is the end of my time. I thank the Minister for Finance for his efforts to produce such a Budget, though there is almost nothing in it for my people.

Mr. Bala: Mr. Deputy Speaker, thank you very much for giving me this opportunity to make a few remarks on this Budget Debate. First of all I would like to congratulate the Minister for Finance and Economic Planning for the able job he has done in producing a plan which is going to be a very good plan for the people of Kenya. In this particular plan, there are a few observations which I would like to make. First of all, I am very grateful for the fact that in the plan there is provision for the peoples' shops, because in this country we Africans, who are the indigenous people of this country, have not had the opportunity to get into the business of trade like any other community. But I hope that with this plan for having peoples' shops, the Minister will arrange an organization which will import and export our commodities. But there is one thing I would like to remind the Government of and

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especially about the Central Nyanza area. We, the people of Central Nyanza, have been very unlucky for the last five years. We have had several floods, almost continuously, in fact, and, at the same time, most of the people who have been doing business in this area have not had enough money to run their shops simply because there were not enough people to buy the goods. At this particular time, now that Kenya is independent—I said this in my maiden speech, when I first came to this House, and I would like to repeat it—we have several shops and several markets in Central Nyanza and in most cases where an Asian has put up a shop in the vicinity, the Government has provided title deeds, for long leases of 40 or 99 years, but for the Africans who are the indigenous people of this country, they have been erecting permanent shops in the country, but the Africans cannot have title deeds, they have to pay for the annual renewal of the lease, a sum of something like Sh. 64 per year. When they go to borrow money on the security of a shop yet they have to pay this annual renewal of lease. This is very unfair, Mr. Deputy Speaker, if somebody has spent about Sh. 30,000 or Sh. 45,000 on erecting a building and he is not allowed to borrow any money from the bank. You find that there are so many people, especially in Central Nyanza, who have spent a lot of money building permanent shops—because it was one of the conditions, that unless they built a permanent shop, they would not be allowed to erect any shop—and when they have spent all that money, they cannot even get the title deeds so that they can go to the banks and raise a loan. It means that they are always in hardship. When they go to the Government to get a loan—and I say this as a Member of the Industrial Development Corporation—the Government wants a title deed from them, a clear title deed to act as security. If the Government is unable to provide title deeds and then demands title deeds for security, how is this going to help the people?

All the way through this Development Plan I see no mention about title deeds, not in the whole of this Six-year Development Plan. This is a very serious thing because we do not expect these Africans to have enough capital, or to raise enough capital, unless they can borrow money from other sources and no one will lend them money without reasonable security.

The other point, Mr. Deputy Speaker, is on the sisal trade. In Kenya we say that we do not want a monopoly, we want to work towards socialism, and then you find in a place like Central

Nyanza one man—and he happens to be a European—is given the complete monopoly of the sisal trade. He buys the sisal from South Nyanza, Central Nyanza, Western Region, and nobody else is allowed to have this licence. This is very unfair. If our Government is trying to please certain people simply because they are European, I wish to protest very strongly. This one man is treated like this, and formerly there used to be two or three people licensed, but immediately the Government introduced the idea of giving him sole licence, and instead of giving the African producers 80 cents per pound or 85 cents a pound, he is only paying 20 cents or 30 cents a pound and his only excuse when they take the sisal to him is that it is not the standard he wants, and they must either take it away or take the price he offers. I think this is very unfair. The same person has a business in the Western Region, with the same directors, and I can prove that the hon. Member is disputing it.

An hon. Member: I am not disputing it.

Mr. Bala: Do you not believe it, he is Mr. Charles Dagoretti, don't you know him? Mr. Deputy Speaker, this is one thing which the people of Central Nyanza are tired of, they think that somebody at the top is trying to suppress them economically by issuing a licence to only one European, and I do not know whether this is because we have a European Minister of Agriculture. If this is the case I think one of these days we must reconsider his position.

Mr. Masinde: We do not want him.

Mr. Bala: The other point, Mr. Deputy Speaker, is about flood victims. As you know, and as the general public knows, the Central Nyanza Region has had continuous floods, caused mostly by rising water from Lake Victoria and a lot of rain from the hills. We have had so many people being kept in various camps. Some are kept at Kibigori, some have been there for over a year. You find that there are round about 2,000 people in this camp, and these people are just being kept there, the Government is giving them a little *posho*, although they work for this *posho*, of course. Every morning and evening the woman comes out and works for her *posho* and the man also has to work for it. Then you find that these people are given about eight pounds of *posho* for a woman and only four pounds a week for a child, and I do not know how much per week for a man. These people have their children who need clothing, they have to pay for schools, and they need schooling, and you then find that the Government has completely neglected these people for one and a half years.

[Mr. Bala]

The children are not going to schools because there are no schools in Kibigori. Land settlement has done nothing whatsoever for these people to provide them with land. These people are being left without land and they do not understand why the Kikuyus should have 8,000 people settled and the Luo people have not even had one person settled. This is very unfair, Mr. Deputy Speaker, and I protest very strongly against this sort of thing.

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Second phase.

Mr. Bala: The Junior Minister says "second phase". I think he is taking this to be a laughing matter but it is a very serious thing.

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): On a point of order, Mr. Deputy Speaker, I did not talk about "phase". I take this as a very serious matter, and I said "second phase".

Mr. Bala: Do you mean to say the second phase of development or what? Why should we be second, we should be first? Mr. Deputy Speaker, these flood victims have gone through a lot of hardship and I would like to draw the attention of the Government to this to see what they can do about these people because one thing is that their children are not learning as there are no schools, and secondly, you find a family of about twelve people being kept in a small hut, eating almost nothing, and these people are being almost kept as if they were in detention camps. I think the new independent Kenya Government should not allow such things to go on. We want the welfare of the society, the welfare of the whole nation of Kenya, but we do not want the welfare of only one small section of people. This we would not accept.

Another point is on hospitals. During the time when we were fighting for the elections, we promised the masses that we would give them free medical treatment. And now you find that in a place like Central Nyanza there is no district hospital.

We have said this repeatedly, yet the Government turns a deaf ear. Central Nyanza does need a regional hospital, we do not have a district hospital which can cater for our people and, in fact, that area particularly is full of malaria, bilharzia and tsetse fly, and so on, and the Government is not even keeping a record of deaths. The Government does not keep any death records, they do not know how many

people are dying every day, they do not even keep records of the birth rate, they do not know how many infants are dying. I would like to draw the attention of the Government to this so that they can see that we have a proper hospital in Kisumu and that we have a proper hospital for the people of Central Nyanza.

An hon. Member: Not Kisumu.

Mr. Bala: Why not Kisumu? While we are on the subject of hospitals, we, the people of Nyanza Region, need a regional hospital, a proper hospital for the Region. Our hospital at the moment is one of the worst hospitals you could go into. The people here in Nairobi have plenty of hospitals and they are very satisfied. One Member said, "We have a hospital in Kakamega at the present moment and the people are very satisfied." I replied, "But I am speaking for Central Nyanza." We need a proper regional hospital so that even if the Prime Minister came down to visit Nyanza, he could be accommodated in the hospital if he was ill. We want a proper hospital. We want the Government to see that in this Six-year Development Plan, Central Nyanza and Nyanza Region as such will be given first priority as far as hospitals are concerned.

Mr. Ngala: On a point of information—

Mr. Bala: I do not need information, Mr. Deputy Speaker, so I shall not give way.

Another point I would like to mention is cattle raids. In Central Nyanza we have had a lot of this treatment from the Nandi and Kipsigis who are in our bordering areas. Just recently, two people were murdered at night when they came across our borders, they just came to raid, they did not come to steal, and it was at about 8.30 p.m. that they were murdered. These people come in gangs, they come with their bows and arrows, and then they raid by force, take cattle by force. Mr. Deputy Speaker, I would like the Government to increase the police force in this area. We want more policemen, especially in Central Nyanza and in Nyando Constituency. The security situation in Nyanza is getting terrible, we have people being murdered by thieves, we have people being murdered by these stock raiders, and I do think that in an independent Kenya the police force should have complete authority because we do not like to see people getting so worried about their stock when they have a new Kenya independent Government. The Government should look after peoples' private property.

[Mr. Bala]

The Parliamentary Secretary for Agriculture is asking me about the *Legio Mariae*. Well, Mr. Deputy Speaker, the religion of *Legio Mariae* is just like any other religion in this country. I know that this is a splinter group from the Roman Catholic Religion. I am not a Roman Catholic, but I know that the Parliamentary Secretary is, and he has had a lot of pressure from among the leaders of his group, but I am not interested in this question of groups—

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): On a point of order, can the hon. Member for Nyando substantiate that I have had a lot of pressure from my religious leaders concerning the *Legio Mariae*?

Mr. Bala: Mr. Deputy Speaker, it was just the day before yesterday that the Parliamentary Secretary was speaking on this particular Motion. He said that recently some people belonging to the *Legio Mariae* went and attacked a certain mission within his constituency and the people there left the Church and came and complained to him. So, in this case I think I am right.

The Deputy Speaker (Mr. De Souza): The fact that people came and complained to him does not mean to say that pressure was brought to bear on him. However, I think you have explained what you mean though possibly you are not absolutely accurate. I think the House will understand exactly what you had in mind.

Mr. Bala: Thank you, Mr. Speaker. Now, I would like to congratulate the Government on the question of a textile industry coming to Kisumu. This, Mr. Deputy Speaker, is a very good move which the Government has taken, but at the same time, I must draw the attention of the Government to the fact that in Kisumu we are very short of accommodation. We want the Central Housing Board to do something about advancing Kisumu Municipality some money which they will use for building houses for the workers who are going to work for the textile factory. I hope the Parliamentary Secretary for Housing is here and as he comes from Central Nyanza he might have a lot of sympathy with the people from Central Nyanza.

On the question of tribalism, Mr. Deputy Speaker, we people from Nyanza have been accused in this House constantly that the Luo and the Kikuyu get every picking. We are not going to have this nonsense any more. We are not going to allow ourselves to be attacked over and over again, the Luos and the Kikuyus do

this and the Luos and the Kikuyus do that, we are citizens just like any other citizen and we are not going to accept this business of being attacked all the time by the other tribes. These other tribes feel that they are small. That is not our mistake, that is the mistake of God who created them.

[The Deputy Speaker (Mr. De Souza) left the Chair]

[The Speaker (Mr. Slade) took the Chair]

This we are not going to allow, and anybody speaking about tribalism in future must realize this. Mr. Speaker, now to turn to this Development Plan. On page 34, paragraph 38, is headed Income Groupings. Here you find the African earning capacity is something like £400 and the Arabs, 0.29; the Somalis and Asians in this country are earning 68.4; and the European earning capacity is 92.2. Mr. Speaker, this is very serious. If Africans are only capable of earning 0.05 and the Europeans are earning 92.2, this is terribly serious and the Government must do something about it. How are we going to work towards socialism? These people are rich and this is something that the Development Plan must review and seriously review so that we can get it more equal. When you turn to page 67, you will see the Kano Irrigation Scheme, which is in my constituency. This, Mr. Speaker, is very serious indeed. You find that the Kano Irrigation Scheme in the present Development Plan is only earmarked to receive £10, only £10. This is ridiculous. We cannot agree to this when we have urged for years, and then the Government only provides £10 for it in this Development Plan. We do not understand this, Mr. Speaker. The Government must explain this to us properly because everybody is worried about this. When I go to my constituency and hold a public meeting, everybody will ask me about this. Fancy £10 being allocated for an irrigation scheme when other areas are being allocated £50,000 in this Development Plan, and to make it worse you find that the other allocations of money for Kano is in 1968 and 1969. This is terribly bad and I think the Government should do something about this.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Oneko): Mr. Speaker, can we be advised? I think maybe the hon. Member is reading a different book from the Red Book. Can we be advised which book he is referring to because if he is referring to the £10, it may be a token sum?

Mr. Bala: It is £10—

The Speaker (Mr. Slade): Order, order. That is not really a point of order, Mr. Oneko, but it may help if Mr. Bala tells us exactly what he is referring to.

Mr. Bala: When you open the book you will find that the Kano Irrigation Scheme is only earmarked for £10—

The Minister for Justice and Constitutional Affairs (Mr. Mboya): On a point of order, Mr. Speaker, does he mean the Kano Plains Pilot Irrigation Scheme or the Kano Irrigation Scheme?

The Speaker (Mr. Slade): These are not really points of order you know.

Mr. Bala: It is Kano Plains Pilot Irrigation Scheme, if you open it up you will find only £10. Do you want me to find the page for you? Mr. Speaker, I think that is very serious, to find only £10 allocated for the Kano Irrigation Scheme.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): £550,000.

Mr. Bala: Mr. Speaker, the other point I would like to bring before the House is the question of land consolidation. Now, we people in Central Nyanza have been accused for a long time that we do not support land consolidation. Recently, when I went to the administration to find what sort of plans Government was having for land consolidation in Central Nyanza, I had many complaints from the Regional Government Agent of Central Nyanza that so far they have not had any funds allocated which they can employ in a scheme, to advise people as to how they can consolidate their land. Now, Mr. Speaker, I think that this is one point which the Government should treat as very urgent, because many people want to develop their land; whatever small piece of land they have, they would like to have it properly consolidated so that they can have title deeds, these title deeds, at times they can borrow money from the Land Bank of Kenya or from the Agricultural Development Corporation. There is no other way in which they can borrow this money unless they have their land consolidated. The other day when the Prime Minister came to Kisumu he advised everybody that all he wanted people to do was to work hard and especially on land. How are these people going to work hard, if for one thing the Government is not prepared to give them loans, because they do not have any land which they can use as security? How are these people going to work hard even if private firms cannot accept their security because they do not have their land consolidated?

Mr. Speaker, I think our Government must treat this question of land consolidation as a very

urgent matter, not only in Central Nyanza, but in Nyanza as a whole, because during Colonial days we were accused that we did not want to encourage land consolidation, but in fact what we did not like was forced land consolidation.

Mr. Speaker, the other point which would like to bring before the House is the question of nationalization. I know some people have talked about it, especially during last week and the early part of this week.

I think that we people in Kenya, and with regard to the fact that we have committed ourselves to socialism, must take some steps to prove to the general public that we are really going towards socialism. Take public utilities like transport or breweries for that matter; nearly everybody drinks, but most of the profit goes to England and other countries. I think we must have these big companies like East African Breweries nationalized, so that whatever amount is spent on drinking, the Government gets the full revenue, and I do not think that it would be better for us to pretend that we are going towards socialism when in fact we are not. The public must be told in no uncertain terms whether our Government is going to work towards capitalism or socialism. We should not be kept in the dark, because the more we do that the more the public might be ousted in another way. Somebody will probably come out and say, "Now look, your Government promised you socialism, now some of the Ministers are buying big farms and big houses."

An hon. Member: What about Members?

Mr. Bala: I do not deny that, but if on the other hand we are preaching socialism, and at the same time we find people buying big estates, what sort of socialism is that? It is not the kind of socialism that we want. We would like our Government to be specific. If we find that the capitalism is good we go towards it; and if we find that socialism is good we go towards that. The ordinary businessman is worried. The ordinary businessman in the country is worried about these slogans. Most of these businessmen are worried about these new slogans we are using. Some of them cannot develop their business because they think one of these days they might be nationalized when they try to implement socialism. So we must tell these people specifically whether we are going towards socialism or capitalism, because you cannot have it both ways.

The other point which I would like to bring before this House is the question of schools.

MOTION FOR THE ADJOURNMENT TO A DAY OTHER THAN THE NEXT NORMAL SITTING DAY

The Minister for Justice and Constitutional Affairs (Mr. Mboya): On a point of order, I hate to interrupt the hon. gentleman, but we have now had two hours of debate on this Motion, and it is time for the interruption, and I want to move that the House do now adjourn.

In moving this Motion, the House is already aware that Government intends, with the permission of the House, to ask that we adjourn as from today until Tuesday, 28th July 1964. The reason for this adjournment must be obvious to Members, but it is because—

Mr. Masinde: What is it?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): —may I say to some Members—

Mr. Masinde: Oh, yes!

The Minister for Justice and Constitutional Affairs (Mr. Mboya): —including the Leader of the Opposition who knows the reason for it. It is because the Prime Minister accompanied by a number of Ministers—

An hon. Member: Who?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): —I will name them if the hon. gentleman wishes—

Mr. Alexander: Yes.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): —will leave Nairobi tomorrow morning in order to attend the Commonwealth Prime Ministers' Conference in London, and after that Conference which ends on the 15th July, they will travel to Cairo to attend the Conference of the Organization of African Unity which ends on the 25th July, and the Prime Minister and his party return to Kenya on 26th July. The Tuesday after that, which is the 28th July, we intend that the Parliament should be reconvened. The Ministers accompanying the Prime Minister on this occasion will be the Minister for Finance and Economic Planning, the Minister for Education, the Minister for Health and Housing, and the Minister for Justice and Constitutional Affairs, for the entire period in London and thereafter for the entire period in Cairo where they will also be joined by the Minister for Pan African Affairs. I am sure that the House will agree with this Motion, as it is important that during the discussion on the Budget, and

especially when we come to discussion of the Heads, the Ministers concerned should be here. The House has consistently asked that Ministers should be present when they debate important matters. They have also consistently told us that when we know that we cannot be here we should conveniently arrange the sittings so that we are always here, in the words of my hon. friend on the Opposition who is now shaking his head, and that is precisely what we are going to do. I am given to understand that the intention to move this adjournment has been—

Mr. Bala: On a point of order, I would like to seek your guidance, because I have not concluded my speech. Am I not to be allowed to resume?

The Speaker (Mr. Slade): Yes, when the debate is resumed, there is one more day for it, and you will be allowed to finish.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): I was just going to conclude by saying that I am given to understand that the Opposition has been advised of this intention, advised and asked to agree with this arrangement. I do not see the Deputy Leader here, but he had a discussion with the Prime Minister, and he has agreed. Whether the chain of communication works in the Opposition or not, I do not know.

Mr. Speaker, I beg to move.

The Minister for Information, Broadcasting and Tourism (Mr. Achieng-Oneko) seconded.

(Question proposed)

The Speaker (Mr. Slade): I would remind hon. Members that we are limited by the resolution of the House to one and a half hours for this debate, and every Member is limited to five minutes in speaking.

Mr. Ngala: Mr. Speaker, Sir, I would like, on behalf of the Opposition, to oppose this Adjournment Motion. The only reason why the adjournment is required is because a group of Ministers, including the Chief of Government, is going to attend the Prime Ministers' Conference in London. I do appreciate that, that the hon. Prime Minister should go ahead and attend the conference. However, Sir, Kenya is not the only country with a Parliament, and Kenya is not the only country which is sending Ministers or Prime Minister to this conference. In Tanganyika I understand the National Assembly is going on, and in Uganda too.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): The President never sits in the National Assembly.

Mr. Ngala: He is taking two Ministers with him. Mr. Speaker, I think we should continue with the House despite the absence of two or three Ministers in this House. Their Votes can be taken later on. We have fourteen Ministers with fourteen Votes, and we can start with the Votes whose Ministers are here, and discuss those until the other Ministers return. The Vote of the Minister for Justice and Constitutional Affairs can be discussed when he comes back. The Votes of the Minister for Education and the Minister for Health and Housing, their Votes can come later on. Therefore, I think there is no need for the hon. Prime Minister to take so many Ministers, because I believe he can represent this country himself, with the assistance of one or two people. However, now, eight Government officials are going. I think we need to continue. This Government is notorious for wanting to go on without the assistance of Parliament. Therefore, we submit very strongly, Sir, that the absence of four Ministers does not stop this House going on with the other Votes, because the other Ministers are here. We do not want to go on without the Parliament sitting. Perhaps the Government feels that they have the Vote-on-Account money, and therefore they are free now to fly to London, fly to Cairo, and attend a political rally in Cairo and stay there. I think this is quite unfair. The Parliament should go on, because there are other Ministers here. There are Parliamentary Secretaries too. Why do they appoint Parliamentary Secretaries if they cannot stand in the place of their Ministers when the Ministers are not here? The Parliamentary Secretaries are not going, only the Ministers are. You call yourselves Junior Ministers when the Senior Ministers are not here, but you cannot act. It is time you resigned if that is the case.

The Speaker (Mr. Slade): Order, Mr. Ngala.

Mr. Ngala: Mr. Speaker, these Junior Ministers must work and take the place of their Ministers. They have Permanent Secretaries who can advise them, and the Parliament can go on in spite of the absence of the four Ministers. I am sure the Back-benchers from both sides will support me on this matter because Parliament must go on. I am not satisfied. I agree that the hon. Prime Minister must go and represent Kenya in this. I agree he is capable of representing Kenya probably with two people advising him. The group that is going is not necessary, it should be reduced. It is unnecessary expenditure of the taxpayers' money, and should be reduced. However, I feel strongly that my friend, the Minister for Constitutional Affairs, is

talking weakly this morning because he knows he has put a very weak case across.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): I have not.

Mr. Ngala: He, himself, has a Parliamentary Secretary who is quite capable of standing in his place and telling this House what is happening. We have many other Parliamentary Secretaries; we will be having a Deputy Prime Minister, I suppose, in the absence of the hon. Prime Minister. The Deputy Prime Minister can act and lead the Government side in this House. Mr. Speaker, Sir, if the chain of Government is working well, this should not affect the House at all, and the House should not be adjourned, it should go on.

I see my time is up, but I think the House will appreciate a continuation of the Session.

Mr. Masinde: Mr. Speaker, Sir, I rise to oppose the Motion for the adjournment of the House for the very simple reason which has already been given to this House by the hon. Leader of the Opposition. What is important in this country now is that we do not waste any time. We know very well that we want Kenya to be heard in big meetings outside, and we know very well that a few people could represent Kenya at any conference anywhere in the world. That is why we have the Prime Minister going out. When we have other Ministers here who are capable of acting for other Ministers who are away, it is definitely necessary that we continue. Sir, we are being told that we should go home. Going home will take some time and so will coming back. When we came back, after a few days, you will find that the hon. Ministers will come and say that because this has happened, we are adjourning the House, and they come with these excuses every day. If this is going to continue, how are we going to run this country? Could we be told if there are only four or five Ministers running this country? If only those Ministers are running this country, and when they go away we have to adjourn the House, we will accept it. The rest are staying here, plus their Parliamentary Secretaries and all the Permanent Secretaries who are expert in the various Ministries, and they are being left in the country and they are capable of advising these people on how to run the affairs of this House. What is important here, Sir, is that we should go very quickly through the Votes, in the time there is ahead of us, and after that, say in two weeks, have a recess. Particularly from the Kadu side, there are a lot of questions which we have to answer in the constituencies, but we do not have the answers at all because when we resumed recently nothing had

[Mr. Masinde]

been done, although we have had the Budget speech, but we are still discussing what is necessary or what could be carried out in even one year's development plan. If we adjourn now and go back to our constituencies, we are going to cause more trouble—

An hon. Member: Are you?

Mr. Masinde: —because it will mean opposing the Government, telling people that the Government is doing nothing, that they have adjourned the House before they have finished the business they have on the Table, on one year's development programme.

Because of this, Sir, it is necessary to continue with the sitting until such time as we finish debating all the Votes, and every Head. Thereafter if we adjourn the House it will be better because we shall know the position of the Government machinery and we can explain it to our constituents.

Mr. Speaker, I beg to oppose.

The Parliamentary Secretary for Health and Housing (Mr. Argwings-Kodhek): Mr. Speaker, Sir, before I support this move of adjourning the House, I notice that we had exactly two hours of debate this morning, which according to Standing Orders gives us a day. I am certain that less than thirty-five Members have spoken on the Budget debate, and I am wondering whether Members of the Sessional Committee will think again when they meet, and instead of allowing a single day at the end we might have an extra day.

There are very good reasons for adjourning the House today, Mr. Speaker, Sir, apart from the fact that the Prime Minister is going away and above all apart from the fact that only last Friday certain Members of the Opposition were very vocal in attacking the absence of people on the Ministerial Benches here when important matters are being discussed. There are important matters being discussed because we have a Budget here with a plan, and I am sure this plan has not been digested by most of us, and when I say "us" I include Argwings-Kodhek.

An hon. Member: You are incapable of understanding it.

The Parliamentary Secretary for Health and Housing (Mr. Argwings-Kodhek): That is apart from the fact that you are more incapable.

This is a beautiful breathing space for all hon. Members to go back to their constituencies and explain to the people what they see—

Mr. arap Moi: What?

The Parliamentary Secretary for Health and Housing (Mr. Argwings-Kodhek): About the money shortage in the Kano irrigation scheme. Mr. Speaker, Sir, those are some things which we might very well do usefully while the Parliament is in recess over these twenty days.

Now, Mr. Speaker, I wish to take the strongest exception to insinuations made by the Leader of the Opposition when he said that Parliamentary Secretaries should work. He insinuated that Parliamentary Secretaries are not working, and this is not a fact. As a matter of fact, Mr. Speaker, Parliamentary Secretaries are working day and night to help this country to go ahead. However, the fact that they are called Parliamentary Secretaries and not Junior or Deputy Ministers is the responsibility of some people I see across here. We were in London for nine weeks, more or less, and the Leader of the Opposition was very strongly against changing anything which might give leeway to any Government to have a free hand in making a Constitution which would be workable for Kenya. Parliamentary Secretaries are Parliamentary Secretaries, and without perhaps the necessary powers of deputies, because of the Constitution we were handed.

Mr. Shikuku: Question.

The Parliamentary Secretary for Health and Housing (Mr. Argwings-Kodhek): That is true.

The Speaker (Mr. Slade): Order, order.

The Parliamentary Secretary for Health and Housing (Mr. Argwings-Kodhek): So, Mr. Speaker, I wish to add this, that this is a proper period, not for any recriminations, but if in the next Session, the Opposition agrees with us in taking certain steps whereby we might change the Constitution, we might be able to do certain things which would make Parliamentary Secretaries work harder or work obviously to the benefit of you all.

Mr. Speaker, I beg to support.

Mr. arap Moi: Mr. Speaker, Sir, the Government again has demonstrated their ignorance and—

An hon. Member: Question.

Mr. arap Moi: —ability to give lame excuses. The Parliamentary Secretary who has just sat down suggested that when the Prime Minister is out of this country there, will be no Acting Prime Minister. Is he now suggesting that when the Prime Minister leaves the country, there will be nobody acting in his place? Therefore, the

[Mr. arap Moi]

country must protest because of the Government's attitude. I gather that seven or five Ministers and three officials are going to London. That money might well be used for women teachers for whom the Government has abolished maternity leave pay. Although the Government is laughing, they might be faced with a strike on that point.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Are you inspiring one?

Mr. arap Moi: I am not an inspirer of such things, but this will come as a natural thing. Therefore, Mr. Speaker, I think the Government ought to mend its ways and allow the country to have the chance of hearing about what is happening. The country is deprived of this very chance by the mere excuse that some Ministers are going to London. There will be ten Ministers in the country. Why can those Ministers not handle affairs in the Parliament? This means that they are incapable of handling the country's affairs; this means that the Prime Minister, and the Prime Minister alone, is the only person who is capable of handling the affairs of this country, and the rest are incapable and need advice all the time, need the presence and the guidance of the Prime Minister.

Therefore, Mr. Speaker, I beg to oppose.

Mr. Khasakhala: Mr. Speaker. Sir, while I rise to support this Motion, I would like to make a very strong protest with regard to the number of people leaving Kenya to go to London. I do not see the reason why Kenya should display this number of Ministers in London at this particular conference. It is the Commonwealth Prime Ministers' Conference, I repeat, the Prime Ministers' Conference. Why can our Prime Minister not have one Minister with three other Members or the Attorney-General? Three is quite enough. Why should all these Ministers leave the country so that we have to adjourn the Parliament because of displaying five Government Ministers in London? It is unfair to the country.

Secondly, Mr. Speaker, I feel strongly that the country now needs all the Ministers here because the Pratt Report has not been discussed and teachers in this country have been ignored completely. If they are ignored like this, I think this money could be used for the teachers; it could be used to increase their salaries, they could have better living conditions and we would have a better standard of teachers, rather than it being spent on air fares for people going to see the rich people in London, and being spent on hotels and other things. I feel that this money should be set aside to increase the salaries of

teachers, not to be used on hotels in London or for travelling. They should use this money economically and send only three people to London for this Conference.

The last point, Mr. Speaker, is that I have been listening during the whole of this week to hear from the Minister for Home Affairs about this most serious and grievous incident with regard to one European who killed four precious lions, and whether he is going to be deported from this country immediately. I have not heard any statement about this. It is very shameful for a man who knows very well the value of lions in this country to use his gun and shoot them like that. We need these lions for our tourists, and we know how we value tourists in this country. It is right that this man should leave the country immediately. He did a very unfair thing to the animals. We have lost four good lions from our National Park.

Finally, Mr. Speaker, we are waiting all the time for this Government to tell us the method it is going to adopt as far as the nomination of the new chiefs is concerned, and we have not heard of anything at all. We had better be told clearly what the Government is planning to do about the new chiefs. The country has no chiefs now, and we know nothing about the nomination of the new ones.

With these few remarks, Sir, I beg to support.

Mr. Alexander: Mr. Speaker, Sir, we are all delighted that our Prime Minister is going to the Commonwealth Prime Ministers' Conference in London. This, Sir, will be the first time that Kenya has been represented at this momentous conference, represented in full capacity at this conference. Undoubtedly, this conference, more than any, will face almost with explosiveness the question of racialism in various parts of the Commonwealth, and if we are to equip our Prime Minister with the strongest weapons to deal with this in the conference, then we ourselves in this House and in this country must be absolutely certain that no finger can be pointed at us for racialism. Unfortunately, Mr. Speaker, in the last two weeks or so, and most regrettably in this hon. House, there have been very damaging and serious outbursts of racialism, and this is the very weapon that our enemies want to point at us to justify their own case. We, Mr. Speaker, must remove this from our midst if we are to give our Prime Minister the very greatest strength to answer this and to point fingers at other people in the Commonwealth by being able to say, "Come to Kenya and we will show you how it works. We can show you." We want our Prime Minister to be able to stand up

[Mr. Alexander]

at this conference and say, "Come and we will show you the world in miniature, we will show you how people of different races can work together for the good of a nation," and this is the finest argument we can give our Prime Minister.

An hon. Member: You are on the wrong side of the House.

Mr. Alexander: Mr. Speaker, it is no use us going on trying to conceal this very question in the words of "Africanization" or "the restoration of an imbalance". We have heard all that. That is now behind us. Let us dedicate ourselves from now on to a complete application for the good of this country of all of our citizens, and when I talk about this racialism, I am not only talking about brown and white and black people. In amongst our African people themselves there are races, and the world is just as anxious to see that this is working as an answer, for example, to the problem of the Congo. We know that a Luo is as different from a Kalenjin and a Masai as a Sicilian is from a Swede, and we must show the world that we have sorted out that problem as well. For this reason, I believe that we would strengthen our Prime Minister if the business of this House continued, so that messages can be reaching this London conference of how we are performing here to overcome this vast Commonwealth problem whilst the Commonwealth Prime Ministers are meeting in London. I believe in the next few weeks if we could go on in this House to restore some of the damage that we have done in our utterances of the last few weeks, it would be of great advantage to our Prime Minister.

Mr. Speaker, there is another good reason why I personally would like this House to go on working in the next few weeks. I have not yet collected all the money that I need for the Olympic Fund to send a team to Tokyo, and if only I had the hon. Members here I could tackle them one by one. However, I leave it to their good consciences!

Mr. Kamau: Mr. Speaker, Sir, I rise to support the Motion for the Adjournment for a very good reason. From the previous speaker, Sir, it is obviously understood that our Prime Minister is going to meet other Prime Ministers from different countries in Africa who are confronted with very difficult problems. I would like to say that this is the chance to give our Prime Minister the time to concentrate his mind on the discussions they are going to have in London instead of having the Parliament here where, probably, the hon. Members of the Opposition will bring very

unreasonable arguments which will cause a headache for our Prime Minister while he is abroad. Instead of thinking about the whole of Africa, he may divert his mind to Kenya. Therefore, Mr. Speaker, I think it is very reasonable that we should all agree that during the Prime Minister's absence the House should be adjourned. It will give a chance to the Members of the House, both the Opposition and the Government sides, to consider the Budget, discussion on which will only go on for one more day, so that we can gather material to bring to sum up the Budget debate.

Without going more deeply into this, I support the Motion.

Mr. Rurumban: Mr. Speaker, I stand to support the rejection of the Motion to adjourn the House. I do so for the simple reason that if facts are wanted this House should continue; we still have a lot of work to do in this House. There are many Motions still pending, they have not been debated. We want to be told whether this House is only convened when Bills are accumulating in every Ministry; is it then that the Government calls the House to work here, or is the country ruled by the views of this House? I had two Motions of which I gave notice about six months ago, and they have not come up yet.

An hon. Member: Mine was a year ago.

Mr. Rurumban: Not only that, Mr. Speaker, but there are many Motions of other hon. Members, and there are many questions. When are we going to have the replies to all of them? If, after we have met for a week or two, the House is adjourned, when are we going to have the chance to discuss all this?

Although we appreciate the pressure which our Prime Minister has, and we also wish him to consult personal friends, we feel that he is capable of doing so with one or two Ministers, but not with the whole group of perhaps five, six or eight Ministers. That way we have to spend a lot of money to send them overseas.

For these reasons, I support the rejection of the adjournment of the House.

Mr. Anyieni: Mr. Speaker, I fully support the Government in adjourning the House while the Prime Minister and the Ministers are away. We have gone for a long time, now, without being able to hold public meetings and sometimes we cannot hold these public meetings at week-ends. Now that the House is adjourning for three weeks, I think Members will have a chance to address public meetings in their constituencies. That is one reason.

[Mr. Anyieni]

The other thing I would like to say is that it would not have been necessary for the Parliament to close down if Parliamentary Secretaries had been given enough powers under the Constitution. We have been told that the Government is reviewing the Constitution, so we would like the title of the Parliamentary Secretaries to be changed to Deputy Ministers, so that when Ministers are away Parliamentary Secretaries can fully deputize for the Ministers.

Another point is that I would like to support my Government in the step they took yesterday in removing Pridgeon. We spoke here long ago and said that this man was no good at all. He had failed in carrying out his duty when the District Commissioner, Isiolo, was murdered in the Northern Frontier District. He was murdered some distance from Isiolo and they were driving in a Land-Rover along a rough road at approximately thirty miles an hour. This man could not do anything. He has means for informing Nairobi about what is going on in a minute; he has direct contact with the Commissioner of Police, and he failed. If he had done so, the Kenya Government would have sent an aeroplane to track these people. He failed in his duty, and I am only sorry that the Government did not see fit to prosecute him first, put him in a detention camp for some days, before sending him back to London. I support them for having removed him, but I think he is going to London and then will return to Somalia to support the Somalis.

I would also like to say that our Prime Minister, in going to London now, should go with the full confidence of the Kanu Parliamentary Group particularly, and that he should tell the British Government that we are against mere talk of being against apartheid in South Africa, while at the same time they are selling them ammunition, they are trading with South Africa, they vote against resolutions against South Africa; they vote against resolutions which are intended to bring the Vervoerd Government down. We want our Government to tell the British Government that we are not satisfied with mere words; we want the British Government and all the Commonwealth Prime Ministers to show by actions that they are completely opposed to Vervoerd.

Our Prime Minister should also tell the British that they must never allow that white-dominated Southern Rhodesia Government to take independence into their hands. He should warn all the Prime Ministers, and particularly the British Prime Minister, that if any step like that is taken, if the British Government allows Southern Rhodesia

to take independence, and to molest our people, the whole of Africa will fight against South Africa and against anybody who supports South Africa.

With those few remarks, Mr. Speaker, I beg to support the Government.

Mr. Omar: Mr. Speaker, I rise to oppose the Motion. I feel that we have a lot of Motions and questions which have not yet been answered, and I do not believe that when some of the Ministers are away these questions cannot be answered by the Junior Ministers. I understand that there are over 200 questions unanswered, and if this House is to adjourn until the twenty-eight of this month, when we go back to our constituencies, we shall not be able to give answers to all the questions which have been put. I am not surprised that my friend Mr. Anyieni is supporting the Motion because he was made to keep quiet a few days ago.

An hon. Member: By whom?

Mr. Omar: Well he was—

Mr. Khasakhala: On a point of order, Mr. Speaker, could the Member substantiate what he has just said?

The Speaker (Mr. Slade): Explain what you were meaning or withdraw it.

Mr. Omar: Well, I need not withdraw it, Mr. Speaker, and if he wants me to substantiate, it is a fact that a few days ago there was a suggestion by some Back-benchers that the salaries of Members was low and a Motion was to be moved but this Motion was withdrawn by some of the Members in this House and therefore, although Anyieni was not, he was a supporter of this Motion.

The Speaker (Mr. Slade): No, no, Mr. Omar, that will not do at all.

Mr. Omar: Well, anyway—

Hon. Members: Withdraw, withdraw.

The Speaker (Mr. Slade): Order, order. Hon. Members will please keep quiet when I am dealing with a matter of order. Otherwise there is no order in this House at all. Mr. Omar, this will not do. You have nothing to associate Mr. Anyieni with anything that you are referring to. You will please withdraw what you said, and continue with your speech.

Mr. Omar: Well—

The Speaker (Mr. Slade): Withdraw what you said.

Mr. Omar: All right, Mr. Speaker, I withdraw that.

Hon. Members: Shame, shame, shame.

Mr. Omar: Mr. Speaker, there are a lot of things which are happening in this country and another concerns the three National Assembly seats. Last year I moved a Motion in this House that the Government should withdraw some of their Specially Elected Members in favour of women National Assembly Members. The Minister for Justice amended the Motion and gave the impression in the National Assembly that whenever vacancies occurred in the National Assembly the Government would endeavour to get women into the National Assembly. I understand from the newspapers and from the wireless that the Government, which has a better chance of selecting the women National Members, have three men candidates. Instead of the Government fulfilling its promise, which they made last year, that whenever vacancies occurred in the National Assembly they would fill them with women National Members—

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, could I have your guidance, Mr. Speaker, if the hon. Member will give way.

The Speaker (Mr. Slade): Is it a point of order, or do you want the hon. Member to give way?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): I will seek your guidance on a point of order. Two aspects of the statement made by the Member, the first is that the Government was selecting candidates for the vacant seats, and the second one is that the Government made a promise that whenever there are vacancies, Government will bring in a woman Member. To the best of my knowledge—

The Speaker (Mr. Slade): That is not a point of order.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): I do not recall that Government made such a promise.

The Speaker (Mr. Slade): Oh, Mr. Mboya, you ought to know better than that. Order, order, I have spoken in this House about fraudulent points of order, and I do rely particularly on the older Members to set a better example.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): On a point of order, Mr. Speaker, what should be our course of action if,

in fact, a Member is referring to a debate that took place in the House in which he is asserting that a certain promise was made when we know that it was not made. In what point should we rise?

The Speaker (Mr. Slade): Reply when your turn comes to speak.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): I see.

Mr. Omar: Mr. Speaker, I now go back to the subject of the women National Assembly Members. I wish to emphasize that although the Government met last week and chose men candidates for these three National Assembly seats, I want to suggest to them that they should try to get women candidates elected in this National Assembly so that the interests of the women can be properly represented in this National Assembly.

The Minister for Finance and Economic Planning (Mr. Gichuru): On a point of order, Sir, I would like the hon. Member to substantiate the allegation. Where was this promise made, when was it made and by whom?

Mr. Omar: Mr. Speaker, it is a true fact that I moved a Motion on this subject and it is a true fact that an amendment was made and the impression was given that when vacancies occurred women National Members would be elected. I said "the impression was this" and you can read the HANSARD.

The Speaker (Mr. Slade): All right, but it is the end of your time, Mr. Omar.

Mr. Kibuga: Mr. Speaker, Sir, I wish to support the Motion on the Adjournment for a number of reasons. One reason is that the hon. Members this week and last week, or rather for the last three weeks, have been raising a lot of points and they expect these points to be answered by the Minister for Finance when he comes to reply. The Minister for Finance is one of the Members of the Delegation going to London and so if we expect our points to be answered quite well, we should support the Motion for Adjournment so that when we resume he will have time to reply. Another reason, Mr. Speaker, Sir, is the fact that quite a number of Ministers will be away from the country. As a result, you will find that every Minister will have two duties, he will perform the usual duties of his own Ministry, plus the duties of the other Minister who is away. If we say that we are to continue with the sitting of the House, we shall expect these Ministers to

[Mr. Kibuga]

be attending the debates and at the same time to be attending to their normal duties and to the duties of the Ministers who are away. So I am sure that we should agree that it is a good idea to adjourn the House. However, Mr. Speaker, while adjourning this House, I would like to point out one thing for the Ministerial Delegation to consider while they are in London. Last week and this week we have seen some very bad example in this House of tribalism and racialism. There have been some people opposing tribalism, opposing racialism, but when it came to the time for correcting, instead of correcting they only created more problems. We expect, Mr. Speaker, that while our Prime Minister is away in London with some of the other Ministers, while we go back to our constituencies, this will be the time for our Constituency Members and the National Members to explain to the public exactly what the Government is trying to do. The other thing is that if we are opposed to tribalism we should not, of course, create more tribalism or more hatred among the tribes. At the same time, Mr. Speaker, we should remember that this time, when we have a chance to go and visit our constituencies, it should be the right time for us to go and explain exactly what the Government is planning for them. We should read the Development Plan very carefully and, after reading this Development Plan, we should explain it to our people so that they will be in a position to do things for themselves. From now onwards, we should give them an example and then they should not expect the Government to do everything for them. What they should do is see that the Government has planned and the people and the Members themselves have a duty to do what they are supposed to do on their part.

Another point, Mr. Speaker, is that I hope the Ministers, especially the Minister for Education, will remember that we have been talking about self-help schemes. In some districts people have helped themselves. In other districts they have done less. I think where you find people have done their own self-help schemes, they should be given encouragement by the Government. For example, in Kirinyaga District—which is one of the newest districts in Kenya—our people, the members of the coffee society have managed to build all their own six secondary schools from the money from their own pockets and the Government should do something to show that helping oneself is worthwhile.

Mr. Speaker, I hope the Government will not discourage the people who are helping themselves. Thank you.

Mr. Pandya: Mr. Speaker, Sir, the reasons have been given by the Government for adjourning this House, but I am sure the hon. Members will agree with me that the reasons are neither adequate nor sufficient for such a move.

I think the hon. Members should share this opinion, that it is not inevitable that the House has to adjourn. The Minister for Justice did say that the Deputy Leader of the Opposition was consulted about this. The Government knew that there was going to be a Prime Ministers' Conference in early July, they knew that the Prime Minister with some Ministers were going to London, and still, when was the Sessional Committee informed of the date? Only on Tuesday of this week. The Chairman of the Sessional Committee unofficially consulted the Deputy Leader of the Opposition—who is also a Member of the Sessional Committee—to agree to a request from the Government for the adjournment of this House.

Now, Mr. Speaker, when the Government knew that they were to attend the Prime Ministers' Conference, why could not the Sessional Committee have been informed earlier? The Sessional Committee was planning its work for the House right up to the end of July and then were faced early this week with the request that the House should adjourn. We were told at that time until the 4th August, and now the Minister for Justice has brought it down to the 28th July. Mr. Speaker, this is another aspect of the question of the dignity of this House and the Members should be told when they should be free and when they should be available to attend the meetings of this House. I think we have also to think of the staff who have given us such excellent service during the year. It is traditional for them to go away during the August holiday and I do not think I can understand it. Mr. Speaker, if there was an emergency and the House had to adjourn, that would be different, but I do not believe that the absence of the Prime Minister from this House is an emergency. Indeed I did say, Mr. Speaker, that the Ministers should be available as much as possible in this House and I am sure with five Ministers gone there will be twelve Ministers left in this House, and if they had a little bit of discipline among themselves, more than half of them could be in this House instead of the usual thing which you find, which I need not repeat, Mr. Speaker. That is why I say that it is not necessary that this House must adjourn today until the twenty-eighth of this month.

Mr. Speaker, I very strongly support the words that were echoed here this morning by my friend the National Member, Mr. Alexander. I am sure most of the Members share those feelings. As far

[Mr. Pandya]

as I remember, we expressed similar feelings several days ago. Mr. Speaker, what we want is not words only, we want action and a dedication to those high principles from every Member of this House. That should be our practical demonstration of our belief and we should be strong and we should strengthen the hands of our Prime Minister when he sits in the London conference; when he is fighting for the rights and justice of human beings; when he is condemning South Africa and other countries; to be able to tell the Commonwealth Prime Ministers that here we have a country where we treat our citizens and where we practise the high principles of what we are preaching to you at this conference. That, Mr. Speaker, would be a practical demonstration of our faith, and I know we are sincere, I know that the Ministers are sincere, I know that the Government is sincere, and that we should be able to say this with greater confidence and with a greater show of our belief in the faith that we have so often proclaimed, not only in this House but in this country.

It remains finally for me to wish, on behalf not only of myself but I am sure my friends in the Opposition would wish to join me, good luck to the Prime Minister and his party in the great tasks that lie ahead, to strengthen the bonds and the friendship of the Commonwealth which is one of the sure foundations of peace, prosperity and stability in this country and that Kenya can show that we can contribute to those great ideals.

Mr. Speaker, I was not surprised when the hon. Mr. Anyieni wanted to support the adjournment of the House, because I understand he is going to London himself! It is no use asking me to substantiate, but probably the Government would like either to deny it or confirm it.

Mr. Mbogoh: Mr. Speaker, on this Motion I would give a few hints to the Ministers who are going to this conference, and to tell them that when they go to the conference with the Prime Minister they should first of all discuss Kenya's stand in international affairs. That is, they have always said that Kenya is not affiliated to the West and is not affiliated to the East, but today I find that some of the Ministers are going to the West and some are going to the East. In this case I hope that when they go there they will be able to come back and tell us that at the conference they stood as Kenya people and not as the West and not as the East. Mr. Speaker, the only thing that I am opposing is the large number of Ministers going to this conference. I would like the Minister who moved this Motion

to stand up when replying and tell us how much money will be spent by these Ministers and then we can calculate and see whether this money would be enough to give some Masai people one bore-hole. Mr. Speaker, this money is taking quite a big group of people to London, but when we need this money so much, I think it is most unnecessary. Here again I would like to know whether it is possible for the Ministers to pay for their own transport to London, from their own pockets as I know that they have a lot of money elsewhere.

Then, Sir, the only thing that I would like to ask is that this Government has done something and that is the deportation of a police commissioner, assistant commissioner, or a police officer, I am not sure what he is and I do not care. I believe that they have done it for the best interests of the people but it is not enough. They have killed only one small snake and there are many more small snakes to be killed. Mr. Speaker, when the Ministers go to London, to those who are remaining here I would like to give a warning. When they come here they should come with a changed attitude. For example, today we have Junior Ministers and when these Ministers go to London they leave their Ministry to another Minister who is already overloaded. What is the use of the Junior Ministers, then? Give him a free hand and let him take charge of that Ministry while his Minister is away. Mr. Speaker, it is stupid to have somebody near you and then when you go away he does not know anything about the job. When the Ministers go away they leave their Ministry in the charge of somebody else.

Mr. Speaker, when these Ministers go to London I hope that they will raise the question of the outflow of money from this country. The British people in this country have on the whole got big farms here and when they trade here they get the money and send it back to Britain and then Britain gives us more money and they send it back again. Let us hear from these Ministers whether they will negotiate with the British Government to see that this money should remain in Kenya and be controlled by Kenya and not be sent back to Britain by the same people.

Mr. Speaker, I beg to support.

Mr. Theuri: Mr. Speaker, thank you very much. Before I say which side I am on, I want to say what I have in my mind. Within a short time we are going to adjourn the House and go for a holiday, but, Mr. Speaker, we have a lot to do and I believe that if we have to adjourn the House now, within a short time this country is

[Mr. Theuri]

going to have to lead a delegation to the United Nations in September, in fact. Again we shall be called to adjourn the House because certain Ministers will have to lead the delegation. We have to take into consideration that we have a lot to do. We have left a lot of the business unfinished and again, the Estimates of the various Ministries have not been touched. There are other Bills lying on the Table which also are not touched. What we could do is that we could deal with the whole lot of it with some of the Ministers and the Junior Ministers. These things we can discuss ourselves. I think this is the first time the Kenya Government has attended the Prime Ministers' Conference of the Commonwealth. We have no idea when the next time will be. The Prime Ministers' Conference is not like any United Nations Conference, it is a meeting of the Prime Ministers of the former colonial territories who are just going to meet and say, "Hello". They are not going to discuss anything, they are not going to negotiate anything—

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okello-Odongo): Mr. Speaker, Sir, can the hon. Member give way?

Mr. Theuri: No, I cannot. This is not a very important conference and instead of encouraging all the Ministers to go with the Prime Minister, which is just a waste of time and money, all that we need to do is to allow the Prime Minister to go, and take with him only one or two others. The rest should remain here. All of them going is a waste of money and a waste of time. The Junior Ministers could be put in the situation which they are longing for, that they should be made Ministers in the absence of their Ministers.

Now I come to the question of tribalism. I think this question has come in the House and it has been the fault of many of the Members. The Members have been shouting at one another on the question of tribalism. We have mentioned again, on the subject of the Prime Ministers' Conference, that some of the Ministers are bound to be asked how the question of tribalism is going on in Kenya? The Members take everything lightly here, but outside they do not take these things lightly because they think that the Parliament is the supreme body in the whole country. Now the Prime Minister and the Ministers are going to represent the nation, and if they are going to represent the nation we know that in Kenya we have a lot of communities, we have the European, we have the Asian, we have the Muslim, we have every community in

this country and in our Constitution we have given the right to anybody to become a citizen of this country.

We cannot plan an Africanization programme and say this is an Asian and this is a European. Are we going to condemn South Africa for apartheid, and say that we want the whole nation to be one? This is one thing we have to realize. Either we make it quite clear in this House whether we are speaking with a twisted tongue or if we mean what we say. Therefore, in that—

The Speaker (Mr. Slade): That is the end of your ten minutes, Mr. Theuri.

The Parliamentary Secretary for Education (Mr. Gachago): Mr. Speaker, Sir, I rise to support this Motion.

An hon. Member: As usual.

The Parliamentary Secretary for Education (Mr. Gachago): I hear, "As usual". I do not know if anyone expected me to support because I do not have my own personal convictions.

An hon. Member: He was promoted.

The Parliamentary Secretary for Education (Mr. Gachago): Mr. Speaker, Sir, the reason why the House should be adjourned is obvious. Coupled with the departure of the Prime Minister and a number of Ministers, there are other reasons why this House should be adjourned, and hon. Members should go back to their constituencies and do a bit of work, including myself. Ever since the Budget was tabled in this House, we have not had time to go back to our homes and explain to our constituents, the people who elected us, about this Budget, to tell them exactly—

Mr. Khasakhala: Why do you not go back at the week-end?

The Parliamentary Secretary for Education (Mr. Gachago): I know there are some people who want to stay, Mr. Speaker, I do not. The people at home, those we represent here, want to know exactly what the Budget offers. It has been hailed as the best Budget, it has been accepted by businessmen, it has been accepted by people in various walks of life, and by the Back-benchers and the Opposition. It is time that we went to our constituents and told them why this Budget has been so widely accepted.

An hon. Member: That is only propaganda.

The Parliamentary Secretary for Education (Mr. Gachago): Mr. Speaker, Sir, I am entitled to my speech, just like you.

[The Parliamentary Secretary for Education]

As this is the first Conference of the Commonwealth Prime Ministers to which our Prime Minister is going, it is the best and first chance for young Kenya to display its nationhood, to display the fact that it has become independent, and can share with other countries of the Commonwealth all we need to share. I do not see that it is necessary that all Ministers should go to this conference, but the Prime Minister and the Government has told us from time to time that the Government and all its machinery has a collective responsibility, and as such this collective responsibility must be displayed on an occasion like this, when for the first time since Kenya has become independent our Prime Minister is going to meet the other Prime Ministers of the rest of the Commonwealth. Sir, we also have other local problems to solve here during the golden opportunity when the House is in recess. We read in the Press the other day that our teachers are threatening to strike, they have said they want more money, and I have heard in this House people saying that our teachers should be given better salaries. I do not object to that, and I am sure that everybody agrees that, not only the teachers but everybody else in this country should be given a salary to make both ends meet.

An hon. Member: What about maternity benefit?

The Parliamentary Secretary for Education (Mr. Gachago): Mr. Speaker, the condition of the hon. Member does not warrant a maternity benefit!

The Speaker (Mr. Slade): I am afraid that is your last shot, Mr. Gachago.

Mr. Kase: Mr. Speaker, Sir, I think some of the Members who are supporting this Motion are confusing various matters. Nobody has said that the Prime Minister should not go, but the question is, how many Ministers are going? If we have Prime Minister, and a few others, that is enough; the Prime Minister and some of his legal advisers such as the Attorney-General and someone else, instead of having five Ministers going. They are going to do nothing in London. All they will do is as usual go to night clubs.

The other point is that we must be able to control our money properly if we are going to display the nationhood of Kenya. It is not a question of showing the Ministers off only; it is displaying the nation of Kenya, and the Prime Minister is enough to display Kenya. If that is not the case, let the Ministers tell us.

Another point, Mr. Speaker, is that some of these people who are here have not yet been

able to solve the problems in Kenya. Some hon. Members are saying that this is the time for hon. Members to visit their constituencies. If somebody is worried about £10 for the Kano Plains, what is he going to say in a public meeting? He has not yet had a reply. No reply has been given. What is he going to say at a public meeting in Nyanza? We know that there are people suffering through the floods, through the *Shifta*; the Government should have told us what they are doing about it. This morning I received a telephone call from Lamu; there are 3,500 people lying on the seashore. The Government has just kept quite about it. You are flying to London, you are adjourning the House, and you tell us that you are doing something. These are the things we want to know.

The Speaker (Mr. Slade): Address the Chair, Mr. Kase.

Mr. Kase: These are the things we want to know. These people are on the seashore.

An hon. Member: What are they doing there?

Mr. Kase: Just a minute and I will tell you.

The Speaker (Mr. Slade): Mr. Kase, you must remember to address the Chair.

Mr. Kase: Thank you, Mr. Speaker. There are many people who are suffering as a result of the *Shifta*. They have nothing to eat, they cannot plant, and this Government is just sitting here. All they can do is send five Ministers to London, instead of taking that money and giving it to those people who have no food.

The Speaker (Mr. Slade): Order, order.

Mr. Kase: Mr. Speaker, there is something else very confusing here, and this is very serious. I want the Minister to tell us clearly. I look a very embarrassed man when I am told that these things go back to the region; when I go to the region, the Regional Government Agent tells me that we have no money. Then there is a responsible Minister telling you to go back to the region. The region has no money. They have made a statement that the transition period has been extended up to 31st December 1964. Now, which ruling are we going to obey? They know the region has no money, and this we have been told by the Minister here. All this money has been withheld by the Minister. They tell us to go back to the region, but they know the region has no money, so all they are doing is keeping people in suspension. It is completely useless when, as a responsible man, you know you can make things right and then all you hear is, "Go back to your region, I do not want regions." Now, the intention of the Government has been declared. The Government

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has said they have not got this. Why do they not come out in their true colours and say that from today they do not want regions. Why do they keep us in suspension? This is what we want to know. If the Government is worried that if they scrap this there will be trouble, then they should not keep us in suspension.

Mr. Speaker, I am not saying that I dislike regions or I like them. I am not saying anything of that nature. I was not there when the Constitution was discussed. It is time Government made its position clear, so that people know what this Government is talking about.

Mr. Gatuguta: Mr. Speaker, Sir, I wish to support this Motion, and I do not wish to waste time by repeating some of the points which have been made by the Members because I think some of them are not very important: others are very obvious, and we have to adjourn the House. However, I ought to make one point very clear, and that is the point which has been raised by the hon. Mr. Alexander and another hon. Member about racialism in this country. Let it be known by the whole world, and by some of the ignorant Members in this House, that we people in this country will stand very firm on democracy and we will make quite sure that all the people in this country who wish to live here will have equal opportunities. At the same time, we are going to be very firm, and I think our Government has made this very clear, with people who have two legs, one leg in Kenya and one leg outside. This type of person is going to be dealt with by our Government very firmly, and the Government will use its own powers of deportation and restriction on these people. Personally, I feel that the people who are loyal to this country, the people who want to work for the development of Kenya, the people who want to help the Africans to improve their own positions, will have an opportunity to do so and will have the freedom to stay in our country. I want to make this very clear. When we talk of things like Africanization—

Mr. Pandya: You support us.

Mr. Gatuguta: —when we talk of things like removing imbalances in trade or in anything else, we do not mean that we do not want other people. This is what we want to be understood clearly. All we are trying to say, what we are asking, is that the people who have been oppressed for many years should be given the opportunity to rise up; we are not going to tolerate discrimination in our country, we are not going to tolerate exploitation.

Mr. Alexander: Either of black or white.

Mr. Gatuguta: If the Europeans and Asians want to stay here, in this country, then they must prove that they want to stay here by their own actions, by their own words. I know that some of the Asians, if you go in the shops, push the Africans around and tell them, "All right, you have freedom. What sort of freedom. We have the money, we have the control of the trade." There are even some European settlers who are telling the Africans his sort of thing. I warn these people very strongly, that we have given them a chance. We are making an experiment in democracy and racial harmony, and if it is to be successful they must co-operate fully in the spirit of *Harambee*. We are ready to act and we shall act strongly. There should not be misunderstanding about the position. Our country welcomes everybody here, but we want people of good will and understanding.

With those few words, Sir, I beg to support.

Mr. Jahazi: Mr. Speaker, Sir, I would like to support the previous speaker, because one of the most burning problems we have here concerns race relations.

An hon. Member: Tribalism.

Mr. Jahazi: This is not tribalism, it is racial relationships. The policy of this Government is to form and unite the different races living in this country as one people, Kenyans. At the moment we Africans, as we have done before, have extended a hand of friendship to every community which lives in Kenya so that we are one. We should not differentiate between the races but regard ourselves as Kenyans. The Prime Minister has devoted all his time to bridging the gap between brotherhood and friendship, but, Mr. Speaker, Sir, I want to ask, with due respect to other races, how many people have taken that hand of friendship? The Asian community and the Asian leaders today, when we have adjourned, must consider and think deeply and see that they are not the angels that they think they are. They have so many faults and every time any leader tries to blame the Asian community, the leaders jump up and defend their community as if they were faultless, as if they were angels. It is that attitude which we do not want. We want the Asians to consider and to try to check their behaviour, the way they are treating the Africans, to see whether they are really faultless; at the moment we find a lot of faults with the Asians, with Asian behaviour and Asian attitudes. The Asians must not try to defend themselves as if they were angels and as if they were faultless.

[Mr. Jahazi]

Mr. Speaker, while the House is adjourned, the Asian leaders themselves must go back and try to check their records, try to check their activities, and try to correct this. When we blame them, we are not being racial, but they must know that the time has changed, independence has come and we expect change. Independence without change is nothing. Therefore, Mr. Speaker—

Mr. Alexander: They are not all bad.

Mr. Jahazi: The hon. Member is saying they are not all bad, and that is the thing we do not want. They say they are not bad, but we want them to check first and then come back here and say, "All this time we have been checking ourselves—"

The Speaker (Mr. Slade): Order, order.

Mr. Jahazi: "—and after checking we see that we are not bad." We do not want an immediate answer. There is no blame on the African; the Africans are the best people in the world. They are, Sir, they are the kindest people, the most hospitable people, because whoever came to Africa was welcomed as a brother. If we had not wanted anyone to come here, nobody would have been here at this moment. They would have vanished, we would have destroyed everybody. But people came with every religion, and you find African Muslims, African Christians, African this. Our hearts are clean, we are ready to call people brothers, but how many of these people came here to exploit us? Now, we have learnt the tricks. We want to warn these people, whoever comes to exploit us, that we know all the tricks of exploitation. All we want is brotherhood and friendship. If anybody thinks that we are the same old foolish people, then those people will suffer, Mr. Speaker.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, Sir, a lot has been said in this debate, and in fact, indeed, it is right, that this should be done. While sitting and listening to the very exciting statements made, I wondered whether we should not have many more of these adjournment debates, because it seems to give people an opportunity in five minutes to say a lot more than sometimes they say in thirty minutes.

First, if I may deal with some of the specific points that have been made, I think everyone on all sides of the House agrees that the Prime Minister should go to London, and that is no longer a disputed point. Some Members have, however, made the point that, in their opinion, the group of Ministers, the number of Ministers, going is more than they think is necessary. Mr.

Speaker, with respect, I respect the opinions of those Members, but they must realize that that is purely and simply a matter of opinion. In the opinion of the Prime Minister, on the other hand, and the Government, it is necessary that more than they think is necessary, that four Ministers should go. These conferences are not merely a question of sitting around the table and discussing a set agenda. They include also a lot of exchanges outside the conference room and with various technical experts who will come with the different delegations.

I hope that Members will listen instead of shouting.

We, especially as a new country, have a lot more threads to pick up than the older countries in these matters and, consequently, there is a need for us to be armed with many more advisers, perhaps, than countries which have been attending for the last twenty years or more, whose affairs are completely streamlined. For us, it will be the first conference, the first experience and the first contact with quite a lot of these people, and also with the problems that they are dealing with. Hence the need for the Prime Minister to be armed with a lot more advisers and persons who can assist at this particular conference.

Now, Sir, some Members have said that we could save this money and pay women teachers' maternity leave, and so on. These are very romantic ideas, but this country is not going to be run on romance, however much Members of the Opposition may desire it. If Members of the Opposition have nothing to offer except these romantic ideas, then, Sir, they had better begin looking around for better incentives to get women's votes than this kind of romantic idea in the House. Mr. Speaker, even if we stopped three Ministers from going to London today, we would not thereby save enough money to pay increased teachers' salaries or maternity leave for one woman, leave alone ten. This is not the point. The Vote which is used on this particular occasion is set aside for this purpose, and it cannot possibly be a saving to be used on teachers. There are those who ask us to declare how much will be spent. When we come back we shall be ready to do so, but we cannot declare how much we shall spend before we know how much we may be called upon to spend. It is the custom, and Members are entitled to know when we come back how much money has been spent, and that will be declared in this House.

Sir, I am sure that this House would like the Prime Minister, when he is in London and in Cairo, to carry the prestige and the status of this country with dignity. Let this House understand

[The Minister for Justice and Constitutional Affairs]

that the whole act of being independent is an expensive act; it is not something in which you say, "Let the Prime Minister go to London, ride on a bicycle, because we are trying to show the world that we are saving." What are we saving?

Mr. Speaker, I hope I can be given one or two more minutes.

The Speaker (Mr. Slade): With the leave of the House. I think the House would like to hear more.

Hon. Members: Yes.

Mr. Pandya: If he is constructive.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, I will try to be constructive.

In the course of the debate, I heard Members protesting very vigorously that by adjourning we are forcing them to go home.

The Speaker (Mr. Slade): I did not hear that from any hon. Members.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): I was merely going to say, Sir, that I always thought that there was no place sweeter than home and that everyone would be happy to go home, but maybe they did not say so.

On the serious side, a number of important points have been raised, but just before I come to them I want to deal with one point made by the Member for somewhere here. There was a suggestion that the Government had nominated three candidates to fill vacant seats. Government does not nominate candidates. Kanu as a party has nominated candidates.

The second thing is that Government has never made a promise that there will be seats in this House earmarked for women. We believe in our party that any woman who is going to be nominated must, on merit, qualify for such nomination, and women themselves have claimed the right of equality of treatment. They do not want to be treated as something special. They want to be treated as something equal to every other person, and we are going to give them that treatment of equality regardless. I am confident, Mr. Speaker, that our women are moving now to the point where a few of them are, inevitably, going to qualify to come into this House, and they will do so on merit. Our party is doing all it can to assist them to qualify to come into this House on merit, and we will continue to do so.

The two last points of importance which were mentioned and to which I would like to refer,

are those that the hon. Mr. Alexander made to the House. I hope that it is taken in the true spirit in which I believe he meant it, and that is that when the Kenya Government stands on any international platform, it should be able to say with complete conviction, and without any fear of contradiction, that we in Kenya will promote as we have always pledged the equality of man, the dignity of man, and fair play between man and man. It is on this basis and on this ground that we find it impossible to accommodate any racialist policies, any tribalist policies, any *apartheid* or fascism, be it by Vervoerd, or be it by the Portuguese Government. Mr. Speaker, these are questions on which there can be no double standards, and there is no question of any Member of this Government or supporter of it pretending that there can be any reason which might make us in any sense, in any sense, qualify our stand on these matters. Whatever is wrong in this country from other races is wrong and has to be corrected because it is wrong, but we cannot use it as an excuse to accommodate what is wrong by other nations. Sir, I say this with the complete authority of this Government, that, as far as we are concerned, when we talk against South Africa we will do so as strongly as we have done here in Kenya against the Asians or the Europeans who have wanted to practise racialism. Sir, I hope that the House is quite clear when we say that the racial problems of this country, or the tribal problems of this country, must be resolved within this country, but they must not in any case be used by anyone to seek to have this Government qualify its stand on such important and urgent matters as the struggle in South Africa, the struggle in Angola, and even the Negro struggle in the United States.

Mr. Speaker, Sir, I beg to move.

(The question was put and carried)

PERSONAL STATEMENT

SUBSTANTIATION OF ALLEGATION BY MEMBER

The Speaker (Mr. Slade): There is a point of order which I should like to clear up before the House adjourns. It was a matter of substantiation of an allegation made by Mr. Obok. He has alleged that in the Department of Police various officers of other tribes have been replaced by Kikuyu officers of less experience and lower standard. When he purported to substantiate the other day, Mr. Kibuga complained that there was no substantiation at all in what he said, and, on examination, I found Mr. Kibuga to be correct. So I have asked Mr. Obok to go further with his substantiation or else withdraw, and I think he is ready now to bring forward his substantiation.

Mr. Obok: I have said that in Kenya here we must guard against encouraging tribalism in the public service as well as in our Government and the police force. Otherwise we will be building a tribal police force which will not defend us in this country.

I was challenged by an hon. Member in this House the other day, and I brought my substantiation in this House which did not satisfy him, and I was asked for further substantiation.

Mr. Speaker, I submit the following details and facts: Bolsoi, a Kalenjin, a Senior Superintendent for twenty-three years as a Special Branch officer, and who attended police college in the United Kingdom. He has been removed from C.I.D. headquarters and is now an instructor at Kiganjo. Secondly, Shemechero, a Baluhya, a Senior Superintendent with nine years in the police force who was trained in Kenya. At the moment he is Deputy Director of Intelligence Services.

An hon. Member: Where?

Mr. Obok: In Nairobi. He is the only one. Peter Okola, 26 years of service, the first African Special Branch officer to be promoted Assistant Superintendent, is now Regional Commissioner in Nyanza Region. He attended the best police college in the United Kingdom three times. Henry Ochieng, Senior Superintendent, fourteen years' service, and attended police college in the United Kingdom.

I will go back: Hinga, Director of Intelligence Service, with nine years' service, a Kikuyu, trained

in Kenya, and he is now at the headquarters; Murithi, Senior Superintendent with eight years' service at the Headquarters, C.I.D., trained in Kenya; J. Kanyuto, three years, trained in Kenya. Further, there is Michael Arum, who, I think, has more than thirty years in the police, also trained in the United Kingdom; Francis Dola, with twelve years of service and trained in Kenya, was replaced by Mr. Kanyuto, a Kikuyu, who has only three years' service.

Mr. Speaker, I think I have satisfied the hon. Member who was on his feet in the corridors chasing me all the time.

The Speaker (Mr. Slade): I am sure, Mr. Kibuga, you want to argue about this, but I am afraid I cannot allow you to. As I have told hon. Members, substantiation means merely the hon. Member who has made the allegation producing the evidence on which he depends. The House then judges whether or not it is sound evidence. All that substantiation means is that the House is allowed to know why he makes the allegation. Mr. Obok has stated very fully why he made the allegation, and it is for the House to judge whether or not the allegation was justified, but we do not argue about it any more.

ADJOURNMENT

The Speaker (Mr. Slade): Now the House is adjourned until Tuesday, 28th July, at 2.30 p.m.

The House rose at fifty-five minutes past Twelve o'clock.

