

[Mr. Ngei]

District, and will he also tell us why it is impossible for the Government to have both, a mobile unit and also carry out improvement in the existing hospitals?

Mr. Mboya: Mr. Deputy Speaker, the hon. gentleman, the Member for Machakos North, has personal knowledge of this district and he knows the difficulties there because I have heard him speak very eloquently about them. One of the difficulties in the Turkana District is that they are not the same sort of centres or villages or towns as you have in other parts of Kenya, and the mobile units move according to the movements of the people. However, where centres have been established, such as Lodwar, Lokitaung, there are already hospitals; also in Loru-gumu and Lokori. The Government's policy is to increase as quickly as possible the number of mobile units, but at the same time to improve and expand the hospital and medical centre facilities.

The Deputy Speaker (Dr. De Souza): As we have a quite a number of questions on the Order Paper I think we had better move on to the next one now.

Question No. 490

AGRICULTURAL POOL FOR NEW SETTLERS

Mr. Kaggia asked the Minister for Lands and Settlement if, in view of the fact that European settlers sold seed, cattle and other agricultural requirements at prices beyond the means of the new African farmers in the settlement schemes, the Minister would consider establishing a pool from where the new farmers could buy all they needed at prices which they could afford.

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Deputy Speaker, Sir, I beg to give a somewhat lengthy reply. The allegations that only European settlers sell seed, cattle and other agricultural requirements to the new African farmers at prices beyond the means of the African farmers in the settlement schemes cannot be substantiated and, therefore, cannot be accepted. Mr. Deputy Speaker, there are other sources from where these new settlers buy their seed, agricultural requirements and so on. What is, however, true is the non-existence of an organization by the Government or any other body to organize the selling of seed and other agricultural requirements to the farmers at fair economic prices.

The suggestion by the hon. Member for Kandara, therefore, is a very good one and worth examining. As regards cattle, the Settlement

Department has established various stock-holding farms throughout the settlement area where the farmer can purchase a good animal at a slightly above-cost price. However, the farmer has the option of purchasing from any individual stock owner or any auctioneering firm he wishes.

I should also mention, Mr. Deputy Speaker, that when the schemes and co-operative societies get firmly established on a business footing, they should be able to sell various items to their members at slightly above-wholesale prices which could be of great benefit.

The House should, however, know that the budget for the various schemes are built on the prevailing market prices of cattle, fertilizers, seed, etc., and development loans are issued to enable the African farmers to purchase at such prices as to achieve the net income as budgeted for. Selling below the current market price, therefore, would call for someone to give subsidy. Our present financial position would not permit our Ministry to do this.

Mr. Kaggia: Arising from the first part of the Parliamentary Secretary's reply, will he deny the fact that in early schemes like Kipipiri and the Kinangop, the new farmers were not allowed to buy their requirements from any other places except from where arrangements had been made by the Settlers' Settlement Officers?

Mr. Nyagah: Mr. Deputy Speaker, Sir, I do not want to deny that this could have been the thing, but the question from the hon. Member suggests that since then there has been improvement.

Mr. Kaggia: As to the other question where he said, Mr. Deputy Speaker, that the Government has a pool where the new farmers can buy cattle, would the Parliamentary Secretary tell the House whether these prices are fixed by his Ministry, or the new farmers are left at the mercy of the Settlement Officers?

Mr. Nyagah: Mr. Deputy Speaker, Sir, the prices are just a little above cost price for a good *ngombe*, what one would get on the ordinary market. But if the hon. Member, Mr. Deputy Speaker, has a specific allegation that perhaps our Settlement Officers are over-charging the settlers, we would like to examine the case on its merit.

Mr. Seroney: Mr. Deputy Speaker, Sir, is the Parliamentary Secretary aware that—and I am quoting now from facts which I know—within those settlement schemes around my area and other areas—that the people appointed as Settlement Officers are the former settlers and that

[Mr. Seroney]

they go and look for their friends and they increase the prices so that where you make a private arrangement to buy cattle for Sh. 300, the Settlement Board charges Sh. 600?

Mr. Nyagah: Mr. Deputy Speaker, the policy of our Ministry is to try and make improvement and savings to the Government, and to Africanize as rapidly as we can and remove every maltreatment, maladministration that may be existing in the Ministry today, and although I am not aware of a specific case such as the hon. Member is trying to quote, general allegations of this nature have come to the Ministry's notice.

Mr. Kaggia: Mr. Deputy Speaker, is the Parliamentary Secretary aware that as a result of these high prices which are charged, some farmers get their loan exhausted before they even start developing their new land?

Mr. Nyagah: Mr. Deputy Speaker, Sir, the allegation in a general form has come to the Ministry and is being examined, but if hon. Members would like to help the Ministry and the Government, they should bring forward specific cases for specific examination to be dealt with.

Mr. Muruli: Mr. Deputy Speaker, in his former reply the Parliamentary Secretary said that the idea of establishing a pool from where the new farmers can buy everything at the prices they could afford was a good one, and that it would receive examination. Would the Parliamentary Secretary tell this House how long this examination is going to take?

Mr. Nyagah: Mr. Deputy Speaker, if the hon. Member from the other side had listened carefully, I said that the suggestion is a very good one and worth examining. It is not only my Ministry that is involved in this game, but the Ministry of Agriculture and all other Ministries, including the Treasury that are going to be involved, and therefore, for me to stand here on behalf of my Ministry alone and say we are going to examine the thing by such and such a date would be telling the House a lie.

Mr. Mutiso: Mr. Deputy Speaker, arising from that reply, would the Parliamentary Secretary assure this House that since this information has been conveyed through his own Ministry, he will make representation to other Ministries so that they could make arrangements for this particular case?

Mr. Nyagah: Mr. Speaker, Sir, what does examining a case brought to this House mean, other than consulting all the relevant Ministries to deal with the problems?

Mr. Wamuthenya: May I be assured by the Junior Minister, Mr. Deputy Speaker, Sir, whether he knows that the quality of the livestock sold to the farmers is of inferior quality?

Mr. Nyagah: Mr. Deputy Speaker, Sir, I am both surprised and confounded by the information that the hon. Members here have and bring to this House about the settlement schemes. The other day, Sir, we invited the hon. Members from both sides of the House to come and visit and see for themselves, ask questions, and we laid on transport for them; and of the sixty people also that had indicated they would like to come, only a dozen or so came; none from the Opposition. Mr. Deputy Speaker, Sir, if these people would like to get the correct information, not only from us in the Ministry, but from the settlers themselves, they should accept the invitations.

Mr. arap Moi: Mr. Deputy Speaker, Sir, is the Parliamentary Secretary aware that the Central Land Board purchases these farms, together with the cattle and, therefore, the settlers are asked to choose the cattle they want from among the cattle that were bought together with the farms. In this case the settlers have no choice other than to select from those which have been bought on the farms?

Mr. Nyagah: Mr. Deputy Speaker, Sir, when a farm is bought by the Central Land Board, all the stock, movable or immovable, is the property of the Government. Before the President makes his choice of who are to be settled, and it takes some time, the movable stock, in form of animals, are kept in a stock farm, and the Government has no alternative other than to try and dispose of that stuff which they have bought before going to buy any more from outside.

Mr. Anyieni: Mr. Deputy Speaker, the Parliamentary Secretary has just said that Government has already got established pools where people can buy cattle from. Will the Parliamentary Secretary tell us in the case of Sotik and Manga Settlement Schemes, where these pools are and why the people are coming as far as Nakuru to buy cattle for the new settlement schemes?

Mr. Nyagah: Mr. Deputy Speaker, Sir, I said that we have stockholding farms which belong to the Ministry of Lands and Settlement. It does not matter whether the farm is in Nanyuki or whether the farm is in Sotik, it is still all the same in the farms of the Lands and Settlement, and the people being settled can be provided with these animals, if they are good, from any of these stock farms.

Mr. Kiprotich: Mr. Deputy Speaker, Sir, in one of the Minister's replies, in one of the areas which I have visited recently, there were some cattle which were kept for the new settlers to be settled and they do not want to buy these cattle, especially from Muhoroni. Could the Minister agree that these cattle, instead of going to supply all those other places, shall be sold to people who are prepared to keep the cattle, especially in the Muhoroni area?

Mr. Nyagah: Mr. Deputy Speaker, Sir, this is the first time I have heard of this, but if the hon. Member has the details, I invite him tomorrow, at nine o'clock, to come to the Ministry, and we shall discuss this.

Mr. Makone: Mr. Speaker, Sir, would the Parliamentary Secretary tell this House what happens to a farmer who buys animals from the Board and then finds that these animals are not good milk producing animals? Can he bring them back to the Board and get other good animals?

Mr. Nyagah: Mr. Deputy Speaker, Sir, I do not know what happens when a farmer buys a cow which does not produce as much milk as expected. I think it is just too bad.

NOTICE OF MOTION FOR THE ADJOURNMENT

UNSATISFACTORY REPLY TO QUESTION NO. 490: AGRICULTURAL POOL FOR SETTLERS

Mr. Masinde: Mr. Deputy Speaker, Sir, in view of the fact that we have had a very unsatisfactory reply from the Parliamentary Secretary could I raise the matter on Adjournment?

Question No. 521

MR. BENBOW AS HOTEL MANAGER IN KENYA

Mr. Lorema asked the Minister for Home Affairs why the Kenya Government allowed Mr. Benbow to come to Kenya as a manager of one of the big hotels in Kenya after he had been declared an undesirable person in Tanganyika.

The Minister for Home Affairs (Mr. Odinga): Mr. Deputy Speaker, Sir, I beg to reply. The question is not entirely clear. If it is meant to imply that Mr. Benbow was declared a prohibited immigrant in Tanganyika, the answer is that Mr. Benbow was never declared a prohibited immigrant by the Government of Tanganyika.

Mr. Lorema: Mr. Deputy Speaker, Sir, is the Minister aware that Mr. Benbow showed an attitude of discourtesy and disrespect to African leaders in Tanganyika, and as such, was not qualified to be accommodated in Kenya?

Mr. Odinga: Mr. Deputy Speaker, I am aware of the incident to which the hon. gentleman is referring.

Mr. Towett: Mr. Deputy Speaker, arising out of the Minister's reply, will the Minister inform this House that in future he will follow the same procedure of accommodating people who have been declared undesirable in East Africa?

Mr. Odinga: I have said that this gentleman was never declared a prohibited immigrant in Tanganyika.

Mr. Muliro: Mr. Deputy Speaker, Sir, arising from the Minister's reply, that Mr. Benbow showed a sign of disrespect to African leaders in Tanganyika, would the Minister not agree with me that accommodating people who are undesirable in one part of East Africa is endangering our relations within East Africa?

Mr. Odinga: Mr. Deputy Speaker, Sir, I did not understand the hon. gentleman because he is the same man, who the other time, was actually blaming me for deporting some people. Now he is requesting me to deport people.

Mr. arap Moi: Mr. Deputy Speaker, Sir, is the Minister aware that Kenya also had a person who was declared a prohibited immigrant and who decided to go to Tanganyika and was accommodated there?

Mr. Odinga: I do not know whether he was asking a question or making a statement, but if he was making a statement, I am not aware of that.

The Deputy Speaker (Dr. De Souza): I think we are not going to get very far with this question. We will go on to the next question.

Question No. 526

NATIONALIZATION OF LAND

Mr. Ndile asked the Minister for Lands and Settlement if he was satisfied that the best interests of the country were being served by not nationalizing the land?

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Deputy Speaker, Sir, I beg to give the following reply. Yes, Sir.

Mr. Mutiso: Mr. Deputy Speaker, Sir, arising of that "Yes, Sir", would the Parliamentary Secretary agree with me that by not nationalizing the land, it will encourage the landless in this country to remain without land and therefore a lot of unemployed people will be robbing people of land?

Mr. Nyagah: Mr. Deputy Speaker, Sir, I do not agree with the hon. Member.

Mr. Ndile: Mr. Deputy Speaker, Sir, would the Parliamentary Secretary agree with me that by not nationalizing the land, the Government goes against the policy of socialism?

Mr. Nyagah: Mr. Deputy Speaker, Sir, the answer to that question is, No, Sir.

Mr. Gichoya: Mr. Deputy Speaker, Sir, would the Junior Minister agree with the House that he has contradicted what the Prime Minister said here, that under the new set up the local government land will be nationalized? In other words, taken from the county councils by the Central Government?

Mr. Nyagah: Mr. Deputy Speaker, Sir, I have not contradicted what the Prime Minister, the father of this nation, has said. I think the hon. Member did not understand the Prime Minister's English properly.

Mr. Muruli: Mr. Deputy Speaker, Sir, is the Parliamentary Secretary aware that the nationalization of land in this country will not be in the best interests of all the communities in this country?

The Deputy Speaker (Dr. De Souza): I think that has been answered already.

Mr. Kaggia: Mr. Deputy Speaker, Sir, will the Parliamentary Secretary agree with me that by allowing capitalists to own large amounts of land while poor Africans are starving is encouraging capitalism in this country at the expense of the poor Africans?

Mr. Nyagah: Mr. Deputy Speaker, Sir, I have no more information to give to this House besides the information which was ably given yesterday by the Minister.

The Deputy Speaker (Dr. De Souza): I think we have as much information as we can possibly have on this question.

Question No. 527

INTRODUCTION OF ELECTRIC TRAINS

Mr. Ndile asked the Minister for Works, Communications and Power if he would take early steps to recommend to East African Common Services Organization the introduction of electric trains in the transport system of the country?

The Minister for Works, Communications and Power (Mr. Mwanyumba): Mr. Deputy Speaker,

Sir, I beg to reply. The possibility of introducing straight electric traction—

Hon. Members: Speak up.

Mr. Mwanyumba: If you want to hear then listen.

The Deputy Speaker (Dr. De Souza): Quite right. Hon. Members should stay quiet.

Mr. Mwanyumba: Mr. Deputy Speaker, Sir, let me repeat the reply again from the beginning. The possibility of introducing straight electric traction on suitable sections of the railway system is assessed at regular intervals by the East African Railways and Harbours in the light of changing conditions of capital investment and traffic density. An assessment was made in 1957 and a more recent assessment was made in 1963. It indicated that for the Mombasa/Nairobi/Nakuru line, the capital outlay required would not yet be justified by the calculated rate of traffic growth over the next few years, bearing in mind other priority requirements for capital development. In the meantime, this electric traction has been extensively introduced over the Nairobi/Nakuru/Eldoret line and the Nakuru/Kisumu line. The possible advantages of straight electric traction are fully appreciated by the East African Railways and Harbours and the position is kept under standing review.

The Deputy Speaker (Dr. De Souza): As no hon. Member wishes to ask questions, we will move to the next question.

Question No. 529

RUSSIAN AID TO KENYA

Mr. Murgor asked the Minister of State, Prime Minister's Office, if he could tell the House the circumstances under which money given by Russia as assistance to Kenya was earmarked for Nyanza Central?

The Minister for Health and Housing (Dr. Mungai): Mr. Deputy Speaker, Sir, on behalf of the Minister of State in the Prime Minister's Office, I beg to reply. There has not been any money given to Kenya by the Soviet Union and there has not been any money from the Soviet Union which has gone to Central Nyanza.

Mr. Murgor: Arising from that reply, Mr. Deputy Speaker, would the Minister not agree with me that hospitals and technical trade schools are also money?

Dr. Mungai: Mr. Deputy Speaker, Sir, a hospital is not money and a technical school is not money, but if the hon. Member would like me to

[Dr. Mungai]

ask the question for him, I will do so and then answer it. We have had projects offered by the Soviet Union, a hospital, a technical college, a radio station, an irrigation scheme and several industrial projects. They have not gone to Nyanza yet, most of them are under discussion and they will go to the appropriate places. It is only the hospital that has definitely been decided to be built in Kisumu. The hon. Members, when it has been decided where other projects are going to go, I have no doubt, will be informed.

Mr. Murgor: Mr. Deputy Speaker, does this imply that any Minister who goes to negotiate for a project is negotiating for his own constituency, and in view of that, does that mean that many other districts who do not have Ministers to represent them in the Cabinet do not have a chance of negotiating for their constituencies?

Dr. Mungai: Mr. Deputy Speaker, Sir, the hon. Member is under a wrong impression. Although we had several Ministers taking part in the negotiations with the Soviet Union, they were there in the name of Kenya and not in their own names and of those, the Prime Minister was included as no dealings can be done without the Prime Minister's knowledge or agreement. There is no project negotiated by a particular Minister for his area. The whole Cabinet was involved in negotiating for this project and it is for all parts of Kenya and not for any individual region or constituency.

Mr. Masinde: Mr. Deputy Speaker, Sir, arising from the Minister's reply, is he aware that the hon. Minister for Home Affairs is very friendly with the Eastern countries and when assistance from Eastern countries goes to Central Nyanza, it is hard for this House to believe that he is not doing it for his own area?

Dr. Mungai: Mr. Deputy Speaker, Sir, Kenya is friendly with the Soviet Union, not only the Minister for Home Affairs, but Kenya.

Mr. Jamal: Would the Minister not agree with me that Nyanza as a whole was the most neglected area in Kenya and therefore the majority of the Soviet projects should go to Nyanza?

Dr. Mungai: I definitely do not agree with the hon. Member from Kisumu.

Mr. Muliro: Mr. Deputy Speaker, does the Minister not agree with me that Kakamega has not got a good hospital, so the hospital which is being built in Kisumu should have been built in Kakamega, or even in a place like Machakos?

Dr. Mungai: Mr. Deputy Speaker, Sir, there are several places which do not have enough hospital beds and this hospital was recommended to go to Kisumu because, in our Development Plan that we have been thinking about, Kisumu was considered and it had priority, because Kisumu will be serving, for some time, two regions: Nyanza Region and Western Region, and some parts of Western Region like Samia find it extremely difficult even to go to Busia where there is no hospital yet. Kisumu has a road directly to Samia, but it is closed and before Kakamega Hospital is developed sufficiently, Kisumu Hospital will serve both Western Region and Nyanza. So it was most appropriate for that hospital to go to Kisumu.

Mr. Lorema: Mr. Deputy Speaker, Sir, would the Minister tell the House who directs this assistance to an area, whether it is the Soviet Government or the Kenya Government?

Dr. Mungai: Mr. Speaker, Sir, the Kenya Government does, but when we consider it, we also have to think in terms of suitability of the place. For instance, we cannot build a saw mill in the North-Eastern Region because there is no forest. So, although we have to direct these projects, we have to think in terms of service, suitability and also usefulness to Kenya.

Mr. G. G. Kariuki: Arising from one of the Minister's replies, could he tell this House whether this hospital project was decided by the Russians to be built in Kisumu or by the Kenya Government?

Dr. Mungai: Mr. Deputy Speaker, Sir, people from the Soviet Union do not come and tell us what we have to do. This was agreed upon by the Kenya Government and it was the Kenya Government who directed this hospital to Kisumu, after considering all the other places.

NOTICE OF MOTION ON THE ADJOURNMENT

UNSATISFACTORY REPLY TO QUESTION NO. 529:
RUSSIAN AID TO KENYA

Mr. Kiprotich: On a point of order, Mr. Deputy Speaker, in view of the unsatisfactory replies, I wish to raise the matter on an adjournment.

Question No. 532

COMPENSATION TO DEPENDANTS OF PEOPLE
KILLED BY WILD ANIMALS

Mr. Kase asked the Minister for Natural Resources if the Government would consider introducing a law to enable dependants of

[Mr. Kase]

people killed by game animals to get compensation?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Deputy Speaker, Sir, I beg to reply. No, Sir.

Mr. Kase: Mr. Deputy Speaker, Sir, in view of the fact that these animals are controlled by the Central Government, why should the Central Government not pay compensation to this game which damage people's lives?

Mr. Mboya: Mr. Deputy Speaker, Sir, I thought the question was whether we would pay compensation to the dependants, but I now understand from the supplementary that we should pay compensation to the game.

Mr. arap Soi: Mr. Deputy Speaker, Sir, would the Minister tell the House what Government is going to do with the children who have been orphaned, and as a result of their parents' death had to leave school because they have no fees?

Mr. Mboya: Mr. Deputy Speaker, Sir, that is hypothetical question.

Mr. Komora: Mr. Deputy Speaker, Sir, will the Minister agree with me that if those dependants who have their relatives killed by game, kill the game for compensation, they will be correct and that the Government will not punish them?

Mr. Mboya: Mr. Deputy Speaker, the hon. gentleman understands very fully the legislation regarding the killing of game in certain areas. Anyone who breaks the law shall be dealt with according to the law.

Mr. Kase: Mr. Deputy Speaker, I would like the Minister to listen very carefully. Will the Minister agree with that it is a fault of the Government not to control the game and that is why they kill the people, and therefore the dependants ought to get compensation?

Mr. Mboya: Mr. Deputy Speaker, Sir, the hon. gentleman will know that certain local authorities do establish a fund to render assistance in certain areas where this particular problem arises. There is the Samburu County Council and the old Kajiado County Council and others. The Government assists these county councils in establishing such a fund, but I am sure, Sir, that to give people licence to kill any game on the pretext that they have been attacked, would be wanton destruction of this very important asset to the country.

Mr. Mutiso: Mr. Deputy Speaker, Sir, in view of the fact that there is a law protecting the game to prevent them being killed by the people and there is no law protecting the people from the game, should we therefore conclude that the Government has more interest in the game than human beings?

Mr. Mboya: Mr. Deputy Speaker, Sir, I regret that the hon. gentleman is completely confused as regards the actual situation. Certain areas are set aside and in those areas game may not be killed indiscriminately. Certain facilities are available and when there are incidents of game destroying crops or human life, the reports have to be made to the right authority who will always take appropriate action. In certain circumstances, local people have been given the right to take certain action, but, as I have already said, there is also the additional, not compensation as such, but assistance which may be given through the county councils to persons who complain and whose complaints are legitimate.

I do not know what hon. Members really mean by "compensation", whether they mean the assessment of the value of the person killed, because there will never be such an assessment, but there can be assistance and that assistance is already provided for through county councils which are financed or assisted in return by the Government.

Mr. Gichoya: Mr. Deputy Speaker, Sir, the Minister tries to explain to the House that we have a sort of assistance scheme and arising from his reply, Mr. Deputy Speaker, I would like to inform the Minister that in my area about thirty-two people were rendered completely homeless by elephant. Could the Minister tell this House whether such people will be given assistance by the Kenya Government through the county councils of their own district?

Mr. Mboya: Mr. Deputy Speaker, the hon. gentleman by now should know enough English to distinguish between people being killed and people being rendered homeless.

The Deputy Speaker (Dr. De Souza): I think we will move on to the next question now.

NOTICE OF MOTION FOR THE ADJOURNMENT

UNSATISFACTORY REPLY TO QUESTION NO. 532:
COMPENSATION FOR DEPENDANTS

Mr. Gichoya: On a point of order, I would like to raise this matter on Adjournment, if you will allow me, Mr. Deputy Speaker.

The Deputy Speaker (Dr. De Souza): You have to give notice in writing.

Question No. 500

OWNERSHIP OF KISUKULU FARM

Mr. Mutiso asked the Minister for Agriculture and Animal Husbandry:—

- (a) Would the Minister tell this House who formerly owned the Kisukulu Farm near Konza and whether the said farm had been sold to its present management?
- (b) Could he also tell the House what became of the squatters who had provided the labour force for many years on that farm, after the transfer of the management?

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): Mr. Deputy Speaker, Sir, I beg to reply. Kisukulu Farm was formerly owned by Mr. B. Hurlingham Jolley and it was sold to the present management.

The answer to the second part of the question is that the illegal squatters were moved to a farm bought by the Settlement Board.

Mr. Mutiso: Arising from the Parliamentary Secretary's reply, Mr. Deputy Speaker, could we know from the Parliamentary Secretary the number of squatters who were moved to that farm just mentioned?

Mr. Osogo: Eight, Sir.

Mr. Mutiso: Mr. Deputy Speaker, Sir, is the Parliamentary Secretary aware that the number of squatters who formerly provided the labour force for the Kisukulu Farm were not eight and therefore most of them were left out?

Mr. Osogo: Sir, the number I have mentioned was the number that were willing to be moved to this farm I have mentioned, but others, due to some bush politics in Ukambani, refused to move to this farm, and they have settled themselves near Katumani. But seeing that they had been deceived they are now coming forward and probably they have asked the Member to ask this question, so that we can move them to the settlement area.

Mr. Mutiso: Mr. Deputy Speaker, Sir, arising out of that very rude answer from the Parliamentary Secretary, may we know from the Parliamentary Secretary the source of the information he received that these people refused to go to be absorbed in this new employment due to bush politics in Ukambani, and how many they were?

Mr. Osogo: Mr. Deputy Speaker, Sir, I do not know why the hon. Member wants the source of information, but we know this happened, and it is not necessary for me to say here the source of the information.

Mr. J. M. Kariuki: Mr. Deputy Speaker, since the present Government policy is to settle or give priority to the people who are on farms, is the Ministry considering accepting those other people who left, if they come back to be settled?

Mr. Osogo: Yes, Sir.

Mr. Shikuku: Arising from the reply of the Parliamentary Secretary, Mr. Deputy Speaker, will he not agree with me that the information to the effect that it was due to bush politics was also received from the bush?

Mr. Anyieni: Mr. Deputy Speaker, Sir, the hon. Minister— I should perhaps have called him the dishonourable Parliamentary Secretary. Mr. Deputy Speaker, Sir, the Parliamentary Secretary—

The Deputy Speaker (Dr. De Souza): Mr. Anyieni, you should not refer to an hon. Member in that way.

Mr. Anyieni: I did not call him that; I said I wanted to but I did not call him that.

Mr. Deputy Speaker, the Parliamentary Secretary has said that because of bush politics in Ukambani these people were not able to be settled by Government—

Mr. Muruli: On a point of order, Mr. Deputy Speaker, I would like to know whether the hon. Member referred directly to the Parliamentary Secretary as dishonourable. If he has, he should withdraw it.

The Deputy Speaker (Dr. De Souza): I think I made it quite clear that Mr. Anyieni should not refer even indirectly, as it were, to the hon. Parliamentary Secretary in that manner.

Mr. Anyieni: Mr. Deputy Speaker, the point I was asking the Parliamentary Secretary is this. The Parliamentary Secretary has told the House that these people in this *shamba* were not able to be settled because of bush politics in Ukambani. Would the hon. Junior Minister tell us who these politicians are who are going against the development of the Akamba people?

Mr. Osogo: Mr. Deputy Speaker, Sir, the advice of the bush politicians to which I referred was given to these unfortunate people by some politicians in Ukambani. I do not know who

[**Mr. Osogo**]

they are, but these people were misled by being told probably that they would get land somewhere freely and that they should refuse to go to be settled in Konza ranching settlement. When this was said to them, they took it for granted that that was going to help them and now that they are becoming interested, we are going to welcome them and settle them in the place proposed.

The Deputy Speaker (Dr. De Souza): Next question.

Mr. Oduya: On a point of order, Mr. Deputy Speaker, the Parliamentary Secretary has made a very serious allegation in this House—that some bush politicians in Ukambani had told the people that they will get land free somewhere—so will he substantiate and tell us exactly who are these bush politicians?

The Deputy Speaker (Dr. De Souza): If the hon. Member did not refer to any specific person—he did not refer to hon. Members of this House—it does not require substantiation.

NOTICE OF MOTION ON THE ADJOURNMENT

UNSATISFACTORY REPLY TO QUESTION NO. 500: OWNERSHIP OF KISUKULU FARM

Mr. Mutiso: In view of the unsatisfactory answer to this question, Mr. Deputy Speaker, I wish to move a Motion on adjournment.

Question No. 519

KIPSIGIS CATTLE FOR KENYA MEAT COMMISSION

Mr. Kerich asked the Minister for Agriculture and Animal Husbandry if the Minister would tell the House whether there was any possibility of the Kipsigis people selling their cattle to the Kenya Meat Commission?

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): Mr. Deputy Speaker, Sir, I beg to reply. The answer to this question is yes.

Mr. Kerich: Mr. Deputy Speaker, Sir, will the Junior Minister tell the House whether his Ministry has instructed the Regional Government Agent in Kericho to inform the Kipsigis people that there is a possibility of selling their cattle to the Kenya Meat Commission?

Mr. Osogo: Mr. Deputy Speaker, Sir, now that the hon. Member has heard the answer is yes, I hope he is going to convey this information to his

people. I will also inform the hon. Member that an official from the Kenya Meat Commission will be visiting his district in the second week of next month and, as such, an exploratory meeting will take place to find out what kind of stock will be bought in the area.

Mr. Ndile: Mr. Deputy Speaker Sir, could the Parliamentary Secretary tell us what method the Ministry of Agriculture follows in conveying information to the public about the possibility of selling cattle to the Kenya Meat Commission?

Mr. Osogo: Mr. Deputy Speaker, the information is conveyed by the Kenya Meat Commission officials who visit the area and explain this to the people concerned.

Mr. Areman: Mr. Deputy Speaker, how often do the officials from the Kenya Meat Commission visit the area?

Mr. Osogo: Mr. Deputy Speaker, when there is a need, they visit the area.

Question No. 520

TEA PLANTING BY KIPSIGIS FARMERS

Mr. Kerich asked the Minister for Agriculture and Animal Husbandry whether the Minister would tell the House whether it was the intention of the Government to restrict individual Kipsigis to planting one-third of an acre of tea every year?

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): Mr. Deputy Speaker, Sir, I beg to reply. The answer to this question is no, Sir. One-third of an acre is the minimum target for planting tea. The planting of more than one-third depends on the District Tea Committee which may restrict individual planting to ensure an equitable allocation of planting material.

Mr. Kerich: Mr. Deputy Speaker, Sir, since it was a colonial rule to restrict the Kipsigis to planting one-third of an acre, could the Junior Minister agree with me that the Ministry is afraid of removing this colonial rule?

Mr. Osogo: This, Sir, has nothing to do with the colonial rule or anything of that kind. The restriction depends wholly on the finance and the planting material available.

Mr. arap Soi: Mr. Deputy Speaker, Sir, could the Parliamentary Secretary assure the House that if a Kipsigis has enough money and he is able to plant more tea, using his own money, he will be allowed to do so?

Mr. Osogo: Indeed, Sir, this could happen, so long as the District Tea Committee was satisfied that the factory facilities were able to cater for the tea planted.

Mr. Makone: Mr. Deputy Speaker, arising from the Parliamentary Secretary's reply that the restriction of the acreage of tea comes about because of finance, will the Junior Minister therefore authorize individuals who have money to establish their own nurseries for tea?

Mr. Osogo: No, Sir, as I have said before in this House, we have got two large nurseries being organized, which are going to produce enough tea seedlings to start our programme of tea planting. As such, we do not encourage individual owning of nurseries.

Mr. Rurumban: Mr. Deputy Speaker, for the information of the hon. Parliamentary Secretary the words "and one of the councillors" have been deleted.

Sir, I will now ask question No. 525.

Question No. 525

CHAIRMAN OF SAMBURU COUNTY COUNCIL'S
VISIT TO RUSSIA

Mr. Rurumban asked the Minister for Local Government:—

- (a) Was the recent visit to Russia of the Chairman of the Samburu County Council made in the interests of Kenya Government or the Samburu tribe?
- (b) Was the Minister satisfied that the Samburu County Council should finance such overseas tour when the participants had already obtained tickets privately for the trip?

The Parliamentary Secretary for Local Government (Mr. ole Konchellah): Mr. Deputy Speaker, Sir, I beg to reply. Sir, I did not hear the comments of the hon. questioner.

The Deputy Speaker (Dr. De Souza): He did ask earlier on if he could delete the words "and one of the councillors". In other words, part (a) of the question reads: "Was the recent visit to Russia of the Chairman of the Samburu County Council made in the interests of Kenya Government or the Samburu tribe?"

Mr. ole Konchellah: Mr. Deputy Speaker, I beg to reply. The visit which the hon. Member for Korossi is referring to was not organized by the Kenya Government. Also, the Samburu County Council voted an allowance to the chairman and

councillor who had gone on this visit. This allowance has been disallowed, and the two members have been asked to refund the money because this work was not for local government purposes.

Mr. Rurumban: Is the Parliamentary Secretary not aware that had it not been for the knowledge of the Member for the district, the chairman of the county council could still have forced the county council to give him that money?

Mr. ole Konchellah: Mr. Deputy Speaker, Sir, I think we had also some information from the Rift Valley Civil Secretary who objected to this on the spot.

Mr. Omar: On a point of order, Mr. Deputy Speaker, would the Parliamentary Secretary tell the House the amount of money that was spent by the chairman and how long it will take to recover that money?

Mr. ole Konchellah. The money which was given to the Chairman was Sh. 2,000 and Sh. 1,000 was given to the other member.

Mr. Shikuku: Arising from the Parliamentary Secretary's reply, could he tell us how long it will take for these two people to pay back this money, and whether their stay in Russia was in the interests of the said council?

Mr. ole Konchellah: Mr. Deputy Speaker, I do not know whether the hon. Member who is asking the question is interested in knowing what sort of work these people were going to do. However, I said it was a private tour and it has nothing to do with the Government.

As regards the question of money, these two people have been asked to refund the money and as soon as they come back to this country they will refund the money.

Mr. Rurumban: I assume that the Parliamentary Secretary knows that only the chairman has gone to Russia. Does he not know that the other councillor has not gone yet?

Mr. ole Konchellah: Mr. Deputy Speaker, I was not aware of that. Since, as I said, this tour did not concern the Kenya Government, so we had no interest in knowing who had gone and who had not gone. However, if this councillor is within the country, he is going to be asked immediately to refund the money.

Mr. Muruli: Mr. Deputy Speaker, would the Parliamentary Secretary tell this House who actually gave this money to the chairman? Did the chairman take this money or was he given the money by the council?

Mr. ole Konchellah: The chairman has nothing to do with funds of the county council. That is assigned to the treasurer. However, the council itself approved that these people should be given money.

Question No. 530

REJECTION OF PEOPLE FOR POLICE AND ARMY

Mr. arap Moi, on behalf of Mr. Ngala, asked the Minister of State, Prime Minister's Office, to state:

- (a) The grounds on which Mr. Ratibu Husein of Kibera was rejected by the police force when he applied to join even after passing his health and education examinations; and
- (b) the grounds on which a few Nubian young men from Kibera, sent by their parents to join the army, were rejected even though both parents were born in Kenya.

The Parliamentary Secretary, Prime Minister's Office (Mr. Nyamweya): Mr. Speaker, Sir, on behalf of my Minister, I beg to reply:—

- (a) in spite of exhaustive inquiries, no trace has been found of any application from Mr. Ratibu Husein to join the Kenya Police. If the hon. Member could give details of the date and place of his application, further inquiries can then be made.
- (b) On the information given, it is not possible to identify such young Nubians from among the thousands of people who offered themselves as recruits.

Mr. Shikuku: Mr. Deputy Speaker, is the Parliamentary Secretary aware that this person, Mr. Ratibu Hussein, was in fact refused to be recruited simply because he happened to be of a different political belief?

Mr. Nyamweya: Mr. Deputy Speaker, the hon. Member who is not properly dressed has not—

Mr. Shikuku: On a point of order, Mr. Deputy Speaker, is the Parliamentary Secretary in order to refer to me as not "properly dressed"?

The Deputy Speaker (Dr. De Souza): Order, order. The Speaker ruled the other day that hon. Members are allowed to dress in this House as they wish. Obviously if this is so then other hon. Members are allowed to comment on the dress.

Mr. Nyamweya: Mr. Deputy Speaker, as far as the Government is concerned, the information of this particular person is not known and, therefore, he is still a man of straw. Unless the hon.

Member for Kilifi South can furnish us with more particulars and details to enable us to trace the application of the applicant, who is alleged to have been rejected, we are not able to comment further on this matter.

Mr. arap Soi: Mr. Deputy Speaker, could the Parliamentary Secretary tell the House how many applicants took these health and educational examinations, how many were taken and how many were rejected?

Mr. Nyamweya: Mr. Deputy Speaker, we are dealing with the question of Mr. Ratibu Hussein of Kibera, not the number of the applicants wishing to join the Kenya Army.

The Deputy Speaker (Dr. De Souza): We have spent quite a lot of time on Questions and I think we should now move to the next Order.

NOTICE OF MOTION FOR THE
ADJOURNMENT

UNSATISFACTORY REPLY TO QUESTION NO. 530:
REJECTION OF PEOPLE FOR POLICE AND ARMY

Mr. Omar: On a point of order, Mr. Deputy Speaker, in view of the most unsatisfactory answer, on behalf of my colleague, the Member for Kilifi South, I would like to raise this matter by way of Motion on Adjournment.

COMMITTEE OF SUPPLY
(*Order for Committee read*)

IN THE COMMITTEE

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

MOTION

KENYA GOVERNMENT LOAN GUARANTEE

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo): Mr. Chairman, I beg to move:—

THAT this House approves the Government of Kenya proposals to guarantee, jointly and severally with the Governments of the United Republic of Tanganyika and Zanzibar and of Uganda, the repayment of a loan of £294,000 made to the East African Common Services Organization, by Messrs. National and Grindlays Finance and Development Corporation Limited, together with interest thereon.

Sir, this Motion speaks for itself and it merely requests this House to approve the Government's guarantee for this sum. This amount of money is needed by the Common Services Organization

[The Parliamentary Secretary for Finance and Economic Planning]

to finance their building programme in Dar es Salaam as well as in Mombasa. Mr. Chairman, in accordance with normal practice, I wish to notify the House of the total of the Government's contingent liability in respect of loans and bank overdraft which are the subject of guarantee by the Government. At 31st August 1964, this amounted to £10,826,915.

Sir, I beg to move.

An hon. Member: On a point of order, Mr. Chairman, we did not hear a single word of what the hon. Parliamentary Secretary said. Is it not in order that he should speak louder so that we can all hear what is being said?

The Chairman (Dr. De Souza): The Parliamentary Secretary has merely read the resolution on the Order Paper and he has also said that this is required for building works in Dar es Salaam and Mombasa. That, I think summarizes what the hon. Member has said.

(Question proposed)

Mr. Shikuku: Mr. Chairman, Sir, the Mover has said this Motion is self-explanatory. To a certain extent it is, but hon. Members in this House would be more interested to know what this money was used for. The Parliamentary Secretary has stated very briefly what this money was required for. We would also like to know how much Kenya, as a country, has benefited from the sum of money, and how long it is going to take us to pay it back, if we do decide to approve the amount. What interest have we to pay? Could he tell us the percentage and how much the interest alone on this sum of money is going to cost us? Sir, I do not think I have any quarrel with this Motion as it stands, but we should be furnished with full information and I would like clarification on the questions I have just mentioned. I should be very much obliged to get answers and clarification.

Mr. Mutiso: Mr. Chairman, I also have no quarrel with the Motion, but there are a few things that I would like to know from the Junior Minister.

The Motion states that this House should approve this sum of £294,000. It is not clear when this loan was made, and also whether this is the total sum which was loaned by the National and Grindlays Finance and Development Corporation. What amount is the Kenya Government required to pay or should be subject to pay later, since it is only one solid figure which is

to be borne by the three territories? We would like to know what percentage we are supposed to be paying as a Government.

Also, as my friend from the other side stated, we would also like to know the percentage of interest the Kenya Government is supposed to pay when the interest on the loan is due.

Mr. Ndile: Mr. Chairman, as the Parliamentary Secretary has not made it clear, we would like to know the purpose this money is going to serve. Secondly, I would like to know whether this amount of £294,000 is going to be divided among the three Governments or whether it will be paid jointly or severally?

I would also like to know what the conditions were laid down by the National and Grindlays Finance and Development Corporation when this loan was made.

Mr. Gichoya: Mr. Chairman, Sir, my problem here is not that we are paying for something, but rather that we should contribute to the common pool. Again, I understand that in the Railways, which is a part of the Common Services Organization, the Authority there sometimes gives loans to the African Railway Union which is a trade union movement. I wonder why the Government should be asked to pay some money to the Organization, yet that Organization is very well financed by another organization.

Also I would like to know from the Junior Minister whether the buildings that are going to be constructed at Mombasa will also have certain facilities for the Railways workers or the Posts and Telecommunications workers, to have resting places during the vacation. What I mean is this: so long as the figure as given does not specify for what particular buildings this money is going to be utilized I am opposing the question.

Mr. Oduya: On a point of order, Mr. Chairman, since this Motion is clear, I request that we therefore call upon the Mover to reply.

The Chairman (Dr. De Souza): I do not think I can agree to your request, Mr. Oduya, at this stage. I think hon. Members have a right to have a little more detail and I think that is what they are asking for.

Mr. Gichoya: The idea behind my questions is simple, Sir. This is a large sum of money which our Government is being committed to, and I think the hon. Members should be in a position to understand the difference between a national commitment and any other commitment. We are committing the Government, so far as the guaranteeing of this money is concerned, and we

[Mr. Gichoya]

shall be the guarantors. What I would like to know is the arrangement as to how this money is going to be spent. At the moment we are completely ignorant on this point. It is possible that some hon. Members are quite clear on this issue, but there are others who are ignorant and would like to be informed. That is the information I am trying to solicit from the Parliamentary Secretary.

Mr. Chairman, it is up to the present Government which is dealing with such matters to make the position clear to us. We are not going to accept certain things just because the Government wants us to do so, or because the Minister says this and that. We must be very sure what we are committing the Government to, and our country as well. I wish I could see the documents so that I could be fully prepared to speak, even before I come to this House. This is my platform from where I must make things clear before I can commit the Government to anything.

The other thing I wanted to know is this. Amongst the buildings that the Common Services is going to build—

Mr. Chairman, I would ask you to please request the Minister for Justice and Constitutional Affairs to be a bit of a gentleman.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Chairman, Sir—

The Chairman (Dr. De Souza): Do you give way, Mr. Gichoya?

Mr. Gichoya: Mr. Chairman, I think the hon. Minister should sit down because I will not give way.

The Chairman (Dr. De Souza): Mr. Mboya, I think the hon. Member thought that you were interrupting his speech. That is quite all right. You may continue, Mr. Gichoya.

Mr. Gichoya: Thank you, Sir, I think you have put it in very fundamental language.

When the Junior Minister replies, I would like him to explain to us the nature of the houses that are going to be built in Dar es Salaam and Mombasa. Mombasa is a very important place for building purposes— Deducing this from what the Junior Minister said when presenting the case on behalf of the Minister for Finance and Economic Planning, I understand that this money is for building purposes. Now, the question is, what is the nature of the buildings? Are they flats for the workers, are they flats for the Ministers, are they flats for the Members of the Central Legislative Assembly, or are they

flats for the civil servants? Or are they offices? These are things which ought to be made clear. There is no question of committing a country to anything blindly. When I seek a simple clarification, the Minister for Justice starts interjecting. Mr. Chairman, this country is not going to be ruled by just one or two people, we are all going to rule it. Money is one of the aspects of ruling a country. That is why I am interested to know how every single cent of our Government money is going to be spent. The Members here do not form a Parliamentary group who can be told this is the way to do things, we must do them this way. We will not agree to that. We have to examine everything—

The Chairman (Dr. De Souza): Mr. Gichoya, I think you are repeating yourself too often. I am sure everybody has got your point.

Mr. Gichoya: Mr. Chairman, I am forced to do so because of the attitude of the Minister for Justice and Constitutional Affairs.

The Chairman (Dr. De Souza): That has nothing to do with it.

Mr. Gichoya: However, I request the Junior Minister, when he comes to replying, to explain clearly how this money is to be used. We are all agreed on this plan to develop the whole of East Africa. The money we are asked to sanction today is for developing certain aspects of national growth on an East Africa basis.

Mr. Jamal: Mr. Chairman, since the loan will be guaranteed jointly and severally by the three Governments, could we be told if the rate of interest to be charged will be lower than that normally charged to individual Governments? If so, what is the rate of interest that will be charged on this loan as against the rate of interest charged if Kenya had to borrow this loan on its own security?

Mr. Godia: Mr. Chairman, we have been asked to guarantee the repayment of £294,000 which was lent to the East African Common Services Organization by the National and Grindlays Bank Financial Syndicate Development Corporation. Now, Mr. Chairman, we are only asked to be guarantors of this money being repaid by the Common Services Organization, and I think the Central Legislative Assembly, where we have Members from Kenya, Tanganyika and Uganda and Zanzibar participating, knows the details. But, we, as Members of this Assembly, are being asked to agree that this money is going to be paid back by the Common Services Organization, and that is all that we can do. If we are going

[Mr. Godia]

into details, what will the Central Legislative Assembly do? So, Mr. Chairman, I support the Motion.

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo): Mr. Chairman, Sir, I am sorry that when I stood to speak at first, some of the hon. Members behind me did not hear. Some of the hon. Members have been under the conception that the Kenya Government is going to start borrowing this money. We are merely being asked to be guarantors. In other words, we are just under-writing the loans of the East African Common Services. Now, the East African Common Services is an entity in itself with quite a lot of aspects, and they can manage these things themselves, but since they are not the Governments, then the four Governments do this quite often, and I think the hon. Members should learn to recognize this kind of Motion where we are asking for a guarantee on loans that are being made, or being entered into, by the East African Common Services. So, what we are doing is acting as guarantors and that is all.

Now, the hon. Member, Mr. Gichoya pointed out, and said that it was for housing in Dar es Salaam as well as in Mombasa. I am sorry to say that I do not know exactly what type of housing, but the hon. Member, Mr. Godia pointed out that this is something that is really of interest to the Central Legislative Assembly, and we know that they deal with such things as housing for the Railways and Harbours. Somebody wanted to know the amount. The amount was £200,000 for the plan, and £64,000 for Kenya, that is Mombasa, and there were also some other expenses at Mombasa. In other words, it will not be going to Uganda in this particular loan. Those are the only details that I can give. Again, I do not know the interest rates at the moment, but they do not exceed 5½ per cent to 6½ per cent.

Mr. Kamau: Mr. Chairman, Sir, it was very interesting that even the Parliamentary Secretary for Finance is not sure what this money is going to do. To be a guarantor of somebody, that means if that somebody fails to repay anything he has signed, you have to undertake to repay in his place. Well, in this Motion, Mr. Chairman, Sir, it says that if the Republic of Tanganyika and Zanzibar, and Uganda and Kenya disagree for one reason or another, each Government will be bound to pay this money. That is why we are asked to be guarantors. We would, though we may not support the Motion, like it to be made quite clear what project this money is being used for.

With these few words, Sir, I support the Motion.

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo): To answer the hon. Member, Mr. Chairman, I think it has been made quite clear that this is for housing programmes, the housing programme at Mombasa and so on.

Mr. Mutiso: Mr. Chairman, I do not know whether it would be in order that I move that the Mover be called upon to reply.

The Chairman (Dr. De Souza): Yes, I think it is, but I will put the question of the closure after I have called on Mr. Theuri to speak.

Mr. Theuri: Mr. Chairman, since the Parliamentary Secretary is not clear on this item, I would like to ask him, if the Federation of East Africa does not come into being as we hope, and we are asked by the Parliamentary Secretary to guarantee this money for that purpose, who would pay this money? The House is not clear about this money.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Chairman, I think perhaps there is a problem here that Members may not appreciate, and this, in effect, is simply a procedural Motion. It does not fall within the context of a general debate on a budgetary provision of the East African Common Services Organization. We operate an East African Common Services Organization on the basis of a triumvirate of the Ministers of Finance. The Ministers for Finance from Kenya, Uganda, and the United Republic of Tanganyika and Zanzibar are a Ministerial Committee which run the financial affairs of the Common Services Organization. The budget of the Common Services Organization is laid before the Central Legislative Assembly, and each Member in this House receives a copy of the financial statement of the Common Services Organization, and if we have any particular query on the actual budget of the East African Common Services Organization, we normally would ask our nine Members representing Kenya in the Central Legislative Assembly, to raise the matters of details of the type that are being found here.

The guarantee that we give is one of the normal things that we have considered in the set-up of the Common Services Organization. This is not the first guarantee. We are carrying a very much larger guarantee to the East African Common Services Organization already. Our own currency, as a result, is very much tied up

[The Minister for Justice and Constitutional Affairs]

with the existence of East African Common Services Organization itself, and so Members are entitled, in effect, to query and try to seek information as regards the East African Common Services Organization activities. I think we should appreciate the extent to which this House can go into certain minor details in respect of the functioning of the Central Legislative Assembly itself, and also in respect of the responsibility of the Members whom we have elected to sit in the East African Common Services Organization, and represent us, and query matters there on our behalf. As the hon. Member for Teso South or East or West or North—I do not know which—said, if, in fact, the hon. Members in this House appreciate this position, that this is surely a procedural Motion rather than a matter of a financial statement which we have to examine. We are giving a guarantee, and as the Junior Minister pointed out, in the case of Tanganyika, they are giving a guarantee without benefiting immediately from this £294,000. In this case, Kenya and Tanganyika will benefit, but in other guarantees and loans, other people benefit, and this is the way that the East African Common Services Organization operates.

Mr. Mutiso: Mr. Chairman, as everybody has had a say on this, I move that the Mover now be called upon to reply.

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo): Mr. Chairman, it might not be good for Members to go away with the misunderstanding that we do not know what this money is going to be used for, or what the loan is going to be used for. I have said that it is for housing, and this housing might be for either the railway workers, or for the workers at the harbours.

Mr. Oduya: Mr. Chairman, Sir, it seems as if the Minister does not know the Member for Teso.

The Chairman (Dr. De Souza): As there are no other speakers, I will put the question.

(Question put and agreed to)

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo): Mr. Chairman, I beg to move that the Committee do report to the House that it has dealt with the Resolution and does agree with the same without amendment.

(Question proposed)

(Question put and agreed to)

(Resolution to be reported without amendment)

(The House resumed)

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

REPORT**KENYA GOVERNMENT LOAN GUARANTEE**

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo): Mr. Deputy Speaker, Sir, I am to report that the Committee of the whole House has considered the said Resolution, and has approved the same without amendment, and I beg to move that the House doth agree with the Committee in the said Resolution.

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo) seconded.

(Question proposed)

(Question put and agreed to)

COMMITTEE OF THE WHOLE HOUSE

(Order for Committee read)

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

IN THE COMMITTEE

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

THE PENAL CODE (AMENDMENT) BILL**Clause 2**

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Chairman, in view of the strong representations made by Members during the debate on this Bill, I have considered the proposition made or proposals made, and wish, therefore, to move that clause 2 of the Bill be amended by deleting the words, "or without" which appear therein, and this will, in effect, mean that corporal punishment for stock thefts will become mandatory instead of discretionary.

I beg to move.

(Question proposed)

Mr. Wariithi: Mr. Chairman, the amendment to this Bill is acceptable to the House, and has already been debated, and the amendment which has been also brought today has been accepted.

What I have to say, Mr. Chairman, is that I feel that this amendment has been occasioned by the series of stock thefts, and probably the Government considers it should have a deterrent

(The Debate continues)

[Mr. Wariithi]

punishment which would assist in solving this problem. I would say that I hope the Government will see to it, when it becomes necessary, that this law is repealed. I say this because of what is happening in the thinking of many criminologists these days, that heavy punishment in itself, is not sufficient, particularly corporal punishment. I would say that the thinking these days is to introduce corrective punishment, and I think the Government will take this into account and consider at the appropriate time, repealing this clause that is being introduced into our legal society.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Chairman, I said during the debate on this matter, that Government was most reluctant to take a step which in our view, would normally be a retrograde step. We are entirely in agreement that, as far as possible, we should adopt the more liberal and modern outlook in the matter of punishment, but I am sure the House agrees, and I believe this is why they have supported this Bill, that in the peculiar conditions with which we are having to deal, there is a necessity to reintroduce corporal punishment in so far as this particular offence is concerned.

This is not a unique provision. Already in the Penal Code, we have corporal punishment for certain crimes. All that we are doing is extending it to include stock theft and, in this case, to make it mandatory instead of discretionary, but I thoroughly agree with the hon. gentleman who has spoken and we will, as far as possible, keep the matter under review and, as and when the situation improves sufficiently, we will, naturally, see what further steps can be taken.

(Question that the words to be left out be left out put and agreed to)

(Clause 2 as amended agreed to)

(Title agreed to)

(Clause 1 agreed to)

THE WATER (AMENDMENT) BILL

(Clauses 2 and 3 agreed to)

(Title agreed to)

(Clause 1 agreed to)

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Chairman, I beg to move that the Committee report to the House its consideration of the Penal Code (Amendment) Bill and its approval thereof with amendment,

H 67—16 pp.

and the Water (Amendment) Bill which it has approved without amendment.

(Question proposed)

(Question put and agreed to)

(The House resumed)

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

BILLS**REPORTS, CONSIDERATION OF REPORT AND THIRD READINGS****THE PENAL CODE (AMENDMENT) BILL**

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Deputy Speaker, Sir, I beg to report that a Committee of the whole House has considered the Penal Code (Amendment) Bill and has approved the same with amendment.

(Consideration of Report of Bill ordered for today)

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Deputy Speaker, Sir, I beg to move that the House doth agree with the Committee in the said Report.

The Parliamentary Secretary for Local Government (Mr. ole Konchellah) seconded.

(Question proposed)

(Question put and agreed to)

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Deputy Speaker, Sir, I beg to move that the Penal Code (Amendment) Bill be now read the Third Time.

The Parliamentary Secretary for Local Government (Mr. ole Konchellah) seconded.

(Question proposed)

(Question put and agreed to)

(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 WATER (AMENDMENT) BILL

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Deputy Speaker, Sir, I beg to report that a Committee of the whole

[The Minister for Justice and Constitutional Affairs]

House has considered the Water (Amendment) Bill and approved the same without amendment.

Mr. Speaker, I beg to move that the House doth agree with the Committee in the said Report.

The Parliamentary Secretary for Local Government (Mr. ole Konchellah) seconded.

(Question proposed)

(Question put and agreed to)

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Deputy Speaker, Sir, I beg to move that the Water (Amendment) Bill be now read the Third Time.

The Parliamentary Secretary for Local Government (Mr. ole Konchellah) seconded.

(Question proposed)

(Question put and agreed to)

(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)

Second Reading

THE LOANS (UNITED KINGDOM GOVERNMENT) BILL

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo): Mr. Deputy Speaker, Sir, I beg to move that The Loans (United Kingdom Government) Bill be now read a Second Time.

Mr. Deputy Speaker, arising out of recent financial talks between the United Kingdom Government and the Kenya Government, it was agreed that the United Kingdom Government would lend to the Kenya Government a sum of £13.6 million over the period 1963/64 to 1967/68 to finance the payment of compensation and commuted pensions to designated officers falling to the account of the Kenya Government. The United Kingdom Government is already paying its share of compensation under the Overseas Service Aid Scheme. The £13.6 million aid will consist of two loans: one an interest-free loan of 10.1 million for compensation payment repayable over twenty-five years with the moratorium of six years and nineteen instalments thereafter. The interest-bearing loan of £3.5 million for commuted pensions is repayable over twenty-five years with a moratorium for the first six years, a capital repayment only.

Those loans will be drawn in quarterly instalments commencing with the June quarter of 1964.

Mr. Deputy Speaker, Sir, I beg to move.

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo) seconded.

(Question proposed)

(Question put and agreed to)

(The Bill was read a Second Time and committed to a Committee of the whole House tomorrow)

Second Reading

THE EXTERNAL LOANS (CREDIT PURCHASE) BILL

The Parliamentary Secretary for Finance and Economic Planning (Mr. Okelo-Odongo): Mr. Speaker, Sir, I beg to move that The External Loans (Credit Purchase) Bill be now read a Second Time.

Mr. Deputy Speaker, Sir, the Government of Kenya has, over the past few months, negotiated with various friendly governments on credit agreements. Other credit agreements may be included in the future. This is to allow the Government to purchase on credit from the governments with whom Kenya has concluded credit agreements, it provides as a guarantee for repayment for the Government where buyers other than the Government make purchases on credit from such countries and provides for matters incidental thereto. This credit agreement is complementary to our External Loans (General) Act, 1963. The purpose of this credit agreement is to assist in the financing of projects provided for in the Annual Estimates which are brought to this House every year. This being the case, Mr. Deputy Speaker, the House can be assured that it will be kept advised as to how these credit facilities are being utilized.

Mr. Deputy Speaker, Sir, I beg to move.

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo) seconded.

(Question proposed)

(Question put and agreed to)

(The Bill was read a Second Time and committed to a Committee of the whole House tomorrow)

Second Reading

THE BRANDING OF STOCK (AMENDMENT) BILL

The Parliamentary Secretary for Agriculture and Animal Husbandry (Mr. Osogo): Mr. Deputy Speaker, Sir, I beg to move that The Branding of Stock (Amendment) Bill be now read a Second Time.

There are three main purposes for this Bill, Sir. These are, to bring the Act into line with the

**[The Parliamentary Secretary for Agriculture and
Animal Husbandry]**

provisions of the Constitution on the question of
brands—

QUORUM

Mr. arap Too: On a point of order, Sir, is
there a quorum in the House?

The Deputy Speaker (Dr. De Souza): No, ring
the Division Bell.

(The Division Bell was rung)

ADJOURNMENT

Mr. Balala: On a point of order, Mr. Deputy
Speaker, can the House now conclude its
business?

The Deputy Speaker (Dr. De Souza): There is
no alternative but to adjourn this House. The
statutory time is three minutes and we have
waited for nearly six minutes, as far as I know,
and in view of the fact that there is still no
quorum, this House is now adjourned until
2.30 p.m. tomorrow, Thursday 1st October 1964.

*The House rose at thirty minutes
past Four o'clock.*

Thursday, 1st October 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:—
Immigration Department Annual Report, 1963.

(*By the Parliamentary Secretary, Prime Minister's Office, (Mr. Nyamweya) (on behalf of the Minister for Home Affairs (Mr. Odinga)*)

Report by the Controller and Auditor-General on the Accounts of the Central Land Board for 1st June 1963 to 30th June 1963.

The Price Control (Central Nyanza District) (Amendment) (No. 2) Order, 1964.

(*By the Parliamentary Secretary, Prime Minister's Office (Mr. Nyamweya) (on behalf of the Minister for Finance and Economic Planning (Mr. Gichuru)*)

ORAL ANSWERS TO QUESTIONS

Question No. 559

WATER SUPPLY FOR EASTERN KITUI

Mr. Mwalwa asked the Minister for Natural Resources if he would tell the House what plans the Ministry had to remove water supply hardships which existed in Eastern Kitui constituency and especially in Mui location.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, Sir, I beg to reply on behalf of my colleague. During the financial year 1964/65 the Government has provided a sum of £2,500 for use on water supplies in the Kitui District. The county council has already prepared a priority list for this work and Mui location features in the list. It is the county council which will decide what proportion of the funds should be spent in any particular location. The £2,500 is a grant on the £-for-£ basis and the county council will have to match this grant with an equal sum, thus making a total sum of £5,000 to be spent on water supplies in the district.

Question No. 563

NATIONAL YOUTH SERVICE FOR NORTH-EASTERN REGION

Mr. Khalif asked the Minister for Labour and Social Services if the Minister was aware

that there would be consternation among Somalis if the National Youth Service continue to overlook the North-Eastern Region?

The Parliamentary Secretary for Labour and Social Services (Mr. Odero-Jowi): Mr. Speaker, Sir, I beg to reply. The hon. Member for Wajir North should be well aware that the interests of the North-Eastern Region have not been overlooked by the National Youth Service. In the first intake to the National Youth Service there are two young men from his constituency who are now being trained at the central training depot, Rifle Range Camp. In addition Garissa South, Garissa North and Mandera constituencies have representation on this first programme of training. Members of this House from the North-Eastern Region have had exactly the same opportunity to nominate candidates for the National Youth Service as those from other regions. There has been no discrimination whatsoever against the North-Eastern Region in the National Youth Service. A decision will be taken later regarding the establishment of a Field Unit inside the North-Eastern Region early next year in the light of the prevailing circumstances in view of the security situation there.

Mr. Khalif: Mr. Speaker, Sir, is the Parliamentary Secretary aware that when all other regions recruited 500 youths, the North-Eastern Region was completely overlooked and did not recruit even one?

Mr. Odero-Jowi: Mr. Speaker, Sir, it is not the intention of my Ministry to overlook the North-Eastern Region.

Mr. Khalif: Sir, if it is not the intention of this Ministry to overlook the North-Eastern Region, would the Parliamentary Secretary tell us as to how the North-Eastern Region was completely overlooked when 500 youth were recruited from each region?

Mr. Odero-Jowi: Mr. Speaker, Sir, I have already answered that question.

Mr. Matano: Mr. Speaker, in view of the fact that North-Eastern Region is a difficult area, what is the Government doing to ascertain the loyalty of these youths before they join the National Youth Service?

Mr. Odero-Jowi: Mr. Speaker, the hon. Member need not worry about that because we are going to recruit only loyal people.

Mr. Masinde: Mr. Speaker, is it true that other regions in Kenya have recruited 500 youths to the Youth Service?

Mr. Odera-Jowi: Mr. Speaker, Sir, the names have been submitted but the actual intake of 500 has not been done.

Mr. Tanui: Mr. Speaker, may I know from the Parliamentary Secretary as to who submitted the names of these youths for the Service when we were asked to submit only two?

Mr. Odera-Jowi: Sir, if the hon. Member is ignorant of the arrangements, then I think it is up to him to acquaint himself with the facts.

Mr. Khalif: Mr. Speaker, would the Junior Minister assure us that when the recruitments of these 500 youths from each region takes place, the North-Eastern Region is going to be given its right place in this?

Mr. Odera-Jowi: The North-Eastern Region is a big security problem to the Government right now, and as I have said earlier on the matter of recruitment with regard to that region, we will do so when the security situation warrants that. On the matter of recruitment of 500 youths, we will have to take into account the express demand of the Member.

Question No. 569

LEATHER TANNING INDUSTRY FOR WAJIR

Mr. Khalif asked the Minister for Commerce and Industry what plans the Minister had for setting up a leather tanning industry in Wajir North?

The Parliamentary Secretary for Education (Mr. Gachago): Mr. Speaker, Sir, on behalf of the Minister for Commerce and Industry I beg to reply. I realize that a small tannery at Wajir could be an economic proposition as there is no local manufacture of leather, and although hides and skins are exported from the Region, leather has to be reimported for manufacturing sandals, prayer mats and other leather goods. If there are local people who have knowledge of the tanning industry and wish to be helped to set up such an industry the hon. Member should put them in touch with the Ministry of Commerce and Industry so that they can be assisted to get a small rural tannery started. There was a proposal for a tannery at Wajir in 1962 which the previous Government was unable at that time to help. If the hon. Member could bring this forward again we may be able to do more than the last Government.

Mr. Khalif: Mr. Speaker, Sir, in view of the presence of large amounts of hides and skins in the North-Eastern Region as a whole, would the

Government consider training local people for leather tanning so that an industry could be set up in the area?

Mr. Gachago: If it is necessary to train local people to tan leather, and if the hon. Member would care to bring this proposition to the Minister for Commerce and Industry, the Government will consider it.

Mr. Amin: Mr. Speaker, Sir, in view of the fact that the North-Eastern Region, known formerly as the Northern Frontier District, was completely forgotten by the past Colonial Government who forgot to take this Region into account, would the Junior Minister now consider establishing a leather tanning industry at Wajir in the North-Eastern Region, to start with?

Mr. Gachago: Mr. Speaker, Sir, the present Government does not necessarily know the area as it was known by the Colonial Government, and as such it is being considered. Each Region, as set up today, will be considered according to its own merits.

Mr. Amin: Is the Junior Minister aware that the present Government is an African Government and is not a Colonial Government and is he aware that for many years the past Government forgot the Northern Frontier District and that is why this Region should now be borne in mind?

Mr. Gachago: Mr. Speaker, if the hon. Member was listening he would have heard me say that if he would bring this question forward again, we may be able to do more than the last Government, because the last Government was not the Colonial Government, it was the Nationalist Government.

Mr. Rurumban: Mr. Speaker, I understand there was a trial by the previous Government in leather tanning in that Region. Would the Parliamentary Secretary tell the House what were the obstacles which obstructed the way for the establishment of a leather tanning industry in that area?

Mr. Gachago: The Industrial Development Corporation investigated the problem but they could not find enough people qualified to do the job. If the hon. Member was listening just a few minutes ago, I was then answering a question and I said that unless people are actually trained there are no qualified people to carry out the industry.

Mr. Khalif: Arising from the Parliamentary Secretary's replies, am I correct in assuming that this question was positively answered and that

[Mr. Khalif]

the Government would set up a leather tanning industry at Wajir North?

Mr. Gachago: Mr. Speaker, the other point is that the local people themselves must come forward to start the industry and they must be able to invest a certain amount of money themselves. If the local people do come forward and they are willing to invest a certain amount of money, the Government will always consider it.

Question No. 536

BUSINESS PLOTS: TITLE DEEDS

Mr. Bala asked the Minister for Lands and Settlement what action the Government was taking to encourage Kisumu County Council to introduce title deeds for business plots in rural areas?

The Parliamentary Secretary for Lands and Settlement (Mr. Nyagah): Mr. Speaker, Sir, I beg to reply. The Kenya Government is endeavouring to give every possible assistance to the Kisumu County Council in furthering plans which the Council may have for the issue of business plots in rural areas. The Council is in a position to obtain the advice of the Town Planning Department on most advantageous siting and layout of business plots in relation to other development, particularly in former trading centres. The Town Planning Office Adviser will undertake preparation of development plans on behalf of the County Council.

In April this year, Sir, the Commissioner of Lands issued a memorandum to all county councils, including the Kisumu County Council, advising them on administration of trust lands within former trading centres, and explaining in detail the procedure for issue of registered leases. The Commissioner of Lands also issued a memorandum to county councils in June this year explaining the procedure to be adopted for the setting apart of trust lands as a preliminary to the issue of registered titles for purposes which may include business.

The Commissioner is available at all times to give assistance and advice to the Kisumu County Council on the issue of title to business and other purposes, a function which he performs under statutory authority.

Since the commencement of the Registered Land Act the Act has been applied to a number of markets within the Kisumu County Council area, thus facilitating the issue of title to business plots in the market.

Mr. Bala: Is the Junior Minister aware that Kisumu County Council is only issuing the annual renewable leases which cannot help the traders in question to raise money from the banks, and if so, would the Government consider advising Kisumu County Council to suspend the idea of issuing annual renewable leases whereby they pay Sh. 64 every year and from which they cannot benefit?

Mr. Nyagah: To the first part of the question, the answer is, No. To the second part of the question, the answer is, I have said that the Commissioner for Lands is always available and ready to advise on the right methods for the right purpose. So, if the County Council of Kisumu approach him, they will be well advised.

Mr. Ngala-Abok: Mr. Speaker, Sir, will the Parliamentary Secretary stop telling us of the preparedness of the Commissioner for Lands and tell us the policy of the Commissioner for Lands on the question of issuing title deeds to enable businessmen to get loans from the banks and other sources to develop their shops and other trading centres?

Mr. Nyagah: Mr. Speaker, Sir, the question of stopping me from telling you of the preparations is rather outside the question and I cannot therefore accept it. The question was "what action is the Government taking", and I have given five points which the Ministry of Lands and Settlement, through the Department of Lands has taken. I do not know whether the hon. Member would like me to repeat them or whether he would just like to read them from the HANSARD.

Mr. Jamal: Would the Parliamentary Secretary tell us if the Lands Department has enough surveyors or not, and if the title deeds are held up because the plots cannot be surveyed because of lack of surveyors?

Mr. Nyagah: Mr. Speaker, Sir, this is another question. The question of the number of staff we have to do the work is not, in my opinion, material, but if the County Council of Kisumu approaches the Commissioner for Lands— Let me put it this way, Mr. Speaker, Sir. If the Kisumu County Council approaches the Ministry, we shall look into the possibilities through our other Department of Survey.

Mr. Mongare: Mr. Speaker, Sir, would the Parliamentary Secretary now agree with us that Kisumu County Council has approached his Ministry through the representatives of Kisumu here, and that he should take steps to see that surveyors, etc., are available to help the businessmen in Kisumu?

Mr. Nyagah: I would agree with the hon. questioner that the political representative for that area has approached us through this House, and I would ask him to go and tell the right authority, i.e. Kisumu County Council to approach us for the right action to be considered or taken.

Mr. Ngala: Mr. Speaker, Sir, arising from one of the replies of the Parliamentary Secretary, would he tell us how many businessmen on trading plots in Kisumu rural area, according to the advice of the Land Commissioner recently issued, apparently, have got their title deeds now?

Mr. Nyagah: We understand that a few have been given their title deeds, but the question of who is to be given the title deeds rests with the county council itself. They make applications to the Ministry.

Mr. Masinde: Mr. Speaker, Sir, is the Parliamentary Secretary aware that his Ministry, by continuing to hold up the issuing of land title deeds to African businessmen, is preventing Africans from coming up in businesses to compete with the rich Indians?

Mr. Nyagah: No, Sir, I am not aware.

Question No. 538

ADULT TRAINING COLLEGE: KISUMU

Mr. Bala asked the Minister of State, Prime Minister's Office if, in view of the great shortage of personnel in the country and of the fact that the Six Year Development Plan depended on trained personnel, the Government would consider opening an Adult Training College at Kisumu in the near future for commercial and industrial training.

The Parliamentary Secretary, Prime Minister's Office (Mr. Nyamweya): Mr. Speaker, Sir, on behalf of my Minister, I beg to reply. The Government is aware of the shortage of skilled personnel for the commercial, industrial and agricultural development of the country, and has already made plans for overcoming this shortage. These plans require time to implement. It will be recalled that provision has been made in the Six Year Development Plan for two new Technical Secondary Education Schools in Nyeri and Kisumu to cost approximately £275,000. When they are built, it is hoped that special arrangements will be made for adult classes in industrial and commercial training. Meanwhile, the Industrial Training Centre, which is being established by the help of the Japanese Government at Nakuru, is about to start. Instructors have

already arrived from Japan, and Kenyans are being trained to run the centre in due course. These centres, at Kisumu, Nyeri and Nakuru will go a long way towards removing the shortage referred to by the hon. Member for Nyando.

Mr. Bala: Arising from the Parliamentary Secretary's reply, could he tell the House what kind of courses the Government is anticipating to start immediately they get the report from the Commission?

Mr. Nyamweya: I cannot at the present time give the courses contemplated to be started in these schools, but there are the two technical secondary schools which will naturally provide technical education, and the one at Nakuru will provide courses in which commercial and industrial instruction will be given.

Mr. Masinde: Mr. Speaker, Sir, arising from the hon. Parliamentary Secretary's reply, is he aware that by opening up these two technical secondary schools he is contradicting an answer given by one of his colleagues, about the possibilities of expanding Sigalagala Technical School to cope with Nyanza and Western Region?

Mr. Nyamweya: I am not aware of the contradiction which the hon. Member for Lurambe has referred to, but he is confused in his thoughts.

Mr. Masinde: Mr. Speaker, Sir, I am not confused. My question is that in the previous question, we wondered whether Government could expand Sigalagala school today to bring it up to the status of the Kenya Polytechnic.

Mr. Nyamweya: I do not think, Mr. Speaker, that there is a waste here. As a matter of fact if there were no funds last year, there are now funds this year to open two technical secondary schools.

Mr. Kamuren: Mr. Speaker, Sir, arising from one of the Parliamentary Secretary's replies, could he tell us why Nakuru Institution is not a technical secondary school?

Mr. Nyamweya: Maybe the hon. Member—I do not know which place he comes from—would like to define what is an industrial school and what is a technical secondary school. This, Sir, is too elementary for the hon. Member to ask in this House.

The Speaker (Mr. Slade): Any way, what is going on in Nakuru is not relevant to this question.

Mr. Mongare: Mr. Speaker, since the question is about the capital of Nyanza and there are two

[Mr. Mongare]

secondary technical schools provided for training technicians, would the Parliamentary Secretary in the Prime Minister's Office assure this House that all those who are going to be trained in these particular technical schools will come from Nyanza?

Mr. Nyamweya: Mr. Speaker, Sir, the two technical secondary schools and the industrial training centre at Nakuru will cater for the interests of Kenya.

Mr. Wariithi: Mr. Speaker, Sir, the Parliamentary Secretary has told us that these two technical schools will be at Nakuru, but what will be the intake of students from Nyeri, Kisumu or Nakuru?

Mr. Nyamweya: It is too early at this time to give the number.

Mr. Matano: In view of the fact that these technical schools are not in the Coast Region—they are outside the Coast Region—would the Parliamentary Secretary give me an assurance today that the Coast will not be neglected when the students are considered?

Mr. Nyamweya: Mr. Speaker, Sir, I have always had great respect for the hon. Member. I have already said that these three institutions will cater for the interests of Kenya. I take it that the Coast Region is part of Kenya and unless the hon. Member wishes to secede, they will be considered.

Mr. Jamal: Mr. Speaker, arising out of the Parliamentary Secretary's original reply, in which order of priority will the colleges be built? Will Nyeri be first or Kisumu?

Mr. Nyamweya: Mr. Speaker, the industrial training centre at Nakuru is already on its way. The other two technical secondary schools will, I hope, be started simultaneously.

*Question No. 539*REGIONAL GOVERNMENT AGENT, SAMBURU:
TRAVELLING ALLOWANCE

Mr. Rurumban asked the Minister for Home Affairs if, in view of the great size of the Samburu District, the Minister would consider increasing the Regional Government Agent's, Samburu, Travelling Vote.

The Minister for Home Affairs (Mr. Odinga): Mr. Speaker, Sir, I beg to reply, No. Travelling Votes for Regional Government Agents are controlled by the Civil Secretary and if the Regional

Government Agent, Samburu, has exhausted his Vote, he should report to the Civil Secretary first. This has not been done and I am satisfied that the Regional Government Agent's, Samburu, travelling vote compares very fairly with districts as large as his.

Mr. Rurumban: Mr. Speaker, will the Minister tell the House why the Kajiado Regional Government Agent's vote is more than that of the Samburu District, in spite of the fact that the Samburu District is larger in size than Kajiado?

Mr. Odinga: Mr. Speaker, Sir, according to my figures and my information, the hon. gentleman is not correct.

Mr. Khalif: Mr. Speaker, Sir, would the Minister tell us, when these travelling Votes are effected, whether the Government takes into consideration the size of a district?

Mr. Odinga: Yes, Mr. Speaker, Sir. We do consider that also to a certain degree.

Mr. Rurumban: In view of the uneasy situation at present in the Samburu District, Mr. Speaker, will the Minister agree with me that the Central Government ought to instruct the Civil Secretary to increase the travelling Vote of the Regional Government Agent in Samburu, so that the Regional Government Agent can travel as much as he can in order to be informed of the situation as it is in the district?

Mr. Odinga: Mr. Speaker, Sir, I have answered that question and I have said that the Regional Government Agent at Samburu has got the chance to report to the Civil Secretary if he feels that his Vote is not enough, and it will be considered.

Question No. 537

INDUSTRIES FOR MERU DISTRICT

Mr. Nyaga asked the Minister for Commerce and Industry if he would inform the House what industries, if any had been allocated to Meru District which was, potentially, a rich area.

The Parliamentary Secretary for Education (Mr. Gachago): Mr. Speaker, Sir, on behalf of the Minister for Commerce and Industry, I beg to reply. The function of the Ministry of Commerce and Industry is to help and assist people to establish new industries in whatever area of Kenya they choose provided such industries would be economic in the proposed location. We also actively try to encourage diversification of industry into all up-country areas. It is realized

[The Parliamentary Secretary for Education]

that Meru is a potentially rich area but so are many other areas of the country, and development of industries in such areas depends to a great extent on the initiative of the local people themselves. The Ministry is doing all it can to establish industries in conjunction with local people and in Meru District plans are being considered to assist a bakery and a milk processing plant as well as a project to utilize Meru oranges for fruit juice manufacture. As the hon. Member will appreciate the scarcity of development capital means that we cannot do all we would like to do—we can only do our best. The Meru District has in the past shown a progressive attitude by establishing a tea industry and a tourist lodge in the game reserve with the assistance of private investors and I believe that other opportunities exist for such joint projects particularly in the field of sisal and other agricultural products.

Mr. Nyaga: Mr. Speaker, Sir, will the Parliamentary Secretary agree with me that although he says that he is going to develop up country, what about the low lands?

Mr. Gachago: Mr. Speaker, Sir, Meru happens to be one of the elevated areas of the country, and this is why I refer to up country. This does not mean, however, that the countries that lie low like the Coast Region, are not considered.

Mr. Ngala-Abok: Mr. Speaker, Sir, since the Parliamentary Secretary has stated that they are trying to do everything possible depending on the initiative of the local people, will he tell the House how his Ministry intends to influence the local people to take the initiative?

Mr. Gachago: Mr. Speaker, Sir, every businessman does not have to be influenced to participate in business. It is up to the people themselves, if they are going to be businessmen, to develop their own initiative. If people depend on being influenced, then we cannot expect to raise business people.

Mr. Masinde: Mr. Speaker, Sir, in view of the fact that in Meru District we have some Africans who are trading on a low basis, what is the Ministry doing to encourage these people to come in a big project of business?

Mr. Gachago: Everything.

Mr. Khasakhala: Arising from one of the Parliamentary Secretary's replies, in view of the fact that the Government has a seven-year plan, could the Parliamentary Secretary tell this House if there is a specific industry earmarked for Meru within this period?

Mr. Gachago: Mr. Speaker, Sir, although I would invite the hon. Member to read the plan, because it notes specifically what the Government is doing and what it proposed to do, already the Ministry of Commerce and Industry has assisted people in Meru to develop a bakery and some sawmills. These are specific industries.

MOTION

NO CONFIDENCE IN THE PRIME MINISTER

Mr. Mongare: On a point of order, Mr. Speaker, I am trying to seek your guidance on this Motion. Since it was only last Sunday that the hon. Mover of the Motion declared at Kamakunji Stadium his affirmed confidence in the Prime Minister, since this Motion is the exact reverse of what he told the public at Kamakunji, am I not in order to ask the hon. Mover to withdraw this Motion?

The Speaker (Mr. Slade): You are not in order to raise this suggestion at all, Mr. Mongare.

Mr. Muliro: Mr. Speaker, Sir, I rise to move this Motion, and I am going to advance the reasons why I am moving it.

THAT in view of the fact that the Prime Minister has failed to effect the Resolution passed by this House on the 18th June 1964. to the effect:—

“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 15th August 1964”,

this House has no confidence in the Prime Minister of Kenya.

The hon. Members of this House have every right to say whatever they wish on this Motion, when I have finished moving it. The hon. Member who has stood up on a point of order in this House must know that what I said at Kamakunji was to the effect, Mr. Speaker, that in Kenya today Kenyatta, as the Prime Minister of this country, is capable of uniting this country. If he fails, then Kenya will be in chaos. That is what I said at Kamakunji. I never said at Kamakunji that because Kenyatta has failed on the issue of federation that was a Motion in this House, I would have spoken my own debate in this House. That I never did.

Sir, hon. Members in this House, all of us, those in the Government who are asking me to

[Mr. Muliro]

withdraw this Motion, those in the Government who are saying shame to me, should be ashamed because they are the hon. Members in this House who passed this very Resolution. This Resolution was never made by the Opposition. The dignity of this House, if this Parliament has to be a Parliament at all, the Resolution we pass in this House must be honoured and respected. We do not want to make ourselves cheap.

Mr. Mongare: On a point of order, Mr. Speaker, Sir, is the hon. Mover of this Motion in order in referring to the Resolution passed in this House when the Prime Minister himself, with all the full confidence of the country, had made a statement thereafter about why we did not federate earlier?

The Speaker (Mr. Slade): Of course it is in order, Mr. Mongare. You keep rising on points of order merely to make your own arguments. I hope you understand the difference between a point of order and a point of argument. If you fail to understand, I shall still have to send you out of this Chamber.

Mr. Muliro: Mr. Speaker, Sir, I was making the point that this House should have its own dignity, that when we pass a Resolution in this House that Resolution has the effect of law, that Resolution must be respected. If we are here as a mere debating society, then we should not be paid the salary to come to this House. We passed this Resolution because all hon. Members in this House are convinced that for Kenya and the rest of East Africa to deliver any economic benefits to the millions of people in this country, all the territories of East Africa must unite in a federation. Sir, we cannot hope for unity unless we take concrete steps to bring it into being. Unity must begin somewhere. We can talk of the Organization of African Unity, we can talk of East African Federation, but some country has to take a step. What this House wanted was that our Prime Minister must take steps towards the federation of East Africa. We have not got it yet. This very House passed this Resolution but they have not acted on it. Sir, for Kenya to remain on her own, as she is, the United Republic of Tanganyika and Zanzibar to remain as she is, and Uganda to remain as she is today, however much we might be wedded to the East African Common Services Organization, that Organization is going to surrender to the political strings pulled by Tanganyika, Uganda and Kenya. Today, Sir, the strings are already very visible. Every

country is trying its very best to see what business, what investments, what industries it can attract to its own area, and this cut-throat competition is what is going to render the East African Common Services Organization completely hopeless.

It is unfortunate that we attained Independence before we cemented the idea of genuine Federation of East Africa.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): On a point of order, Mr. Speaker, I rise to have your guidance for the House as to how much material in respect of merit or demerit of federation can be used in debate on this Motion. The Standing Orders state that any matter which has been the subject of debate may not come before the House for at least six months. The question of this Motion is not so much to debate the merits or demerits of federation, but rather what has transpired since that debate in terms of the implementation of the Resolution of the House. and I seek your guidance whether the hon. gentleman is in order in beginning to lecture about the merits of federation instead of telling us what he considers went wrong since the passing of the Resolution and why he has no confidence in the Prime Minister.

The Speaker (Mr. Slade): That is a perfectly proper point of order and I think I should have explained to the Mover and the House before embarking on this debate the limitations of the scope of this debate. The rule is roughly as Mr. Mboya has said, that the House is not allowed to revert to arguments on something which has already been decided by this House in the recent past. The reason that this Motion is admissible is that it does not raise again the question of desirability of federation, it raises the question of confidence in the Prime Minister following upon a Resolution of the House which has not been carried through. I think the debate must be limited as nearly as possible, as Mr. Mboya has said, to what has happened since the 18th June to justify or not justify the Prime Minister failing to take action on that Resolution.

I apologize, Mr. Muliro, for not having made that clear before I called on you to move. I would say that the urgency of federation today must still be, to some extent, relevant, but one cannot go right over the arguments that we had in the earlier debate.

Mr. Muliro: Thank you very much, Mr. Speaker, for your ruling; I shall abide by it.

[Mr. Muliro]

The argument, Sir, which the Prime Minister has tried to advance against his own inability to move forward is that there are problems within Kenya and problems within the states of East Africa today which do not permit the question of East African Federation. President Nyerere, the President of the United Republic of Tanganyika and Zanzibar, made it very clear that the United Republic is prepared to enter into federation with Kenya and Uganda or with either country alone, and the other one could come later. Sir, to wait until all the three territories of East Africa today iron out their problems is not going to be feasible. Therefore, if the President of the United Republic of Tanganyika and Zanzibar is prepared to enter into federation with Kenya today, we, the thinking men in Kenya, do not see why the Prime Minister of Kenya has not taken steps to meet Julius Nyerere of the United Republic of Tanganyika and Zanzibar to enter into all the steps to bring about federation. Sir, if the Prime Minister of Kenya has had any discussions with the President of the United Republic of Tanganyika and Zanzibar, and knowing very well that he was bound to give an explanation to this House, he should have told us there is no meeting of which we know rather than treat us like that.

Sir, the argument which has been used against the delay, against the inactivity of the Prime Minister, is that statement which was made here: that we in Kenya must move into a republic and the Kenya Constitution must be amended. Nobody here, Sir, says that Kenya's Constitution should not be amended. Nobody, Sir, says that, in order to get into federation, we should not amend the Kenya Constitution. The very fact that we enter into the Federation of East Africa will be an amendment to the Kenya Constitution; it is obvious, everybody knows that. We cannot be told that because of the Kenya Constitution, which is an impediment, we cannot bring about the federation. This, Sir, is a very serious disappointment. Some people, Sir, will go on arguing in this House that those are relevant issues. I feel, Mr. Speaker, that since Tanganyika is already a Republic and Kenya today is under the Governor-General, a federation would, by its very nature, have been a republican federation, and that is the spirit of everybody in Africa. To tell us that we have to wait until we are a republic before Kenya can federate is actually paying lip service to the very lofty sentiments which we expressed in this House: the desire

of the African people in Kenya to see a federation. Sir, some hon. Members have referred to the *Majimbo* Constitution. I think *Majimbo* is a phobia with many people in this House which they must be rid of. In arguments which will be advanced to this House, hon. Members will be advancing this, but, in my submission, Mr. Speaker, the desire to amend the Kenya Constitution has been an excuse for delaying the Federation of East Africa. We have heard arguments here, "blah, blah, blah, blah, blah", and, therefore, Sir, we have to establish a Republican Constitution. What the people of Kenya really want—

Mr. Kamau: On a point of order, Mr. Speaker, Sir, can the hon. Member translate that language he has just used?

The Speaker (Mr. Slade): I do not think that will be possible.

Mr. Muliro: Mr. Speaker, we have been told in this House and we shall continue to be told, even after the republic, that something else must be done before Kenya can move forward. We want determination. If somebody has no determination, if somebody is not prepared to respect the Resolutions passed by the people elected by 8½ million people of this country, then an hon. Member like that should surrender his place to someone else in his own party. There are a number of people here in the Government of today who can easily take his place. It is not only one person who can lead the country. If one person has failed to lead the country we should choose someone else. This is the reason why we feel that the country has been let down, that the initiative of this country has been let down, that Kenya, because of the delaying tactics of the Prime Minister of this country, Kenya has got to be number three or number four. I am warning the hon. Members of this House that in another five years they will come and say, "You were damn right."

Sir, Kenya today has been reduced to such a status that we will join the East African Federation or the Federation of East Africa and Central Africa on the terms as a *fait accompli*, the terms which will be of our own making. We want an East African Federation. We do not want to remain outside, we do not want Kenya to be looked upon as a laughing stock; we do not want Kenya to be looked upon as people who are interested in entrenching their own parochial interests. Sir, I am warning hon. Members who would like to be Cabinet Ministers after the republic of only one thing: the dignity of the House, the hon. Members in this House will

[Mr. Muliro]

come and tell me how right I was on this day. If I may be in heaven or hell they can tell my son that his father was right.

I know this Motion is going to be defeated as many Motions we have moved in this House during the colonial régime were defeated. However, the colonialists had to go. This Motion is going to be defeated today because of the very fact that the Ministers on the Government benches are—I do not say they are in the pockets— Their minds may not be completely straight on the issues today at stake. I would ask hon. Members who will get up in this House to try to quote my speech at Kamakunji not to confuse that I said with what this particular Motion is concerned with. This particular Motion is concerned with the question of the failure to bring about an East African Federation. Great men can err, great men have their own mistakes. This great man of ours has made one special mistake. I would be the last person, after having struggled for the release of Mr. Kenyatta with my colleague, the Member for Bondo. However, I say he has let us down completely on this particular Motion, on this particular Resolution.

Sir, I do not want to dwell upon this issue too long. I would only urge the House to bear in mind that this House which has integrity, which is the House of prestige in our nation has been undermined and undermined very radically. We have to restore the confidence of the nation in the Resolutions of this House. If this House can only be reduced to a night club, or a drinking club, where hon. Members after a couple of whiskies come here and say what they wish and then forget the Resolutions as soon as they leave the door, Sir, this country is in trouble.

With these remarks, Sir, I beg to move.

Mr. Ngala: Mr. Speaker, Sir, I beg to second the Motion and reserve my right to speak later on.

(Question proposed)

Mr. Oduya: Mr. Speaker, Sir, I rise to say a few points on this interesting Motion. If the Members on the Opposition could be patient like the Members on the Government Benches they would hear what I have to say.

The Prime Minister of this country has the confidence of the Members of Parliament and the country as a whole. It is no use people bringing Motions here at this stage saying that there is no confidence in the Prime Minister. Who, Sir, in Kenya today can compete with the present Prime Minister, even according to the

ability of leadership and the ability of uniting the African people, particularly in Kenya which was divided by the *Majimboists*. The Prime Minister is now ruling this country and he enjoys the confidence of the people of Kenya because he did unite the nation which was divided into several pieces because of *Majimbo*, because of tribalism and people saying we are this and that and the other, that the Luo and the Kikuyu are going to rule, and so many other things. These are the people who today bring Motions of such a nature in this House, they are the people who are upsetting the public and telling the public all these wrong things. They say the Prime Minister has failed to do certain things when in fact he has brought the country into unity.

Instead of bringing such a Motion, worded as it is, the Member should have brought a Motion to move a vote of confidence in the Prime Minister, and the Members of this House would definitely support it.

To show that the Prime Minister has the confidence of the people and the country as a whole, recently, Sir, after the elections you noted how many Members were on the Government side and how many were on the Opposition. Today, however, the number of the Opposition have dwindled so much that the Government side carries more weight. Is it not because the Prime Minister has confidence of the people?

The Prime Minister once said that Kenya will one day be a one-party state and this is obvious because it is coming. We can see that it is coming. So, it is high time that my hon. friends on the Opposition side moved and joined their friends on the Government side, and followed the leadership of the Prime Minister and had confidence in him.

Turning to the question of blaming the Prime Minister for having turned down a Motion on federation. All of us, Mr. Speaker, want federation, nobody opposes federation in this country. The Prime Minister we have in this country has wide support, not only in Kenya but throughout Africa and throughout the world. He has more ability as far as foreign contact is concerned. It is the Mover of this Motion who has no confidence in the ability of the Prime Minister. Mr. Speaker, Sir, for the information of this House I would say that I, Oduya, am better off than the Mover. Therefore, to criticize a man of integrity and ability is just a waste of time and the public funds, wasting our time discussing things which cannot materialize at any time.

Recently our Prime Minister was elected Chairman of the Congo Reconciliation Commission.

[Mr. Oduya]

That shows that our Prime Minister has the confidence of the whole of Africa, and that is, of course, the beginning of African unity, not only, Sir, in East Africa as such but Africa as a whole. The whole of Africa is behind the Prime Minister of Kenya. We must thank the Prime Minister for showing courage in trying to unite Africa. Despite all the Prime Minister has done we see some regional-minded people coming here and saying that we have no confidence in the Prime Minister.

I would be one of the men to say that I want federation because I know that on the other side I have more of my people.

When making a statement the Prime Minister did not reject the question of federation. He made it quite clear that federation is going to be achieved and, therefore, in order to achieve federation it was not the question of Kenya forcing and Tanganyika and Uganda to join by force. The leaders of these countries are still on their way, they are planning and when they are ready they will come forward. We cannot force anything. The question of achieving African unity is not to be doubted. If the *Majimboists* try to have discussions on the question of federation with Tanganyika and Uganda they will not last even one minute. So they should appreciate the work that the Prime Minister of Kenya has done in trying to bring all the African countries closer and closer, not only Tanganyika and Uganda. To bring about federation we have to fight the dissident groups, the tribalists, the *Majimboism*. These people are sick, let us first take them to hospital, let them be cured, after they have been cured then we can move to federation.

The Prime Minister has made it quite clear that the whole country is behind him, and it is a fact that the country is behind him, we are all behind him in this House, despite the manoeuvre of only a few individuals who cannot even carry the mandate of anybody. The Prime Minister is going to unite all Africa, he is going to achieve a one-party state, he is going to obtain a more stable Government and then a republic, so that there is no further question of districts, regions, etc., in Kenya.

I assure the House that we Members of the Kenya Government have given the Prime Minister powers to see that everything is done to ensure that Kenya will one day have a one-party state. Those on the Opposition who have sense are slowly toeing the line because they see that this is the only way to make their people benefit under this Government.

African unity cannot come without the co-operation of everybody and that is why Kenya requires to be one party before we talk of federation. We cannot expect to have a Republican President as well as another President at the Coast and another in the Western Region. If we are sincere and genuine then the Members on the Government side today welcome their Prime Minister and they are going to tell him to go ahead and implement the statement he made in the interest of the country, the statement that there will be no *Majimbo*, there will only be a one-party state and the regionalists will be doomed into failure.

Mr. Matano: Mr. Speaker, Sir, I feel there is some confusion here. We are actually debating the principles behind the Motion, not the personality of the Prime Minister. I feel there should be some distinction between the personality of the Prime Minister as the Prime Minister of this country and the principles behind our House, the House which represents the people of this country. We are here; we did not come on our own, we were elected by the people to come and see to the welfare of this young nation.

Now, there is a principle which has been ignored. That is what we are trying to fight at this moment. The principle is: we, here, as Elected Members of the people, sat down here and demanded federation. When we demanded federation our Ministers gave us the difficulties and the reasons behind the delay and yet we as the Elected Members of the people felt that federation should come. This is the point, Mr. Speaker. After all the explanations, after all the drawbacks and the difficulties, we, the responsible men, the elected representatives of our people, we decided that despite all the difficulties we wanted federation on the 15th June.

Either we were sane on the day or we were mad, because if we were sane and we passed that Resolution then our people expect us to follow it up. This is the point, Mr. Speaker. We have no quarrel with the Government or the Prime Minister, nobody has any quarrel with them here. There is nobody who would say that the Prime Minister is not a great man. He is a great man, that is why he is the Prime Minister of this country. That is the principle behind it. Either we are here to pass Resolutions and see that they pass through, or we are here to become a laughing stock of the country. This is the point, Mr. Speaker. Schools should use debate, I used to debate in my school. I remember one day I debated and supported polygamy, but today if anybody wants to buy an extra wife I refuse.

[Mr. Matano]

Mr. Speaker, I debated on polygamy, I put views forward on polygamy and we won the debate, but that does not mean I wanted to buy more than one wife; it was a pastime. Mr. Speaker, we must know now: are we here as a pastime to come and debate so that we pass Resolutions and then withdraw them, or are we here to debate sincerely and honestly for the good of our people? If we are debating honestly and sincerely and we are here to represent the views of our people, then the Resolutions of this House must be respected. This is the point, the principle. If we are here to respect what we pass here, then the Motion has a big meaning. If this House today say that, after they have passed the Resolution, they feel that the Resolution has no meaning, then it is time to go back and dig our gardens, because we are doing nothing here.

Mr. Speaker, the point is, when the Resolution was passed here a specific date was given, that on such and such a day federation would come here. Our Ministers have given us the difficulties, and the reasons why it is impossible to have it on that day and yet we are grown-ups, we are Elected Members of the people and we are sane, not mad. We passed the Resolution that we wanted federation on a specific day. Now the point is, that date has come and that date has passed, and federation has not come. The federation has not come on the day when this House said that it wanted federation. As it has not come, then we should be told today the man responsible, if he is not the Prime Minister. Let us be told who is responsible, because he is the one who is ignoring the Resolution of this House. If it is the Minister for Constitutional Affairs, then we should be told today, and then we can pass a vote of no confidence in him. If it is the Minister for Home Affairs, then we should be told and then we can pass a vote of no confidence in him. If it is the Prime Minister, Mr. Speaker, it is right that this House passes a Resolution of no confidence in the man responsible for the deceptive implementation of the Resolution. If we are told today that the man is the Governor-General, then we should be told so we can pass a Motion of no confidence in him because he has ignored the Resolution of the people who have been elected by the masses of this country.

Mr. Speaker, it goes very deep into the fundamental dignity of this House. If today we do not pass this Motion it means that we are debating and we do not mean what we debate on. This is the point. It is the principle; we either

stand by what we pass here or we do not mean it. If we do not mean it, let us pack up, gentlemen, and go back and think, because we are just wasting our time. For instance, the other day we passed here a Resolution that tolls on bridges at the coast would be free. Are they free now? No, they are not. So, we are wasting our time. Federation was passed; nothing has happened. Toll on bridges at the coast were said to be made free, and this House passed the Resolution that they were going to be free, and has anything been so far done? Absolutely nothing. What are we doing here, Mr. Speaker? Are we here just to talk and talk and talk? We mean business. When we pass Resolutions here, it is the country which wants them. Everybody wants them. Therefore, if it is a man in authority, we should be told today. If it is the Prime Minister, then the Prime Minister must get on with it. If it is a Minister, somebody who is holding up the federation, we should be told and then we will pass a Motion of no confidence in them.

Mr. Speaker, this is why we are here. We are here to pass the wishes and the desires of our own people, not to just talk. This House should show that it respects the Resolutions of this House, show the world that whatever is passed here will be respected. This is the supreme authority of this country. If this is not done, we will be just playing about. This is the point actually. The point at this moment is the dignity of this House. That is at stake. It is no use just passing Resolutions that will not be implemented. What is at stake is whether we mean what we pass here. Mr. Speaker, I am repeating it so as to emphasize it so that the hon. Member who has no constituency may understand what we mean. These people were elected by the people. This is the point.

The Speaker (Mr. Slade): Order, order. There is much too much noise in the House.

Mr. Matano: Mr. Speaker, this is the principle behind it. It is no use standing up and saying it is the Prime Minister as a person. Who does not know the Prime Minister. We have all a great respect for him. But if the Prime Minister is holding up the desires of the people, the desires of the people who have been elected by the masses, then we should pass a vote of no confidence in him. If it is the Minister, if it is anybody, who is holding up the desires of the people of this country, surely, Mr. Speaker, it would be wrong for us to express confidence in him. This is the point and this is the spirit behind the Motion, not because we are attacking the Prime Minister; we are here attacking the principle behind it. We either say what we mean and

[Mr. Matano]

mean it and do it, or we sit here and waste our time and become a laughing stock of people who understand the parliamentary proceedings.

Mr. Speaker, with these few words, I beg to support the Motion.

Mr. Masinde: Mr. Speaker, Sir, I do not have much to say, but I want to provide answers for one Member of the Government who stood up here and said a lot of things which were made actually to confuse this House. Here, my hon. colleague who has just left, has presented a very clear case which is very clear both to this side of the House and to the Government side. Sir, we all know what the Prime Minister says from time to time. What is important and what this House must know is whether what we say here, we say seriously enough to implement it. Here, our people, the Back-benchers particularly, are people who stand up to shout the Ministers down but they do not really mean it, because the real intention is to shout at them and then in the evening after that they go to the Ministers' houses and say, "I'm sorry, I did not mean it". That is why—

Mr. Ngala-Abok: Mr. Speaker, Sir, on a point of order, can the hon. Member substantiate that the Back-benchers go to Ministers' houses and apologize for whatever they have said? This is a serious allegation. I never apologize personally. He should substantiate.

The Speaker (Mr. Slade): No, I do not think that is the kind of thing that we can look for substantiation of. The hon. Member is expressing an opinion based on what he has seen happening. Hon. Members are entitled to make inferences and state them in the House; whether or not they are justified depends on the circumstances. Hon. Members all know the extent to which there is any evidence of Back-benchers coming round in their attitudes.

Mr. Masinde: Mr. Speaker, I do not want to labour that point very much. I will go further to suggest that immediately after the resolution had been passed in this House, all Back-benchers went to the Prime Minister's Office, and at this meeting they had to apologize and then they agreed they wanted the Prime Minister. But did they agree with the Prime Minister and did he assure them what he was going to do about the East African Federation? Did they only agree because possibly the Prime Minister called some of the Back-benchers who shout loudest to his house to be confirmed to the idea?

We know very well that Kenya's Prime Minister is a man who is very much respected

and I myself respect him too, but—and this applies to any great person—unless you give him something to do, you will never prove to him that he is the right person. We thought that Kenya's Prime Minister, Mr. Jomo Kenyatta, was the person who was going to bring about East African Federation, was the person who was going to bring about African unity, but now he has a job, he has failed completely because if he cannot do anything now as the Prime Minister of this country, if he cannot negotiate for the East African Federation, then he has failed. One of the Members who has spoken here about the Prime Minister's ability, told us, instead of talking about the Prime Minister, we should think about *Majimbo*, we are tribalists. Then, let us agree. But the person who shouts loudest in this House—we can check on HANSARD records—about tribes, is one of the men who has been always saying that his Teso are forgotten, his Teso are forgotten. Who asked about the Teso? We are trying to move a vote of no confidence in the Prime Minister. He is the very Prime Minister. Do you mean to tell the people that you are representing them when you oppose— Do you mean when you shout in this House—

The Speaker (Mr. Slade): Mr. Masinde, address the Chair. I have to restore order.

Mr. Masinde: Mr. Speaker, I am very sorry. When some hon. Members stand and shout about their constituencies, are they seriously representing the views of their people or not? The Member for Elgon West has from time to time said in this House that his Teso are neglected by the Kenya Government, and he has challenged the Prime Minister from time to time and said that he is becoming a tribalist, and it is this very Prime Minister this Motion is trying to move a vote of no confidence in. Now, why is he against coming up and supporting this? Does he say these things to bluff the Teso people?

Mr. Oduya: On a point of order, Mr. Speaker, I seek your guidance. The Member seems to have forgotten the Motion. Now he was going to deal with—

The Speaker (Mr. Slade): Speak up, I cannot hear.

Mr. Oduya: Mr. Speaker, the Member seems to have forgotten the Motion. Now he is trying to say that the Member for the Teso has said the Prime Minister is a tribalist. Is he right to say so?

The Speaker (Mr. Slade): Order, order. Your point might be more justified, Mr. Oduya, I

[The Speaker]

think, if you had not yourself embarked on a general exultation of the Prime Minister and a general attack on the Opposition.

Mr. Masinde: Mr. Speaker, Sir, I want to go further. The point I wish to make is, since we all agreed and voted for the day on which we wanted Kenya to federate with Tanganyika, because Kenya Government by then had indicated that Uganda was not coming and the vote supported the internal constitution of Uganda, here, we are now told that it was the *Majimbo* Constitution which was an investment for East African Federation. We said here very clearly that because of the existence of *Majimbo* in Kenya, we would do without *Majimbo* and federate today. After that assurance, what has the Kenya Prime Minister done? What? Instead of federation we are told that we are moving towards Kenya's Republic. Of course, we know Kenya's Republic is necessary, but if we could federate, a Republic would come as a federal Republic.

Sir, this is important but Government will come up with its own excuses. For Government it is all right. People are very concerned. They are my colleagues the Back-benchers who tried to deceive the country that they are fighting for the people, representing the views of the Kenya citizens, and yet they do not mean it. They only try to denounce our Ministers here when they do not mean it. It is because of this, they only try to print themselves in the Press when they know very well they do not have support. If they want to have the support of the country, they must vote out this Government because Government has failed to do what it assured the country it would do when Kenyatta came to power. Kenyatta as a leader has failed to control his Cabinet, his Back-benchers and the country because what he has promised—probably there are difficulties in the Cabinet—he cannot do at all. We cannot help a leader who is weak, who cannot determine his own position. If this is the man we have as the leader of the country, then Kenya unfortunately will be led by a man who is weak and who cannot hold his position at all. I think it is unfortunate and we should denounce this man at this time so that we are redeemed.

The Minister for Home Affairs (Mr. Odinga): Mr. Speaker, Sir, I stand to make a few observations on this Motion which I consider should have been a serious Motion, but unfortunately it is so badly worded that it is so rendered that it will have a more or less unfortunate end. I will say, with due respect to the Mover of the

Motion, whom I have had cause on many occasion to sympathize a great deal with many of his views, I was today a little bit hesitant in hearing the utterances which he made in here which I thought was below what he should actually utter if we consider the experience and the time that he has taken in the struggle for this country.

Mr. Speaker, in order to show him that I am really very sorry, I will only read slowly the resolution which he is referring to: "That in view of the fact that all the people in Kenya were promised an East African Federation immediately after Kenya's Independence, this House calls upon the Government to accelerate the machinery—not to implement, but to accelerate the machinery—for this purpose to such effect that instruments of federations may be ratified by the Kenya National Assembly not later than August 15 1964."

Mr. Speaker, Sir, if somebody was actually studying these words very carefully and if somebody really knew the meaning of what is called a Motion, a Motion in this House, he should have understood where we are. I think what my hon. gentleman should have asked the House to consider was to ask the Government to explain whether the Government has actually tried to accelerate the machinery. We should have actually been asked to explain or to say whether we have done something to it or not, and this is what I am saying.

Mr. Speaker, Sir, the work which we embark on is the work of the unity of the three entities which are, at the present moment, existing as entities in East Africa. What we were trying to do was only to accelerate the machinery for bringing about the East African Federation, and when we were doing it, you may have put a limit to us in Kenya, but you did not put a limit to Tanganyika, or a limit to Uganda. It was never done like that. According to you, and in your mind, my dear—

The Speaker (Mr. Slade): Order, order. You must address the Chair.

The Minister for Home Affairs (Mr. Odinga): Mr. Speaker, that I did when I was looking at you.

The Speaker (Mr. Slade): It is the other way round, Mr. Odinga, you do not have to look at me all the time, but you have to refer to hon. Members in the third person and not the second person.

The Minister for Home Affairs (Mr. Odinga): Thank you very much, Mr. Speaker, I will keep that in mind.

[The Minister for Home Affairs]

Now, I will only put it to the hon. gentleman who is actually making it according to his own mind, he might have narrowed his own outlook, and since it is from his own imagination that reading about this unity is as easy as talking in this House, but it is not. Therefore, the Government in trying to implement the wishes of the people, when it refers to the Father of our Nation and the Leader of our Government, who actually is a man of heart large enough to accommodate all the rubbishes that our people put to him. He knows that he has to harbour them, and when anybody speaks of the people, he has also got his cooling system. It was mentioned publicly by the Mover of this Motion that he, and he alone, in this country, is capable of bringing about the necessary unity. The same thing is happening to him in East Africa. He is trying by all possible means to bring about the unity of East Africa, and indeed, when this Resolution was passed, he never lost any chance. He met his colleagues in East Africa, and in actual fact, they tried to create certain machineries to bring about the federation as soon as possible. Ever since this Resolution was passed in this House, there has been a meeting in Uganda of the committee which was drafting the Constitution of the East African Federation. They actually went to meet in order to try to bring agreements on some other points where they had not actually made some agreements, and we understood that they made further advances, and other meeting is also due very soon to meet in order to carry on with their work. At the same time, Mr. Speaker, Sir, they created another machinery which helped to deal with the economic aspects of East African Federation, and that is doing its work.

Therefore, Mr. Speaker, Sir, when it comes to the wording of this Motion in front of the House today, I thought that, instead of the hon. Mover putting it, "that this House has no confidence in the Prime Minister of Kenya", which I thought was a little irrelevant to the issue which he wanted to bring forward, he had another ulterior motive to this.

Mr. Shikuku: On a point of order, hon. Members on the opposite side are worse than kindergarten children. Mr. Speaker, Sir, is the hon. Member in order to imply that the hon. Mover had some ulterior motive?

The Speaker (Mr. Slade): We have a very strict rule that hon. Members should not impute improper motives against each other individually. The hon. Member may have suggested an ulterior motive, but that does not necessarily imply any improper motive.

The Minister for Home Affairs (Mr. Odinga): Mr. Speaker, Sir, the hon. gentleman who likes to make interruptions, likes also to use the word, "kindergarten" and so on, but he must also know the meanings of "kindergarten", otherwise people might refer him to a kindergarten.

Mr. Speaker, Sir, I should say that in the course of the explanation which the Mover of this Motion brought forward, and in the course of the speeches of some of his colleagues who followed him in direct attacks on the Prime Minister, I thought that this was a little bit irrelevant to what he was trying to achieve. He was trying to achieve or to get us to tell him of what actually had been done to bring about the East African Federation, and I do not think that trying to blame the Prime Minister or trying to rub in unnecessary words which are very unfair indeed to him, should actually make or bring about the achievement of what he has in mind, if he was really very genuine and strict that he wanted and he was out for federation. That is why I say that it was another motive other than the motive of achieving an East African Federation, and indeed according to the speeches that I have, he has left me with the impression that the Mover and his colleagues are not only worried about an East African Federation but of the amendment to the Constitution, and the Republic of East Africa. This is where they made all the references about the amendment to the Constitution, and also to the coming republic which is inevitable, and which is coming on the way, and will come on the 12th December. I have said that the two issues should never be mixed up because the two issues are very important, both to us in Kenya and to us in East Africa at large. The East African Federation is a very important issue indeed, and also the question of moving into the republic is another separate issue which is very important indeed to us. If we mix our feelings or bring about the prejudices which may advance the bringing about of this, it is very sorry indeed, and it is something which is very pitiful indeed. I should say that we, on this side, no matter what anybody might say, just as my hon. colleague, the Member for Teso, has very well put it, we have great confidence in our own Prime Minister. I should actually bring it to the minds of anybody who might have had it in his mind, or who might have had delusions that by bringing this Motion he could be lying. On the Government Benches, I am sure that if he had that in his mind, he will definitely find that he pays, because we may have our own views on a number of things, but on such matters of national importance as the leadership of Kenya we are not actually going to play with it, because it took us

[The Minister for Home Affairs]

a great struggle to get the leadership that we have in Kenya today.

Anybody who was in that struggle must understand the value of what is called "leadership", and I do not think that we are going to treat the leadership of this country very lightly and very simply, as we see some Members attempting to do. As such, Mr. Speaker, I need only to pass it to my hon. gentlemen on the opposite Benches that at the present moment Kenya is enjoying a leadership which is dynamic, a leadership which is trustworthy, a leadership which, I am sure, needs to have the respect of those people.

Mr. Speaker, Sir, I will only put it to my hon. gentlemen. Just as I make you respect certain things, I will also make you lie to the Communists just as you lie here. Mr. Speaker, Sir, some Members suffer from what we call undue propaganda drummed into their heads, which they insemminate out one by one, but there will come a time when they will become bankrupt of that propaganda, and then the Government are going to show that they are truly non-aligned.

Mr. Speaker, Sir, there have been so many references here to the fact that once a Resolution is passed in this House and it is not implemented, then we shall be a laughing stock. I wonder who would be the laughing stock? Is it that man who brings such Motions as the one that we have had today? The one who brings such a Motion of no confidence in the Prime Minister is bringing a Motion which will make him a laughing stock.

Mr. Speaker, Sir, let me conclude by just actually putting in a few words, which I think may be a few words of counsel to the hon. gentlemen from the Opposite Benches. I still repeat that we must all be serious if we are to build the Kenya nation. We must all of us try not to use these political manoeuvres which will not take us anywhere. We must be able to bring to this House constructive ideas which will help us to go forward and not actually play with the name of the Prime Minister. We will not tolerate any playing about with the name of the Prime Minister.

Mr. Speaker, Sir, with these few remarks, I oppose the Motion.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): On a point of order, Mr. Speaker, Sir, I rise to suggest that, due to the narrowness of the material in this debate, and the repetitive nature of the arguments, the Mover be now called upon to reply.

The Speaker (Mr. Slade): Order, order. I think we are near the point where that question could be entertained, but I am required to be satisfied that there is no infringement of any right of Members. Mr. Ngala in seconding reserved his right to speak, and I think he must be given that opportunity now. After that, I will ask the House to entertain the question of the closure.

Mr. Ngala: Mr. Speaker, Sir, it is very clear that the Motion in the House is not on communism or socialism or any other such ideologies. This Motion is moved in order to point out serious blunders that the Prime Minister has made since our independence or since the Resolution in question was passed in this House, and also to give him time to resign in time before he wrecks the country, for which he himself has worked so hard politically in the past.

Mr. Speaker, Sir, I myself have no personal grudge against the Prime Minister, but the country is seriously concerned about his ability as Premier in the matter in question. It is for this reason that the Mover has deemed it right to put forward the feeling of the House on an issue which has been passed with a majority of this House and a deficit on the Government and it is surely the majority of this House's decision which is supreme and should be respected, even by the Prime Minister himself and the Cabinet. For any hon. Member to stand up here and query the genuineness of the Mover, I think is very contrary to the genuine feelings which were shown in this House when the Motion was originally put to this House.

Mr. Speaker, Sir, the Prime Minister of today is not the same person as in the olden days. He is not the same person of the days of the Kikuyu Central Association, for example, or the olden days of the 1952 Emergency. The Prime Minister has, in my view, as Prime Minister, very much deteriorated, in intelligence and also in insight of world affairs as well as national affairs of this country.

Surely, it is entirely the right of this House to speak their minds, that is why this is a free country. It is not just independence which matters, but also the freedom for this House as well as for individuals. When African politicians were in fact struggling for the release of the Prime Minister, as the hon. Member for Bondo has mentioned, we had some hopes, we had some optimism. This optimism which we had is very much disappointed in his power to lead the country, particularly to lead the country to federation. Of course, the Prime Minister on his return from Cairo made a statement here which was most vague, meaningless without intentions. He said,

[Mr. Ngala]

"I have not had time to meet the leaders of the other countries." The leaders of the other countries are assumed to be the President of Tanganyika and the Prime Minister of Uganda. The very same people were with him in London at the conference, they were with him again in Cairo. Now when he issued that statement that they delayed to abide by the Resolution because they thought that they were going to meet them, we do not understand it, Mr. Speaker, Sir, and again, Dar es Salaam is less than 500 miles from here and Uganda has a good tarmac road to Entebbe, and therefore we cannot see why that statement should have been issued by the Prime Minister as an excuse in this House for not carrying out the Resolution and putting into action the Resolution of this House. Therefore, we refuse to accept this excuse that was given by the Prime Minister in a very vague and very feeble statement which was given here some time ago.

Again, the Minister for Constitutional Affairs stood up about two and a half weeks ago and he said, "How can we federate, there is not anybody to federate with." Federation is a marriage. Unless you get somebody else to marry you, how can you marry? It has been made very clear, Mr. Speaker, Sir, that the Republic of Tanganyika and Zanzibar has ever been ready, even the delegation of Parliamentarians which came from Dar es Salaam, Tanganyika, told us that they are quite ready to marry, to federate. To tell us now in this House that we have failed to bring about federation because there was no body to marry, I think, is another thing from the Government side, and we feel that we cannot accept both, the statement made by the Prime Minister and the excuse made by the Minister for Constitutional Affairs a few weeks ago. Our optimism has proved to be self-delusion. We thought that we were releasing somebody who would get us independence and also take us to federation, but this has been a great disappointment. I think the Government is weak and the Government is lacking understanding of the modern politics.

We must make it quite clear that when we talk of the Prime Minister, we are talking of the man who is leading the Government, and his Office, and this should not be taken as a personal attack on the Prime Minister. We are making it very, very clear that it is the failure of the Government of Kenya, and since the Prime Minister is the Leader of the Government of Kenya we have no alternative but to blame him for failing to carry out his responsibility.

Mr. Njiiri: Can you do better?

Mr. Ngala: Do better what? I have a lot of things in which I can do better, and the Prime Minister, I believe, knows very well what I can do.

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

[The Deputy Speaker (Dr. De Souza) took the Chair]

Now, the events, Mr. Deputy Speaker, which have led me to think that the leader has failed us; we have so many events. We have such events as the issue, the Somali issue, for example, unsolved. The Government has completely failed even to solve the issue, a small issue such as the *Shifita* issue. How can the Government talk of solving a big issue such as the federation? Of course, we are told that in Kenya there are problems, there are such problems as internal problems which are hindering us. Which country in the world has not got internal problems? Zanzibar has her own internal problems, Tanganyika has her own internal problems. But, they have agreed to come together under a unit.

Mr. Deputy Speaker, Sir, Zanzibar and Tanganyika have their own internal problems, they have decided to come together and, of course, even when you marry you do not solve all the problems before you get married, you get together first and you expect even more problems to come during your married life. Therefore, Mr. Deputy Speaker, Sir, I cannot accept the excuse given by this Government that we have our own problems. Some people seem to think that *Majimbo* is a problem. I am quite sure that *Majimbo* is not a problem. It is the Government which is the problem.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Deputy Speaker, Sir, I beg to move the closure now.

(Question put and agreed to)

Mr. Muliro: Mr. Deputy Speaker, Sir, I think the hon. Minister, the Member for Bondo, who spoke on this Motion on behalf of the Government, actually made a very poor case. The hon. Member tried to analyze the words "accelerate machinery" and then he insisted on "maybe", but I need not complete the fact that to accelerate machinery for this purpose to such effect that the instruments of federation may be ratified by the Kenya National Assembly—not, the operative word—not later than 15th August, that is what is the operative word and this Resolution was moved by the hon. Anyieni, Member for Majogebassi, in this House.

[Mr. Muliro]

Today, Sir, the hon. Members have rejected their own baby. If they had rejected the original Motion, moved by the Member for Butere in this House, they would have had better sense and integrity, then rejecting today a resolution which they themselves amended. The hon. Minister once said: "I will be a laughing stock because I moved this Motion."

An hon. Member: That is what you are now.

Mr. Muliro: I am not a laughing stock, it is the hon. Members who passed this Resolution who are going to look, in the eyes of the world, in the eyes of the people of Kenya, like idiots.

Mr. Anyieni: On a point of order, Mr. Deputy Speaker, is it in order for the hon. Member, for whom we have a lot of respect, to refer to other hon. Members as idiots?

The Deputy Speaker (Dr. De Souza): I think that is a bit strong.

Mr. Muliro: Mr. Deputy Speaker, Sir, if the word is rather strong for the hon. Member for Majoge-Bassi, I can withdraw that particular word. The thing is this, they are going to look like bigger fools in the eyes of the world and in the eyes of East Africa at least, if not of the world. Sir, the hon. Member for Kase should accept the fact that I, who moved this Motion in this House, am not the President of any region, worked at *Majimbo* today and I exist as Muliro. If Ngala insists it is much better than being a President of the region.

The Deputy Speaker (Dr. De Souza): Order, order.

Mr. Muliro: Mr. Deputy Speaker, Sir, the hon. Minister said, "Why did this House put a time limit upon us in Kenya and not in Tanganyika."

Sir, the President of the United Republic of Tanganyika and Zanzibar made it perfectly clear to the world that as far as he is concerned he is prepared to enter into federation today, not tomorrow, with either Kenya or Uganda. What further guarantee could the Prime Minister of Kenya and his Cabinet have looked for? The hon. Minister also said that after that a Constitutional Committee met and another Committee on Commerce and Industry also met to plan. The Committee on Commerce and Industry was forced into existence because Kenya precipitated Tanganyika towards federation. It came into being simply because Tanganyika said, "Look here, chaps, if no federation, what we want is X, Y, Z,"

and the Committee came into being, and Kenya is paying very, very dearly, in terms of economic benefits, simply because of the activities of our Government.

Sir, to say that a Committee on Commerce and Industry was working for federation whilst we have one federal Ministry of Commerce and Industry, a federal Ministry for Finance for East Africa, money gathered in Uganda, Tanganyika, Kenya or Zanzibar, would be money for East Africa, and therefore Tanganyika will not be a party to it, is absurd. So, Sir, I feel that the hon. Members on the Government side have let themselves down very badly.

Mr. Shikuku: Very badly, no backbone.

Mr. Muliro: The hon. Minister told me that I would be a laughing stock, but as from today I have put on record that for those who voted with us against the determined effort on that day of the Cabinet of Kenya, they should be ashamed of themselves for having deceived their electorate. We know that some hon. Members in this House would like to play it so as to be appointed to the new Cabinet as Ministers when the Prime Minister forms it after the republic, but what we ought to know is this: that they should not mortgage their own integrity for jobs in the Government; they should resign and retire to their homes, to live with their wives or fathers and sisters.

With these few remarks, Sir, I beg to move.

(The question was put and negatived)

MOTION

CONTROL OF WILD LIFE OUTSIDE NATIONAL PARKS

Mr. Kase: Mr. Deputy Speaker, Sir, I beg to move the following resolution:—

THAT this House urges the Government to take immediate measures to control all the wild life that exists outside the national parks and game reserves to enable farmers and herdsmen to continue with their work easily.

Mr. Deputy Speaker, this Motion is very clear on what it is intended that the Government does. I will first of all describe the type of farmers that I mean. It is known very clearly that we have large-scale farmers who fence their farms so that the animals cannot penetrate them. All these farmers that are around the White Highlands and other places, might not be suffering from these wild animals, animals like rhinos, elephants, buffalo, baboons and other kinds. The other thing is that the farmers in the rural areas, in the reserves, in places like my own, the Tana

[Mr. Kase]

River, is where we suffer the most. Such areas as these are the areas I mean. I have excluded national parks and game reserves for one reason. I understand that there are certain national parks and game reserves which are fenced and this prevents the animals from going through these fences but then there are some other areas where the animals are not fenced in, therefore, they are free to move, as human beings move. Let us say that we loop on Nairobi as if it were Tana River and the animals are as free to move around the district as people are free to move and therefore what you find is that when you walk along the road you have to be careful of two things. One is that you have to be careful always of the animals, you walk along a path and all of a sudden you come across an elephant and you cannot kill it, I will explain why you cannot kill it.

Under the Game Ordinances the Minister has the right, I think it is Game Ordinance No. 376, something like that, Chapter 9, to declare any area a prohibited area whereby no person is allowed to kill an animal without his permission or without the permission of a game warden in the area. That is the reason some of these areas, especially the Tana River area and the North-Eastern Region down to the Coast Region and the whole of the Central Region, where you do not find these game parks and where no person is allowed to kill any animal without the Minister's consent and without the Chief Game Warden's consent. The Minister, I know, will stand up and say "There is an Ordinance." I know, the 1958 Ordinance, Chapter 11, I think, gives every person the right to kill an animal in the defence of his life or his crops. But there is a snag here. I am a local farmer, digging in the deep reserve of Lamu, the Tana River, and an elephant comes to my *shamba*. All I have is a small spear. How can I stop an elephant from entering my *shamba* with a small spear? An elephant which is capable of carrying ten or twenty people on its back, how can I stop it with one spear?

That is the only thing that the Minister allows. What happens is that to protect myself I am only allowed to wait at my small *shamba*, not even one inch further, and the Ordinance goes as far as to say that if you kill an animal one foot from your *shamba* you are liable to a penalty of Sh. 20,000.

Mr. Deputy Speaker, the Minister is asking why I should kill it. I do not want to kill it, all I want is that the Minister controls his animals, because they are his under the Game Ordinance. I do not want them to come to my *shamba*. That

is all I want. Now these days the Ordinance allows me to protect myself, but Mr. Deputy Speaker, imagine, I am moving with twenty cattle, I have to control their direction and a lion comes across my cattle. You find a herdsman walking along and all of a sudden a lion comes along and tries to grab his small cattle. All I have to do now is to control my animals and see that they do not go astray and also fight against this lion. The poor person is expected to defend himself against this lion. He is not allowed to use a poisoned arrow, this would have been very cheap if the Minister allowed us to use these poisoned arrows. For heavens sake we would not come here and tell him to control his animals if this was so. If he says we are allowed to do this then I want him to quote the Ordinance under which this is allowed.

The Minister says where will these animals come from? He is very ignorant because he is always in Nairobi, or in Mombasa, or in Nakuru or other towns. If he has been out of the towns at all he ought to have seen where these animals are; they do not stay in houses and therefore if he wants to see these animals he must go out of the towns—if he wants to come with me this weekend I will show him.

Mr. Deputy Speaker, these animals damage peoples crops and the Ministry does not give any compensation to these people. The animals also damage peoples animals, cattle and so on, and, for your information, Mr. Deputy Speaker, it was only three weeks ago that a Land-Rover of the Food and Agricultural Organization was travelling between Garissa and Galole when it hit an elephant and three persons were killed on the spot. Three people were killed because they hit an elephant. The elephant ran across the road and the driver could not stop in time and he and two other men were killed and other men injured seriously and are even now in hospital. This is the sort of thing we do not want to happen. We do not want to see innocent people killed because of somebody's carelessness. The Game Ordinance controls these animals: it is said that these animals are profitable. This I do not dispute. They might be profitable to Kenya—I am not disputing that. All I want is for the Minister to assure that the animals do not interfere with the everyday lives of the people in these areas. We do not want to see these animals walking around. Several times I have gone to the Ministry and have been advised that the Ministry, as in the case of Tana River, allow certain game corridors which the animals can use to come through. Mr. Deputy Speaker, imagine the Mombasa road to be the river and

[Mr. Kase]

you have a *shamba* near the river. How will the animal coming from Kajiado determine that a certain part has been left for him to use? Are these things practicable, or does somebody in the Ministry think and write out of nothing?

The Ministry say they might employ more game scouts, but, Mr. Deputy Speaker, these game scouts are unable to do the job they are employed to do. When one invites a game scout they demand certain things first. I invited one last year and he asked me to cook him food first before he would go to my *shamba*. This I refused to do. The game scout is employed to do his work. If he is employed to do his work why does he try to force a local person to cook his food first? Is he placing bribery first before he does his duty? Is the Minister for Justice allowing this man to do so?

The Minister for Justice and Constitutional Affairs (Mr. Mboya): That does not sound like African socialism.

Mr. Kase: If you doubt that I am an African then you also must not be an African.

Mr. Deputy Speaker, if there is a visitor to my home I will cook food for him; and if the Minister wants to come to my home I will prepare food; but one a person becomes a game scout then he must do his work as a game scout. It is not a question of such a person demanding certain things first.

There are only three game scouts in my own area, Mr. Deputy Speaker. All the game scouts are in Malindi—there is not one at Lamu or at Tana River—they stay in Malindi because they are afraid of *Shifta* activities. I would not have made a fuss over this; the game scouts are not there because they are afraid of *Shifta* activities and they cannot patrol the *shamba* areas any more—

An hon. Member: Where are the *Shifta*?

Mr. Kase: The *Shifta* are you.

These game scouts cannot go out and control these animals as effectively as it was thought they might and therefore these animals come and eat or damage a lot of the crops.

Last week a person who had a *shamba* of twenty acres had the whole lot eaten one night when two elephants came in and cleared everything.

The Minister says that some funds are provided by county councils to pay compensation to these people. This is most untrue. I want to go and take the estimates of Tana River County Council

and have him show me where an estimate is made.

The Parliamentary Secretary for Natural Resources (Mr. Njiiri): It is not started yet.

Mr. Kase: Then why did he say that it was? Ministers cannot escape things because they think they can find loopholes. This is a very untrue excuse. The Parliamentary Secretary to the Ministry of Natural Resources knows that there is not a single Vote; there is not a single cent. The animals are the responsibility of the Central Government; how can the county council be expected to compensate people who have lost their crops? This is a very realistic argument—the animals are the responsibility of the Central Government why should the county councils pay compensation to people? If the animals are controlled by the county council this would be right, but how can somebody be liable for something over which he has no control at all? Therefore, Mr. Deputy Speaker, all I am asking in this Motion is that the Ministry controls the animals, and I would give my methods by which this might be accomplished. If they do not want to go ahead with control they should tell us; it is no use amending the Motion and saying that they will carry out effective measures; this is a lot of rubbish. We want the Minister to tell us that he will control game in definite ways so that we, as farmers in the rural areas, can move and dig freely and not fear animals.

Outside the game reserves and national parks game like elephants, lions, etc., should be collected and put back into areas in which there are no farms. We would ask the Minister to come and we will show him an area in which he can preserve his animals but although we have asked him several times he has not come. Mr. Deputy Speaker, we would like the Minister to collect all the animals and put them into the national parks so that they will not disturb our crops and we can walk freely.

If the Minister is incapable of controlling his animals he should give us permission to kill them with poisoned arrows when they are in our *shambas*. This is all we ask. Poisoned arrows are a solution.

In the olden days we used to dig holes and trap these animals—this should be allowed once more. If we are allowed to deal with the animals for two weeks we shall chase them off without the help of the Ministry. If we are allowed to control them as we used to control them in the old days we shall be very happy. As long as he insists on his game wardens we are not going to be happy as farmers in the rural areas. We

[Mr. Kase]

want him to take effective measures; we want him to collect his animals and keep them separately; we want him to allow us to use poisoned arrows. We want the Minister, if he thinks he is incapable of dealing with the animals, to give us small guns and we can deal with them.

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

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

Mr. Speaker, Sir, the Minister has never come across an elephant in the reserve. He has seen only those in the national park, but if he would like to see the wild elephant I will show them to him and he would not, even with twenty *askaris*, stand and face one elephant.

The Parliamentary Secretary for Natural Resources (Mr. Njiiri): Not with pistols—

Mr. Kase: I said guns, I did not say pistols.

Mr. Speaker, this Motion is self-explanatory. All we want is the Minister to control his animals otherwise lawlessness will take place. This is not a question of threatening the Ministry; people are fed up with these animals, which he terms as his, but which he cannot control. I for one am fed up with these animals in my district. We are not benefiting anything from these animals. These wild animals must be controlled by the Ministry effectively so that people can dig and move about freely.

Mr. Speaker, I overlooked a few other animals which are dangerous. In the Tana River we have crocodiles. These are dangerous. In the olden days we used to make good meat out of these animals. It takes five minutes only to kill a crocodile, but today if one is killed the game scouts will chase you. It is very good meat.

The other animal, Mr. Speaker, is the hippo. This is also an easy animal to kill and takes about half an hour. At night these hippo come and graze among the rice. This happens on the shores of Lake Victoria as well as on the Tana River. I think the Minister has not been there either. Therefore, Mr. Speaker, these are the animals which we want the Minister to control. The game ordinances are useless to help the local man.

With these few words, Mr. Speaker, I beg to move.

Mr. ole Oloitipitip: Mr. Speaker, Sir, this is a very self-explanatory Motion and asks the Government to control the game. When the Mover was moving this Motion I could see that responsible Ministers in the Government were

laughing, for the simple reason that the Jaluos have killed all their game and they now eat fish which do not kill people, do not destroy crops. The Minister has come to Nairobi and stays the whole time in the towns. The country cannot tolerate such a Minister, when Motions are brought to this House, making such Motions a laughing matter. This is not a laughing matter.

Mr. Speaker, Sir, people have lost their lives; others have lost their property and crops, and this is a very serious matter. We cannot tolerate Ministers laughing at such a Motion brought in this House. They should sympathize with the people if they are the true leaders of the country. The same thing applies to my hon. friend in the Central Province. He does not have any game there except a few dik-dik and that is why there are so many Kikuyu, because they are not killed by wild animals. Our people are suffering from the game while Kenya as a whole is benefiting from the game we protect. When we bring such a Motion to this House, the Minister should sympathize with such a Motion.

Mr. Speaker, while I want to second this Motion, there are some points I want to mention. We know that too much of anything is poison, and we would like the Ministry replying to this Motion to tell us how much game this country needs. This is the first question to be answered when the Minister replies; he must tell us how much game we need in this country to attract tourists, because no one is denying that the game is beneficial to the country. We know that, but if there is too much, it is poison and we cannot tolerate it.

For example, Sir, there is a lot of useless game in the country like zebra and wildebeest. What do they bring to the country? He does not know. Look at the ignorant Minister. They consume our crops, graze our pastures and transmit diseases to our cattle. The Minister was once a health assistant and so he should know all these things, and yet he asks me what they have killed. If they transmit diseases, they cause our cattle to die and then we suffer. They bring disease, they spoil our wells. When we dig our wells for the cattle, because the Government has failed to get us permanent water, and spend a lot of money on these wells, these animals come and destroy them and people suffer hardship. But the Minister does not know. I am not surprised; he lives in Nairobi all the time, that is why.

Mr. Speaker, Sir, that is why I have said that the Minister, when replying to this, must give us an answer on this. Nobody is denying that animals are beneficial to the country. We are always ready to protect them, and we have been

[Mr. ole Oloitipitip]

very kind to them. We do not eat them; we are pure people, we depend on domestic animals, we do not eat crocodiles, as my friend said, and that is why you find a lot of them in our country. We have done every favour to the game, but when the question of our needing protection comes up, then the Government must sympathize. Therefore, Sir, I rise to urge the Government to tell the world, to tell Kenya as a whole how much game Kenya needs. If the Government has the number, then this game must be confined in a certain place, either in national parks or in game reserves.

An hon. Member: How many are there?

Mr. ole Oloitipitip: He will tell us because he is in charge of the Ministry, not me. I am not a poacher, I am not Ndorobo, I am a pure Masai; you should know that.

Mr. Speaker, Sir, therefore, this game must be confined and the Nairobi Park is an example. Just because the Minister is near to Nairobi, you can see that the whole park is fenced. This was fenced because they wanted to protect the human beings, and if the human beings of Nairobi want to be protected, the same thing applies to people who live in Teso, the same thing applies to people who live in Kajiado. There is no reason why, Sir, the people of Nairobi should be protected against wild life and the people in Masailand should not be protected.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): But Nairobi is Masailand.

Mr. ole Oloitipitip: But it is in national use; you know that.

Mr. Speaker, Sir, that is the first point I wanted to make. The second point, Sir, is about game scouts. This Government has already failed to employ enough game scouts to do this work. That was another way of protecting. If we could have places where *shambas* are, places where cattle are and we have enough scouts, whenever the people on the spot need them the scouts can teach this game by shooting them. I know they can be taught straightaway. Once you shoot one elephant, the second will go back and say to his friends, "Look here, let us not go to this *shamba*." The game in this country must be educated and you can only educate the game by employing enough scouts in the country.

Mr. Speaker, Sir, another point I wanted to make—because my time is running out—is about compensation. It is really disgusting to see a man killed by a rhinoceros or a buffalo and all Government pays is Sh. 1,000. When a man is killed

by a buffalo or a lion, all the Government pays is Sh. 1,000. What is this? It is a great shame. Some people here who are insured, Sir, if they meet with an accident, Sh. 1,000 is paid out for the blood lost, but how can you pay Sh. 1,000 for the life of a person? Mr. Speaker, Sir, the country cannot tolerate this idea. The game must be confined.

Mr. Speaker, Sir, another point I wanted to make is about money. Kenya today is getting a lot of money through tourists, but the sufferers, the people who suffer from this game, the people whose crops the game consume, do not get a cent from the Central Government. The people who benefit are the hoteliers, the Central Government itself, but the poor people who are being harassed by this game do not get anything at all. If the Government is really sincere, then it must show to these people who suffer that the Government would like to share the benefit it gets with them, and a large amount of money must be given to the people who did not kill off their game. There is no reason why money should go to people who ate all the game and finished them, while the poor people do not get anything at all. They should not enjoy privileges at the expense of other people.

Mr. Speaker, Sir, this is a very important Motion and I think the Government is going to be very sympathetic. Nobody in this Motion can come and say we do not want the game. We want the tourists to come as much as possible and enjoy the game we protect, but I repeat that too much of anything is poison, Sir, and we must have a limited amount of game. If some of it is useless, then it must be destroyed.

Mr. Speaker, Sir, as I can see that my time is running out, I would say this. This is a warning to the Government. My dear friends, we have been very sympathetic with this game. If it were not through our sympathy, you would not have had game today. I tell you—

The Speaker (Mr. Slade): You must address the Chair, Mr. Oloitipitip. This is an important rule and hon. Members are getting more and more casual about it. I cannot have much more of this disregard of this rule. If I have to tell an hon. Member to address the Chair twice during his speech, I shall also have to ask him to sit down.

Mr. ole Oloitipitip: Mr. Speaker, Sir, I am sorry. I am very much concerned with this Motion and that is why I forget.

Mr. Speaker, Sir, this is a warning to the Government, that it is we people who have been

[Mr. ole Oloitipiti]

sympathetic to the game. It is we people, Sir, who are trying to protect this game. If Government is going to turn a deaf ear on this matter, then one day it will wake up and find carcasses all over the country. The country will be covered with carcasses. Let the Minister for Justice and Constitutional Affairs, if he really wants to play justice in this country, know that the people—this is from the bottom of our hearts, Mr. Speaker—are warning the Government.

I second this Motion, Mr. Speaker, but that is the warning, Sir, I want to give to the Government.

(Question proposed)

The Speaker (Mr. Slade): Now it is time for us to move on to Free Lance Motions, so we come to Order No. 7.

MOTION

COUNTRY-WIDE VILLAGIZATION

THAT this House urges the Government to explore the possibility of developing a country-wide scheme of villagization for assembling the people into workable economic units on the lines of those already established in the Central Area.

(Mr. Okwanyo on 17th September 1964)

(Resumption of Debate interrupted on 17th September 1964)

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, I will rake up on what I said on this Motion before we adjourned on the 17th September.

The Motion urges the Government to explore the possibility of developing a country-wide scheme of villagization for assembling the people into workable economic units on the lines of those already established in the Central Area. I would like to make only a few observations, especially arising out of some of the speeches which were made both by the Leader of the Opposition and by some Members who spoke from this side.

The Leader of the Opposition attempted to denigrate and oppose the idea of villagization, I could not quite understand from what angle or principle. The Government believes very strongly that we cannot move very fast in our development efforts and especially in establishing necessary social facilities if people continue to live as they do at present. There must be a better organized and efficient society. We believe that a lot can be achieved by having some form

of township or concentration of population in the rural areas. We believe that if we want to provide efficiently and at less expense things like water for the rural areas, electricity, schools and medical services for all the people in the rural areas, this can best be done on a community basis as against trying to do it on an individual basis. Unless there is a community centre around which services can be concentrated, it will be impossible to provide services for every little hut scattered throughout the country. Consequently, the Government agrees with the spirit and, in fact, with most of what the Mover said when he presented this Motion. It is not true, as the Leader of the Opposition tried to suggest, that villagization implies commitment on certain ideological lines. In most of our society—

Mr. Ngala: I never said that.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): I am sorry if I misunderstood the Leader of the Opposition, but if he never said that and never meant that, I am more confused why he opposed the Motion at all. However, Sir, I am completely at a loss to understand why the Leader of the Opposition opposed the Motion, except perhaps that he was fulfilling his function of Opposition.

Sir, there were expressions of concern by the Member for Mathira which I would like to deal with. He, rightly, expressed concern about the whole process of villagization and especially when the Motion speaks in terms of "established in the Central Area". I concede that the Member for Mathira knows something about villagization. How much personal experience he has I do not know because he was not there at the time, but I agree entirely with him that the experiences in the Central Province at the time when villagization was forced upon the people under Emergency Regulations was something this Government cannot contemplate and would not attempt to repeat. I believe it must be stated very clearly and categorically that when we talk of a possible investigation or exploration of villagization in the country, it must be based on a general process of education and assistance towards economic and social development. It must, to a large extent, be based on voluntary organization of the community and with the leadership provided by the elected leaders of the people, and not on the basis of any Emergency Regulations which existed in the Central Province at the time.

I would, therefore, like to remove any fears or doubts which may exist on the part of some Members by stating here and now that Government does not wish and would not agree to any

[The Minister for Justice and Constitutional Affairs]

suggestion of compulsory villagization in the same terms as what happened in the Central Province during the State of Emergency. However, Sir, what we are prepared to explore, and to urge on the leaders of the people, is that they themselves should go out into the rural areas and talk to their constituents and people and when they are agreed on some method of moving together into centres, or townships, that the Government should assist with the surveying, with the planning and with the provision of facilities. This much we would be prepared to do.

We are concerned that the leaders themselves should heed the recent call by the Prime Minister for people to return to the land and one of the things that would have to be done in returning to the land is, of course, to promote land consolidation in all areas, registration of titles and, where possible, establish township centres in which people can live and establish small industries. Many times Members have urged us in this House to decentralize the industrial development of this country and to bring secondary industry into the rural areas. It is not possible to do this unless there is going to be a general movement of community centres and the easiest way by which we can decentralize industry is by having some focal point in the rural areas where we can begin to establish small townships with a labour force beginning to work near enough the work areas. If this is the desire of the hon. Members they need not wait for the Government, they need not wait for any legislation, all they need to do is to go home and get busy, get their people to understand land consolidation, get their people to begin to register their land and then begin to establish in their own locations and districts certain focal points or areas of residence.

In the Central Region, for the sake of those who may not know this already, I would say that whereas villagization was the first operation during the State of Emergency, today there is a movement outwards, away from the villages to the land which has been consolidated. This is as it should be. Not all the people need to live in a village, not all the people should live in the village. Some people, once their land is consolidated, and they have begun the development of their land, if they are going to do it effectively, need to live on the land which they have already consolidated and which they are developing. It is in this general direction that we would like to see people generally educated to move so.

So, Sir, the Motion expresses in a general sense what the Government itself feels, what responsible leaders of opinion in our country ought to be doing at this moment. I can only, therefore, on behalf of the Government, say that the Motion does not go far enough. We would have liked to see the Motion covering, for example, a general appeal to the country, to the leaders of the country, to promote the Government call for a return to the land, a rededication to the use of the land by all the people, a full exploitation of the land by all our people, consolidation in all areas of the country, registration of titles and then the establishment of community centres or areas around which development of small-scale industries and social facilities can take place. We would have liked to see the Motion cover all these aspects if it is going to give us the general basis upon which development can take place. I would, therefore, hope that when the Mover replies that he will be able to assure us that these wider and important aspects are covered in his intention, and I would like to feel also that Members who speak to this Motion will commit themselves to the spirit and terms of the Prime Minister's recent statement calling on our people to return to the land and to begin to use the land as the basis of our future development.

I think having said that, it only remains for me to say that we accept the Motion in the spirit in which it has been moved and hope that not only the Government but also the Members in this House and other leaders of opinion will come together in helping us to frame a basis and a foundation upon which the economic reconstruction of the country can take place.

Mr. Ngala-Abok: Mr. Speaker, Sir, I am pleased to see the Government accepting this Motion at this appropriate time and, therefore, I do not think I am going to say what I had prepared to say. I thought that the Government was merely going to appeal to the people and then reject the Motion, claiming that it is not well worded and that time is not due for forcing people into groups.

I would now like to say a few things by way of explanation of some of the points of importance in this Motion, as I have seen the way this House is trying to handle this Motion. In fact, we need definitive directives as to how best we should appeal to our people to consolidate land. If we say that we are not going to follow the pattern adopted in the Central Region, with which I agree because it was imposed on the people during the time of the Emergency and the people who are living there are either enjoying it at present because they are now experiencing the

[Mr. Ngala-Abok]

outcome of villagization or they are suffering in certain aspects for the simple reason that they are on the spot—however, as we are seeing it, people generally realize that there is a lot to be benefited by the people who have lived in such groupings so that they can do many of the things properly. They can always have health centres to which they can take their patients, they will handle certain matters in a manner which is most helpful to them, and even the politicians will always find it easy to campaign for votes and seats because all that is needed to be done is to approach these villages, talk to responsible people and you will be assured that your votes will come from that particular area. So, Mr. Speaker, there is a lot to be gained, but I would like to have explained what the Mover has actually put down.

He says the Government should explore the possibility of developing a country-wide scheme of villagization for assembling the people into workable economic units on the lines of those already established in the Central Area. Now, the Government says very vaguely that the people should go back to the land, that we should appeal to our people and that these people should be encouraged to live together. However, the Government does not say that it is the wish of the Government to see that people reconsolidate their land in this and that manner.

After exploring these possibilities the Government does not explain the machinery it is going to use to explore the possibilities. The Government only asks us to go back and advise our people but I feel that there is not much to be gained in advising our people in this way. There is much to be gained, Mr. Speaker, in channelling appeal according to how best we think things will work out. That is what we call policy. If our Government has no definite policy on how land should be consolidated and on how our people can live together for the economic benefit and economic utilization of their land, then the Government should tell us that it is still working to find a suitable policy as far as living together or collective farming goes as far as land consolidation is concerned.

What is happening now is this. Somebody comes and tells my brother that he advises him to consolidate his land. In other words, cut this land into fragmentations, into small pieces, and then he is advised to get tractors and other things, land titles, etc. He wants tractors so that he can plough the land and cultivate it. Tractors never work on these individual small pieces of land. What is required here is that a group of people,

consisting of about twenty members, or ten members agree to consolidate their land together on a bigger unit can be advised to do so. Within that unit they could then have their respective acreages marked accordingly so that these people have homes. The men with their wives and children will know that within the unit of ten or twenty people their acreages are so many. This will apply to the planting of coffee, sugar and other crops as well. Their acreages will be so much and they will have at the same time consolidated their land into a bigger unit.

Unless this policy is clarified it is going to confuse our people. People who are encouraged to work in bigger units must have all this explained to them so that there will be no doubt as to land titles, profits, etc. They can invest jointly in tractors, machinery to use on the land for the economy of this particular group. The Government must, therefore, adopt a definite policy on this basis.

Mr. Speaker, Sir, if we really want our people to develop the land we should not depend on the knowledge of the ignorant people in the reserves, who have not been told how their land should be farmed. What do these people know, Sir? We know because we have studied farming. Even in America you will only get the people who run farms to advise the people who wish to go in for farming. The people who live in towns have no experience of farming. The same thing applies to the Communists in China. Everywhere people depend on the Government's directives and how best the situation can be handled. It is no use depending on the ignorant people who do not know what to do.

So, if the Government has not adopted a policy that could help us then I am not prepared to go and get my people more confused than they are now. Perhaps they are better off now. We must know that people are going to have their land consolidated on a family basis and the acreages must be known. The people should also be told that their produce will be marketed together, through co-operative societies. I am therefore not happy with the attitude of the Government where it leaves us in a state of indecision. We want to know what is its actual policy.

I agree with the Prime Minister, Mr. Speaker, that the people should return to the land. But when you return to the land you go and start farming only to find that none of the Administrative officers, nor the agricultural officers, no Members of Parliament, no Ministers know exactly the way the people are expected to farm. This is not how the Government of a country is run. The country is run by experts who lay down

[Mr. Ngala-Abok]

a policy, who will work according to the opinion of the people on the basis of Governmental machinery, not on the basis of politicians who may propagate for the sake of winning the confidence of the people. Then they leave the people confused.

There are not enough land consolidation experts in the field. There is no money even to carry on the work. Our people are tired of having things announced to them in public places and then nothing works. Since the Government was formed we have been struggling to consolidate land and it is only in the Central Region where things have been working well, because the Emergency put them together. Now they can come together, work together very easily and the machinery of communication is easy. This is what is happening now and the people can work because there is a lot of money.

With these few words, Mr. Speaker, Sir, I wish to blame the Government but to support the Motion.

Mr. Agar: On a point of order, I beg to move that the hon. Mover be called upon to reply.

The Speaker (Mr. Slade): Yes, I think that there is no objection to that question now being put. The question is that the Mover be now called upon to reply.

(Question put and negatived)

(Resumption of Debate)

Mr. Kase: Mr. Speaker, Sir, this Motion is very interesting. There are very good advantages for people living in the villages. I will give a few examples. In the first place, when we used to have the Somali tribe fighting the Pokomo tribe, the simplest method was to come into villages and combat the Somali. Then the difficulties arise. A person living in a village—suppose he is not very advanced, like the hon. Member for Homa Bay has spoken of—you will find that he finds it very difficult to walk for ten miles to dig a *shamba* and then return home afterwards. This is a difficulty employed by villagization. We as a tribe live in villages, but we return to those villages. You cannot live in the village and then walk to the *shamba*, dig, come back and sleep. You will find it takes too long and if you dig very far away, your *shamba* will be very small. Therefore it does not help the people living in the villages. I agree when you want to contact your people for campaigning, it will be easier than any other idea. Members could go to ten villages in one day. The question of farming does not help them very much.

Another thing, I have just been complaining about animals. Animals are better around a village rather than being scattered. The more you are scattered, the less control you have over your cattle and the less you can defend them. I have lived in these areas and I have experienced these things. The more you are scattered, the better you can farm your land. It is not right asking people to come into villages while in those villages already established people are finding it difficult to stay in those villages, and it is not all villages that get health facilities the hon. Member is talking about. We have villages at home, but not all the facilities. He talks about the Kenya African Preliminary Examination. In fact it is very difficult to find anyone with it.

Another thing, when people live in villages, after so long a time, they become extremely lazy. They would rather sleep in huts and chat instead of work. Now when most people go to Mombasa of course it is not the same as Nairobi. In Mombasa you find people sitting and chatting and playing cards. This is exactly what happens in villages. These people prefer to sit and play cards or play any other type of game. It makes the people very lazy in the villages. I would not like to see those people who do not want to live in villages to be forced into them, because it will not help them at all. We as people in the area have lived in villages—I am also in a village today—but it has not helped us much and we are determined not to live in villages. Therefore hon. Members should ask the Government not to make it compulsory. It is wrong, I agree with the Minister that this is very wrong, to force people into villages, because it does not help them at all. They become lazy, they chat more and they do not get all the facilities which somebody thinks they get.

Now, I am not saying that villagization is a communistic thing. I do not care whether people become Communists at all or capitalists. That is their business. You cannot control somebody's mind. We have been living in villages; we have not been Communist anything. Therefore, although I do not have much to say, I would like to advise hon. Members that we have lived in villages and we have found that they make people more lazy than they would normally be. You try and you will see. They will all try to dig around the village, all around, but then the land outside these villages is not worth developing. It helps the population with its bread, like the Kikuyu who are many, but there are a few tribes who are few in number, they cannot honestly make villages and till their land effectively. I think by land separation it

[Mr. Kase]

encourages them, because if you have a hut here, you will want to dig until you see the other hut there; but then if you are all in a village, you will have no competition to reach the other village, because you might find the other village another twenty miles away and it is difficult to dig that twenty miles.

Another thing, Mr. Speaker, is when you live in villages like myself, our people live in villages, when you live in Malindi—and the Member for Majoge-Bassi knows this—you do not see a village until about seventy-five miles away. There are villages along the river, yes. There are villages along the river and scattered about, yes. But then you are left to move in bush for seventy-five miles without seeing anybody and this makes—if you are alone in the country—you very frightened. People who have travelled on the Thika/Garissa road know this. People live in villages but then when you are on the road it is difficult. Therefore I think it is wrong to think that villagization is really good, it is not. I went to the Central Region myself—I used to get some time off—and I saw how people were suffering through villagization. In fact people tend to be worse in villages because they say, “I will not sit here, So-and-so will sit here.” But then when you are out, all alone in your hut in the reserve in a small place, you will take an interest in developing your area.

With these few remarks, Mr. Speaker, I am not trying to oppose the Motion, but I think it is rather unnecessary to force people into villages.

Mr. Kamunde: Mr. Speaker, Sir, I have only a few sentences to say on the Motion as it stands today for Government to explore the possibilities of villagization of human beings. I hope and think that all Members who have spoken about this villagization should at once go into Central Province where villagization was forced. I wish to make it absolutely clear that the standard of living of our people at the present moment does not allow Government either to force or encourage it. Mr. Speaker, the Government cannot force it; the Government has tried it and it has failed. They will not force it again. If I have to accept it, I will resign. I know how many children have died in Central Province, because they were forced into villagization. If this is supposed to be a Government move, the only thing that this House can do is this. It must force this Government to vote enough money first of all to supply the villages with good houses, to supply every single house with good water, with all good healthy conditions. Most people who have been talking about this

here I think, if I am not confused, do not realize that our people's standard of living today is so low that the moment you pack them together, then any disaster may follow. What I would like to see is this. We must try to encourage Government at least to start up somewhere where people could at least earn better salaries. In these villages you need to allot enough land for at least every house. It must be properly fenced. You must care about the health of the people. You must care about the children who are left in these villages. You have got to build hospitals for these villages. You have got to build them everything in good standards.

I challenge this idea of communal farming. All over—I do not know much about the other people who have been thinking about land—in other parts of Kenya, but in our part of Kenya, you either own your piece of land or you do not own it. We are not forced to consolidate our land together, we are told to consolidate our own parts and pieces of land. If you have several pieces of land in different places, you have to consolidate them into one piece of land. If there are about ten people who want to put those consolidated pieces of land together as a family or as friends, I do not know whether anybody will oppose this. Some of us have been brought up with the idea of owning our own property. The idea of saying that people could bring all land together and own it communally cannot enter into our heads.

Sir, I think the Motion, as it is, and as accepted, has a very good motive, but I personally think, and I am not answering for Government, but speaking my own mind—that villagization as it is should have very serious planning. It is not as simple as the Colonialists idea of just sticking up guns and telling people to get down and build. We have to get enough money to get these people into proper houses, to get them every assistance they want, and they must accept this idea of large-scale communal farming. These people have to work on the land, but it is not enough just to say that they have to work on the land, that they just have to work on ten acres and do anything, some of provisions have to be made. I agree entirely with the idea of bringing people back to the land, instead of wandering about in the town, but something else has also to be done to encourage these people to earn a bit more.

Sir, I am not opposing villagization, but I think there are some more complications in it. Some of these people who are forced into villages like a sad life in this country. They were moved to be punished, and they know what the punishment is

[Mr. Kamunde]

like. Mr. Speaker, all these people are in the Central Province, and this must not be taken as if it is a good example. As you know, they were taken there for punishment. We do not want the same type of thing repeated. I was trying to point out that there are complications with this idea. I would suggest that while the Government is trying to encourage the idea, care must be taken not to lead our people in even greater difficulties and conditions of living.

Mr. Speaker, Sir, I beg to support.

The Speaker (Mr. Slade): It is now time, according to the limitation imposed by Resolution of the House, for me to call upon the Mover to reply.

Mr. Okwanyo: Mr. Speaker, Sir, I do not wish to take much time in answering this. I only wish to thank those hon. Members who have taken the time and contributed on this. I also wish to comment on a few points raised by some Members in this House.

The Leader of the Opposition referred to this as ill-timed. I personally believe, Sir, that if villagization is to succeed in Kenya, this is the time to implement it, because people are building more and more permanent buildings all over the place now. In asking them to demolish these and come together would be a difficult task. Therefore, I think this is the time that people must be asked to come together.

Another point raised by the Leader of the Opposition was that if we, the Government, have failed to find jobs for people in Nairobi, how shall we find them jobs in the villages. I personally think it is not the intention of this Government to employ everybody in the country. There is only one employer in Kenya who can employ everybody, and that is the land, and this is what our Prime Minister, Mzee Jomo Kenyatta, tried to appeal to us to do. He has told the people of this country to go back to the land and till the land. Therefore, it is for us in this House, to make the plans for the people in the country to come together and farm.

Another argument came from the Member for Mathira, the hon. Mr. Wamuthenya. He said that he would not like villagization because it would lead to prostitution, and also to witchcraft. I am surprised that there is not a way to stop it. People must be developed, and develop self-confidence in themselves. You cannot stop prostitution by isolating your wife or your sister or your daughter. You do not find this sort of thing all over the world. You find people in China living

in villages, but no prostitution because the Government has strict laws, and they are ruled properly. Another thing is witchcraft, which the Member for Mathira mentioned. I do not think villagization would encourage witchcraft. This is rather a primitive sort of feeling, and I do not think that villagization can possibly cause it.

My last comment is on what the Minister for Justice and Constitutional Affairs said. He said that he accepted the Motion, but things cannot be imposed by force on a people. I think that this Government has been given a mandate to rule this country, and whatever they say, is good and necessary, must be imposed on the people. Whatever is good for them, must be given to them, either by force or not.

Therefore, I do not think it is a good idea to wait until everybody supports this idea and then bring it into force.

Mr. Speaker, with these few points, I beg to move.

(Question put and agreed to)

MOTION

DISCRIMINATION AGAINST FREEDOM FIGHTERS

Mr. Gaciatta: Mr. Speaker, Sir, I beg to move:—

THAT this House deplores the discrimination being shown against former freedom fighters by chiefs and headmen resulting in disharmony in the Central, Eastern and Rift Valley Regions, and calls upon the Government to take immediate action to remove the sources of tension.

Mr. Speaker, Sir, I am very glad that I have this opportunity to talk on this Motion, and I feel that I must confess that I am very disappointed that the Motion has been delayed since March until now.

Regarding the freedom fighters, some chiefs in the Central, Eastern and Rift Valley Regions have been discriminating against the former freedom fighters, especially when they apply for jobs. A former freedom fighter cannot get a job because he was a *Mau Mau* or a freedom fighter, but these chiefs have not been affected by the change which has come over the entire continent of Africa. Some of them are colonially minded and think that *Uhuru* or freedom is like manna from heaven. When a freedom fighter wants a job, some of them go to the Regional Government Agent and say that this man is a bad man, he was a *Mau Mau*, and this and that. But they do not accept the call of *Harambee*, and they do not know that Kenya is a dynamic state which is ruled

[Mr. Gaciatta]

by a dynamic leader, *Mzee* Jomo Kenyatta. As such, I think it is high time that they realize that, whether they like it or not, they must respect the people of Kenya, not only the freedom fighters but all the people of Kenya. If they are colonially minded, they must not act like the *Mzungu* or the former *Bwana Mkubwa*.

An hon. Member: Or like Kadu?

Mr. Gaciatta: You keep quiet. Kadu has been defeated, and if you want to, you can cross the floor.

The Speaker (Mr. Slade): Order, order.

Mr. Gaciatta: No, no, Mr. Speaker—

The Speaker (Mr. Slade): Hon. Members must not speak directly to each other across the floor. You must remember to address the Chair and keep calm.

Mr. Gaciatta: Yes, I am addressing the Chair now. Without the freedom fighters, you would not be sitting there.

The Speaker (Mr. Slade): Mr. Gaciatta—

Mr. Gaciatta: I am facing you, Mr. Speaker.

The Speaker (Mr. Slade): It is quite all right, Mr. Gaciatta, you were referring to him in the third person, and that is quite all right. You do not have to stare at me all the time. That would be too painful, but you must not refer to a Member directly as “you” across the floor.

Mr. Gaciatta: Thank you very much, Mr. Speaker, Sir.

Mr. Speaker, what I was talking about was the discrimination against freedom fighters by chiefs. In fact, in the Central, Eastern and Rift Valley Regions, when freedom fighters want jobs they go and try, but they hear people say, “This man is not good, and that man is good.” In Meru, people who have been employed as home guards are not freedom fighters. Freedom fighters were seeking those jobs, but chiefs did not allow them. They employed people who were colonially minded, and now I am asking the Government to consider the freedom fighters first. Without freedom fighters, there could be no Government.

Today, Mr. Speaker, Sir, there is a terrible situation in Meru, in the Eastern Region. People are being slaughtered and there are so few security forces. About three Meru people were killed last week by *Shiftas*. This shows that the Government has forgotten the Meru people, and it is high time the Government realized that the people in

Meru should be looked upon, because during the Colonial Government we were forgotten by the Colonial Government, and today we are in our own Government. The Government must take action. About four months ago, Mr. Speaker, Sir, I appeal to the Government that they must declare war against Somalia.

The Speaker (Mr. Slade): Much as I sympathize with you troubles, they are outside the scope of this Motion. We are talking about the relations between chiefs and freedom fighters.

Mr. Gaciatta: I am talking about the Somalis.

The Speaker (Mr. Slade): No, it must be relevant to the Motion.

Mr. Gaciatta: I was talking about the security.

The Speaker (Mr. Slade): I do not think that relevant to this Motion, which concerns only chiefs and their alleged discrimination against freedom fighters. You must keep on that subject.

Mr. Gaciatta: Mr. Speaker, Sir, in Meru today, if a freedom fighter wants a post as chief, he cannot be allowed to have it, because he was in the forest. The Government must see that freedom fighters did not commit any offence when they went to the forest, they went there to give you your freedom.

The Speaker (Mr. Slade): Mr. Gaciatta, you must remember to address the Chair. The reason for the rule is to enable hon. Members to keep calm.

Mr. Gaciatta: The Kenya *Mau Mau* entered the forest to fight the Imperialists and today we are enjoying the fruits but some people do not understand that, they think that *Uhuru* came like manna from heaven. Without those freedom fighters we could not sit together here. You could see either Group Captain Briggs or Blundell sitting over there, but today *Mau Mau* has become like Idoda, because some people are working very hard to spoil the history of our former freedom fighters. Those people have been in the forest for more than twelve years. When they came back from the forest the Government neglected them, and it is high time the Government should remember them and know that we—the Government—could not enjoy the fruits we are enjoying today.

Mr. Speaker, Sir, our people went into the forest in order to get back our land, but today you can see most of the people, especially former freedom fighters have not—repeat not—got the land they were fighting for, and it is a shame before the whole world.

An hon. Member: Interjection.

Mr. Gaciatta: You keep quiet.

The Speaker (Mr. Slade): You must keep control. If you fail the third time to address the Chair you will have to sit down.

Mr. Gaciatta: I just ask him to keep quiet.

The Speaker (Mr. Slade): When an hon. Member interrupts you and annoys you, you may answer him but you must refer to him as the hon. Member; that is quite all right, but you must not shout across "you" to him.

Mr. Gaciatta: Mr. Speaker, Sir, what I was talking about was the reason why the freedom fighters went into the forest and why they were fighting. They were not fighting in the forest for themselves alone; they were fighting for the freedom of this country, they were fighting against the Imperialists.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): On a point of order, Mr. Speaker, I rise with a great deal of respect for the Member, but I believe that we are going to get so much repetition that I wonder if he should not wind up his statement.

The Speaker (Mr. Slade): It is a rule that Members must not repeat themselves too many times.

Mr. Gaciatta: Mr. Speaker, Sir, in the Rift Valley Region, land was not given to the freedom fighters and to those people who have given their lives like Dedan Kimathi who was killed by the Imperialists, and then his wife, I do not understand why, she was asked to leave her *shamba*, while he fought and died for this country. This Government should do something to help the former freedom fighters and you can see that the prisons all over the country are full of freedom fighters, simply because some of them do not have quarters and so they are taken to court. I do not agree with that because they came from the forest only recently; they have not been employed, so how can they obtain quarters? I think this Government must sympathize and find a way for them and get them jobs first and then they can act for the rest. I do not understand why most of the freedom fighters do not get land.

Mr. Kamuren: On a point of order, Mr. Speaker, Sir, is it in order for the hon. Member to go on repeating exactly what he has been saying?

The Speaker (Mr. Slade): I think you have said the same thing several times now, Mr. Gaciatta, you are repeating yourself.

Mr. Gaciatta: I am not repeating, what I am saying is this. Freedom fighters have no money to buy land. Those people who have got money are buying the farms.

An hon. Member: Address the Chair!

The Speaker (Mr. Slade): It is one thing to interject reasonably and another thing to bait an hon. Member. We will not have that please; especially, when he is addressing the Chair, do not tell him to address the Chair.

Mr. Gaciatta: Thank you, Mr. Speaker. I am talking about land problems. The freedom fighters have no land and when we were told to buy land we were told to form co-operative societies in order to buy land and *Mzungu's* farms, but you must know that those people which were in the forest for more than fourteen years, their property was confiscated.

Their property was confiscated by Imperialists. Their houses were burnt, and they were unable to form co-operative societies, and they cannot get money even if they want to. What I am asking the Government to do is to see that those people are settled first, not to be told to go back to their former respective homes. If you tell these people to go back to their respective homes and they do not have homes, their houses were burned and their property was confiscated by the Imperialists during the Emergency, then if they are told to go back to their former homes, it is just the same as telling them to go back to prison, Mr. Speaker, Sir. It is high time that this Government realized that those people suffered very much, some of them cannot even feed their children or themselves. This Government has neglected and forgotten them and some people today are talking about revolution. I tell you that more has been said about revolution, more has been said about trouble in Kenya, but I tell you that we must settle these people first. I do not think this is the attitude of this country, I am saying this as a prophet. You cannot expect prophets to come here and tell you that after a few years this and that is going to happen, we are the prophets of this country and we must not fight the Government. We respect what they are doing.

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

[*The Deputy Speaker (Dr. De Souza) resumed the Chair*]

But today if I want to go and see a Minister in the Cabinet, he cannot leave me alone; he must know that Gaciatta or somebody else has got about a thousand people behind him and we receive more information than do Special Branch

[Mr. Gaciatta]

or the Criminal Investigation Branch because we were elected by the people. From here to Meru I can collect a lot of information. I receive so many letters every day. I get a lot of information and even the Criminal Investigation Branch or Special Branch cannot get as much information as I do. But to make matters worse, when I come here and I want to see a Minister to tell him that my people are suffering and my people want this and that he says, "Now, you are in the Parliament, and I do not want to see you." I cannot even see him because he has got some Youth Wingers there and they stop me on the way, then how do you think we are going to save this country if we parliamentarians cannot advise Ministers? Ministers think that because they are Ministers sitting in the Cabinet, they are the bosses of this country, but I can tell them that they are deceiving themselves.

This country has nine million people, the Cabinet has only sixteen Ministers, and I tell you, do you know what the Ministers say? They say that most of the Ministers do not go home, they do not go to their constituencies or meet their people.

The Deputy Speaker (Dr. De Souza): Your time is up.

Mr. Gaciatta: Thank you, Sir, that is what I am saying because this is what I am bringing from my people and I have been instructed by my people to bring this Motion here and I am telling this House now that whenever I want to see a Minister the Minister cannot see me. Is it time, Mr. Deputy Speaker, Sir?

Mr. Kaggia: Mr. Deputy Speaker, I rise to second this very important Motion. Before I make all the points that I want to make, Mr. Deputy Speaker, I would like to draw the attention of the hon. Members from the Opposition who have been interjecting every now and then to the seriousness of the issue which we are discussing. We are discussing the question of the people who surrendered or who sacrificed everything they had to fight for the freedom of this country, at a time when many of us, including many Members of the Opposition, could not dare to face the British Imperialists. These people sacrificed everything to fight for the independence of this country. Some people have had a wrong impression whenever freedom fighters are mentioned. They think of only the small group which came out from the forests the other day, but this is a very wide word. The fight for freedom did not start only the other day: it started many years ago and I would like

to say that the people who are really suffering from this discrimination, many of them were respectable farmers, businessmen and workers who left their jobs, their farms and their businesses to fight for this country. On this discrimination, which is very large in the Central Province and also in some parts of the Rift Valley, I would like to blame the Government one hundred per cent for this. The reason is that during the Emergency the Imperialists did all they could to discredit the people who were fighting for independence. They said a lot of propaganda against those who were in prison and against those who were in detention camps and against those who were fighting in the forests, and, Mr. Deputy Speaker, since independence our Government has done nothing to correct this wrong impression which was given by the British Imperialists to those people who did not take part in the struggle and other people outside also. I say it is high time the Government declared complete recognition of the people who fought for independence. Because of the failure of the Government to recognize or declare openly that they regard these people as freedom fighters, the chiefs, the Regional Government Agents and other Government servants who during the Emergency were fighting against us, continue to discriminate against the freedom fighters, saying they were *Mau Mau*, just because when independence was attained all home guards and all other Imperialist stooges who were supporting the Colonial Government remained in their big jobs. In the Central Province, Mr. Deputy Speaker, most of the district commissioners, district officers, chiefs, headmen, they are all old British good boys who were fighting against us, and the people who really fought for independence have no jobs and are not considered at all. All the jobs and everything are being given to their friends by their district commissioners and so on. Therefore, I want this House to take this Motion with all seriousness to consider the situation where the people who fought for independence lost everything, and when independence comes those who were supporting the British Imperialists are enjoying the fruits of freedom, while the freedom fighters are starving in the villages. Therefore, I would like to classify the freedom fighters into four categories, so that the House may take this Motion in its broadest sense instead of thinking of just a small number of people.

The first category is the last group which came from the forests the other day. This is the Ruringu group. This group needs help more than other groups because these people, after fighting and after the whole time of the Emergency, remained in the forest until the other day. These

[Mr. Kaggia]

people were invited by the Government to come out, they surrendered and said "Right now the war is finished, so we can come back home." Those people came home after twelve years, they had no money, no food, many of them had no villages, their wives and children had been killed, their homes had been burned and their lands had been confiscated and when these people came, our good Government, instead of looking after these people and giving them at least a camp and some clothing and some food for a few days, they were told to go back home. Mr. Deputy Speaker, it is interesting to know to which homes they were told to go. They were told to go to homes where they had to find headmen and chiefs who were hunting them during the Emergency. They were told to go to a home where there was no house and no food. This was a very terrible thing for Government to do and I say that they ought to have done something to see that these people are put into a camp and looked after until the time when they can be absorbed on to the land or into some kind of jobs, but they were told to go home and they were put into the hands of chiefs and District Commissioners who victimized them and many of the experiences which they had after returning to the villages shows that they were only taken into the hands of the old Imperialists who were hunting them during the Emergency.

The other category, Mr. Deputy Speaker, are the disabled and old. We have got many of our people who are veterans of the war of independence, who were injured during the Emergency, many without legs or arms who cannot do any kind of work. Right up to this very day, these people are roaming the streets and there is no help for them. The Government has done nothing to consider these people, and those people who were opposing us during the Emergency continue to laugh at these people. They say to them "You used to tell us that you were fighting for independence, where is your independence? This man goes on crutches while the chief who was fighting on the side of the British is going in a car." This is ridiculous, Mr. Deputy Speaker. Again we have some of them who are very old. They sacrificed their energy, their money, everything, to fight for independence. You can see many of these old people all over the country, moving in the streets without anything. We have many of them who are ex-detainees and who have spent most of their lives fighting for independence and therefore I say that the Government should have thought of something, such as a kind of insurance or pension for these people, as it is done in other countries.

As I said, Mr. Deputy Speaker, I think the Government is to blame for this because they have never declared or recognized these people and in all other countries those who have suffered and sacrificed their lives and their wealth in the cause of freedom are looked after at least by the Government.

The other category is the widows and orphans. We have many widows in this country and orphans, and the Government, up to now, after attaining our independence, has done nothing to look after these people. For instance, if I may quote the case of a few widows. I thank the City Council for naming one of its streets after the great General Kimathi, but this is very little when we think that his widow is roaming about the streets and the Government has done nothing to look after her. I think to do justice and pay tribute to the great General, the Government should look after his widow and many others who are roaming about the country. We have many children who have no food, no schools, nothing, and all the Government does is to enjoy the fruits of freedom but we forget those who fought and gave their lives for independence.

The next category, Mr. Deputy Speaker, is the ex-detainee and ex-prisoner. Some people had the habit of speaking evilly every now and then of ex-detainees and ex-prisoners, but this is one of the categories of the people who gave their lives and who gave everything for independence and many of these people today are roaming about the streets just because many of them lost their jobs because they were detained, others were beaten up during detention and came back sick and old from prison and they cannot do any kind of work.

Others are discriminated against in their areas, especially in Kikuyu areas where we see that all the civil servants are the old Imperialist group which was fighting against these people. They cannot get jobs, or loans or anything which would help them. Therefore, I would suggest that to remove all these discriminations, the Government should think of treating these people in some special way to see that they are not discriminated against. I would suggest all able-bodied men, either ex-detainees or any other group, should be considered by the Government and given priority in getting jobs especially in the police and army and also priority in obtaining land in the settlement schemes without the conditions which are given at the present.

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

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

Mr. Kaggia: If we can do this, Mr. Speaker, it would help these people who are being discriminated against by these civil servants who were British Imperialist stooges and who are always eager to see that these freedom fighters are not given a chance to uplift themselves.

(Question proposed)

The Speaker (Mr. Slade): The hon. Members should be reminded of the limited scope of the question. It is discrimination by chiefs and headmen against former freedom fighters.

Mr. Gichoya: On a point of order, Mr. Speaker. I wonder if I could be allowed to speak before the Minister.

The Speaker (Mr. Slade): No, Mr. Gichoya, you may have an opportunity of doing so later, but I have called on Mr. Mboya.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, I have listened very carefully to the points made by both the Mover and the Seconder of this Motion and I must say, right from the outset, that whereas there are many important matters on which they have touched, clearly some of the statements are of such sweeping generalization that no government could be expected to accept them. We have been told generalities, but not a single speaker has come out and told us of the actual discrimination being complained of. We have merely been told the facts which we know: the facts that this country owes a lot to certain people who sacrificed even their lives for this country. These are facts which we all know, and yet speeches are being made as though the Cabinet lives in some watertight compartment to which these same Members have no access or influence or contact. Yet, these same Members have the very contact, influence and the opportunity to speak on these matters, and have spoken on these matters, to the point where a lot is being done, although not everything is being done. What is it that we are aiming at? Merely to make speeches here that might antagonize and incense people or to help to bridge the gap between all our people regardless of what side they may have been? That is the question. Are we talking about discrimination against, or are we being asked to promote discrimination in favour of? This is the question and I believe, especially when any Member speaks here who comes from the Central Region that he will appreciate even more fully than perhaps myself the need not to begin to base the future on the strife and divisions of the past. Justice must be done and we want to see that it is done, but it

must be done for everybody. Are we being seriously asked that the Government should base a policy for the future on taking a certain group of people and saying that these must now be victimized or are we talking about the help which is necessary for the needy?

Mr. Speaker, if we are talking about the help which should be given to the needy, that was not being spoken about. There was too much speech and too much generalization and sweeping accusations. I listened very carefully and, fortunately, the hon. Member who spoke last is so lucid and clear that I understand him.

Mr. Speaker, I will continue next time.

MOTION ON THE ADJOURNMENT

FLOOD VICTIMS AT KIBIGORI

The Speaker (Mr. Slade): I will now call on the 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 Justice and Constitutional Affairs (Mr. Kamunde) seconded.

(Question proposed)

Mr. Nyalick: Mr. Speaker, Sir, I rise to raise a matter on the Adjournment concerning the question of flood victims encamped at Kibigori. Mr. Speaker, Sir, the reasons why I have brought this Motion in is to find out from the Government who is responsible for the settlement of flood victims in Kibigori. Our people have been encamped at Kibigori for sixteen months and we have been told several times in this House that it is the responsibility of the Nyanza Region to settle these people. I understand that the Region would only settle those farmers who have filled in a form and applied for settlement. Under these forms, are conditions under which a farmer must first of all qualify. He has to produce Sh. 1,000 and, in the case of these people, we know quite plainly that they are being fed by the Government at the moment, indeed the Government is spending over Sh. 10,000 per month to feed these people on *posho* alone. *Posho* alone will not do—these people want relish; they need fish, meat, etc. I wonder, Mr. Speaker, whether the 8 lb. *posho* would do. Meanwhile, the Government is spending a lot of money on able-bodied men, men of good physique who could cultivate the land and grow enough for themselves and their children who are at present in an uncared for condition.

[Mr. Nyalick]

These people are not provided with school or medical facilities and, Mr. Speaker, Sir, there are already sixty deaths, most of which have been children. This implies that they are not getting enough medical attention. Mr. Speaker, Sir, while there is a lot of money being spent on these people, there are a number of them who are living in the reserves with their relatives. The number of such people is not known, but these people suffer the same conditions as their brothers at the camp. They are not being exempt from poll tax—

The Speaker (Mr. Slade): Mr. Nyalick, you must speak only of the people at Kibigori.

Mr. Nyalick: Yes, Sir, I mean the people of Kibigori. The local county council want these people to pay their poll tax, but I wonder where they are to get the money when they are fed on only 8 lb. *posho*.

Mr. Speaker, Sir, with these people settled here the Government has not come out clearly to tell us what it is going to do about them. There is plenty of land round them at Kibigori, some 3,000 acres on which grass is growing and these able bodied people would be able, if the land were given to them, to cultivate it and grow enough for themselves. Government must not waste public funds feeding people who are not deformed, or crippled, when there are in the country as a whole a number of unfortunate people who could be considered. It is appalling indeed, Mr. Speaker, that my people are losing patience: they are no longer going to wait for the Government to act. We know the land on which the settlement scheme is going on was once Kano land and they claim it and I am to tell the House that unless the Government take action now they are going to usurp the land and develop and divide it among themselves. These people must be considered first. Their misfortune is not of their own making. It is unfortunate that Lake Victoria overflowed its banks and you yourself, Mr. Speaker, toured this area in 1963 and saw for yourself. I am certain that next year the same things will happen if nothing is done by Government and I am certain that the lake will flood again. There is no point in bringing people into an area where they are living on expectation and suspense, not knowing what tomorrow will bring. Their children are becoming wild; there is no education, no school facilities provided for them. The schools and their homes where they used to live were washed down and are now under Lake Victoria. Under these conditions, Sir, I was instructed by my voters to tell the House very

firmly that they are no longer going to wait for the Government to act. It is too late, they are going to take the land and live on it.

Mr. Speaker, Sir, another point I would like to raise is on maladministration. There are cases of my people being put into bondage. There is a man in this area, an Imperialist man, who is always getting my people into trouble. There are cases that my people go to the Asian or Kalenjin farms to help with the harvest and so get money with which to buy relish because 8 lb. of *posho* alone is not sufficient. The man mentioned either deducts from their money or refuses them their relish. He employs these people to work in his own garden and yet will not compensate them. I call upon Government and tell them that man is hurting my people and, but for the politicians, this man might have been killed, and so I ask the Government to have this man removed forthwith. My people are being placed in a dangerous position.

I would like to add, Mr. Speaker, we have been told that these people at Kibigori are under the Administration or under the Ministry of Works. I wonder whether it is really necessary for this Government to be in such a confused condition? I do not know to whom I should submit my complaints, so, when a Minister replies, would he tell me definitely who is responsible for settling these unfortunate creatures? This unfortunate condition is not of their own making; it is said to be of a natural cause, but I think it is not natural, because some people might have interfered with our lake. This is causing trouble for my people.

Mr. Speaker, unless something is done, this is going to be a situation which will reoccur every year on the Kano Plains. The lake is always encroaching on the land and does not recede. Every time we have rain it is evident that this trouble of which I am complaining will keep on troubling the country. The Government must act. It is no use accumulating some 3,400 people in a camp. It is more or less like slavery. Why have they been put there and the land is there, lying idle? It is Government land, known as a Scheduled Area.

Mr. Speaker, Sir, with these few remarks, I beg to move.

Mr. Anyieni: Mr. Speaker, Sir, the Member has put this case very clearly and I hope the Minister will not stand up and say the Member is making a general allegation.

Mr. Speaker, it is easy for the Minister to say so and it is also for people who are sitting in

[Mr. Anyieni]

this House—many of them—to be able to think that the Minister is speaking with some authority. but, Mr. Speaker, this is a place where we think that our Government does not have people with a true knowledge of economics. If the Government is going to spend money on feeding these people and no immediate plans are being made for them to be settled, if you calculate sixteen months, as the hon. Member has mentioned, which is the time these people have been in these transit camps, you will find that the amount of money which has been spent could have been advanced for these people to be settled somewhere without having to contribute one cent, and then they could later on be asked to pay Sh. 1,000 which they were supposed to pay. Mr. Speaker, Sir, the point is if a person cannot afford to put down the Sh. 1,000 and we leave him to stay in a camp where the Government is feeding him, I do not see the economics of this. If the Government has fully discussed this thing and if the Minister who is going to reply is going to tell us the collective answer from the Government, we would like to know who the Cabinet's economic adviser is, the man who can advise the Cabinet that it is cheaper for us to maintain these people in a camp for sixteen months, feeding them, than it is for us to advance that money for them to be settled somewhere.

Mr. Speaker, Sir, we discussed something here about this flooding. I am talking about the flooding, because these people are there as a result of this flooding. In discussing the floods, we said that we believe that they were there because of the hydro-electric system at Owen Falls.

The Speaker (Mr. Slade): I do not think that is relevant, Mr. Anyieni, it is not the cause but the remedy of the state of these unfortunate people in the camp that we are concerned with.

Mr. Anyieni: Thank you, Mr. Speaker. I was briefly mentioning this without really dwelling on it because I think we might be having more and more situations like this. Mr. Speaker, what I am trying to say is that if we only wait until people are sick and then take them to hospital, it is not enough. When I speak on this, I want to suggest a way of moving these people who have found themselves in this situation and also of finding another way of making sure that we are not going to have more people coming to that camp. That is why I was briefly mentioning that—I will not dwell on this—we believe that because there is not an outlet for the extra water that cannot be absorbed by this electric

plant, we are going to have more and more people in Nyanza who are not doing anything for the development of that region.

I must again attack the economic thinking of our Cabinet. When we hear of these floods, we hear that Government has chartered special 'planes to go and see these areas. This money for chartering these 'planes to go to these places, for speaking sweet words to these people, should be used to help settle people in other places, to help build schools for the children of these people. The Government is doing this and in a few years' time, when one of these children comes to Nairobi to look for employment, he will be told that we want people with qualifications. If this Government is a Government for all the people of Kenya, and if it is a Government which will try and take care of the people who are suffering more than the people who are not suffering, Mr. Speaker, our Government should be able to take immediate steps to help these people settle on the land.

Mr. Speaker, when the Minister replies, I hope the Minister is going to do just a simple thing, he is going to sit down now. I can see the Permanent Secretary of the Ministry of Home Affairs is here, but I also wish that the Permanent Secretaries of the Ministries of Lands and Settlement and Agriculture were here, because the Minister for Home Affairs can only feed these people, but if we have a Government which has collective responsibility, this Government should be working in such a way that this problem would not be left to the person who is responsible for feeding these people. This Government should be able to put these two Ministries together and try to help these people to show that the Government is doing what it is supposed to do. I want to say again that the Cabinet is not working on collective responsibility and I would like to challenge the Minister who is going to reply. Was the answer discussed in the Cabinet? I would like to say that I am sure this question was not discussed in the Cabinet and, as a result, the answer we are going to have is an answer from the Minister for Home Affairs who is merely going to tell us we are doing everything to help these people. This is not enough. We would like the Minister for Lands and Settlement to do something for these people and what we would stress to the Minister is that the people of Nyanza are very greatly perturbed. The region must be developed and we are not going to develop the region if we have people who are fit and whom we have to feed. So, Mr. Speaker, what we expect the Minister to tell us now is that the Government is going to use that money,

[**Mr. Anyieni**]

which the Government was using to feed these people, to settle these people without asking them to put one cent down. After these people have been settled, the Government can always get the money back which was advanced.

With those few words, Mr. Speaker, I would support the Member and hope the Minister will not say we are making sweeping statements because he comes from Nyanza and he knows we have not made sweeping statements.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, it appears that this evening some Members would like to suggest that the Cabinet consists of heartless people who do not care, and do not know anything and who do not do anything. The easiest thing to do is, of course, to speak in this House, but the more important question for these people in Kibigori is what is done in Kibigori, not the speeches which are made here.

Mr. Speaker, the hon. Member who has introduced this Motion has sought to bring out the difficulties experienced by the people at the Kibigori camp, but I am sure he will agree with me that there is another side to the story which he has told the House, a side of the story which I presume he leaves the Government to state. What is the story? In 1961, there were floods. As a result, a large number of people, families, left their homes and asked the Government to give them assistance. Assistance was immediately arranged for them in this place that we now refer to as Kibigori Transit Camp. Since 1961, there have been other floods and, therefore, new families have moved into Kibigori. The fact of the matter is that, before the latest floods, the Kibigori camp was actually in the process of emptying and many hundreds of families had left the camp. There were about 1,600 people left in the camp just as the new floods came on. There was a total of over 8,000 at the peak.

An hon. Member: 10,000.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Perhaps 10,000; I agree with the Member.

What is the number in the camp today out of 10,000? There are 739 men, 817—Mr. Speaker, if the hon. gentleman would listen, I said there are 739 men, 817 women and 2,333 children, a total of 3,889, out of the original 10,000 people. That means that over 6,000 people have satisfactorily left the camp. In these past few months

—Mr. Speaker, do the Members want to listen or just to speak? Are these people in Kibigori going to benefit by merely—

Mr. Bala: On a point of information—

The Minister for Justice and Constitutional Affairs (Mr. Mboya): I do not intend to give way.

Mr. Speaker, Sir, there are three ways in which these people are being dealt with. There are 3,000 acres of land which have been made available to be divided into 7½-acre plots, which will take in well over 400 families of these people. Members who have spoken are saying everybody is being asked to pay Sh. 1,000 in order to get into these plots. That is not true. These plots are being made available by the Government at no cost to these people in the area. In addition to that, there are two other schemes, to one of which the Member has referred. The first, which is the Muhoroni and Songhor settlement scheme, has two schemes. The Muhoroni scheme, which is for abler type of people from the region generally, requires a payment of Sh. 1,000, and that, I believe, is the scheme to which the hon. Member has referred. It is not and has never been a scheme intended purely and simply for the people in the Kibigori camp. The other scheme in Songhor for the landless people does not require the payment of Sh. 1,000. It requires merely Sh. 145 for stamp duty and registration fees of the land for the man who is being settled.

Now, Sir, in these three different projects, the Government is attempting to meet this problem. Additionally, some people in the camp prefer, as the place gets drier, where it is possible, to go back to their original homes.

Some Members have said the Government does not care, it did not even bother. When the hon. Member from Majoge-Bassi spoke, he asked, why the Minister for Home Affairs? The fact of the matter is that the House knows very well that when the floods came, the Government immediately arranged for the Ministers concerned to tour all the affected areas. Kibigori was not the only one, there were many areas around Lake Victoria affected. The Ministers for Agriculture, Lands and Settlement, Local Government, Health, Home Affairs and the Minister for Information personally went to the area. Now we are told this was a waste of public money. Mr. Speaker, Sir, on the one hand we are asked, why did not the Minister for Lands and Settlement go? Yet, when

[The Minister for Justice and Constitutional Affairs]

we say he went, we are told it was a waste of money. Because of the Ministers' visit, nearly 6,000 people have left the camp, 10,000 acres have been made available as $7\frac{1}{2}$ -acre plots, which will be given to 400 families. Additionally, those who wish to go to a settlement scheme proper may do so.

In this period of September to December, the Government will spend £90,600 on these people in the Kibigori camp. Additionally, a lot of famine relief is being given in the camp. Now, Sir, I agree with the hon. gentleman that it is not desirable for anybody to live in a camp. Nobody is questioning that. I agree with the hon. gentleman that the best thing would be for these people to go back as soon as possible into normal life. I agree with him that the sooner we can do it the better for these people. However, I disagree and resent the idea that we should be made out into an image of hapless people who do not care, who are merely happy and anxious to see these people continue to suffer. I disagree and resent this idea; that the situation should be presented here as though the Ministers are just enjoying themselves and did not care two hoots what happened in Kibigori camp, when the hon. gentleman here knows that the Ministers do care, that some of the Ministers in fact come from that area, have relatives in that camp and are going to do their best to help improve the situation. We are not improving matters by trying to castigate people, by trying to be negative about it. What has been done must be acknowledged and it is untrue to suggest that there are no health facilities whatsoever, that there is no education whatsoever, because the hon. Member knows. Mr. Speaker, we have been told that some people have died. Is it strange that some people have died? Are we not dealing with a natural calamity and disaster? Are we to be held responsible for everyone who dies in this country? Are there not people dying every hour, every minute, throughout this country?

Mr. Mutiso: And we just watch them!

The Minister for Justice and Constitutional Affairs (Mr. Mboya): Mr. Speaker, the hon. Member for Machakos says he will sit and watch them die. I do not know what he sat and did. He sat and did nothing. At least we did something.

Mr. Speaker, I would like to assure the House that to the extent that it is possible to do anything for these people it is being done and it will continue to be done. I consider it the height of

irresponsibility for any Member to stand here and say these people are going to take the law into their hands, because if they do the law will operate.

Mr. Bala: Mr. Speaker, Sir, I would like to remind the hon. Minister that he has not been able to tell this House when the Government proposes to move these people who have been staying for over sixteen months in the camp.

The Minister for Justice and Constitutional Affairs (Mr. Mboya): They have not.

Mr. Bala: They have. In fact, I know it much better because as Vice-Chairman of Riwruek Dongo Kano and even the Speaker can bear me out when I say that at one time I was the Deputy Chairman of Riwruek Dongo Kano who was handling the cases of these people.

Mr. Speaker, this matter is a very serious matter and it becomes much more serious especially when you take into account that most of these people who are in the camp came from Kano, Nyakach, and all that area of Miwani Sugar Estate, Muhoroni and Koru belonged to them and they were removed from this land by the Imperialists. All that area round about Muhoroni and Koru, belonged to these people and they were removed by the Imperialists. Now, when these people were living quite comfortably in places like Muhoroni and Koru, before, they are now bound to be frustrated much more, especially after the African Government some of these people struggled so hard to get, appears to do nothing for them. We have a Kanu Government which is now ruling. When they see that their cases are being taken very lightly, they are not happy.

The other day the Minister for Health came and visited the area and he was given a memorandum. We, together with the Member for Winam, went round and showed him the graves of the people who had died; there were well over sixty people; we also showed him some children who were about to die and yet, to this day, he has done nothing about this. He made some promises before the people present and they clapped for him because he said he was going to send them an ambulance. Yet he has done nothing.

That is why we say that the Government has done nothing in connexion with the particular matter. When I went to the Minister for Home Affairs to demand some poles to build some huts, I was referred to the Ministry of Natural

[Mr. Bala]

Resources. I was told that the question of trees came under the responsibility of this Ministry. Mr. Speaker, Sir, there are certain things done by the Ministry of Settlement, others done by the Ministry of Natural Resources, while others are done by the Ministry of Commerce and Industry, and so on. Yet we are always told there is collective responsibility. Nothing can be done quickly, you just walk about from one Ministry to another achieving nothing. With all this, are we going to believe that we have our own African

Government or have we still got the Imperialist Government?

ADJOURNMENT

The Speaker (Mr. Slade): Order, order. That is the end of our half hour.

The House is therefore adjourned until tomorrow, Friday, 2nd October 1964, at 9 a.m.

The House rose at Seven o'clock.