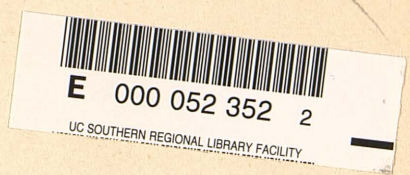


ZANZIBAR PROTECTORATE.



COMMISSION OF INQUIRY INTO CIVIL DISTURBANCES  
ON 1ST JUNE, 1961 AND SUCCEEDING DAYS

held at

The Legislative Council Chamber, Zanzibar

before

SIR STAFFORD FOSTER-SUTTON, K.B.E., C.M.G., Q.C. (Chairman)

SIR VINCENT TEWSON, C.B.E., M.C.

C.A. GROSSMITH, ESQ., C.M.G., O.B.E.

Commencing on Monday, 25th September 1961

-----  
S E C O N D    D A Y

Tuesday, 26th September, 1961

*of proceedings*  
Note taken by Treasury Reporter  
— 1

PUBLIC AFFAIRS SERVICE  
LIBRARY  
MAR 18 1975  
UNIVERSITY OF CALIFORNIA  
LOS ANGELES



APPEARANCES

For the Government:

The Attorney General (Mr. P. N. Dalton)  
Mr. B.A.G. Target (Crown Counsel)  
Mr. W. Dourado (Crown Counsel)

For the Zanzibar Nationalist Party and the Zanzibar and Pemba Peoples' Party:

Mr. Fraser-Murray  
Mr. S.H.M. Kanji

For the Afro-Shirazi Party:

Mr. K.S. Talati  
Mr. B.E. Kwaw-Swanzy.



ON RESUMPTION

CHAIRMAN: Yes, Mr. Attorney General?

ATTORNEY GENERAL: May it please the Commission, the evidence I propose to bring before this Commission will cover the following matters, Sir -

- (1) Assessment of the security situation prior to the June elections.
- (2) Measures taken prior to the election for preservation of law on polling day.
- (3) Causes of the disturbances which occurred on 1st June and succeeding days. The evidence will deal with the immediate causes and the underlying reasons which led to the unfortunate outbreak of violence.
- (4) Disturbances and how they progressed, and finally the steps taken to deal with the disturbances.

Now, Sir, we have had two general elections this year, both of which were contested by the three political parties which exist in Zanzibar. In the January elections the Afro-Shirazi party under the leadership of Sheikh Abeid Karume won ten seats, the Zanzibar Nationalist Party under the leadership of Sheikh Ali Muhsin won nine seats and the Zanzibar and Pemba People's Party under the leadership of Sheikh Mohammed Shante Hamadi won three seats. Both major political parties were given an opportunity to form a Government, but neither managed to command a majority of elected members. One member of the Zanzibar and Pemba People's Party aligned themselves with the Afro-Shirazi Party and two of the Zanzibar and Pemba People's Party aligned themselves with the Nationalist Party, and so in the result there were eleven elected members on each side. This deadlock, Sir, was overcome by the passing of Decree No. 1 of 1961 which provided that the Civil Secretary should act as Chief Minister and under this it was arranged that two members of each Party, two of the groups, should hold portfolios. This Decree also provided that it would lapse after six months, and arrangements were therefore made for an election early



in June of this year. In an attempt to avoid the possibility of there being twelve or equal numbers of elected members on each side, Decree No. 4 of 1961 was enacted, which provided for twenty-three elected members instead of twenty-two. As was to be expected, there was intense political activity prior to the June elections, but the assessment of the situation was that it was less tense than it had been immediately before the January election. All the political leaders gave an assurance that all would be quiet and there would be no trouble. Nevertheless, the security precautions that had been in force in the January elections were put in train again, and arrangements were made to call in reinforcements of police and troops from the mainland if necessary. Detailed evidence, Sir, will be laid as to those arrangements.

The morning of 1st June, the election day, started quietly, but quite clearly there were reports of incidents in the Ngambo area. At this juncture I will name a few places and ask the interpreter to indicate them on the map which my second witness, the Commissioner of Police, will put in, if I may use it now, Sir.

CHAIRMAN: Yes.

ATTORNEY GENERAL: At 7.45 a.m. the very first incident which was of a minor character was reported at Gulioni. You will hear during the course of the evidence which will be led that there were similar incidents in the January elections. The real trouble, Sir, started near the polling station at Darajani at about 10 o'clock, and you will hear evidence describing the incident in detail, and I will also put in a police diary of events.

Trouble started with rowdiness on the part of onlookers near the polling station; by approximately mid-day it developed into rioting. At 12.15 that day, 1st June, the Riot Act was read, and at 12.18 that morning the Civil Secretary alerted



the Kenya Government and gave warning of an impending request for reinforcements. At 12.55 the request was made of the Governor of Kenya for the despatch of a general service unit. Prior to that at 12.30 the Commissioner of Police of Zanzibar had telephoned the Commission of Police, Kenya, asking him to bring his general service unit to immediate readiness.

In the afternoon, the situation not improving, there was a meeting of the Security Committee, and at 4.30 a state of emergency was declared under the Emergency Powers Orders in Council. I have two copies of the emergency legislation prepared for the Commission. At 6.15 that evening the first company of the Kenya general service unit which had been asked for at mid-day arrived at the airport and immediately went into action to restore order, and at 8.15 the same evening as the situation was still very bad in the Ngambo area it was decided to call for a second company of the Kenya general service unit. I have the detailed movements of those units and the military forces which I will lead in evidence. That was 1st June and, except for a small incident at Mkokotoni there were no other incidents whatsoever in the island of Zanzibar or Pemba, and polling proceeded quietly.

On 2nd June, Friday, reports received by the Civil Secretary showed there were seventeen deaths, and during that day the situation continued to deteriorate in the Ngambo, so it was decided to call for military reinforcements. On the same day, 2nd June, murders and lootings continued in Ngambo and evidence will be led as to these events and the steps the police took in an endeavour to restore order. I do not know, Sir, whether members would like some time to go to the locus of these occurrences ?



CHAIRMAN: At some stage we may well wish to visit them, and we would naturally agree to the representatives attending.

ATTORNEY GENERAL: I think it would be very essential for the Commission to see the place and the difficulties arising out of the streets and lanes of the Ngambo.

On 3rd June, Saturday, the situation in the Ngambo got progressively worse as it advanced and a day curfew was imposed at 2 o'clock in the afternoon. Now, Sir, it was on this day, the Saturday, that it was noticeable that the trouble started to creep to the shambas, the country districts. In fact, Sir, the troubles did not spread at all to the south but were confined to the central area of Zanzibar island. On that day murders were reported at Chwaka, Bambi, Kitope-Ndani. The following day, Sunday, further trouble including murders occurred in the rural areas. Evidence will be laid of further disturbances on Sunday.

On Monday, 5th June, the day passed quietly in the Ngambo but murders continued in the country districts, at Kitundu. Owing to reinforcements from the mainland, it was possible to impose a curfew in the rural areas, and during that week the combined efforts of police and military gradually restored order. By 9th June some 314 people had attended hospital in Zanzibar, 85 had been admitted and there had been 66 dead; 925 people had been arrested. More in fact were later arrested, but that is up to 9th June.

That, Sir, is the history put very broadly and shortly of the June disturbances. I will now call evidence to fill in the details. To anticipate, Sir, I will be calling approximately twelve witnesses.



CHAIRMAN: We propose that the witnesses should sit down; we want them to be as comfortable as possible. As the Commission are not, as you will appreciate, fully seized of all these events, it may be that we shall wish, at a later stage, to recall some of these witnesses to put questions ourselves, but it is not intended to recall them, to enable further examination or cross-examination, unless we are satisfied it was not reasonably possible to put these questions in the first instance.

MR. P.A.P. ROBERTSON called and sworn

Examined by the ATTORNEY GENERAL

Q. Would you give your full name, please?

A. Patrick Alan Pearson Robertson.

Q. I think you are the Civil Secretary of Zanzibar?

A. Yes, I am.

Q. When did you take up the appointment of Civil Secretary - it was called Chief Secretary in those days?

A. I arrived in Zanzibar to take up my appointment at the end of January 1958.

Q. You are conversant with the terms of reference of this Commission, are you not?

A. I am, yes.

Q. Mr. Robertson, I think it would be convenient if your evidence was first directed to the assessment of the situation prior to the elections. When you arrived here what was the composition of the Legislative Council, in 1958?

A. There were thirteen official members, Sir, and twelve unofficial members of whom six were elected and six were nominated.

Q. Can you say to which party the six elected members belonged?



A. Of the six elected members five were supporters of the Afro-Shirazi Party and one said he was an independent.

Q. On what roll were they elected?

A. They were elected on a common roll.

Q. Had those members to be elected on male and female suffrage or just male suffrage?

A. No, there was no female franchise at that time. The electorate was composed of male members of the community only, above the age of twenty-five years and with certain other qualifications. The principal qualification was Zanzibar citizenship.

Q. You said five members were followers of the Afro-Shirazi Party; what other parties, if any, were there in Zanzibar at that time?

A. At that time there was one other political party, the Zanzibar Nationalist Party.

ATTORNEY GENERAL: When we talk about Zanzibar, Sir, we include Pemba of course, unless it is obviously concerned with Zanzibar island or Zanzibar town.

CHAIRMAN: Thank you.

ATTORNEY GENERAL: Can you state generally the political situation in 1958?

A. When I arrived here, Sir, I found there was a good deal of political antagonism and also a good deal of racial feeling. I remember within a few days of my arrival in Zanzibar having conversations with people in the street and being very much impressed by the racial feeling which appeared to exist at that time.

CHAIRMAN: When you say racial feeling, whom was that between?



A. As between what one could loosely describe, Sir, as Arabs and Africans.

ATTORNEY GENERAL: That was 1958. I will come to 1959.

A. Perhaps I could be allowed to go on, Sir, from where I stopped; I was not aware how far you wanted me to go.

Q. Yes.

A. This political antagonism as well as racial feeling persisted throughout 1958 to some extent, growing in intensity. For instance, in April 1958 the tone of political speeches and the general atmosphere was such that I wrote officially to the Presidents of both the two parties and told them that the Government had been receiving numerous reports of deterioration in race relations in the Protectorate, and I appealed to them to try and do something about it. I suggested that they should have a voluntary ban on political meetings for a period of six months, and also try and impose some voluntary restraint over comment in the newspapers.

Q. If I may interrupt there just for a moment, you say the two political parties - what were they?

A. One was the Afro-Shirazi Party, the other was the Zanzibar Nationalist Party.

Q. Had the Zanzibar and Pemba People's Party not been formed then?

A. It was not formed in 1958. I regret to say that my appeal was not responded to, and during the ensuing months, May, June and July, the situation continued to deteriorate. There were boycotts by supporters of both sides principally on the buses operating over the islands. People refused to co-operate in the way they previously had over the burial of the dead; there was boycotting of shops, businesses and so on. This culminated



Document  
PAPR.1

in a dock dispute which took place in September, I think it was, Sir, September, 1958, as a result of which a tribunal was appointed and a report was produced on that particular dispute. I have a copy here, Sir, if the Commission would like it.

Q. The report was made by whom?

A. Sir John Gray. This was in 1958 more or less the climax for that year, and almost immediately after the arbitrator's report had been published a series of meetings was arranged with the leaders of both political parties, political groups, which became known in Zanzibar as the Round Table Conference. As a result of that there was patching up to some extent of the differences which had marked the previous months of the year, and the situation became on the surface somewhat quieter and less tense. But below the surface there was still a good deal of trouble, in particular the Government was concerned by the activities of youth movements, in particular one which is known as the Youths' Own Union, and we had reports that they were drilling and on certain occasions they were observed to be usurping the functions of the police. The result of this was that in April 1959, in fact during the first few months of 1959, the Government had to take additional legal measures to deal with these developments, and there were amendments passed to the Penal Decree which made it an offence to carry offensive weapons, made besetting an offence and intimidation.

Q. What was the number of that decree, have you got it there?

A. I think it was No. 7, Sir.

Q. Decree No. 7 of 1959?

A. Then in addition to that in April 1959 the Public Order Decree was passed which made it an offence to usurp the functions of the police, to wear political uniforms, to drill or to carry offensive weapons and to wear political emblems or carry political



emblems if an order was made prohibiting that.

Q. And the number of that Decree was No. 21, 1959, was it not?

A. Yes. For the rest of 1959 until towards the end of the year the situation remained less tense than it had been in 1958, but I have a note here, Sir, that in November 1959 at a public relations committee meeting I was asked by a representative of the press - "Is Government aware that people both by speeches at political meetings and by articles in the press are provoking hatred between the different sections and the inhabitants of Zanzibar, and is Government taking any action?" During 1959 and the early part of 1960, Sir, there were many complaints from both sides at the contents of the speeches which were made at public meetings. The Nationalist Party claimed that the Afro-Shirazi Party speeches were racial in character and expressed disloyalty to His Highness the Sultan. For the other side the complaints were that the Nationalist Party speeches were abusive and insulting and it was particularly resented that if anybody was not a member of the Nationalist Party he must be assumed to be disloyal to His Highness the Sultan. This was an accusation which was particularly resented. In the early part of 1960 the present British Resident was appointed to Zanzibar, and he immediately began discussing constitutional progress for the Protectorate with the leaders of the political parties, and this did a good deal to start with to reduce some of the tension. In May 1960, however, tension was building up again because of the appointment of Constitutional Commissioner Sir Hilary Blood who came here for a fortnight in May 1960, and he produced his report during June. In July 1960 the tone of the press, the tone of speeches being made at public meetings was so deplorable that His Excellency decided it was necessary to



to call together the political leaders to discuss this matter, and after long discussion they all agreed to sign a joint declaration calling on their supporters to behave themselves and to behave with traditional good humour and politeness, and so on. It was about the end of June, Sir, that, as a result of communiques broadcast and the general knowledge in the community about the situation, an article appeared in the Tanganyika Standard with a big headline which said - "Threat to Peace in Zanzibar". That was at the end of July 1960. I have not a copy here, Sir, but I could produce one quite quickly.

Q. I propose that another witness will put in the newspaper articles that we are talking about?

A. From then onwards, Sir, the situation began to improve a bit, partly because I think the appeals had had some effect and partly because tension was then being concentrated on the general election which was due to be held in January 1961 and the two political parties - by then there were three - were concentrating their efforts on preparing for the election. We had expected that as we got nearer to the January election the situation might deteriorate and tension would grow, and therefore we were particularly vigilant during November and December, but by the end of November and during December 1960 we had observed that ~~racial~~ relations generally were showing some improvement, and the situation was better than we had expected it might be. In December 1960 it was reported that racial tension had not built up as much as ~~expected~~. The security picture looked brighter as a result of the acceptance of Sir Hilary Blood's recommendations and there would be less danger before the elections than after. The situation was again reviewed in January 1961, and it seemed that the political leaders and the political parties were making every



effort to avoid provoking a situation in case it might result in the postponement of the elections. Both major groups were confident of victory, but we were aware of a potential danger from the youth wings which existed in both the major political parties, and they were recognised as being possible causes of trouble. As it so happened, Sir, the election in January 1961 passed over without any serious difficulty. I myself left the Protectorate on leave just a day or two before the election took place, so I was not actually in Zanzibar for the next three months. I returned from leave at the beginning of April, and towards the end of April we made an assessment of the position, knowing then that elections were going to be held in June, and it was reported that relations between the two main political groups were seen to be deteriorating, and there appeared to be little chance of any rapprochement between them. It was specially commented that there was no sign that these developments would lead to widespread disturbances. That particular point was carefully considered in April, and that was an assessment made at the time, although it was recognised that isolated incidents could occur which might lead to a more general flare-up. We were doing what we could to try and prevent such developments, and the police were controlling the people who were allowed to speak at public meetings, and quite a number of people who were known to be liable to make inflammatory speeches and make provocative remarks were prohibited from addressing public meetings. The position was again reviewed at the end of May. I think the exact date was 29th May, Sir, and the assessment was that the situation was quieter than it had been in January. We noted however that there had been a speech made by an individual who is known, Sir, as Bibi Titi who comes from Tanganyika which had been particularly provocative and some local feeling had been stirred up by remarks she had made.



This showed that feeling could be fairly easily stirred up.  
We considered this situation and in view of .....

CHAIRMAN: Who was he supporting?

ATTORNEY GENERAL: It is a lady, Sir, a member  
of the Tanganyika African National Union.

A. She spoke, Sir, at a public meeting here in  
Zanzibar; she was invited to come and address this political  
meeting.

CHAIRMAN: By whom?

ATTORNEY GENERAL: Was that a meeting of one of the  
parties?

A. Yes.

Q. Which party?

A. The Afro-Shirazi Party. We considered the  
situation, Sir, as I say, on 29th May, and our assessment was  
that everything indicated that the elections would pass off  
peacefully, though the possibility of trouble arising when the  
results had been announced was recognised. We also realised  
that there were elements on both sides who could be expected to  
stir up trouble if the result of the elections did not please them.  
So our general view was that while there was some tension in  
existence it was lower than it had been on many occasions since  
1957, that isolated incidents might occur such as the one which  
you heard mentioned at Mkokotoni, and I repeat that our view was  
that if there was going to be trouble it would be more likely to  
happen after the results had been announced than actually on  
election day.

Q. Now, Mr. Robertson, I come to the preventive  
measures taken prior to the election. On 19th May did you have



a meeting with political leaders?

A. Yes.

Q. Of all political parties?

A. Yes.

Q. What occurred at that meeting? What was the purpose of the meeting?

A. If I may perhaps go back just a little, Sir, a few days before 19th May a request was received from the political parties that they would like to be assured that measures were being taken to take care of security on election day and as a result, I agreed to hold a meeting at which were present representatives of all three political parties, the Commissioner of Police and other Government officers. The purpose of the meeting was to discuss with those present the arrangements which were being made for holding the elections and to consult them with regard to any measures which should be taken to ensure that the elections passed off smoothly. It was agreed with those present at the meeting that attention should be given to the following points, and the political leaders were asked to co-operate in bringing these points to the notice of the electorate; steps were taken for the Ministers to make broadcasts and I myself, Sir, made a broadcast as a result of this meeting on 30th May just before the elections, in which I summarised again the points which we considered should be driven home to the people. The points were as follows:

- (1) The people should be persuaded to queue quietly and in an orderly manner.
- (2) People should be specially asked not to take the law into their own hands but to leave matters to the election officials and the police.
- (3) As soon as people have voted they should go home or go back to work.



(4) They should be reminded that it is an offence to congregate within 100 yards of a polling station

(5) Political parties should recognise that they are not responsible for organising queues or for organising the voting.

(6) People should not order others about in the queue.

(7) People who are not voters should not go to the polling stations.

(8) Children should be ordered not to go near polling stations on polling day.

(9) (And this was an important one, Sir) No patrols may be arranged by any political party or by other people.

(10) People should not believe rumours but should listen to the broadcasts.

All these points, Sir, were repeated several times during the days immediately before the elections, and notices were put up; in fact a real maximum publicity effort was made to bringing these points home to the people.

Q. Have you got a copy of the text of your speech?

A. Yes.

Q. Do you produce it?

A. Yes.

Q. Now we come to the question of reinforcements.

Had there been any arrangements with mainland territories for the supply of reinforcements for Zanzibar in the event of Emergency?

A. Yes Sir.

Q. What were those arrangements?

A. It has been a longstanding arrangement for Zanzibar to have arrangements with mainland governments for reinforcements in case of trouble. These general arrangements are longstanding and



go back a number of years. Owing to constitutional changes which took place in Tanganyika on 1st May 1961, it was necessary to review the arrangements for getting reinforcements, and that was undertaken in April, 1961. As a result of the discussions which we had it was agreed that one company of the Kenya police general service unit would be available to Zanzibar as a first call, and one company plus a possible second company of KAR. would be made available if needed. At the end of April these arrangements were confirmed in writing, and it was also arranged that the reinforcements would be flown in by air; it was also arranged that the Kenya general service police unit would be standing by at four hours notice from 6 a.m. on 1st June.

The other arrangements which were made during May were that the telephone link with the mainland would be kept open 24 hours a day with effect from 5 p.m. on 31st May, that is the evening before the elections. Arrangements were also made for both His Highness's ships to be in Zanzibar harbour for the 1st June, i.e., election day. The purpose of that was for them to be available if anything went wrong with the air movement arrangements they could go either to Dar-es-Salaam or to Mombasa in order to collect troops or police. Arrangements were also made to have the broadcasting station open continually for 24 hours from 6 o'clock in the morning of election day until further notice. In fact it stayed open for a considerable number of days, 24 hours a day. On 30th May, Sir, I telephoned to East Africa Command HQ in Nairobi to establish liaison with them. We exchanged our telephone numbers, both house and office numbers, and we made all the detailed arrangements of the procedure that was to be followed if it was unfortunately necessary to call for reinforcements. I also on the same day established contact with the Ministry of Defence in Nairobi



and made similar arrangements with regard to the police reinforcements. I undertook to give a 24 hourly situation report to the General Officer Commanding, and also to the Ministry of Defence in Nairobi, and at 2.30 p.m. on 30th May I telephoned to say that the situation was calm and was expected to remain so for the next 24 hours. I telephoned again on 31st May and gave an identical assessment.

Q. Is that all your evidence as to the assessment of the situation?

A. Yes.

Q. You have told us in your evidence about boycotts during the year 1958/59; was there any trouble on the land?

A. Yes. One of the features of the situation in 1958 was bad relations between landlords and squatters, Sir. This took the form of both sides to some extent failing to get on with each other. The squatter system is one of long standing in Zanzibar and from what I have been able to gather, Sir, of the history of Zanzibar, relations between landlords and squatters have generally been quite good, but it was apparently round about the time of the 1957 elections that their relations began to deteriorate. In some cases I have no doubt the squatters were provocative, but equally on the other side squatters were evicted from land which they had been allowed to live on, and this situation led to a great deal of friction. Under the squatter system it is the practice that the squatter is allowed to live rent free on the land but he is expected to perform certain labouring tasks from time to time for the landlord. This was a very difficult problem to deal with and the administration spent a great deal of time and trouble trying to settle these cases and to reconcile the two sets of people, but it was not until January 1959 that an order was made under the Administrative Authority Decree. The Order is

a n in



contained in Legal Notices Nos. 5 and 6, 1959, and these notices set out the conditions under which a squatter can enter, take up residence upon and start cultivating privately owned land, and the conditions under which a landlord can evict a squatter and the procedures of compensation and the resolution of disputes. These particular Notices proved very useful and cases were dealt with under them, with the result that the squatter disputes and problems tended to dwindle away. This is exemplified by the number of cases heard. In 1958 there were 63 cases dealt with under these provisions; ~~in 1959~~ 1959 there were 27 and in 1960 there were 12. But below the surface there is still a good deal of suspicion on both sides over this system, and it is liable to cause trouble. One of the causes appears to be the influence of politics.

Q. Mr. Robertson, you see that map behind you, can you say where the land troubles occurred ?

A. The squatter disputes took place in this central and north central area here (indicating) which is probably the most thickly populated part of the Island.

Q. Now I come on to another subject. Will you tell the Commission the colour of the Zanzibar flag ?

A. The Zanzibar flag, Sir, is a plain red one.

Q. Is that flag adopted or used by any political party ?

A I do not think it would be true to say it was adopted by a political party, but at political meetings held by the Zanzibar Nationalist Party the red flag without any additions to it was to be seen very extensively and widespread at the meeting.

Q. Have you any comments to make on that ?

A. Yes, Sir, I think it is fair to say that the use of the flag, whether it was a legitimate use or not, did in fact provoke political antagonism because it was regarded by the Opposition as a political emblem and tied up with this accusation that anybody who was not a member of the Nationalist Party was also not a loyal supporter of His Highness the Sultan.

Q. You mentioned earlier on in your evidence boycotts. Was any legal action taken by Government to prevent boycotts ?



A. I am afraid I cannot answer that.

Q. Was any legislation enacted ?

A. I believe it was, yes.

CHAIRMAN : If it was you may refresh your memory.

ATTORNEY GENERAL : He cannot refresh it because it was not.  
Was it considered to introduce it ?

A. Yes, we discussed it. The matter was discussed, yes. I had a feeling that possibly an amendment of the Penal Code related to it.

ATTORNEY GENERAL : Didn't you mention labour  
discrimination ?

A. Yes.

Q. What was that ?

A. The reference to labour discrimination arose in connection with the famous case, if I may put it that way, with the dock disputes of 1958. The philosophy which led to this situation was that only citizens of Zanzibar, people who have Zanzibar nationality, should be entitled to work and to any employment which is going, in preference to people who are not nationals of Zanzibar and, while I think there are not many people who disagree with this, when it is a case of somebody being taken on for the first time the fact that it was used in 1958 and has been used on other occasions to deprive people of employment in which they are already working, has led to a good deal of bitterness and controversy.

The 1958 dock dispute was simply that a gang of people who were claiming to be nationals of Zanzibar went into an area of the docks where dhow cargoes were unloaded and by arrangement with the people who actually do the unloading, they obtained work and put out of work people who had been working there until a few minutes before and this immediately gave rise to great difficulty.



Similar sorts of situations have arisen from time to time and we had examples of this quite shortly after the recent disturbances.

Q: Have you any more to say on the preliminary assessment of the situation ?

A. I think, Sir, I have said all that I can.

Q. Now we come on to the causes of the disturbances themselves on the 1st of June elections. When was the first report made to you of any incident ?

A. At 9.15 on the 1st June, I received the first report that disturbances were beginning to take place but not disturbances in the sense of people killing each other - "people being pushed about" was the way it was described to me in that report.

Q. And did you go out ?

A. Yes.

Q. At what time ?

A. At approximately 10.10 I decided to try and see the situation for myself and make an independent assessment and I left in company with the Permanent Secretary to the Chief Minister, who had himself been out at the various polling stations and come to report to me. On his advice I went to Kiembe Samaki which is a school on the way to the Airport.

Q. It is near the Airport Road ?

A. Just coming in from the Airport it is on the left hand side on the corner just before you get to Mazizini. I would then see how arrangements were being made and ought to be proceeding and I found everything orderly and quiet. I then came back to town and called at the election office which is not far from the Sports Club to pick up the Supervisor of elections and to go with him to the other polling stations. While I was waiting for him to look away papers, reports were coming in that at a number of polling stations the situation was getting worse and people were being assaulted with sticks and stones, and while I was there I received a message that Sheikh Ali Muhsin,



the leader of the Nationalist Party, would like to see me and I arranged to go immediately to Police Headquarters where he himself gave me his account of what he had seen that morning. I discussed various things with him. One matter he was very anxious about was the Elections and tried to persuade me that the Elections should be cancelled and postponed.

Q. All the Elections ?

A. Yes, the whole Election. We discussed all this and returned to my office as there was no point in my going any further as there were other things to give attention to,

CHAIRMAN : What was the reason for cancelling the Elections ?

A. In view of the disturbances which had taken place, people were being prevented by fear and intimidation and I think he was in fact at that particular time - then or a little later. He told me that his party had decided to withdraw their electors from three places : Raha Leo, Jangombe and Darajani, and not to vote but to come to this place, Darajani. He said that his party were particularly concerned about Darajani constituency and therefore he wanted his people to <sup>be</sup> concentrated in that region so as to give moral support to the people who were voting there and that was the gist of our discussion.

I went back to the office and reported this and other matters to His Excellency and as a result of discussion with him, I telephoned Nairobi at 12.18 to give them as much warning as possible that it seemed highly probable we should ask for the reinforcements which were standing by. At 12.55 after hearing further reports and that the Riot Act had been read, His Excellency telephoned the Governor, Nairobi, and I telephoned the Ministry of Defence, Nairobi, and asked for the Kenya Police General Service Unit to come at once. They were standing ready at four hours' notice, and that meant they could have



left at 5 p.m. They in fact took off at 3 and arrived at 6.15.

ATTORNEY-GENERAL : Company or Platoon ?

A. Company of approximately 120 men. At 2.15 a meeting of the Security Committee was arranged and we were in discussion until after 4.30. During the course of our meeting a state of emergency was decided upon and at approximately 4.30 p.m. it was decided to impose a night curfew to come into force at 7 o'clock that evening.

Q. In what part of Zanzibar ?

A. That was imposed on the whole of the area shown on that map: the whole of Stone Town and Ngambo.

Q. When Sheikh Ali Muhsin asked for the Elections to be cancelled, did you give him a reply ?

A. Yes. I gave him a reply on the spot but the matter was discussed later.

Q. Was he given an answer later, or there and then ?

A. To the best of my recollection, he came and saw me several times about this matter, but I cannot, I am afraid, remember all the arguments we had about this question, but I do remember suggesting to him that as far as Darajani was concerned, which was the one he was worried about, it would be much better for him to wait and see the result and, if necessary, then put in an election petition. I can remember clearly suggesting to him almost by way of a joke that they might find next morning that they had <sup>won the</sup> one seat, so it was extremely interesting when we found his party had in fact <sup>won the</sup> one seat.

Q. Were the leaders of the political parties approached that afternoon and asked to take .....

A. Yes, Sir, throughout that day in fact the leaders of both sides were approached and asked to persuade their followers to remain calm and they all co-operated extremely well, in particular, Sir, I would like to mention Sheikh Abeid Karume, the leader of the Afro-Shirazi Party, who toured around a great deal in company with the



Police and Administration and tried to persuade mobs to go away and disperse and he did this until he himself came in danger of his life.

Q. Was anything put over the broadcast ?

A. Broadcasts were made by all the political leaders along the same lines. The co-operation and the help which the political leaders gave on that day was first-class.

Q. During that evening, did you receive a report from Pemba ?

A. Yes, Sir.

Q. What was that ?

A. A report was that the situation in Pemba on the 1st June was calm and elections had passed off quietly.

Q. I think that you said that the first contingent of the Kenya Police arrived at 6.15. Were they detailed for duty then ?

A. The Kenya Police Unit on arrival went straight from the Airport in their lorries to the troubled areas in the town and deployed and showed themselves at once.

Q. Later that evening was any decision taken as to further reinforcements ?

A. Yes. At 8.5 a decision was taken to send for the Second Company of the Kenya Police Unit. Arrangements had been made as I told you for one Police company from Kenya to come and reinforce Zanzibar, but the Commissioner of Police had in fact made two available and he sent one at our urgent request and had the other standing by and at 8 p.m. that evening, after we had seen how the situation had been developing and the effect which the reinforcements had had, we decided that a second Company would be very useful for the next day. The factor which played a part in this decision was that the Zanzibar Police Force was extremely tired by then because they had been on election duty since the early hours of Monday, 1st June, and it was then getting late in the evening. Many of them had still got a lot of work to do in connection with the elections, escorting in ballot



boxes; being present when the count was made and so on and when they got back to barracks they would have been on full stretch for 24 hours and would be very tired men the next day.

Q. During that evening did the situation improve ?

A. The imposition of the curfew was very successful and almost immediately the disturbances ceased, which is not to say that the curfew was one hundred per cent effective, and it was considered necessary to make plans for evacuating some of the Arab families from Ngambo area. I cannot remember, Sir, whether in fact any evacuation took place that evening, that is the 1st June, but it certainly took place the next day. But there is no doubt that the imposition of the curfew was a major factor in restoring order in the evening of the 1st June and the following morning, when dawn came, the situation was reported as quiet in the town.

Q. During the night did Election results come in to your office ?

A. Yes.

Q. Were you on duty all night ?

A. Not really all night. I remained on duty until midnight and then went to sleep but was woken up about 6 or 6.30 with the Election results.

Q. Can you remember any of the Election results ?

A. The Election results were : 3 seats for the Zanzibar and Pemba Peoples' Party; 10 seats for the Afro-Shirazi Party and 10 for the Nationalist Party.

Q. And during that night, did a report come in as to the casualties received in hospital that day ?

A. Yes. A report was put in a diary which was being kept by then, Sir, that 145 people had been treated; 59 admitted to hospital and 4 had died. This report was at 2 a.m. on 2nd June.

Q. Now, early next morning were any instructions given to the Prison Commissioner about prison accommodation ?



A. Yes. At 6.40 in the morning, the Prison Commissioner was instructed to transfer the maximum number of convicted persons to the prison camps.

Q. Is there a central prison in Zanzibar ?

A. There is a central prison in Zanzibar town and there are three prison camps; one at Langoni, one at Kichwele and the other at Kizimbani.

Q. During that morning did any more reports come in as to the death roll ?

A. At 8.45 the figures I just mentioned were virtually firm. 145 major casualties were treated in Out patients, of which 55 had been admitted; 4 had died and 3 bodies had been brought in, making a total of 7 dead early in the morning of 2nd June.

Q. Did any reports come in to Headquarters regarding the state of the market and general business in the town ?

A. Yes. The Acting Director of Agriculture said that by 9 o'clock on the 2nd of June food was beginning to come into the market and stalls were opening up. He anticipated that supplies would be coming in from the country and that there would not be any shortage, but fish was in short supply and animals were being slaughtered at the slaughter-house.

Q. You told us that you asked for the 2nd General Service Unit ? Did that arrive ?

A. The 2nd Company of the Kenya Police and General Service Unit arrived at 9.30 a.m. on 2nd June.

Q. And did they go to Police Headquarters ?

A. They reported to Police Headquarters and then immediately undertook operational duties.



Q. Can you say how the situation developed that morning in Ngambo ? I think, Sir, I can get that evidence from the Commissioner of Police, if you are not very sure.

A. I cannot give an exact time, Sir, as to when disturbances began to occur again. I have emphasised that the morning started quiet and disturbances broke out later in the morning and the Police Dairy will be more reliable than I can be. But during the morning disturbances started up again in one particular place or in general. I think it would be true to say that throughout this area of Ngambo there was disturbances. I am not saying that they started all at once, but during the course of the morning and the day they spread over the area. Reports came in from all over.

Q. Did you get a message during the middle of the day from the Director of Medical Services regarding people who had been killed ?

A. The D.M.S. telephoned me at about 1 o'clock that day and reported that he had got bodies in the mortuary and was getting worried about the arrangements for burying them and we had to make arrangements in co-operation with the political parties for a funeral to take place that afternoon. I think by then the bodies had risen to 11 and special security arrangements were made for the funeral to take place.

Q. Did that mean escorting the funeral by the Police ?

A. Yes.

Q. Were they buried without incidents ?

A. To the best of my knowledge, yes.

Q. I really want to confine your evidence to what you know.

A. On the 2nd of June at 3 p.m. we had another meeting of the Security Committee. Perhaps I can save time by saying that the Security Committee met daily throughout the next days until



the 15th June when meetings only took place as required on an average probably twice or three times a week for the rest of June until they dropped down to once a week or once a fortnight in July and so on and during the whole of the period.

CHAIRMAN: You referred to the Security Committee, how was it constituted ?

CIVIL SECRETARY: The Security Committee at that time consisted of myself as Chairman; the Attorney General; the Commissioner of Police; the officer in my office who handles security papers; and the Senior District Commissioner. I am sorry if I appear to be too uncertain about this, but the composition of the committee was altered fairly soon after the disturbances had got under control so I am a little hazy about its previous composition, but those were the important members of that committee.

The purpose of the committee meeting on 2nd June was to consider the situation generally and to deal with the question of strength and the matter of requirements. I have mentioned already the question of the funeral arrangements having to be made and we made assessment of the position at the time. There was still no indication, Sir, that any of these disorders were planned or organised and 3 o'clock that afternoon this committee said that it did not expect that military forces in addition to the Police we already had would be required unless the situation deteriorated before curfew. At 3.30 we had 170 Kenya Police at that particular time uncommitted and 100 Zanzibar Police standing by who were not actually on patrol, making a total of 270 men in reserve. Another task the committee undertook that afternoon was to advise His Excellency on the passing of a number of Emergency Regulations. These covered a fairly wide range of subjects: Power to Detain Suspected Persons; Approval for Deportation; Prohibition of Acts Likely to Cause Sedition; Restriction on Travel and Movement;



Powers of Search and Powers of Arrest without Warrant and other ancillary powers relating to publicity and so on.

Q. In the committee's assessment of the situation and consideration of the amount of Police you had available, was any report of the situation outside the town taken into consideration ?

A. Yes. There was no indication at 3.30 of any disturbances in the rural areas. But at that particular meeting we were very conscious, Sir, of the danger that these troubles might spread to the rural areas, in which case it would alter the security position very considerably because the number of men required to deal with that would be considerably greater than what we had. At 4 o'clock we gave a telephone report on the situation to Nairobi and we also reported the matter again and the latest situation to the Secretary of State. We confirmed that the K.A.R. in Nairobi were on 4 hours alert and they were standing by at 4 hours if we felt the situation required their presence. It was at 17.55 hours that evening that the Chief of Staff, Nairobi, telephoned to ask if the K.A.R. would be needed and he was told on the telephone that as far as we could tell at that time the position appeared to be held satisfactorily by the Police Force who were here, but we repeated our request that they should remain at four hours' notice. It was about an hour later, Sir, at 7 p.m., that we received a report that the death roll had risen to 17 and that there were stories circulating of people arming themselves and that generally it looked as if the next day would be likely to be troublesome: so it was decided to change our previous assessment we gave to the Chief of Staff and at 7.30 that evening we telephoned and asked if he would arrange for one company of K.A.R. to be flown to arrive first thing the next morning. You will appreciate, Sir, there was a curfew again that night and once again the curfew had been effective and as soon as it was imposed the rioting stopped.



Q. Did the Chief of Staff agree to send a company ?

A. He agreed and it was also agreed that the Officer Commanding the K.A.R. would come here with the first company, make his own assessment, and if he considered further troops were required he would send them forthwith. It was agreed that evening at 7.30. The following morning the first company of the 5th K.A.R. arrived by air at 7.30 in the morning.

Q. The morning of the 3rd June,

A. Yes, and the Commander made an immediate tour of the town area of Ngambo and very quickly sent another signal saying that the second company should also be sent and that second company of the K.A.R. arrived at about 12.30 that morning.

Q. Did you make the assessment that the situation had deteriorated on the evening of Friday, 2nd June ?

A. Yes, it was made that evening on Friday, 2nd June.

Q. Do you have any reports of the casualties in the rural areas during that day ?

A. I do not seem to have a note of that, Sir. May I just check ?

Q. I think there may have been another Security Committee meeting later, or a continuation of the meeting ?

A. Yes, Sir,

CHAIRMAN: There must have been because you asked for the troops to be sent later in the evening.

A. At 20.45 on that evening on the 2nd June there were reports of three fatal casualties during the afternoon in the rural districts. That was a report received just over the hour after we had asked for the Army to come the next morning.

CHAIRMAN: I think you were being asked about a meeting of the Security Council.



ATTORNEY GENERAL: Was an assessment made at 20.45 hours ?

A. Yes.

Q. As a result, further troops were asked for ?

SIR VINCENT TEWSON: Did the curfew apply to the rural districts ?

A. I do not think the curfew was applied to the rural districts until the Saturday, the next day, 3rd June.

SIR VINCENT TEWSON: That would explain the casualties which arose on that day.

A. On the 2nd June it was applied to the town only.

SIR VINCENT TEWSON: At that particular point it was not applied to the rural areas.

A. On 2nd June when the deaths occurred there was no curfew.

ATTORNEY GENERAL: I would refer the committee to Legal Notice No. 36 of 1961. The first curfew applied to the township of Zanzibar only and it wasn't until the 5th of June that the curfew was applied to the whole area of the island of Zanzibar.

Q. Was the night of Friday, 2nd June, quiet ?

A. Yes, Sir. At 6.40 a.m. on 3rd June a report was received that the night had been quiet. At 7.30 the Beverley Aircraft arrived with the first company of the 5th K.A.R., but that day, Sir, was, in my opinion, the worst day of the lot - Saturday, 3rd June. I would say that approximately 9 a.m. reports were coming in continuously to the Police Control Room of disturbances, arrests, murders, looting, throughout the Ngambo area. At 10.50 that morning the decision was taken that a day curfew would have to be imposed at Ngambo. We would



have liked to impose it earlier than 2 p.m. but we decided to leave it until 2 for the reason that the Government employees, very many of whom worked in the Stone Town would have been prevented from getting home if we had imposed the curfew, and it would have meant finding them accommodation where they could be kept inside. So it was decided to give everybody approximately half an hour to get home after the close of Government business and then to impose the curfew.

Q. During that morning was there a meeting of the Privy Council ?

A. That morning arrangements were made for the Ministers who had been appointed to take the oath of office before His Highness the Sultan in the Palace at a meeting of the Privy Council which took place, I think, at 11.30 - I am not able to be present.

Q. The constitution of the Privy Council is set out in the Council's Decree, 1956. And what Government was appointed by His Highness ?

A. The Government appointed by His Highness consisted of the Chief Minister, Sheikh Mohammed Shante, who was the leader of the Z.P.P.P. - that is the Zanzibar and Pemba People's Party; the Minister of Education and Welfare was Sheikh Ali Muhsin; the Minister of Health was Sheikh Ahmad Idarus Baalawy; the Minister of Agriculture was Sheikh Juma Aley; and the Minister of Works, Communications and Lands was Sheikh Ibuni Salch. Apart from the Chief Minister, all the other four were Z.N.P.

Q. During that morning did the situation improve or deteriorate ?

A. During the morning of the 3rd June the situation deteriorated very considerably, and the security forces were all fully extended during that morning in this



town area; but there were clear signs then that the disturbances had definitely spread to the rural areas. We had a meeting of the Security Committee with the O/C troops present, and he gave us his assessment of the situation - a military assessment - and it was agreed at that meeting that the first task of the security forces was to bring the situation in the town area under proper control and that should be done as quickly as possible in order to release forces to go to the rural areas. It was also decided that in view of the spread of the disturbances to the rural areas that yet further security forces would be needed. That evening, Sir, we received a report that the situation in Pemba might go sour, and after various telephone conversations with the District Commissioner and a meeting with the O/C troops it was decided at 11.30 p.m. that an aircraft should go to Pemba at early light on the next day with a military officer and a police officer, to assess the situation there. The long and short of that was that there was a certain amount of tension found in Pemba, but nothing approaching the situation on Zanzibar Island. Nevertheless, in order to take advantage of being ahead of events, it was decided to call for a company of 6th K.A.R. from Dar-es-Salaam and arrange for them to be sent to Pemba. They arrived in Zanzibar at mid-day on Sunday, 4th June, and the pilot of the Beverley aircraft took a special flight to Pemba with the Air Commodore from Nairobi to look at the airfield to see if he could land the Beverley there fully loaded with troops. He decided he could, though it is a very small airfield and one which East African Airways refused to use for a Dakota service, as they say it is too small. However, he took this Beverley to Pemba and landed it safely with the company of 6th K.A.R., and that relieved us of a good deal of anxiety as the forces, though they were in Pemba, never had to be used; and they were withdrawn



after a few days. At the same time another company of 6th K.A.R. was flown over by the same aircraft in the afternoon and evening of Sunday, 4th June, and we then had forces on the Island which enabled us to deploy forces into the rural areas.

Q. Did you say what the intention was as regards the police - I do not know if I caught it - in the rural areas ?

A. Well, Sir, on the Saturday, the bad day, the 3rd June, the policy was to concentrate on getting the town area under control. This does not mean the rural areas were completely neglected, but they were only very thinly covered; and the policy as far as the rural areas was concerned was to improve the reporting and getting in of reports from them as to how the situation was developing there. But the first priority was to get the town under control. As soon as that could be done the policy was to hold the town with the minimum number of forces and to spread out the maximum possible force into the rural areas.

Q. Was a battalion headquarters set up in Darajani ?

A. Yes, the army headquarters for the 5th K.A.R. was set up at the School at Darajani.

Q. Were patrols sent out to Ngambo ?

A. Heavy patrolling took place in Ngambo on the Saturday and Sunday night. I think the police diary will correct me possibly, but I think I am right in saying there were three companies deployed in this area.

Q. And you said a day curfew was imposed ?

A. It was imposed on Saturday afternoon from 2.00 p.m. It was lifted for an hour - I think between five and six - to enable people to get water and food.

Q. During this stage did you have both the G.O.C. and the Commissioner of Police Kenya in Zanzibar ?



A. Yes, Sir. General Goodwin and Mr. Catlin, Commissioner of Police Kenya, both paid a visit to Zanzibar on Sunday, 4th June.

Q. Have you anything else to say about Saturday - anything else to note ?

A. Food was beginning to be a bit of a worry by Saturday, 3rd June, and special arrangements had to be made to bring in supplies. This meant providing escorts, but arrangements were also made with the political parties for them to be allowed to operate vehicles under permit to move in supplies, which they were able to distribute to their supporters.

Q. During these days of Friday and Saturday, were any arrangements made to evacuate families from Ngambo into the Stone Town ?

A. Yes, arrangements were made, and strong patrols were provided, and the district administrative officers who know where to go and which houses to tackle went with the patrols to bring out Arab persons who were in danger. The first night I think three hundred people were evacuated.

Q. Arab families ?

A. Arab families, yes.

Q. And did this evacuation continue on subsequent days ?

A. It continued on subsequent nights, but I think I am right in saying after the first two or three nights the need no longer existed.

Q. Is that the end of Saturday, the bad day as you call it ?

A. Yes.

Q. I think it was a quiet night on Saturday/Sunday night?

A. Yes.

Q. Next morning you say the Security Committee met - you think it met every day ?



A. Yes.

Q. And was any decision taken as to a day curfew in Ngambo ?

A. It was decided the day curfew need not be imposed again on Sunday, 4th June, and there was no day curfew imposed on the 4th June.

Q. Why was that :

A. The situation had improved.

Q. I think you have already told us of the arrival of troops that morning, the Second 6th K.A.R.

A. Yes. I have the details of these movements. The First Company of the 6th K.A.R. arrived at 10.30 on Sunday morning, 4th June; the Second Company of the 6th K.A.R. arrived during the afternoon - half of them arrived at 4 p.m. on the 4th June, and the other half arrived at 8 o'clock the next morning on the 5th June. There was one further arrival and that was the Third Company of the 5th K.A.R., which came from Kenya and arrived here at 11 o'clock on Monday, 5th June.

Q. Had any committee dealing with food supplies been set up at this stage ?

A. Yes, the Financial Secretary was the Chairman of the Supplies and Services Committee, and he had been keeping a close watch on the situation as regards food and services and reporting to me at regular intervals about requirements, and also to the Commissioner of Police about escorts for convoys of food and guards for dock labour and so on.

Q. Were convoys of food arranged ?

A. Convoys of food were arranged, yes.

Q. And was there sufficient food ?

A. I think I would be correct in saying that on the 3rd June, and to some extent on the 4th June, people in the town were feeling the lack of food generally, but there was no serious



starvation. It was merely that they had not been able to get full supplies of food for some hours.

Q. Did you get a report that morning on the casualty figures :

A. At 12.40 hours on Sunday, 4th June, the Hospital reported 32 people dead, 301 had been treated and 92 admitted to hospital.

Q. And did you get the figures of prisoners held during that day ?

A. The report from the Prisons Commissioner said there were 315 people in the central prison and 211 at the prison camps, making a total of 526.

CHAIRMAN: All in connection with the emergency ?

A. No, I cannot tell you exactly how many were prisoners who had been in before, but it would probably be about 250 to 280 of that total - they would be people who I might say would be the permanent population of the prison. 250-300 has been the average till the emergency, so it had gone up by a little over 200.

CHAIRMAN: Those are the only relevant figures.

ATTORNEY GENERAL: Yes, and during that day did you get any reports of incidents ?

A. Is this Sunday, 4th June ?

Q. Yes.

A. Yes, I have here a report of two people who were killed at Bambi. There were in fact more, but that report says there were two. Altogether 9 people were found subsequently to have been killed at this particular village, but this particular report here mentions two and 5 from a village called Kondo (Donge ?). This is what the report says, but I do not know where Kondo (Donge ?) is on Zanzibar Island



Q. And was there an earlier report from Pangoni at 3 o'clock ?

A. There were two reports received from one of the Ministers. At three o'clock that afternoon he reported that six people had been killed, some Africans and some Arabs, at a place called - this report says Pangoni, but I think it means Pangoni - and again at 4 o'clock he sent a report by telephone that a tribe known as Mawia, armed with bows and arrows, were gathering at a place on the road to Mkokotoni. These reports, Sir, I might suggest would be better dealt with by the Police because action was taken and, to the best of my knowledge at any rate, nothing was discovered to support the second report.

Q. I think that concludes the evidence on the 4th June. We come to Monday, 5th June. Did you receive a report that morning as to the number of arrests made to date ?

A. At 9 o'clock on 5th June the total number of arrests reported up to that time was 575.

Q. And during the meeting of the Security Committee was any decision taken as to the curfew ?

A. The Security Committee met at 11 o'clock that day, and it was decided that a night curfew should be imposed over the whole of Zanzibar Island: that was from 7 p.m. till dawn. By the evening of that day the total number of arrests had arisen by 5 p.m. to 659.

Q. Did you receive a report during the morning as to the number of deaths ?

A. The casualties reported at 8 o'clock on the 5th June were approximately 50 dead, 78 admitted to hospital and 306 treated in the Outpatients. There was a slight query over the number of dead, because sometimes reports were duplicated and they were referring to the same deceased.



Q. On the 6th June, can you say what was the total number of arrests by the morning of the 6th ?

A. The early morning report was that 716 persons had been arrested, and it was that morning at about 20 minutes past 10 that I received a report that there was some overcrowding in the town, due to refugees who had come in both from Ngambo and also from the rural areas.

Q. When you say "the town" you mean the Stone Town?

A. The Stone Town, yes.

Q. What happened then ?

A. As a result of that report we considered what steps should be taken, and a Refugee Committee was set up under the Chairmanship of the Director of Education, Mr. Hann; and he, with his voluntary helpers, proceeded to tackle the problem. At 4 p.m. that afternoon the assessment was that there were 2,000 plus refugees in the town, but that figure was later either ruled out or was finally checked, and became very close to 4,000, which was the peak figure of number of refugees in the Stone Town. The refugees were pretty well entirely Arabs. They were originally staying with friends and relations and so on. It was very difficult to get a proper count, but gradually as we opened up schools to receive them they were concentrated, and by that method we got a more accurate assessment of the problem.

Q. And had the number of arrests increased during the day ?

A. By the evening the total number arrested had risen to 736.

Q. And what about the casualties - had they increased ?

A. At 5 o'clock on the 5th June the number - it is the 5th June, I think ? Monday was the 5th June - the number of deaths reported was 52, by 5 o'clock that evening. 79 had been admitted - that is an increase of 1; and 1 more treated, 307. The total number of arrests by that evening was - I think I have told you, Sir, 659. By the evening of the 6th June the number of arrests had arisen to 736.



Q. Now we will go to the morning of Tuesday, 7th. Did you receive a hospital report that morning :

A. A hospital report at 8.25 on 7th June said the number treated in outpatients since the start of the emergency was 313, but the number admitted to hospital had risen to 84, and the number of dead was 64. I want to explain that figure is based on the number of bodies which went through the mortuary. There may be a possible criticism that the figure is not as accurate as it ought to be, but we did have difficulty at the time in establishing exactly how many there were owing to this method of reporting, which I mentioned, and so we decided that for a firm figure we would take the mortuary figure. So that is 64 bodies which went through the mortuary.

Q. And early that morning did you also get a report of the number of arrests ?

A. The number of arrests that morning had risen to 745: 9 persons were arrested that night. The Security Committee met again that morning and there is nothing of any particular special interest to report to the Commission. The number of arrests rose during the morning to 748, and by this time we were able to give more attention to the food problem generally and to the situation as regards food supplies in the rural areas, and the administration was able to tour and to make assessments of the position. In general the situation was found to be reasonably satisfactory. By the evening of that day the number of arrests had risen to 758.

Q. During that day did the Permanent Secretary to the Chief Minister tour the southern part of the Island?

A. Yes, he did.

Q. And what was his report?

A. His report was that in the southern part of the Island the situation was returning to normal - shops were beginning to open and people were beginning to move about freely, that is in this area (indicating).



Q. Was patrolling carried out during Zanzibar Island throughout that time?

A. The bulk of the patrolling was in this middle to top half of the Island in that area (indicating) but by that time the military forces had been distributed round the rural areas. There was a company here; there was a company there (indicating), and one, if not two, in the town. Those rural companies were responsible for looking after the southern areas, so it is true to say it was being patrolled but nothing like on the same scale as this area.

Q. And have you got the figure of total arrests at the end of that day?

A. The total arrests at the end of the 7th June was 758, and the casualties had increased by one more death, bringing the total to 65: otherwise no change.

Q. Now can we go to Wednesday 7th June.

A. On Wednesday, 7th June at 8 o'clock in the morning the hospital reported the total number attending outpatients had risen by one to 314; the number admitted was 85, and the number of deaths had risen to 66, with one more still to be confirmed at that time. The number of arrests by mid-day on the 8th June had risen to 819, and it was decided that day that Prison Island should be declared as a detention camp.

Q. Would you just tell the Commission where Prison Island is?

A. If you look out to sea from near His Highness's Palace, Prison Island is the third island from the right. The first one is known as Grave Island, the second one is Bat Island and the third is Prison Island, which is known to the local people as Changuu.

Q. And was it used as a quarantine station?

A. It is normally used as a quarantine station, yes. There is a hospital on it which is used for quarantine purposes and there is also a prison, plus other buildings.



Q. Did that day, 8th June, pass quietly as far as you know?

A. Yes, Sir. I think by then the situation was under control and I have no reports here of any serious incidents.

Q. Then we go on to the 9th.

A. 9th June - the number of arrests in the morning had risen to 925, and that was the day when the situation had returned sufficiently to normal so that it was decided the diary which the administrative liaison officer had been maintaining at Police H.Q. could stop being compiled, and we relied from then onwards on reports being made direct to the Police. The regular meetings of the Security Committee continued to be held until the 15th and then, as I have said, they were held less frequently.

Q. I think it is true to say that the casualties had not increased since the previous day?

A. The casualty figures had not increased since the ones I gave for 8th June.

Q. Have we any details about policing - either general service units or military forces? When were they released?

A. I cannot give you the dates of their release.

Q. I could get those more precisely from perhaps the Commissioner of Police, but would it be true to say that about that time the Government started releasing various units?

A. Yes, the first two units to be released were the Kenya Police, general service unit. The 5th K.A.R. remained in Zanzibar until approximately the end of June, when they were relieved by the 6th K.A.R., and during the second half of June the strength here was reduced to three companies and has now been further reduced to two companies of troops. There is no Kenya Police unit here at the present time.

Q. If I may refer you to the arrival of the troops here: you have already given evidence as to the dates of arrival of the Police and the service units on 2nd, 3rd, 4th and 5th June - they arrived over four days.

A. Yes.



Q. Was their arrival on those four days, spaced over four days, governed by the question of accommodation here?

A. No, Sir.

Q. Would it be right to say the necessity for having these troops was under-estimated?

A. No, I would not agree that we under-estimated the need for the troops. The position was that the situation had been calm right up till the morning of 1st June, and there was no particular reason why any of the political parties should have wanted the elections to be disturbed, as both sides were confident they were going to win. The troops - and by that I am including police units - were on four hours' notice, and in the situation as we saw it at that time I think we were entitled to consider that the reinforcements were at reasonable notice for our purposes. The emergency developed without being able to forecast when it was going to break out or how severe it would be. There was no reason why it should have started or spread to any of the areas to which it went; and if we had had forces from the mainland here it was quite possible in the climate of opinion prevailing at the time that the Government would have been open to the criticism of trying to influence the course of the election. For that reason, as well as the expense and as well as on general grounds, it seemed at the time the proper decision to have the troops available at short notice but not to pre-position them in Zanzibar.

Q. Does the state of emergency still exist here or has it been withdrawn?

A. No, a state of emergency is still in force here.

Q. And is a night curfew still in force in part of Zanzibar?

A. There is a night curfew in a certain area of Zanzibar Island from 7 p.m. till 6.0 a.m. The area is bounded by these roads here (indicating).



Cross-examined by MR. KANJI

Q. Mr. Robertson, would you have a look at an extract from "The Observer" on 11th June, 1961, a Sunday newspaper.

Document  
PAPR.3

(The newspaper cutting was handed to the witness and read aloud by him)

Q. Do you agree the last paragraph as stated in the extract of the newspaper which says: "Zanzibar Nationalist Party enjoying the prestige of having restrained their members from revenge, refrained from attacking personalities, but are bent on destroying African racialism"?

A. I do not think, Sir, I ought to answer that.

CHAIRMAN: What was the question?

MR. KANJI: The question I am asking the witness, Sir, is would the witness agree that the Zanzibar Nationalist Party did all it could to restrain the members of the Party and its supporters from using any violence.

CHAIRMAN: I think that is permissible.

A. Yes, Sir, I would agree the leaders of the Zanzibar Nationalist Party did everything they could to prevent retaliation.

MR. KANJI: Would you also agree with me that in fact all the attacks in general terms were made by members of the Afro-Shirazi Party?

A. No, I would not agree with that.

Q. Would you agree with me that most of the victims of those attacks were members of Zanzibar Nationalist Party?

A. Sir, I have no means of knowing which political party they support.

Q. Would you agree with me that most of the victims of



attacks were Arabs?

A. Yes, I think that is reasonably true.  
There were some who were attacked who were not Arabs.

Q. Would you tell the Commission as to the races which participate or run the Zanzibar Nationalist Party?

A. I am afraid I have no information as to the racial make up of the Zanzibar Nationalist Party.

Q. You have no information about that. Have you ever looked at a copy of the Constitution of the Zanzibar Nationalist Party?

A. I have seen it but a long time ago.

Q. You do not remember?

A. I could not quote it verbatim to you but if there is any particular point you could ask me I might be able to remember.

Q. Would you agree with me that in general terms again the members of the Nationalist Party comprise a majority of Africans and Shirazis, a few Arabs and other communities?

A. I do not think that is written in the Constitution.

Q. I am not asking a question on the Constitution since you are not very familiar with its terms.

A. I have no information as to how many Arabs, Africans, Comorians or any other race support the Nationalist Party. Those figures are not available to me. The total



figures of those who voted in the election are available but they are not split up into races.

Q. But the Party does comprise members of all races?

A. So I am informed.

Q. Let us take Zanzibar and Pemba People's Party who are members of this Party by race?

A. Again I am afraid I cannot give you the racial position of the Party because I do not know the individuals. I can tell you who the Chief Minister is and I can tell you one or two other people who openly say they support the Party but that is all I can do.

MR. KANJI: You said in your evidence in chief that Mr. Karume toured with the police in the whole of the town at the time of the trouble and instructed his Party members and supporters to refrain from using violence. Was this course necessary because most of the ...

CHAIRMAN: Did the witness say that?

A. He toured the town and when he came across a mob of people he told them to disperse. How many supported his Party I do not know.

MR. KANJI: He would not go towards a mob which did not include his own Party members.

CHAIRMAN: How can the witness possibly say? He would come across a mob and speak to them. The whole point of your answer as I understood it was that he was using his best endeavours to quieten them and told them to behave peaceably, whoever they might be?

A. Yes.

MR. KANJI: Would you be surprised if I told you that one of the primary objects of the Zanzibar Nationalist Party is to promote harmony amongst all the races residing in Zanzibar and to achieve its independence as soon as possible?



A. I know that that is their declared objective, yes.

Q. You do know that ?

A. Yes.

Q. Do they in practice try to follow their objective ?

A. "They" is a very omnibus word. Some individuals who are supporters of the Party undoubtedly do. Others, I am afraid, do not.

Q. It was definitely a part of the policy of the Nationalist Party in this election to be peaceful and not even to retaliate in cases where attacks were made on them, is that right ?

A. I believe that is so, yes.

MR. KANJI : You said in your evidence in chief that the Nationalist Party made use of a flag which had a red colour and I think some stars on it ?

CHAIRMAN : No. He said no markings whatever. It was a red flag. We all inferred from that it was the national flag.

MR. KANJI : That is the national flag of Zanzibar ?

A. The plain red flag.

Q. And they used the same red flag ?

A. It used to be very much in evidence at political meetings.

Q. Subsequent to some complaints being received by the Government about the use of this flag some legislation was enacted ?

A. Legislation was enacted but not about the flag.

Q. Not about the flag ?

A. No. May I perhaps clear this, Sir. The legislation is the Public Order Decree which says that if the Resident makes an Order he may prohibit the wearing or the display of political emblems which includes a flag which is associated with a particular political party but you cannot do that with the national flag.

CHAIRMAN : I assume it was not intended ?

A. It was not intended, Sir, no.



MR. KANJI : I am open to correction on this, Mr. Robertson, but I believe you also said in your evidence in chief that the Afro-Shirazi Party complained about the use of the red flag by the Nationalist Party as they argue that use of the red flag would convey an impression on the minds of members of the Afro-Shirazi Party that the Nationalist Party was the follower of the Sultan and they were infidel ?

A. I am not sure what the Hon. Counsel means by 'infidel'.

Q. Disloyal.

A. Yes, and those complaints were made to me.

Q. Is it true that in response to this complaint you informed the Afro-Shirazi Party that any person or any political party is at liberty to make use of the national flag ?

A. Yes.

Q. It must have come as a surprise, Mr. Robertson, that the Nationalist Party won about nine seats during the ~~June~~<sup>January</sup> elections whereas in a former election in 1957 it did not gain even one seat ?

A. Surprise - to whom - the Nationalist Party ?

Q. Surprise as a whole to the country.

A. I cannot speak for the country, I am afraid.

Q. Do you not generally get intelligence reports about what is going on in the country.

A. Indeed, yes.

Q. You do ?

A. Yes.

Q. Could you not say from those reports what the feeling of the people was ?

A. I suppose it would be true to say that they were surprised but I have mentioned already in my evidence in chief that both sides were confident of victory so there were some people who were not surprised anyway.



CHAIRMAN : I think if you put a question like that the witness is entitled to be told what suggested it. Do you mean the country generally ?

MR. KANJI: Generally. Mr. Robertson, I have another extract from a newspaper "Sunday News" of 4th June, 1961, a paper circulating mainly in Tanganyika. Will you have a look at it ?  
(Document passed to witness). Has that been accurately reported, Mr. Robertson ?

Document  
PAPR. 4

A. I believe I did say something about a volcano, yes, I think that is probably reasonably correct.

Q. Is it not true generally, Mr. Robertson, that if you have a force in the country that it might act as a deterrent and just by show of force you might be able to restrain people from resorting to violence ?

A. I think that is a reasonable proposition, yes.

Q. There had been some violence in Zanzibar at the election in January, 1961 ?

A. I was not present in Zanzibar. I can tell you what I have heard, but I was not here.

Q. From the information that you have, you can say that there were some disturbances in January, 1961 ?

A. What I have heard is at a number of polling stations a few people pushed each other about and the police immediately intervened and removed these people to a police station. I have not heard that there was anything in the nature of disturbance in the sense that I understand it nor am I aware that anybody was assaulted with any venom.

Q. But you were present at the election in June ?

A. Yes.

Q. Just prior to the election, say, about two or three months prior to the election, did you regularly receive reports from a body called Intelligence Committee ?

A. Yes.



Q. Did those reports indicate in any way that disturbances on a wide scale were possible ?

A. No, they did not.

Q. Was any meeting arranged between yourself, the Police Commissioner and other administrative officers who are in charge of departments relating to keeping of peace, District Commissioners, for instance ?

A. I reported the meeting of 19th May. Offhand I do not remember any other one. You understand my answer ? A meeting with the Commissioner of Police and the administrative officers, all present at once. I meet these officers frequently in the course of normal duty. You asked me whether a meeting at which they were all present together was held. I have said I remembered it on the 19th. I do not recollect another one of that sort.

Q. Did ever the Election Supervisor tell you that in one of their meetings the subject as to the proper police protection was raised a few days before election date ?

A. Yes. I was aware before 19th May that there had been discussion about the number of police constables who should be posted at polling stations. I was aware that that subject had been raised and had been discussed.

Q. Do you know how many police constables were stationed at each polling station ?

A. I think to give a really accurate answer to this it would be better for the Commissioner of Police to speak, but in general the arrangement was to have two constables at each polling station with patrols touring in vehicles at frequent intervals, calling in as they went round to see if any help was wanted but I would prefer not to be expected to give an answer on oath on that point because I did not in fact directly have responsibility for detailing the officers for duty.

Q. What is the total number of the police force in the Protectorate ?



A. At that time in round figures and including the Band approximately 700.

Q. Am I correct that you had altogether about ~~99~~<sup>99</sup> polling stations ?

A. I think there were more than that.

MR. KANJI : Could you say approximately how many ?

CHAIRMAN : Have you got the figures ?

MR. DOURADO : We do not have the ready figures but we could compile them.

CHAIRMAN : Very well.

MR. KANJI : Let us assume for the moment, Mr. Robertson, there are about 120 polling stations. If you had two policemen at each polling station you would make use of about 250 policemen ?

A. Yes.

Q. You still had another 450 policemen. Were they on duty on the day of the election ?

A. The whole Police Force was on duty on election day. They were all on duty in the sense that they were out on patrol, dealing with the maintenance of law and order, while polling went on. There was a reserve kept here in Police Barracks of 100 men - it might be a few more.

Q. Did you not think it advisable to have more than two police constables at each polling station.

A. Experience of two elections, 1957 and 1961, had shown that they had been sufficient and there was no reason to suppose that that would be insufficient, but special arrangements were made in certain polling divisions where it was thought more police ought to be available.

Q. What was the function of these two police constables who were stationed at the polling stations ?



A. To maintain law and order in the queue and law and order generally speaking outside the polling station.

Q. As soon as the disturbances started if an offer had been made to you by ex-members of the Zanzibar Police Force to assist the police would you have accepted that offer ?

A. It would not be my job to accept it. In a matter like that anybody volunteering for special duty in the police would have to apply to the Commissioner of Police. It is not a matter for me to decide.

Q. Would you be surprised if an offer was made to the police and it was turned down ?

A. No, I do not think I would be surprised.

Q. Would you say why ?

A. Because if people are to be used as special constables it requires organisation and a certain amount of training. You cannot just pick people up off the streets and say come and be a policeman.

Q. You have not followed me, Mr. Robertson. What I said was ex-policemen who had been in the police and had retired.

A. I thought you meant x number. Ex-retired police ?

Q. Yes.

A. Yes, if they were people who had had training in the Police Force, provided there was equipment for them, provided there was an organisation to lead them, deal with them. I suppose it would be a surprise if that offer was not made use of but as I say this is not a matter over which I have any authority.

Q. When did you come to know about Bibi Titi's speech to Zanzibar.

A. As soon as it was made.

Q. Was that speech reported in the Afro-Shirazi newspaper "Voice of Afro-Shirazi" ?

A. I do not know.



Q. Would you have a look at this and see whether the information you gained about the speech and the material was the same as is stated in this paper. (Document passed to witness).

A. I am not very clear as to the question I have to answer.

CHAIRMAN : Would you put it again, please ?

MR. KANJI : Would you agree that the facts which were reported to you as to what Bibi Titi said in her speech were in effect the same as is stated on this piece of paper ?

CHAIRMAN : What does this purport to be ?

MR. KANJI : This purports to be an extract from Afro-Shirazi's newspaper.

CHAIRMAN : Reporting her speech ?

MR. KANJI : Yes.

ATTORNEY GENERAL: Is it a translation ?

CHAIRMAN : It is a translation, yes.

A. If I am asked to say have I seen this before, the answer is 'no'.

Q. The question I think you are being asked is you had a report about this speech.

A. Yes.

Q. Generally speaking, would you say that this is very much the type of thing that was reported to you as having been said by the speaker ?

A. I would consider that this is rather an extreme version of what I had as a report, Sir.

Q. I understand that to mean an exaggerated version.

A. Yes.



MR. KANJI : Did you ever look at the copy of "Voice of Afro Shirazi" newspaper which reported the speech ?

CHAIRMAN : I do not think you can tender the document like this.

MR. KANJI : I am not tendering this as an exhibit. The witness has said this is an extreme version. I do not think I am entitled to do so at this stage.

MR. KANJI : In order that you may be fully acquainted with what is going on in the minds of people do you generally peruse African newspapers ?

A. Yes, I do, but I do not have time to read every single one from cover to cover.

Q. Did you read the speech of Bibi Titi's which was reported in the "Voice of Afro-Shirazi" newspapers ?

A. I do not think I did, no.

Q. You did receive some reports, Mr. Robertson, that the speech inflamed the tempers of people and induced them to resort to violence ?

A. No, I do not think the report said that her speech would induce people to resort to violence. The report was that her speech had inflamed people's tempers and had made the situation or rather shown the situation could be made tense.

Q. Can you remember any other speech which was made during that time which could be said to be an inflammatory speech ?

A. I cannot remember, I am afraid, no.

Q. Who gave you a report that Bibi Titi had made a speech ?

A. My office and the police.

Q. And was that speech reported to you verbatim or only the gist of the matter conveyed to you ?

A. The gist of the matter was conveyed to me.



Q. You cannot produce a copy of the report ?

A. No.

Q. If anyone had reported either to you, Mr. Robertson, or to your subordinates that there was likelihood of disturbance would you insist that the complaint should be made in writing ?

A. No. I would not insist. But I would ask the informant to give me some more information than just a bare statement that there would be likelihood of disturbances.

Q. At the election of June there were a number of disturbances at Raha Leo constituency. Was there any such disturbance in January, 1961, at the same constituency ?

A. I believe that in January there was some pushing and misbehaviour, put it that way, in the Raha Leo constituency, yes.

Q. Do you know at a meeting held in election office on 4th April 1961 a representative of the Nationalist Party did raise the question of proper police protection at the Raha Leo constituency ? Do you know about that ?

A. I do not know about that particular incident to which you referred. I do know, as I have already said, this question of strength of Police to be provided at polling stations was raised and was discussed between January and June.

CHAIRMAN : Yes, but by a representative of this Party ?

A. The Nationalist Party, yes, Sir, and the other Party too.

MR. KANJI : You say in fact representation was made by both Parties ?

A. Representations about police measures, yes, were made by both Parties.

Q. If representations were made at the meeting, then I assume that they are all contained in minutes of that meeting ?

A. If minutes were kept, yes. They are not invariably kept.



Q. Assume that minutes were kept of this meeting ?

A. If minutes were kept I would expect a record, yes.

MR. KANJI : I have here minutes of the meeting about which we have been talking and as far as I can see I do not see any mention by a representative of the Afro-Shirazi Party that more police protection was necessary. I have here in two short paragraphs a statement which reads as follows :

CHAIRMAN : What is the document ?

MR. KANJI : Minutes of meeting.

CHAIRMAN : By whom were they kept ?

MR. KANJI : Kept by the Supervisor of Elections, Mr. Chairman.

A. Might we know who were present, Sir ?

MR. KANJI : Yes. You can look at this before I ask you questions. (Document passed to witness.)

CHAIRMAN : You are going to tender it ?

MR. KANJI : Yes, I will now read from the minutes of the meeting about which we have been talking, Mr. Robertson.

(Extracts from document read.)

Sheikh Barwani was representing the Nationalist Party at the proceedings, am I correct ?

A. I was not there. I expect he was.

MR. KANJI : If you look at the heading : "Sheikh Barwani - Zanzibar Nationalist Party."

(Extracts from document read.)

CHAIRMAN : Is this going to help you very much ? I understand your point to be that no reference was made by the other Parties to maintaining law and order at the polling stations ?



MR. KANJI : Yes, Sir.

CHAIRMAN : Is this going to help you very much ? I understand your point to be that no reference was made by the other Parties to maintaining law and order at the polling stations ?

MR. KANJI : Yes, Sir.

CHAIRMAN : If you put the document in and say that it contains the minutes of that meeting we will accept it, and if anyone appearing for the other Parties wishes to dispute it they can do so, but then you will be able to point out that there was no reference in the recorded minutes. If Mr. Robertson was not there he can hardly give evidence as to what took place.

MR. KANJI : I would rather ask this question of Mr. Robertson. I ask this question because he said that both Parties made a point at an election meeting that police protection was necessary.

CHAIRMAN : He did not necessarily mean that meeting. If you put it in you can make the comment.

Document  
PAPR.A.

MR. KANJI : I refer you now to minutes of the meeting held in an election office on 24th April 1961. In this minute a reference is made as to complaint which the Commissioner insisted should be in writing. I have already asked this witness questions about that subject. May I continue on that aspect of the matter ?

CHAIRMAN : Yes, if you think it relevant.

MR. KANJI : On page 3 of these minutes the following passage appears.

(Extract from document read.)



CHAIRMAN : What is the question ? You made a statement.

MR. KANJI : I have made a statement. I am now asking a question of the witness. Do you find that the attitude which the Commissioner adopted in this matter was not quite correct ?

A. Not in the least. I think his reply was entirely reasonable. A vague general statement had been made about the police behaviour being unsatisfactory, and I think he is quite entitled to ask that the complaint should be specifically recorded, the instance and the particulars, so he would have a chance of going into the matter and doing something about it.

MR. KANJI : But you appreciate, Mr. Robertson, Mr. Barwani was not really complaining about the past behaviour. What he was saying is that some suggestions should be made about the forthcoming election.

CHAIRMAN : He was basing it, according to the statement you read out, on past behaviour ?

MR. KANJI : Yes, Sir.

A. I have not got the point of your question. Was it that he wanted to make some suggestions as to how the police should be distributed and he was asked to do that in writing, and was that unreasonable, is that your point ?

Q. No. What I am saying is that Mr. Barwani brought up the subject of police provision at the forthcoming election in the meeting held of the elections Committee.

A. Yes.



Q. He said could Mr. Moore make some suggestions about the arrangements to be made for the elections on 1st June. Would you not have thought reasonably that Mr. Barwani should be invited by the Commissioner of Police to call on him and discuss the matter ?

A. That would have been reasonable, yes.

Q. What is the total number of persons who died during the disturbances in June ?

A. To the best of my belief the figure is 67.

Q. If I said 77 would you quarrel with me ?

A. Not specially.

Q. And were all of them, except one, of Arab race ?

A. There are some figures, Sir, which the Commission can have about this because we have been asked to get out the racial composition of the people who were killed.

CHAIRMAN : I was going to ask the question myself. If you got the figures would that be sufficient ?

MR. KANJI : That would be sufficient, Mr. Chairman.

A. Yes.

CHAIRMAN : Mr. Robertson, I take it they are the official figures ?

A. Yes, Sir. I recognise this piece of paper.

Q. They are the official figures based on official information.

A. The official information from the Medical Superintendent at the hospital, and he has recorded that these on post-mortem 62 were Arabs, one Comorian, two African; that is 65 difference of two.



MR. DOURADO : That document will be produced later on by the Medical Superintendent.

MR. KANJI : Has anyone been charged and convicted of capital offence ?

A. Been charged but no conviction.

Q. No one has been convicted of the capital offence in respect of these people who were murdered during the disturbances ?

A. Not convicted.

Q. Do you know in detail as to how many persons were charged ?

A. In detail, no.

Q. Generally ?

A. I understand there are about 150 on remand for capital offences.

CHAIRMAN : Untried ?

A. Untried, yes, but I am afraid I am guessing to some extent. I am just speaking from memory.

CHAIRMAN : We will adjourn now until 2.00 p.m.

-----



ON RESUMPTION

Continuation of cross-examination of Mr. Robertson by Mr. Kanji

Q. Mr. Robertson, do you consider that as a whole the legislation which provides that Zanzibar citizens should be employed in posts in Zanzibar in preference to citizens from the mainland is conducive to peace?

A. There is no legislation to that effect.

MR. KANJI: I thought you said in your examination - in-chief .....

CHAIRMAN: No, he did not say there was legislation; he gave that as an example of a thing that had caused a certain amount of trouble, when people were displaced who had been employed, giving preference to citizens of Zanzibar.

MR. KANJI: I am obliged. Is it the practice in Zanzibar to give preference in any post to people who are citizens of Zanzibar?

A. When recruiting to the government service preference is given to subjects of His Highness the Sultan, yes.

Q. Would you say that as a whole if Zanzibar citizens are employed in any post for which they are suitable that would be conducive to peace?

A. Yes, I suppose so.

Q. And that in fact would be in keeping with international labour conventions, is that not correct?

A. I am afraid I do not know enough about the conventions to know if it is a convention that citizens of a country should have preference.

Q. The labour trouble which arose in Zanzibar in 1958 was mainly in respect of employment of labour from the mainland as distinct from Zanzibaris, is that correct?

A. No, it is the other way round. The trouble arose because there were people who were supposed to be mainlanders.



I am only saying "supposed to be" because I am not satisfied they all were. The attempt was to displace those people by others who alleged that they were Zanzibar citizens. That is what happened.

Q. In other words, Zanzibar citizens insisted that they should be employed in place of those persons who are not citizens of Zanzibar?

A. That was what they said, yes.

CHAIRMAN: The witness is not saying they were not citizens but that they said they were not - the people who were trying to displace them.

A. Yes.

MR. KANJI: But looking at the matter from the point of view of principle, if in fact Zanzibar citizens said that they should replace people who are not citizens of Zanzibar in any post the Government would be satisfied that that was reasonable?

A. I do not think so, no.

Q. Even though Zanzibar citizens have sufficient qualification?

A. Yes. May I make my point of view clear on this?

Q. Certainly.

A. I think it is reasonable where there is a vacancy and two men are applying for the job that the one who is a Zanzibar citizen should have preference, everything else being equal, but where there is no vacancy and there is an existing job in my opinion it is unjust that a man should lose his employment in order to make way for a local citizen and purely for that reason. If he is discharged for some other reason that is another matter, but if he is doing his work satisfactorily to discharge him when he is already in employment would in my view



be unjust.

Q. But you would not support an idea that people from abroad should be brought to Zanzibar for work which could be done by Zanzibaris?

A. No, in principle, if there is employment to be had the Zanzibaris ought to have preference if they are capable of doing the work.

Q. Turning to another subject, you said that there were about 4,000 refugees during the disturbances.

A. Yes.

Q. I do not quite remember whether you said that these were all Arabs or not. Did you say that they were Arabs?

A. I do not think I said they were all Arabs. If I did I was probably generalising too much.

CHAIRMAN: I do not think you did. I gained the impression, rightly or wrongly, that the majority were.

MR. KANJI: I put it to you that more than half the refugees were in fact Africans. Do you agree with that statement?

A. No.

Q. Have you got any report or record to support the view which you have indicated to the Commission?

A. I have no report here, and I am not aware that there is a report in which the exact count race by race is recorded.

Q. You were not directly connected with refugees?

A. I only had a comparatively slight connection with the problem as I was busy with other things.

Q. So it is possible that perhaps what you say about the race of the refugees might not be quite accurate?

A. It is possible, yes.

Q. Do you know that it was in fact the Zanzibar Nationalist Party which took the initiative in evacuating the



refugees, getting them to Stone Town and accommodating them in the first instance?

A. I do not know whose initiative it was. I did say that the refugees had been accommodated in Stone Town amongst the houses of the people who lived there. I am not sure whose initiative it was.

CHAIRMAN: That was in the early stages?

A. In the early stages, yes.

MR. KINJI: Do you know that in the early stages refugees were accommodated at the Arab Association premises?

A. Yes, I know that.

Q. Did the Government arrange for the accommodation of refugees there, or was it someone else?

A. It must have been somebody else.

Q. But you do not know who it was?

A. I am not sure who it was, no.

Q. If you are not sure could you generally say it was the Zanzibar Nationalist Party?

A. I am aware that the Zanzibar Nationalist Party organised quite a lot of welfare for the sake of refugees, yes.

Q. Do you know whether the Zanzibar Nationalist Party also arranged for injured people to be treated?

A. No, I do not. I know of people who were treated at the hospital and that is all, I am afraid.

Q. You do not know that the Zanzibar Nationalist Party organised medical assistance to people who were injured?

A. No, that information has not been given to me.

Q. Again turning to a different subject, curfew, why did the Government omit to levy a curfew in the rural area at the time when curfew was ordered in the town areas?

A. I think the main reason was that at the time when the



curfew was placed over the town we would not have been in a position to enforce a curfew over the whole of the rural area. We had no means of anticipating where trouble might start in the rural area, so there was no point in making a guess and putting a curfew on a small area in the country.

Q. But I assume that you did have some police force in the rural area?

A. Yes. not

Q. Do you think it would have been a wise precaution to levy curfew?

A. I do not think at the very early stages it would have made very much difference.

Q. Do you not think that if people came to know that under law they would be prohibited from going out at certain hours they would have refrained from resorting to violence during those hours?

A. I do not think so. not

Q. Do you think it would have been a wise precaution if curfew had been levied straight away for the whole of the day, except for short intervals, in Zanzibar town when the trouble commenced?

A. Yes, it might have been a wise precaution.

CHAIRMAN: I think the witness is trying to say that if you had, so to speak, hindsight it might have been.

MR. KANJI: Do you agree with me that if there had been such a curfew it might have been possible to spare some policemen who could have been sent to rural areas?

A. With regard to 1st June the answer would be no, because most of the police were in any case already in the rural areas with the elections. On 2nd June I doubt if we would have been able to release many because they were very tired anyway from having been on duty for so long. With the reinforcements we had on 2nd



June I suppose some of them might have been able to be released for the rural areas, and the same probably goes for 3rd June.

Q. Am I correct in saying that by 2nd June the police force of Zanzibar, since it had been on duty for about 24 hours, needed some relief? They were to be relieved, were they?

A. Yes.

Q. On 1st June you must have known that the police force would continue to perform their duty up to 2nd June and at that time you asked Nairobi to send you about 100 policemen?

A. Yes.

Q. Did you think that 100 policemen would be able to relieve a force of about 700 policemen in Zanzibar?

A. No, obviously they could not; that was not the consideration, because there was no question of withdrawing 700 policemen to sleep. They do have duty-on and duty-off even in a busy time like that. It was the assessment though that the reinforcements which were originally asked for should be enough to restore the situation, because at that time there was no indication that it was going to go on spreading and get all over the rural areas, for instance.

Q. If you had members of the police force who were off duty during the daytime of 1st June, did you not think it right at that time to call them on duty and see that the disturbances were brought to an end immediately?

A. Every available policeman was on duty.

Q. Then we come to the same point I raised a couple of minutes ago, Mr. Robertson, namely, that if all your policemen were on duty on 1st June you know at the time that at the most they may be able to carry on in their duty up to 2nd June, and after that they would need some relief?

A. Not all 700.



CHAIRMAN: I understood the witness to say that 100 or more were held in reserve and, although they would be held in reserve they would not be doing active duty presumably.

MR. KANJI: I just asked a question of the witness, Mr. Chairman, that at the time when he got reports of disturbances on 1st June were all the policemen called out on duty, and the answer to that I think was yes.

CHAIRMAN: Did you understand that?

A. Yes Sir.

Q. In effect you are being asked if every policeman was on the streets.

A. At certain times on 1st June I think that is true, Sir, but not all the time. During the afternoon of 1st June I think every policeman was on duty, but this information can be obtained much better from the Commissioner of Police. Some policemen were brought in from the polling stations where they had been on duty since 6 o'clock that morning; they were relieved at somewhere round about 6 or 8 o'clock at night, having been on duty solidly all the time. They were brought back to rest in order to be ready for further duty again about 6 o'clock. Some of them even had extended duty on top of that, so it is not just a simple case of 700 men coming off and going to sleep and therefore you have another 700 to replace them; it is more complicated than that.

MR. KANJI: Could the situation not have been tackled in a manner such that you could <sup>have</sup> put all the policemen on duty at the time when the disturbances started and at the same time you could have got reinforcements from Kenya of the number which you wanted? Would you agree perhaps in that case you might have been able to control the situation better?



A. We, as far as I know, did put every policeman on duty as soon as the disturbance started, and we did order the reinforcements from Kenya.

Q. But only about 100 policemen?

A. Yes.

Cross-examined by MR. KWAW-SWANZY.

MR. KWAW-SWANZY: Mr. Robertson, you would agree with me, would you not, that in the struggle for independence for Zanzibar the British administration in Zanzibar and the British people in Zanzibar have found themselves in a very difficult situation between the two contesting parties who may be labelled on one side as extremist and on the other as moderate?

MR. KANJI: Mr. Chairman, I object to referring to any party under that heading unless it is quite clear from the evidence as to what the party can be termed.

CHAIRMAN: I think you had better put the question and then you can ask if one is extreme and the other moderate. You are making an assumption in asking the witness to agree.

MR. KWAW-SWANZY: Did you find yourselves in a difficult situation between the two contestants?

A. It has been difficult to maintain this central position, yes.

Q. Both these contestants were struggling for independence for Zanzibar, were they not?

A. Yes.

Q. One of them was pleading for gradual independence, the other was pleading for immediate independence, is not that the case?

A. In general terms, yes.

Q. You would agree with me, would you not, that on the one side we had the Indian and Afro-Shirazi sections of the community



and on the other we had the Arab associations of the community?

A. I am not sure that you are correct on the first part of that.

Q. What about the second part, Mr. Robertson?

A. With regard to the second, I think it is common knowledge that the Arab community as a whole tends to support the Nationalist Party, but I do not think that is necessarily 100 per cent.

Q. Mr. Robertson, I am not thinking in terms of parties as political parties now - groups of the population, I know you were not here in 1954, but I would like to take the Commission back to 1954 through you, and if I ask any questions you cannot answer please say so and I will not press it. Do you remember you spoke of sitting on a volcano in about June 1961 when the elections took place?

A. Yes.

Q. Would you agree that the beginnings of this volcano may be said to have started in 1954 with the withdrawal of a certain section of the community from co-operation with the Government?

A. No, I think the volcano goes deeper and further back than that, but I think that was when the steam began to appear.

Q. 1954 was when the volcano actually became recognised?

A. You could begin to hear its rumblings a bit more, yes.

Q. About June 1954 the Arab Association, because there was then no Nationalist Party, instructed all Arabs to withdraw from co-operation with the Government, is that so?

A. I believe so, yes.

Q. Do you happen to know the reason for that instruction?

A. I think I had better decline to answer that because I was not here and I can only give you a very generalised answer.



CHAIRMAN: You do not know of your own knowledge?

A. I have read papers, Sir, but not in great detail, and I might give a rather misleading answer.

MR. KWAW-SWANZY: I am only asking you to say what you know within your knowledge either by reading papers or by what you know.

CHAIRMAN: The witness has answered you. He says he is not certain enough to give you an answer.

MR. KWAW-SWANZY: Have you by any chance read the Legislative Council debates for 1954/55?

A. Not completely, no.

Q. Following the withdrawal of co-operation with the Government by the Arab Association, do you know or do you not know what efforts were made by the Government to hasten the independence which was being asked for?

A. The main measure on which I think there was difficulty and which was conceded was this question of the common roll election.

Q. You will remember somebody was appointed by the Government to go into this matter?

A. Yes.

Q. You remember that person was Mr. Coutts, now I think Sir Walter Coutts?

A. Yes.

Q. Do you happen to know that his deliberations were boycotted by a section of the community?

A. Yes.

Q. Do you happen to know what section it was?

A. I cannot remember whether the Nationalist Party was in being then or not.



Q. That is so.

A. If so, I would have said it was the Nationalist Party.

Q. Would I be right in saying that it was the Arab Association which boycotted it?

A. Yes, I believe so.

Q. But in spite of that, the Commissioner went on with his job and produced a report.

A. Yes.

Q. Do you happen to know that the Report was rejected by this said Arab Association?

A. No, I am afraid I cannot say for certain.

Q. You happen to know, however, that following this report a general election was arranged for 1957?

A. Yes.

Q. You were not here then, but you ought to know that by that time we had in this country two main political parties.

A. Yes.

Q. And these were the Zanzibar Nationalist Party and the Afro-Shirazi Party?

A. Yes.

Q. Now you said the results of those elections were that the Afro-Shirazi party won five out of the six contested seats and the Independent one remained one. Does it mean that the Nationalist Party did not win any seat at all?

A. That is so.

Q. Would you agree with me that as soon as you arrived here at the end of January, 1958 you realised that the tension had been increased as a result of the elections of 1957 and the volcanic rumblings were all the greater. Do you happen to know, Mr. Robertson, that about 1957, following the results of the first General Election there was a general movement in the rural areas to evict squatters?



Do you happen to know that?

A. From my information that is an exaggerated account. I do not think it was a general move, but the eviction of squatters did start in 1957.

Q. It became greater in 1958?

A. Yes.

Q. Would you agree with me that the places marked on that plan as being the most troubled spots in the rural areas correspond with the places of eviction of squatters?

A. Not entirely, but there is a general similarity, yes.

Q. In fact what is the general area where the evictions took place most? Now the Government was very concerned about those evictions. The Government was well aware that in Islamic Law squatters have a definite right which does not exist in English law. The Government was advised so.

A. Yes... all right, yes, the Government was advised.

Q. In fact, the Government was advised to concur to decisions which had been reached in the Zanzibar High Court.

A. I believe there were some cases.

Q. I have got some. You will agree with me, will you not, that the eviction of squatters who, under the Islamic Law had definite rights, was an attempt at intimidation of a section of the population?

A. Again, I think that that was a factor, but as a general statement I do not think I would agree with it whole-heartedly.

Q. In Zanzibar it was well-known prior to the 1957 Elections that evictions of squatters were very very rare and that often ended in Court?

A. Yes, I believe that is so.

Q. Now you would agree with me that the Government considered it necessary in about 1959 to apply Laws of Zanzibar in order to put an end to those troubles which were happening as a



result of those evictions, and the District Commissioners were empowered to see to those matters?

A. Yes.

Q. You would agree with me that most of the District Commissioners were non-African?

A. Yes.

Q. You would agree with me that most of the squatters in Zanzibar are Africans?

A. Most, yes: not all.

Q. Would you agree with me further that most of the owners of land, or landlords, or owners of plantations were Arabs?

A. Yes.

Q. Mr. Robertson, would you agree with me that in a question of this nature some sort of difficult situation would be created between the squatters being evicted, and the landlords?

A. Yes.

Q. Do you or don't you remember that a case came to the Court in Zanzibar High Court where representatives of plantation owners tried to evict the squatter and the squatter refused to move: as a result he was tried for assault of the representatives of the Landlord. It went up to the Appeal Court. You would agree that where such a situation exists, it would be very easy for trouble to arise at any moment without any warning?

A. Yes.

Q. This does not necessarily have to deal with politics?

A. Not necessarily.

Q. But you will agree that most of these evictions were done on political grounds? That was in the report of the Provincial Administration.

A. I am not sure about that.

Q. Would you like to hear one of these reports?

A. I have many reports and cannot always remember them all.



Q. It was laid before the Legislative Council.

A. Are you referring to the Senior Commissioner's Report?

Q. I think they are called the Annual Report of the Provincial Administration. Do you know it?

A. Yes, I do.

Q. As from 1957, these reports have been talking about these evictions.

A. Yes.

Q. And they have said that they are because of politics?

A. Yes.

Q. Mr. Robertson, I would like to have to take you to the General Elections themselves. You would agree with me, would you not, that the decision to hold elections soon after the January elections, that even in the most stable democracy it would be a little too much for the tempers of the people involved?

A. I do not think so.

Q. If you do not think so in the case of stable democracies, would you agree that in a country like Zanzibar which had its first elections in 1957, it was a little <sup>too</sup> much to ask the population to go to the Elections twice in 1961?

A. I do not think so. In any event, I think the population wanted it.

Q. Would you agree, Mr. Robertson, that it was unnecessary to have the General Elections of 1961? - No.

Q. Would you agree with me that in the January, 1961 Elections, the Afro-Shirazi Party were the single largest party in the Legislative Council after the Elections?

A. They won the ten seats as opposed to the Nationalists which had nine.

Q. Mr. Robertson, do you know, or do you not know, that in addition to the ten seats they had, they were also able to get another seat from the Zanzibar and Pemba Peoples' Party? Would you



agree with me that after the January Elections of 1961, the Afro-Shirazi Party could have formed a Government?

A. No.

Q. Mr. Robertson, why do you say "No"?

A. Because they could not command a majority of votes from the Elected Members.

Q. Where in the law applicable in January 1961, do you find that a Chief Minister must command the majority of elected members?

A. Not in the law. It is not in the law.

CHAIRMAN: You asked Mr. Robertson for his opinion and he has given it. His answer was that they could not command a majority in the Legislature.

MR. KWAW SWANZY: I asked if in the law applicable at the time it was necessary to obtain a majority of Elected Members.

MR. KWAW SWANZY: Now, Mr. Robertson, you will agree with me that the membership of Legislative Council in 1961 was thirty.

A. Yes.

Q. You will agree with me that out of this number three were ex-officio Members?

A. Yes.

Q. And they automatically formed part of the Government?

A. Yes.

Q. Now, so that after the January Elections of 1961, even though the extra number which the Afro-Shirazi Party had from another party, the strength of the Government would be thirteen, that is, ten Members plus three ex-officio Members.

A. No. It was made perfectly clear to the Party that you are representing that the Government would not be formed on that basis and that they had to be able to command a majority of Elected Voters in order to form a government. The ex-officio Members were not expected



to support the Government.

Q. Was that made clear to the Afro-Shirazi Party?

A. Repeatedly. It was made clear fairly soon after the January Elections by H.E., the Resident, but on other occasions as well.

Q. That is to say, as far as your memory goes, this was made clear after the Elections, not before?

A. No, it was made clear before as well.

Q. Do you remember when it was first made clear before the Elections?

A. In discussion in Executive Council.

Q. Do you remember after the January Elections the Afro-Shirazi Party sent a petition to H.E. the British Resident disagreeing with that interpretation of the Law?

A. It is not an interpretation of the law. The selection of a government is an administrative matter. Sir Hilary Blood's Report makes the position clear.

Q. May I ask when did you have sight of this letter of 24th January, 1961?

A. I was not here and I do not therefore remember it.

Q. You did not have sight of this letter: this matter has been talked about several times in Legislative Council.

A. I cannot remember without seeing it. No, I do not remember seeing this letter.

Q. You do not remember seeing this letter? Now you were in this country in December, 1960?

A. Yes.

Q. In December, 1960 there were debates on the Amendment to the Council's Agreement. You were present at those meetings.

A. Yes.

Q. As the Chief Secretary?

A. Yes.

Q. At the same time, the Legal Advisor to the Government



was present?

A. Yes.

Q. Now throughout these debates it was nowhere mentioned that in spite of Council's decree, the British Resident would require a majority of Elected Members?

A. I could not say.

Q. May I refer to the Decree No.1 of 1956, as amended by Decree No.23 of 1961? It is Legal Notice No.27 of 1961.

CHAIRMAN: What is your point on it?

MR. KWAW SWANZY: It does contain approval for whoever can produce a majority of the Council and I am now suggesting that.....

CHAIRMAN: I think you are suggesting to Mr. Robertson that it was open to that group to form a Government with the ex-officio Members.

MR. KWAW SWANZY: That is so. Ex-officio Members were not part of the Government and they were members of the Council, so that my suggestion was that as a result of the General Election it was clear that the Afro-Shirazi Party could form a Government.

CHAIRMAN: That is what you are putting. I do not think it is the construction I would put on it. I would not personally expect it to be construed to mean that ex-officio members can be co-opted by a Party to help them to form a Government.

MR. KWAW SWANZY: That is not the case. It definitely states.....

CHAIRMAN: I have no doubt that it says exactly what you say it does.

MR. KWAW SWANZY: Would you agree, Mr. Robertson, that apart



appoint five other members to the Legislative Council?

A. The appointed Members shall be appointed by His Highness on the advice of the British Resident acting in his discretion and it was stated in the Sessional Paper which was dated at the time when the constitutional representatives were introduced that of these five appointed Members, two would be appointed by His Highness on the advice of the British Resident after the British Resident had consulted the Chief Minister: that one would be appointed in a similar way after consultation with the Leader of the Opposition and the remaining two would be appointed by His Highness on the advice of the British Resident acting on his discretion without consulting anybody.

Q . Would you agree, Mr. Robertson, that in January, 1961, that those appointments were <sup>not</sup> made?

A. Yes.

Q. So the Council of thirty was never fully constituted?

A. No, not fully constituted.

Q. And the Law says "whoever can command a majority of the Council"?

A. ~~Yes~~ Could you direct me to that? I have been trying to find it.

Decree 1960

Q. No.12 of Section 9 and sub-Section 3(a) of Section 9:

"On the appointed Members (1) who shall ..... the Chief Minister, shall be appointed with His Highness acting on the advice of the British Resident, being the Elected Member of the Legislative Council, who appears to the British Resident to be able to best command a majority in the Legislative Council and who is willing to be appointed ....."

CHAIRMAN: Isn't that rather different from the way you put it before: "in the opinion of the British Resident is able to command"?

MR. KWAW SWANZY: "A majority in the Legislative Council", Mr. Chairman: what I saw was that the Council was not in fact fully constituted, and he agreed. Now you would agree that these discussions



which took place in the Legislative Council debates were very well-known in the town.

CIVIL SECRETARY: I should doubt if they were very well-known, but may be they were.

Q. You would agree with me that Zanzibar is a place where the slightest rumour travels around?

A. Many debates take place in this Chamber when nobody comes to listen.

Q. But people do come to listen to very important debates on constitutional advancement.

A. The Chamber had quite a crowd in it, but by no means all the time.

Q. Now, Mr. Robertson, you remember being present at the debate held in the Legislative Council on the 14th November, 1960 at which the Chief Secretary (I believe that was you) reported the second reading of the Council's Amendment Bill. Now, do you remember that in the course of this Debate the question was asked as to the possibility of a vote of confidence of the appointed Chief Minister, took place?

A. I cannot remember, I am afraid, but if I find it in the record, then it must have happened.

Q. Well, anyway, do you remember in this Debate saying "he who works to pass through the door must be prepared to deal and deal fairly with what he finds inside"?

A. If you are quoting me, I suppose I said it.

CHAIRMAN: Wouldn't it be fairer to hand the document to the witness. He ought to see the passages in their context.

MR. KWAM SWANEY: I will show it to him.

CIVIL SECRETARY: I accept those remarks as being said by me if they are in the official record.



CHAIRMAN: Is that Hansard you are being shown ?

A. Yes, Sir.

CHAIRMAN: I do not want to interrupt you, Mr. Kwaw-Swanzy, but it would be better if the witness could have a copy of this and all other documents you are proposing to refer to. We will have them sent for.

MR. KWAW-SWANZY: Yes, Sir. Meanwhile I will go on to deal with other matters. Mr. Robertson, you will agree that these Islands known as Zanzibar have had a very peaceful history ?

A. Yes.

Q. In fact the majority section of the population have always been very peaceful and loyal to His Highness.

A. Loyal, I think, yes; but not always very peaceful.

Q. I am much obliged; and when the peace has been broken it has mostly been due to one section, and only one section, of the population?

A. I do not think that is quite correct.

Q. That is up to June, 1961.

A. No, I do not think that is correct.

Q. Do you remember a Commission of Inquiry into certain riots in 1936? There is a report on it.

A. Yes, I remember just looking at the report.

Q. You have seen it?

A. I have not read it carefully, but I have seen it, yes.

Q. Do you happen to know who were the people concerned in the riot?

A. I believe it was a District Commissioner who was murdered ....

Q. No, I am talking about 1936.



A. Yes, I think I am right in saying in 1936 a District Commissioner was murdered - he may have been a magistrate, I am not sure.

Q. Yes, that is so, a British District Commissioner - murdered by whom?

A. I heard he was killed by .....

Q. A group of people called Manga Arabs.

A. I believe that is correct.

Q. You remember the report?

A. Yes, vaguely.

MR. KWAW-SWANZY:

In 1928, that is prior to that, there was another riot.

KHANTJI:

MR. TALATI: Mr. Chairman, this highly irrelevant.

CHAIRMAN: Well, it may be, but in those early stages we shall have to allow counsel to pursue any line that seems reasonably relevant to our terms of reference, until the story unfolds it is not possible for us to give a ruling on a point such as we are now on. It is quite obvious what line Mr. Swanzy is pursuing, but whether it carries conviction or not is another matter; I think he is entitled to pursue it. It is quite obvious what conclusion he suggests should be drawn from these facts.

KHANTJI:

MR. TALATI: If you please, Sir, but I hope that if it is in fact found irrelevant to the Inquiry which the Commission is now pursuing, it will be expunged from the record.

CHAIRMAN: If we think it is irrelevant, we shall not take it into account in reaching our conclusions, and the mere fact that it is on the record will not influence us.

KHANTJI:

MR. TALATI: But it might be fuel for newspaper propaganda.

CHAIRMAN: We can consider that when we come to it.

MR. KWAW-SWANZY: I have not for one single moment accused my friend's clients. I do not think my friend is representing Arabs



here; he is representing a political party. At this stage my whole concern is to assist the Commission to find what other recourses may be had.

CHAIRMAN: We have made a ruling in your favour. Will you please proceed with the cross-examination.

MR. KWAW-SWANZY: Yes. In 1928 there was another riot which involved merely Manga Arabs.

A. Yes, I know ever less about that one.

MR. KWAW-SWANZY: You know that soon after the signing of the 1890 Treaty the violence was brought about in Zanzibar also through an Arab? I am referring to the 1896 incident which led to the bombardment of <sup>a certain</sup> the second section of Zanzibar. This was brought about by an Arab.

CHAIRMAN: How far are we going back into history, Mr. Swanzy? It is rather remote from our present terms of reference.

MR. KWAW-SWANZY: I am much obliged. You would agree with me, would you not, that following intimidation after the 19th <sup>1957</sup> December results, the majority of the population of Zanzibar became frustrated and discontented?

A. No, I do not think I can agree with that statement.

Q. Would you agree with me, however, that the majority of the population was put in great fear after the elections of 19th <sup>1957</sup> December? Shall I put it this way; between 1957, after the results of the election, and 1959 when you passed that Public Order Decree, the majority of the population was put in fear by a small group.

n A. I do not think they were.

Q. You do not think so?

A. I do not think so, no.

Q. Would you not agree with me that a political party started its own youth wing?



A. Yes.

Q. Do you happen to know the name ?

A. Youths' Own Union.

Q. To which political party does that youth organisation belong?

A. The Z. N. P.

Q. Yes, the Zanzibar Nationalist Party. Would you agree with me that the activities of this Youths' Own Union concerned the Government a great deal - were the Government very concerned about the development?

A. Yes, we were concerned about its development.

Q. It led into intimidation.

A. I do not know about the intimidation aspect of it.

Q. You were in this country in 1958 and 1959?

A. Yes.

Q. You were here when the Decree was sought to be amended?

A. Yes.

Q. You were the Chairman of the Select Committee?

A. Yes.

Q. The consensus of opinion was that the majority of people in the rural areas were being intimidated by those wingers, or youth wingers.

A. May I make it clear that I think our objection to it was firstly the provocation and secondly the fact that they could be used for intimidation. If my memory is correct, it was not the case that they were in fact actively intimidating people at the time, though there may have been isolated cases; but as a general rule I am not aware that they were in fact intimidating people.

Q. You will agree the passing of this Bill was opposed by a section of this <sup>Community</sup> Committee?

A. Yes.



Q. It was opposed by a political party?

A. Yes.

Q. Do you happen to know what that political party was called?

A. The Z. N. P.

Q. Now it was a great concern on the part of the Government that if Zanzibar should get independence they should at least have a stable government after independence?

A. Yes.

Q. And that is why you did not want such matters to develop.

A. Yes.

Q. Would you agree with me that the Afro-Shirazi Party was in agreement with that point that it is better for us to have a stable government rather than to go in for revolutionary things which would lead to instability?

A. Yes, I suppose - those views were expressed to me, yes.

Q. In fact when in the Legislative Council it became clear that a certain section was going to oppose this bill it was on the suggestion of the President of the Afro-Shirazi Party that the proposal should be referred to a Select Committee - Abaid Karume ?

A. I am afraid I do not actually remember who proposed that it should be referred to a Select Committee, but it was referred to a Select Committee.

Q. You do agree, however, that the Afro-Shirazi Party did not oppose the passing of that Bill?

A. No, I do not think they did.

Q. In fact they said they would welcome this move because if the Bill had not been passed they were also going to have to uniform the young people to retaliate.

A. That is so.



Q. But it did not come to the state where it became necessary for them to put anybody into uniform?

A. That is so.

Q. One of the reasons for passing the Bill was that the uniformed young men were taking the law into their own hands?

A. Yes.

Q. They were even usurping the functions of the police force?

A. Yes.

Q. Would you agree with me that these are matters of intimidation to get the majority of the population to back a political party?

A. I dare say that was the objective, but I have no official knowledge of it.

Q. You would agree with me, would you not, that most of these uniforms were Egyptian-style uniforms?

A. No, I did not know they were any particular style.

Q. What type of uniform, to your knowledge, were they wearing?

A. It has changed. It has been changed several times. The first uniform consisted of khaki slacks or skirts with a white blouse and red tie and a red beret - sometimes an arm band; and then later on the white shirt was replaced with a blue shirt with a pattern on it.

Q. You also had information about the same time that this very political party was training these youth members?

A. Yes, we had information they were being trained.

Q. You also knew that this very youth organisation was provided with a band to compete with the official band, I believe, which you have in this country?

A. I do not think it was designed to compete: they just had a band.



Q. You will agree with me that about the same time there was information that certain sections of the community associated with this very political party was hoarding huge quantities of arms?

A. No, that is an oxaggeration.

Q. You put it in a way in which it cannot be said to be an oxaggeration.

A. It is known there was some manufacture of arms, I think in the month of October/November or thereabouts in 1959, and I had specimens brought to me.

Q. What was the type of arms which you saw?

A. They were almost exclusively swords: some were bare-blades and others were swordsticks.

Q. While you were chairman of that Select Committee we are talking about, you also had information that a similar hoard was being made on the Island of Pemba.

A. The one about which I have information relates to Pemba.

Q. For information, what party was manufacturing these things?

A. I am not aware that any party, as such, was doing it.

Q. Did you ascertain as to who were interested in this manufacture - were they following of any particular political party, to your knowledge?

A. No, I do not think it went as far as that.

Q. You remember the Report of your Committee. Would you look at this Sessional Paper No. 7 of 1959, when you were Chairman?

A. Yes, can you give me the page?

Q. The point I wanted to draw your attention to is at page 39 of your Report, Appendix B, Section 1. Paragraph 4, Section 1 - the last sentence - refers to the fact that in October the police discovered in Wete in Pemba 200 swords had been ordered and were in process of manufacture by a prominent member of the Nationalist Party there.



A. Which offence ?

Q. Preventing the Director of Medical Services from leaving, and obstructing people in the use of the highway.

A. I do not think any action was taken.

CHAIRMAN: And then I think you asked the witness why.

MR. KWAW-SWANZY: I asked him why - why was no action taken? I am much obliged, Sir.

A. I am afraid, Sir, I cannot give an answer to that because decisions as to why police do not....

CHAIRMAN: It was not taken by you, but taken by the police - on advice?

A. Yes.

CHAIRMAN: Then you can ask the Commissioner of Police that, Mr. Swanzy.

MR. KWAW-SWANZY: I am much obliged, Sir. Now I will ask you a question: please tell me if you do not know the answer or are ignorant of the matter. From your experience of affairs in Zanzibar, would you agree with me that if any section of the population was under the impression that the administration favoured another section, that impression would soon lead to discontent, would it not?

A. Yes, I think it would.

Q. You would agree, would you not, that between 1958 and 1960 one political party was persistently giving the impression that it was the party which was approved of by the Government and by the Royal Family?

A. I am not aware that any party has ever thought it was approved of by the Government. The Nationalist Party did parade their loyalty to His Highness and I have no doubt succeeded in giving the impression that they had a favourable position.



Q. In fact you know that the Zanzibar Nationalist Party sprang from the Arab Association ?

A. That I believe is so, yes.

Q. And you also know that the majority of the executive of the Arab Association eventually became the majority of the executive of the Zanzibar Nationalist Party ?

A. No, I think that is not entirely correct. I think the membership of the executive committee of the Zanzibar Nationalist Party was different from the membership of the Committee of the Arab Association although some members, of course, would be on both and some moved from one to the other, but not all.

Q. Do you happen to remember when the Zanzibar Nationalist Party was formed ?

A. When it was formed ?

Q. Yes. Would it be 1955 ?

A. About that time, yes.

Q. That was after Coutts Report ?

A. I am not sure about that, I am afraid. Just about that time.

Q. This was after the long period of non-co-operation with the Government ?

A. It was towards the end of it, yes.

Q. Do you happen to have heard about a case which was heard in Court involving the leadership of the Arab Association for sedition ?

A. I remember there was a case of sedition but not details of it.

Q. Do you happen to remember some of the prominent figures in that case ?

A. No, I was not here.

Q. Although you were not here, Mr. Robertson, in January 1961, elections, I am going to put a few questions. If you do not



know please say you do not know. There was some discontent as to the conduct of the elections of January, 1961. Do you know about that ?

A. I have heard that, yes.

Q. There was a persistent rumour that certain individuals voted more than once in several constituencies. Did you hear that ?

A. I heard there was a rumour, yes.

Q. There was also a strong rumour that the election officers somehow failed to put their stamp on certain ballot papers which were given to voters ?

A. I have not hear that rumour, no.

Q. Do you happen to have heard that those who were suspected of having voted twice were handed over to the police ?

A. I heard some people were handed over to the police, yes.

Q. You also happen to have heard, have you not, that some ballot papers marked with the mark "X" in the place where there is a well, that is the mark of a certain political party ? Do you happen to know whose symbol that is, the well ?

A. The well symbol is the symbol of the Afro-Shirazi Party.

Q. You happen to have heard, have you not, that some ballot papers so marked were discovered in the drawers of some election officers after the January, 1961, election ?

A. No, I have not heard that.

MR. KAW-SWANZY : You were then on leave. The Acting Civil Secretary was asked these questions but I am only asking if you know.

CHAIRMAN: He has replied. I do not think you ought to make a speech, but confine yourself to questions, and when the witness has answered, ask your next question, and abstain from making these speeches which are not going to impress us.

MR. KAW-SWANZY : You happen to know, do you not, that there was dissatisfaction that the police did not take steps against people who were handed over as having voted more than once ?



A. What I am aware of is that there was dissatisfaction because those people were not dealt with in the way in which the people who handed them over thought they should have been dealt with. The police took steps, that is my point.

Q. But you would agree with me that in the June elections the immediate cause of raised tempers was the suspicion that the people were trying to vote more than once ?

A. That was a factor in the disturbances, yes.

Q. Also that some other people who were not registered in the particular constituency were trying to vote in that constituency?

A. Impersonation, yes.

Q. You will remember that another immediate cause of the disturbances of 1st June was that certain persons in the polling stations were seen to have offensive weapons on their body ?

A. I have not heard that anybody in polling stations had an offensive weapon on his body.

Q. You said this morning that Sheikh Abeid Karume toured the troubled areas and co-operated until he found that his own life was in danger. Do you remember saying that ?

A. Yes.

Q. Do you remember - if you do not, say you do not - how early in the morning he started doing that type of job ?

A. No, I do not know for sure.

Q. Do you happen to have known that he was first roused from his house by the Supervisor of Elections ?

A. No, I did not know that.

Q. Do you happen to know that the people who were taken out to the police as having tried to vote more than once were actually taken out of the election queue ?

A. In June ?

Q. In June.

A. No, I have no firm information about that.



Q. Do you or do you not know that those who were said to be carrying weapons were also pulled out of the election queue ?

A. No. I know that some people were pulled out of the queue but I am not aware of the reasons why.

Q. Would you say it was the pulling out of the queue that led to the immediate disturbances of 1st June ?

A. I think that was one of the factors, yes.

Q. Do you happen to know that about the morning of the elections shops in the Stone Town area did not open ?

A. No, I am not aware that shops did not open.

Q. I mean shops belonging to the Arab element of the population.

A. In Stone Town ?

Q. In Stone Town.

A. No, I did not know that.

Q. Do you happen to know that just before the first trouble started there was a truck load of Manga Arabs all armed with swords and daggers ?

A. I received a report that there was such a party but I cannot say that it was before the trouble started. I am not sure what time during the day this was supposed to have taken place.

Q. You know, do you not, that the trouble at the docks of 1958 was caused by supporters of the Zanzibar Nationalist Party trying to displace the regular workers at the docks ?

A. Yes.

Q. You would agree with me, would you not, that that was a form of intimidation ?

A. Yes.

Q. I am much obliged. Do you happen to know that the Z.N.P. band which was agreed as being part of the Y.O.U. band sometimes usurps the position of the official band in playing at Royal parades ?



A. I know that they played on occasions when His Highness went on tour but they did not in fact usurp the position of the official band because as far as I can remember the official band was never supposed to be there.

Q. You would agree this was a band belonging to a movement which was part of a political party ?

A. Yes.

Q. You would agree with me that this was a way of giving the impression to residents in the Zanzibar Protectorate that this particular political party had the favour of the Royal Family ?

A. Yes.

Q. You would agree further that this was another form of intimidation that people should join that Party otherwise they proved themselves disloyal, you would agree ?

A. I daresay. I would regard it more as provocation.

CHAIRMAN : I do not think that is an entirely fair question to put to the witness but you heard the answer. I think the witness has answered very fairly. You asked him "Do you agree with me that this is another form of intimidation ?" The witness replied : "I daresay but I regarded it as provocation". I know you are not intending to be unfair. You see the point, Mr. Kwaw-Swanzy ?

MR. KWAW-SWANZY : Would you agree with me if I say this was an indirect effort to get people to join that particular Party as against any other Party ?

A. Yes, I daresay that was the idea in the minds of the people who did it.

CHAIRMAN : That is a matter of opinion. I think that is fair enough. The witness has agreed that it might.

MR. KWAW-SWANZY : Do you remember shortly after that particular incident when the late Sultan of blessed memory was away



this band accompanied the Regent on an official tour of the rural areas ?

A. It went with him. I prefer to say it followed him or preceded him, but not accompanied him.

Q. I am much obliged. You remember that about that time some subjects of His Highness left the area where the band was playing?

A. Yes.

Q. That was in protest of the use of that political band playing for His Highness ?

A. Yes.

CHAIRMAN : May I ask the witness a question. Mr. Robertson, you used the word "provocation" and one of my colleagues suggested probably it might have been propaganda. Do you mean provocation ?

A. I think propaganda is a very good word, if I may say so with respect.

CHAIRMAN: It struck me that is probably what Mr. Kwaw-Swanzy in fact means. It may be an intensive form of propaganda, but we are using words rather loosely and I do not think anyone wishes to create a wrong impression.

MR. KWAW-SWANZY : It was provocative effort at propaganda.

CHAIRMAN : That is the expression the witness used.

MR. KWAW-SWANZY : Mr. Robertson, you would agree with me that the real causes of the disturbances which started on 1st June, 1961, were brought about more as the result of bad relationship between two races rather than two political parties ?

A. No, I do not agree that the disturbances were primarily due to race because politics has supervened and come on top of the racial problem which has been present in Zanzibar for many years. On top of that politics has been placed and it is the two working together which have produced this situation. That is my opinion.



Q. Mr. Robertson, if it were merely due to politics you would expect this disturbance to have started after the announcement of the results of the elections of June, 1961 ?

A. Yes, but I did not say it was only politics.

CHAIRMAN : No. You have misquoted what was said, Mr. Kwaw-Swanzy, not intentionally I know, but he did not say that.

MR. KWAW-SWANZY : I have in mind the original statement you made on 1st June when you yourself felt that it was perhaps more racial than political.

A. Well, that was my immediate reaction possibly but when one has had time to study it more I think one is entitled to change one's view.

Q. Mr. Robertson, would you say that the people evicted from the shambas would think more in terms of politics against the people who evicted them or more in terms of the race of the people who evicted them ?

A. I think that is a very good example where both factors came into it because the reports which were available indicated that very often a landowner would invite a squatter to join the Z.N.P. and if he refused then threaten him with eviction. That did happen. But at the same time the racial aspect of it undoubtedly came into the picture too.

Q. In cross-examination I think my Friend asked you about the racial composition of refugees and you said you did not know but you did know, did you not, that the Committee for Refugees was made up mainly of Arabs at the instance of the Arab Association ?

A. May I clear this one a bit. There were, I think I am right in saying, three committees. One was a committee of Z.N.P., purely political committee belonging to the Party. There was another committee which I believe certainly had the President of the Arab Association as its Chairman. Maybe that is the one to which you are referring.



Q. That is the one.

A. There was a third committee which was the Government Committee operating under the Director of Refugees and which had representatives of private concerns on it. But I assume the one to which you are asking me to give the answer is the middle one with the President of the Arab Association as its chairman.

Q. You mean there were three refugee committees ?

A. There were three committees that dealt with refugee matters, and one was a political one; the other was a Government one and then there was this refugee committee, if you like, which had the President of the Arab Association and other Arab members on it, but there were Asian members as well.

Q. This particular committee collected funds from people of Zanzibar for the betterment of these refugees ?

A. Yes.

Q. The Government committee you talked about, did it contain various elements of the population ?

A. Yes.

Q. Many officials or private members ?

A. There were a number of officials; the Health Department was represented, the Administration was represented, the Treasury was represented and the Education Department was represented, apart from the Director who was Chairman, but in addition to that there were representations of the Red Cross; a liaison officer from the Z.N.P., officers of the Welfare Department and representatives of this refugee relief committee to which you have been referring.

Q. You have mentioned a liaison officer from the Z.N.P. Was there any member from the A.S.P. on that Government committee ?

A. No, I do not think there was.

Q. Do you remember whether an invitation was sent out to the A.S.P. ?



A. I am afraid I cannot remember that. The question was certainly considered and I can remember myself endeavouring to ensure that there was some representation from the A.S.P. quarter but I was dealing with at least two committees if not three, and I am afraid I have got a bit muddled in my memory now as to how the thing went.

Q. My Friend asked you a question about numbers charged for murder and numbers convicted. I believe your answer was that there was none convicted so far. You would agree that it is known that in the trials so far that efforts were made to implicate known members or followers of the A.S.P. who may not have been there at all ?

A. I do not think I have quite understood the question.

CHAIRMAN : What you are being asked is, are you aware that - Mr. Kwaw-Swanzy used the expression "known" he may mean considered or thought, efforts were made to implicate members of the A.S.P. in the murders even although it turned out that they were nowhere near the scene or the crime at all. Is that not so, Mr. Kwaw-Swanzy ?

MR. KWAW-SWANZY : Yes, Sir.

A. Yes, I have heard that has been said, Sir.

CHAIRMAN : It has been said. That is all you know about it?

A. Yes.

CHAIRMAN : You have heard that it has been said.

MR. KWAW-SWANZY : Would you agree that almost ...

CHAIRMAN : It is not of much value. It would be very difficult for this witness to have said : "Yes, that is so". It is only something that he has heard has been said. It is not really of much value.

MR. KWAW-SWANZY : I am not pursuing that question.

CHAIRMAN : You might be able to prove it in a more direct way.

We will now adjourn until 8.30 a.m. tomorrow.

(The proceedings were adjourned until 8.30 a.m.  
Wednesday, 27th September, 1961.



UNIVERSITY OF CALIFORNIA LIBRARY

Los Angeles

This book is DUE on the last date stamped below.

PAS

INTERLIBRARY LOANS

MAY 11 1984

Due Two Weeks From Date of Receipt

UNIV. OF ILLINOIS