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V. XVII.



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.

E I G H T H   D A Y

Tuesday, 3rd October, 1961.

*of proceedings*  
Note taken by Treasury Reporter.

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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

Examination of Mr. M. V. Smithyman by the Attorney  
General (Continued).

Document MVS. 44. Q. Before we start, I would like to put in a document - I think the Commission have seen it already. Is that the Report of the Constitutional Commission, Zanzibar, 1960 ?

A. Yes.

Q. Mr. Smithyman, we have dealt with your evidence of events on the 1st June. Now we come to Friday, 2nd June. Were you out early that morning ?

A. I went out at 7 o'clock.

Q. And did you go round Ngambo ?

A. I went round Ngambo township, yes.

Q. What was the situation there ?

A. It was quiet. There were groups of people sitting in doorways or standing about, and I could notice quite a feeling of tension, but there were no visible indications that the difficulties would continue. I spoke to various people in quite a long manner.

Q. I think we can take the events of that day quite shortly. During the morning did His Excellency meet political leaders in the Council Chamber ?

A. Yes, Sir.

Q. I think he asked Sheikh Ali Muhsin to form a government ?

A. Yes, Sir.

Q. During that afternoon, did you receive any report about trouble in the rural areas ?

A. Yes, at 4 o'clock. That was the first report, and naturally one which was very important, as being the first report from the rural areas.

Q. Where was it ?



A. Kitope : It is north of Zanzibar town in the middle of the clove plantation area.

Q. What was the report about ?

A. I was told two people were reported dead and that an armed gang of 50 were causing damage.

Q. And did you have a discussion about food supplies ?

A. Yes, Sir.

Q. With whom ?

A. The Chairman of the Committee - the Financial Secretary, that is - and we discussed what arrangements should be made for the supply of food in Zanzibar township if the situation deteriorated.

Q. I see. Did the British Resident that afternoon make a broadcast ?

(Appendix 19  
to Exh.43)

A. Yes, Sir : at 5 o'clock. He recorded one which was broadcast at 8.30.

(Appen. 16  
to Exh.43)

Q. And at 6 p.m. was there a press release on the situation up to 4.30 p.m. ?

A. Yes, Sir.

Q. Later that evening did you have a meeting with the Senior District Commissioner, the District Commissioner (Urban), and the Town Mudir at Police Headquarters ?

A. Yes.

Q. What was the purpose of that meeting ?

A. Certain leaders of the Zanzibar Nationalist Party had asked for assistance in arranging the evacuation of certain people from the Ngambo area, and the meeting was in order to arrange for escort and for an administrative officer to go with these patrols.

Q. Who provided the escort ?

A. Platoons of the G.S.U.

Q. The Kenya Police ?

A. Yes.



Q. And did the evacuation of civilians take place ?

A. Yes, Sir. The Senior District Commissioner and the other administrative officers personally went with each patrol and they were working till the small hours in the morning.

Q. And they evacuated people to where ?

A. To the Stone Town.

Q. That was Friday, 2nd June. Let us now go to the Saturday, 3rd June. Did you, as usual, go out early that morning ?

A. Yes, at 7 o'clock - just after dawn. I went round the areas to make an assessment by personally meeting people.

Q. And what was the situation in Ngambo ?

A. The main conclusion I came to was that food was beginning to be a serious matter, and that there was a considerable amount of sullenness and resentment still shown. There was no sort of hostility to me myself, but while I was talking to one group a car driven by an Arab passed, and it was obvious the feeling of the people at once became more offensive. I got the impression that if I had not been there they would perhaps have shouted at the car, or even gone further, I do not know - but it clearly indicated to me that there was still strong feeling.

Q. During that morning was a government formed ?

A. Yes, Sir. I received a message that a government had been formed and that there would be a formal meeting at a quarter to 12 in the Council Chamber.

Q. And was a press release issued that day ?

A. Yes, Sir, about 10.30.

Q. During the morning, did reports come in from the rural areas - at 10.30 a.m. ?

A. Yes, I was receiving information, usually through the police, of various incidents that were taking place. It was not so much detailed information as total figures.

(Appendix 24  
to Exh.43)



Q. Yes, and at 10.45 was there a meeting of the Security Committee ?

A. Yes.

Q. What was the situation report ?

A. It was that the situation was worse and the crowd was converging on areas mainly occupied by Nationalist Party supporters or Arabs. The assessment given to us was that a major clash would be inevitable unless decisive action was taken.

Q. Yes, and what action was agreed ?

A. The Commissioner of Police advised that a day curfew should be imposed for the first time, and that was agreed.

Q. And was a broadcast made about the curfew ?

(Appendix 25  
to Exh. 43)

A. Yes, Sir, a broadcast was issued at once, giving details.

Q. And was a broadcast also made about food supplies ?

(Appendix 26  
to Exh. 43)

A. Yes.

Q. Did you, during the course of that morning, meet Sheikh Abeid Karume and other leaders of the Afro-Shirazi Party ?

A. Yes, Sir, at Headquarters, at Kijangwani.

Q. What was discussed at that meeting ?

A. We discussed many things: one was food, as to what arrangements were to be made. Security measures were discussed, and they agreed to co-operate in trying to prevent any further trouble; and various reports were given of people being attacked. A general discussion took place of the situation as at midday on the third day. Sheikh Abeid Karume had been absent for a certain time: we had not been able to get hold of him, and this was the first contact.

Q. Did they give any indication of their feelings concerning the trouble ?

A. They did say to me the reason for the trouble was resentment because of the way the elections had been won by the wrong



people. They maintained there were many names on the list which were incorrect, i.e. deliberate double registration. Secondly they said that one reason was because Sheikh Ali Muhsin made an announcement that he was boycotting three constituencies. When he made this announcement at that time, they maintained there was complete quiet in the town, but subsequently their supporters heard reports that the Nationalist Party had started beating and molesting and intimidating voters as a result of the meeting which the Nationalists had had at their headquarters after being withdrawn from these constituencies. They maintained these reports upset the Africans, and in their view this was the reason for the trouble.

Q. During that afternoon were recordings of broadcast speeches made by the Afro-Shirazi leaders ?

A. Yes, it was considered that in the past the political leaders had had great influence, and it was considered that if they made broadcasts, which should be duplicated and just got out to the people, this might have a very good effect on the situation. So they were contacted, all the leaders, and after some discussion they agreed to make a broadcast, each person individually.

Q. And were broadcasts made by three of the Ministers, the Chief Minister, Sheikh Ali Muhsin and Sheikh Ibuni Saleh ?

A. Yes.

Q. And broadcasts were made by the leaders of the Afro-Shirazi Party ?

A. Yes.

CHAIRMAN : Would you name them ?

A. Sheikh Abeid Karume, Sheikh Saleh Sadalla, Sheikh Daud Mahmoud, Sheikh Aboud Jumbe, Sheikh Hasnu Makame, Sheikh Abdulla Suleiman el Harthy.



ATTORNEY GENERAL : Was there also a broadcast in Arabic by Sheikh Abdulla Suleiman el Harthy ?

A. Yes, Sir, we asked him to broadcast, because he is a very respected leader among the Arab community.

(Appen. 28  
to Exh.43)

Q. And those broadcasts were between the hours of 8 o'clock and half-past 8. Did His Excellency also have a meeting that evening with yourself, the Senior District Commissioner, the District Commissioner (Urban) and the Chief Minister, and Sheikh Ali Muhsin ?

A. Yes, Sir, that was during the discussion leading up to these broadcasts just after 6 o'clock.

Q. What was discussed at that meeting ?

A. His Excellency gave a general appreciation of the position at that time, and emphasised the Government was making every effort to bring the matter under control. He also pointed out that the mainland government was assisting, but he gave emphasis to the fact that it was the local people who really had to settle the matter.

Q. Was there any allegation or statement made about the cause of the trouble ?

A. I do not specifically remember it at that particular meeting.

Q. No. I think that completes your evidence of the 3rd June. Now we come to Sunday, 4th June. I think we can go straight to 9.45 when you visited the prison, did you not ?

A. Yes.

Q. What were the numbers in the prison ?

A. I was informed by the Commissioner that there were prisoners sentenced, 159, and on remand, 155, giving a total of 314. There were prisoners at Kizimbani camp, 142, and at Kichwele camp 159.

Q. Are those normal prison camps ?

A. Yes, in the bush - they are permanent prison camps, normal camps. So the total number of prisoners he had was 625 at that time.



Q. I do not think there was anything else on that day. I will leave your diary and now come to another matter. I would like you to refer to the cases of the riots which is in the terms of reference. What, in your estimation was the immediate cause ?

A. From my experience on the 1st day, I considered the immediate cause was the action taken by the Afro-Shirazi supporters in trying to act as election officials at polling stations by checking voters outside the stations to prevent what they called "cheating" by Nationalist supporters, i.e. preventing double voting, personation, etc.

CHAIRMAN: Did you gain the impression that these allegations, however mistaken, they were genuinely held, genuinely considered to be true ?

A. Oh yes, Sir. I am quite certain of that.

Q. Would you say they were definitely mistaken in their impressions ?

A. Yes, Sir. Also the action taken by the Afro-Shirazi Party in preventing official agents from entering polling stations to do their duty, as laid down by the law. I mentioned yesterday, I think, how I had to assist one agent at Gulioni. Various Afro-Shirazi supporters, in my view, took the law into their own hands by trying forcibly to arrest anyone they suspected in any way. This was combined with a suspicion of the Government and the police, as instanced by this crowd which I met and which would not hand over to me the man they had arrested. They wanted personally - all 40 of them - to take him to the police station. Because of the excitement of the election and the tension, naturally as soon as there was an argument, even between two people, voices were raised and at once there were half a dozen people, and then a dozen people, and then the later people arriving did not know what the argument was about but they joined in because the chap must be wrong if he was accused by their friends, so they gave him an extra push, for something.



ATTORNEY GENERAL: For something ?

A. Yes. I think this action by the Afro-Shirazi Party - I say by the Afro-Shirazi Party, but there is no proof that it was organised by them, but it was done on their behalf.

CHAIRMAN : There was in fact no evidence that any of this was organised by the leadership of the Party ?

A. I never saw a leader I knew, any known leader, taking part in this. The people I saw were just complete strangers.

Q. Yes, but apart from what you saw, did you or did you not hold the view at that time that it was not organised by the party leadership ?

A. I am not too certain about that, Sir. The thing about this suspicion - having hind sight, one can see the thread running through from the January elections and running right through to the June elections on this particular point. In the January elections there were a few cases of people being taken by the Afro-Shirazi Party, or their supporters, and taken to the police, and about a dozen complaints were made of improper practices.

Q. Were any of them substantiated ?

A. No cases were brought. There was insufficient evidence, I understand, for a case to be taken to a court of law. One cannot say what happened, so I understand, but there were no cases anyway taken to the courts in these twelve cases. I subsequently heard from the leaders themselves complaints that these people had not been dealt with properly. They were convinced they had broken the law and had not been punished. I am not certain, but I believe this was raised in the Legislative Council during the course of the next few weeks. And then there were allegations made at various times by leaders that, for example, a lot of polling tickets ...



Q. By the Afro-Shirazis ?

A. By the Afro-Shirazis that polling tickets were found in the polling officer's drawer, and no action was taken.

ATTORNEY GENERAL: What sort of tickets ?

A. Ballot papers - they were found in a drawer and no action was taken; and questions were asked in the Legislative Council about that. Then in some speeches made round about that time there were references to the effect that the Nationalist Party had got away with certain malpractices in connection with the elections and that for the next elections the party must ensure that they were held on a proper basis.

CHAIRMAN : Was that stated in any public speeches ?

A. In one or two speeches, Sir.

Q. It was ?

A. Yes.

Q. The instance that you have mentioned, of the ballot papers being found in the drawer - was there anything improper in it ?

A. Each complaint was investigated and found to be groundless. The ballot papers themselves could not have been in a drawer because they are all counted. There is a system of checking and there could not have been any mistake.

Q. It was merely an allegation which was investigated and found to have no foundation. ?

A. Yes, but firmly believed, I think.

Q. Yes, you have told me that before - honestly believed ?

A. Honestly believed, yes; and then these one or two speeches did mention this, among other things. One of the causes was that they could not believe they could have lost the election.

ATTORNEY GENERAL: They had won all the seats except one in 1957 and had a majority ?



A. Yes, they had won by a large majority. They see everywhere in Africa - in Tanganyika and so on - that is the trend, that the Africans must win an overall majority, and they could just not believe it. That is the basis of it.

CHAIRMAN : And then I suppose they regarded the Z.N.P. as predominantly an Arab concern ?

A. Yes.

Q. It would add fuel to that sort of feeling ?

A. Yes, and they of course did everything they could to encourage that belief.

ATTORNEY GENERAL: The A.S.P. did everything to encourage that belief ?

A. Yes.

CHAIRMAN: That was a political thing - understandable, too, do you not think ?

A. Completely, Sir; their main weapon.

ATTORNEY GENERAL: Now that was the immediate cause. What about the discipline of the parties ? Was there any discipline in the parties ?

A. As far as I could gather from the crowds I met, the leaders of the party had nothing to do with the organisation of the actual gangs, and also they did not seem to have much control - I am talking about those which I met now. There seemed to be very little control over these people. As I believe I mentioned, Sheikh Abeid Karume himself said, "These people won't listen to me; they will have nothing to do with me". He did not know quite what to do till this leader jumped up and took them away.



CHAIRMAN: That was the "Hip-Hip" leader ?

A. Yes. That was perhaps to some extent their own fault because propaganda had been made for a long time that the youth sections, the young people, must do things and they cannot expect the old men to do them. The old men do the talking and the planning, but they expect the youth to do it; and I suppose the youth thought that here they had found their chance.

Q. What you have been telling us I understand to be your view as to the immediate cause ?

A. Yes, Sir.

Q. You have confined it to that :

A. Yes, Sir, that is just the immediate cause on the day.

ATTORNEY GENERAL: Was there any other immediate cause, in your estimation, or were there contributory factors on a long-term basis ?

A. I was not concerned with any other incident.

CHAIRMAN: You think that was the proximate cause on that day, which whipped up feeling ?

A. Yes, I tended to be somewhat all the time with Afro-Shirazis, because I was being used to try and influence them, and therefore I did not come in contact with the Nationalist people, except for one group I saw protecting their headquarters and the fire station.

Q. So you are not really able to give a complete picture ?

A. Certainly not.

Q. Your picture is more relevant to the Afro-Shirazi Party, because your duty lay with them on that day ?

A. Yes, Sir, and with the leaders.

Q. And with the leaders of both parties ?

A. Yes, Sir.



ATTORNEY GENERAL: Was there an immediate cause - perhaps the rumours which were circulating on the 3rd June ?

A. Yes, I think immediately after the first incidents had happened I was very impressed with the strength of feeling about these rumours among Afro-Shirazi supporters, gangs, particularly Mtendeni. It merely had to be mentioned for everybody's temperature to go up several degrees; and I am sure these rumours were a cause of making things worse once they had started.

CHAIRMAN : You thought another cause was ... ?

A. I will put it this way: immediately after these various scuffles and incidents had started and there had been gangs arresting people, probably about  $1\frac{1}{2}$  hours to  $1\frac{3}{4}$  hours later I began to meet these rumours of reports given to me by the Afro-Shirazi people I met, saying their people were being beaten by the Nationalist supporters; and the place mentioned in nearly every case was Mtendeni. That was the crux of the matter. People coming from Stone Town normally would pass through in that direction. They could go by other routes, but that is one of the ways, particularly people from Darajani; and this report which I tried to scotch - we sent a patrol down there and assured them there was nothing in it - I went down myself - but nevertheless the rumour continued all the time and the particular gangs we met firmly believed that was taking place.

Q. And you were very much impressed with the fact that when that was mentioned they immediately became more excited ?

A. Yes, Sir.

Q. And worked up ?

A. Yes, and another big gang we met near Ngambo police station told us they were going there to settle the affair : they were going to revenge and rescue their people.



Q. From the information you had, was there any foundation in fact for that belief at that time ?

A. No, Sir.

ATTORNEY GENERAL: There was no foundation ?

A. No.

Q. Let us deal with the squatter situation, to round off this. Were you here during the time when there was a boycott of buses and shops?

A. Yes. This was in 1958, when it first became noticed it was rather difficult. As regards shops, it was a boycott of Nationalist supporters - a boycott by Afro-Shirazi supporters of Nationalist supporters, Arabs - and as a result of this boycott I believe something like 100 shops closed permanently. That was the last time I heard the information.

CHAIRMAN: The boycott was effective ?

A. Very effective, in that many people lost their livelihood and about 100 shops were permanently closed, and it led to a lot of hardship.

ATTORNEY GENERAL: Can you say where the people who normally went to the shops would get their supplies ?

A. This was at the moment when there was a big campaign by the Afro-Shirazis to open co-operative shops, and they usually opened a co-operative shop and then the boycott of the other shop would take place; but it was not always as clear cut a thing as that. There were shops boycotted where there was no Afro-Shirazi shop. It was a combined thing really, both political and economic. I am quite certain there was a very strong feeling that the Africans wanted at last to get some entry into trade, to have some share in trade, and this was their big opportunity to get some share in trade.

Q. Which hitherto had been held by the Arabs and Asians ?



A. Yes, Sir; mainly Arabs in the rural areas. The thing which points here and gives a good idea of what happened is that as the political temperature increased, so the boycott increased and so the popularity of the co-operative shops increased. That shows one of the sources of tension. It shows one of the motives for people going to the co-operative shop was because they were doing so for political reasons.

CHAIRMAN: Not entirely ?

A. Not entirely, no. I think I have made that clear.

ATTORNEY GENERAL: And now were there other causes ?

A. I think the general thing was the struggle for power, which has gone on now for some years. The electorate is very evenly divided, and as a result the struggle becomes more and more intense, and it has been absolutely terrific. The electorate have been subjected to speeches, articles and propaganda for a few years.

CHAIRMAN: A general bombardment of words ?

A. Absolute bombardment, yes, Sir.

Q. Can you give us any approximate idea of the population figures by race ?

A. It is not very easy, Sir, because when the Census was held in 1953 ...

Q. We have examined that.

A. Yes, Sir; there was objection to filling in of the columns dealing with race.

Q. It was carefully avoided, was it not ?

A. Yes, and as a result the figures were so inaccurate as not to be worth using, so the only way is to take it by proportion from the 1943 Census.



ATTORNEY GENERAL: Have you got that ?

A. Not with me.

CHAIRMAN: Have you any views yourself on it, from your experience of the country ?

A. The other difficulty is that race in Zanzibar tends to be a little bit fluid, in the sense that some people can change their race. At one time you can claim to be a Shirazi and at other times you claim to be something else; and so it is not easy for a person to say there are so many Arabs, so many Indians, etc.

Q. Can you help us by giving what you consider to be a fairly approximate figure ? I do not want to press you to do it if you do not feel able.

A. I am afraid of being inaccurate.

Q. I said what you consider quite fairly to be an approximate figure.

A. Somewhere between 40,000 and 50,000 Arabs.

Q. Out of a population of very nearly 300,000 ?

A. Yes.

ATTORNEY GENERAL: Mr. Smithyman, is that a publication by the Government called "Zanzibar" ?

A. Yes.

Q. And on page 8 does that set out the figures of the 1948 Census by race?

A. Yes.



Q. And the number of Arabs was ?

A. It is shown as 44,560.

Q. And Africans ?

A. 199,860.

CHAIRMAN: That is 13 years ago, and the witness said about 45 - 50,000. We know the figure from then has increased. Thank you.

ATTORNEY GENERAL: Now as we are talking about race, was racialism a cause, in your estimation.

A. I think it definitely was a cause, one of the underlying causes which has given tension. The cry of "Africa for the Africans" is interpreted by many as meaning for black Africans; and unfortunately some people have tried to use this for their own ends, this particular cry.

Q. And what was the method they used in the speeches ?

A. Well, in speeches they would paint the picture and refer to what was happening in Africa itself and that the same thing should happen here. They would also point to crimes which the other people had done against the African.

CHAIRMAN: In the past ?

A. Yes, in fact they were appealing straight to race, which is always a very strong emotional appeal.

ATTORNEY GENERAL: Did you read an Article reporting a speech on behalf of Bibi Titi ?

A. Yes.

Q. Did that refer to what the Arabs had done in the past ?

A. Yes, Sir.



Q. Have you got a copy of that speech in the bundle of speeches?

A. I have a copy here.

CHAIRMAN: We can of course, understand that it would have a strong emotional appeal ?

A. Yes.

Q. I wonder if you could help us on this. From the figures of votes cast, basing it on the approximate figures of population by race, as you have already agreed, there must have been quite <sup>a</sup> considerable number of Africans who voted for the Z.N.P.?

A. Yes, Sir.

Q. Can you account for this?

A. I think several factors come into that, Sir. The impression was that the Nationalist Party was the loyal Party to His Highness. Quite a considerable part of the rural population are very loyal to His Highness.

Q. Of all races?

A. I am particularly speaking of the African.

Q. In the rural areas?

A. Africans in the rural areas. Their emotional support for him is probably stronger than "Africa for the Africans". It is of longer standing and they would support a Party which they thought was loyal to him. I think certainly quite a lot of people voted Nationalist Party because of that, as being the loyal Party. It is traditional in this country. I think race is somewhat a new thing in this country as far as my experience goes and from what I have read and I have spoken to people there has not been any tension between the races.

Q. One has always heard that it was a happy country; people have always seemed to get on very well together in the past.



A. Yes, Sir. I think up until 1956, 1955 perhaps, everybody lived together happily. Each person going his own sort of way, they respected each other. They had their forms of greeting and I think everybody lived happily together and I think there are quite a lot of people who are still content to follow that system rather than the new slogan. That would be another factor.

*AS + "boot" refers to its over-confidence.*

A third factor would be the fact that the Nationalist Party have a very much more efficient election machine, much more efficient than the other Party. Their newspapers were better; their organisation, they had the whole country organised into proper committees and things like that, all of which brings in extra voters. They were able to make use of various things, complaints the population might have they would make full use of them at once. Emotional issues and so on. I think that would be another factor why they would get support.

All these cutting across the very strong call of the other side. The other side tended to be just the one main call whereas the rest of the calls of nationalism these days were put out by the Nationalist Party.

CHAIRMAN: Thank you.

ATTORNEY GENERAL: I think this is one of the immediate causes. I refer to the hooligan element in the crowd. Was there a hooligan element?

A. I certainly thought there was in the crowd that I met. A lot of them were only little people of 13, 14 and 15 and a few of the crowd were made up of that sort of element and the general look of the crowds, I would say, that sort of hooligan element, was wahuni. They definitely did make up the Party crowds that one found.



Q. You formed the impression from their clothing, is that it?

A. Among other things.

CHAIRMAN: And their appearances generally, age?

A. General appearance and the age and so on. They were not the sort of crowds ...

Q. The responsible section of the community?

A. They were not dressed up in the usual white "kanzu" and that sort of thing.

ATTORNEY GENERAL: I think you mentioned, did you not, social revolution going on in Zanzibar?

A. I think that is one of the factors which gives tension. There has been, I am quite certain, a social revolution going on in Zanzibar. In 1952 the Zanzibar guide described this place as: "Zanzibar is an Arab state at the head of which is the Sultan". That sort of statement just could not be made today and in fact the latest guide will say: "Zanzibar is a monarchical state ruled by His Highness, the Sultan". That, I think, just gives the essence of the problem that during the last few years there have been big changes in the relationships of people, whereas before 1952 people knew their respective places in society and were content to stay there. Lately it has not been quite the same and adjustments have had to be made. Among the sort of leading community the Arab community were considered to be the leading community and they had to adjust their position quite a lot in that respect. Walking in the streets remarks would be made which could never have been made long ago.

Q. Rude remarks?

A. Rude remarks.

Q. About the Arabs?



A. About them and about their people their position.

There was constant agitation for equal recognition in Government work. Propaganda put out that African women should not work as ayahs in other people's houses. There were remarks that African boys should not be taken into houses, adopted, as it were. There is a system here where an Arab family might adopt a small African boy with permission of his family and bring him up as one of the family, giving benefit for both. But there is a sort of feeling that is beneath their dignity, should not be done. There was this adjustment having to be made, somewhat reluctantly, and that is again a form of tension.

CHAIRMAN: It is really part of the overall picture.

There has been a social revolution in almost every country, over probably a more extended period in some, over a shorter period in others.

A. That is the point I would like to make. This period was too short - revolutionary rather than a gradual change.

Q. Rather than evolutionary?

A. Yes, Sir.

ATTORNEY GENERAL: Was there a committee set up in 1958 to consider the question of immigration ?

A. Yes, Sir.

Q. Did that question of immigration cause tension?

A. That was a very strong cause because there was a feeling that immigration was against the interests - I am talking now about the Zanzibar Nationalist Party - they believed that immigration was against the interests of the people of Zanzibar.

Q. Would you say by immigration do you mean unrestricted immigration from the mainland of Africans?

A. Yes, Sir. The movement in Africa with power passing



to the hands of the local people. I think this led to a fear in the minds of the Zanzibar Nationalist Party and their leaders that there would be domination which would come from the mainland and if these mainlanders were allowed to come in freely they would swamp the electorate and therefore the old Zanzibar would change and it would therefore become part of Africa. Just a straight fear of domination. Of course, by their campaign to get the Government to move on this matter nationally, they upset the other side. By their reference to these mainlanders, many related, sometimes first or second generation mainlanders themselves, it obviously upset them.

Q. I mention a phrase I am sure you have heard - was the wind of change one of the causes?

A. I put this down as one of the causes because to take as an example from my verandah - my house was in the area where I could hear people - and from my verandah one could just pick up what was being said by people passing or standing about talking and whenever something happened on the mainland, the Congo or anything like that, you would hear people frightfully excited, talking about it and saying "They can do it; we can do it too", that sort of expression, and other young chaps saying: "What about our turn? We have done nothing", all in that context. I am certain they mentioned Mau Mau for example. "The people of Kenya have had a good time; what about us?". I am certain all this had its effect on the irresponsible element. I am not saying this is a deliberate thing used by the leaders. This is the mass of the population I am talking about.

Q. Now we come to freedom of speech. Is there complete freedom of speech ?



A. There was complete freedom of speech up until just a little while before the June Election but it became so bad that reluctantly the Commissioner of Police had to take action and I believe he is to prohibit certain people from speaking, very extreme people.

CHAIRMAN: He has already testified to that.

A. Yes.

Document  
MVS. 45.

ATTORNEY GENERAL: Do you produce a newspaper article? Sir, I have here, I think it would be useful, a document showing newspapers published in this small Protectorate, and I put in the margin the Parties that papers support.

How many newspapers?

A. I am afraid I do not know, Sir.

CHAIRMAN: I have counted twenty-one.

ATTORNEY GENERAL: They come and they change?

A. Yes.

Q. Sometimes they fade away?

A. Yes.

Document  
MVS. 46.

Q. Do you produce extracts from the following newspapers: "Afrika Kwetu", "Agozi", "Mkombozi", "Sauti ya Afro-Shirazi", "Adal Insaf", "Mwongozi"?

A. Yes. I would explain these are extracts from articles but the translations have been done very quickly and they are not the complete articles. In most cases they are merely extracts and therefore if the Commission wants any particular one to be translated, the whole article translated, so they do not see it out of its context, I will arrange that, Sir. I must apologise because of the number. I was not able to produce the full article in each case.



CHAIRMAN: You cannot do the impossible.

A. There are so many.

If any of you gentlemen representing the interested Parties wish any of these articles completed you only have to let us know.

ATTORNEY GENERAL: Do these articles show the various viewpoints of the two Parties?

A. Yes, Sir.

Q. And what was being preached in the months previous to the election in June, 1961?

A. Yes.

Q. Would you look, for instance, - I will just take one - it is the extract from "Agozi" of 6th March, 1961:

"Who does not know that the home for an Arab is Muscat and the home for Mshihiri is Hadhramouth, and ultimately who does not know that Zanzibar is an island of the BLACK."

"You remember that these chaps are the aliens and how is it that you co-operate with them."

I read an extract from "Mwongozi" of 10th February, 1961: "Enemies of Freedom".

"1. Topping the list come what the Z.N.P. statement, neatly refers to as 'those who are driving the Imperialist machine'. We will leave out for the time being the lousy lackeys who lick the grease off the hands of their masters and concentrate on the Imperialists themselves."

Was it common for Afro-Shirazi leaders or Party to be described as lackeys by the other side ?



A. That has been the word; lackey was not used very often, but that is the general idea. They used Swahili words meaning the same thing.

Q. Do you know if that caused a good deal of resentment?

A. I do not know.

Q. I do not want to cross-examine you, but would you prefer not to be called a lackey?

A. I would certainly object to it myself. They did use Swahili; the these was that anybody who was not for the Nationalist Party was in favour of the Imperialists. That was the sort of these and they were lackeys because they were serving their Imperialist masters.

Q. I do not think I need ask you any more questions about newspapers. They are in evidence.

Mr. Smithyman, have you anything to say about labour relations at that time?

A. Yes. I think it was early in 1958 or towards the end of 1957 the campaign of Zanzibar for Zanzibaris was stopped up but I think it is part of the Constitution of the Nationalist Party that Zanzibaris must have preference. It is, of course, laid down in Government policy in employment that Zanzibaris get preference. But a new note came in in early 1958. According to the information I had I think it was a planned campaign to try and bring about the replacement of anybody who was not a National of Zanzibar by a Zanzibar National and where there was a head on clash was at the Docks because the labour there was organised and because it is a very touchy labour spot. It at once led to high tension and Government stepped in.

ATTORNEY GENERAL: You had evidence of that dispute.

Does the Commission wish this witness to talk about it?



CHAIRMAN: Not unless you think he can add any information to what we have already been told.

ATTORNEY GENERAL: No. We have already had evidence and the Civil Secretary put in a report.

Document  
MVS. 47.

Is this a document a Press release regarding the labour relationship?

A. Yes, issued on 22nd June, 1961.

Q. Why was it issued after the election ?

A. Immediately after the election a very dangerous situation arose in that information was received from the Labour Officer that there was a movement afoot to replace people who were not Zanzibar Nationals by Zanzibar Nationals. Immediately after the elections and there were, I think, five or six immediate problems which arose with five or six firms and the Government thought it necessary to issue this statement making it clear that this was not the policy of the Government.

(At this point examination in chief was continued  
by Mr. Dourado)

MR. DOURADO: Mr. Smithyman, we have heard of the underlying causes and mention has been made about this squatter problem. Could you give us detail of this problem?

Document  
MVS. 48.

A. I have here and perhaps I could hand in a note. This is a note issued on 23rd May, 1958, by the Senior Commissioner and it deals with the cultivation by squatters of shambas owned by other people.

Q. To whom was this issued?

A. It was a general note issued to the public and broadcast and the reason was there had been serious difficulties arising between the landlords and squatters.

Q. Could you tell us the nature of those difficulties ?

A. It is rather an involved problem. The position in Zanzibar is that you have got mainly two systems of land tenure. You have got the ordinary Muslim law which is the law of the territory as regards land and you have also got the traditional communal system which operates in the areas mainly occupied by Africans.



CHAIRMAN: Is that a form of African customary law?

A. Yes, Sir. So as regards the areas occupied by these plantations, shall we say Arab, there are others as well, calling them Arab owners as being the large majority; in their areas Muslim law operated and by this you have complete freehold. You can pledge land, sell it, do anything you like with your land in the normal way. On the other hand, in the communal areas it is customary law and you never own the land. In the areas occupied by ...

Q. Who is the ultimate ownership in?

A. His Highness the Sultan, Sir.

Q. It is very much like Crown land in the United Kingdom?

A. That is right, Sir.

Q. Only the basis is more akin to the normal African customary law?

A. Yes, Sir, in those areas. There might be, of course a legal argument as to who it does really belong to, but the point of our law, Sir...

Q. It is only the general picture we want. By and large you said the landlords are Arabs. Of course there are others, you said, but substantially so. What about the squatters?

A. They are mostly Shirazi, African, a mixture. Quite a few of the squatters would be mainland African; quite a lot would be local Zanzibari African; quite a few would be Shirazi. It is a mixture.

Q. Yes.

A. That is the case. If a person's way of life is still that of a mainland African then he would be accepted by most people and regarded as a mainland African. For example, if he is a trouble maker or the way he speaks Swahili, he does not speak the local idiom, he would then be regarded as a mainlander. His actual national status is not at issue. It is what he is in fact. Has he become assimilated.



Q. He is a Zanzibari in fact locally but he is not regarded as such?

A. He could be if he was born here but I think that both political parties agree that if a man is born here they give him full rights. I do not think I have ever come across the idea that a man who is born here and is a Zanzibar National ought not to be treated as such. It is because of his ways.

Q. In practice if he was referred to he would be referred to as a mainland African?

A. He would be identified as a mainland African if he had not become assimilated.

Q. That is what I mean. Even though in fact he had become assimilated?

A. No, Sir. If he is assimilated he would be accepted as a local person.

Q. How is that determined?

A. It is mainly on appearance, habits, ways. If you ask a local man he will say he can tell straight away. They maintain very strongly they can tell straight away who is a mainlander and who is a local man. There must be difficult dividing line when you get a clear cut man you can identify as a mainlander and the man who is definitely the local man, a Shirazi. There must be some place in between where a person could fit in between.

MR. DOURADO: Where do you have most of the squatters? Any particular part of the island or is it all over?

A. It is mostly on the western part. You can say to divide the island north to south those are all areas where you have customary law (illustrating on map) and this is the shamba areas where you have Muslim law.



MR. DOURADO: Would you describe the system?

CHAIRMAN: Which is north and south?

A. North at the top, south at the bottom and it is the western side that is occupied by all the shambas. In other words, near where we are.

Q. For practical purposes the east is governed by customary law?

A. Yes, Sir. This map shows clearly; the green has been put in and it tends to show where you see white that in fact just about shows the area. I think communications also are an indication. Those communications have been brought about because of pressure for roads to serve areas where produce is and stuff is being built. So you notice it tends to be all there. The main difficulty is not so much in title to the land. It is in the relationships between the squatters and the owner. I do not think that it is only a political issue sometimes to talk about title. The main difficulty was the actual friction developing between the squatter and the landlord.

Q. I gather from what you said that you rarely if ever have disputes as to ownership?

A. Yes, Sir. What would happen, the system in Zanzibar has been a very good system. A person arriving either from the mainland or locally, wanting to have some land to cultivate goes to the owner or his agent and says I want some land. A little discussion takes place and if he is acceptable he is then shown the area that he can cultivate. In return he is expected to be a good well-behaved man. He is expected to assist in any small ways that might arise. If fires break out or anything like that, and generally he is supposed



to be a good neighbour.

Q. Is that the limit of it?

A. It is the limit as far as I know.

Q. He is not expected to give so many days labour a year, for example?

A. No, Sir. There is no fixed title or anything like that.

Q. It is really worked on a good neighbour basis?

A. Yes, Sir, but he would be available and he would normally give assistance if required. That is the basis on which it is worked.

Q. He does not give up any proportion of his crop to the landlord?

A. No, Sir, not that I know of but the landlord himself, he has the benefit in that the land is being cultivated and in a clove area it is very important that the land should be cultivated or with coconuts so he gets his land cultivated for nothing. Meanwhile the clove trees grow there. In fact the tenant is not allowed to injure the clove trees. He must look after them so they do not die out. It is a sort of partnership in which both people benefit and has worked for many years.

Q. And the owner has the right to the fruit from the trees?

A. Those are his trees.

Q. And remain so?

A. That is a very important point which arises from that in African customary law. Men believe the land belongs to God and only other things, buildings, trees, crops, belong to man and those are the only things you can convey. Therefore a squatter would not normally be allowed to grow permanent crops because permanent crops are an indication of permanent usage. So a tenant would not normally be allowed to grow



clove trees or coconut trees without special permission. I think that would be very unusual. That is what would happen if the squatter took over cultivation, built his house, and everything was all right up to 1958.

MR. DOURADO: What happened in 1958 to change the relationship?

A. I suppose it is part of the social change that is taking place and part of all the bombardment that is coming from Africa. There were difficulties arising and political difficulties would come in. I did hear, for example, that some landlords did not like to have tenants who supported the opposition Party. I got no proof about that. In, I think, about March, towards the end of March, 1958, I think it was, we received a report that a speech had been made claiming that land did not belong to the landlords.

They owned the trees. Immediately thereafter we had a judgment given in the High Court in which a squatter who had been sentenced to three months' imprisonment, I think it was, for criminal trespass. On appeal the conviction was set aside. Those things operated together and immediately thereafter we had a lot of cases in which there were quarrels between the tenant and the landlord. The quarrels could be about anything. Could be the fact that the man had never given him permission to live there or a landlord had borrowed his crops or that he had tethered an animal where he was not allowed to tether it before clove trees. Could be a lot of different reasons. The crux of it was when that particular tenant was asked to leave and that particular tenant refused to.

Q. And you say this created tension?

A. Very serious tension.

CHIEFMAN: Could a landlord under that system give a tenant notice?

A. Yes, Sir.



Q. And then he had to compensate him for any growing crops?

A. Yes, Sir.

Q. What about buildings?

A. And buildings too.

Q. Any improvements?

A. Any improvements.

Q. And if he was not compensated?

A. He had to be compensated, that was the arrangement; under the Muslim law that man would be compensated. The difficulty arose, of course about compensation. The time I am talking about now is March, April, May, when this notice was issued.

Q. 1958?

A. At that time, to try to put the matter quite clearly to everybody, to say this is your position, and to try and call for a bit of common sense into the picture.

Q. That is the first occasion to your knowledge upon which this issue had been raised?

A. In a marked form. In the past there had always been difficulties. They were all settled by the local administrative officer in the past. He had no difficulty. He had gone to the area, discussed with the elders, had made a decision, and the matter was settled. But in 1958 it became impossible for local administrative officers to settle the issue. That is why tension became so high.

MR. DOURADO: Was any legislation enacted?

A. Yes. The Senior Commissioner found we could not settle this matter at all and it was going on to such an extent that we expected it to lead to a very serious situation indeed. There were addresses to the people. There were barazas. At the end of the year an Order was issued under the Administrative



Authority Decree. Two Orders were issued. One in respect of the rural district and one in respect of the urban district and I think they were Orders Nos. 5 and 6 of 1959. They were issued right at the very beginning of 1959 and then they were amended a few months later.

Those two Orders then put the matter quite clearly, exactly what the position was and the rights of each party. I have a Press release here which explains the Orders.

Q. That was issued?

Document  
MVS. 49.

A. Issued and broadcast; announced in barazas. Full publicity was given to it. That explains the effect of the two Orders. The Third Order was issued by Mangapwani local council because D.C. writ is not effective in the local council area so it covered the whole island.

Q. After that did the relationship between landlord and squatter improve?

A. It meant there was a definite tribunal and system and a lot of cases were heard but as a result of those cases the position improved quite considerably. Now the number of cases has dropped to a very small figure.

CHAIRMAN: I believe there were something like 400 cases, were there not?

A. I have got the figures of total cases, not as many as 400. Probably 400 or more cases investigated but not actually taken before the District Commissioner ..... I think 400 would be quite a good estimate of the number of disputes, might even be more. But actual cases taken, we had 32 before D.C. (Urban) with three appeals and 101 before D.C. (Rural) with four appeals.

Q. All the others were settled?



A. The others were settled. Many of them when it came to the issue of paying compensation the landlord decided it was not worth while and by then perhaps tension had decreased and they settled their affairs themselves. I would say this is a very considerable bone of contention. People in Africa feel very strongly about land and the people here are just the same, they feel very strongly about land.

Q. They do all over Africa?

A. Yes, Sir.

MR. DOURADO: Now I think we can leave the squatter problem. Coming to steps taken to deal with disturbances I will not take you through all that because I think in covering your diary you told us what steps you personally and members of the administration took and we come to shohas in areas. Did they make any efforts to restore the order?

A. District Commissioner (Urban) on the 2nd - on the 1st all the Shohas were fully employed as officials in the elections. They were right on the spot whenever any disturbance happened. On the 2nd the District Commissioner (Urban) had a meeting of town headmen and gave them instructions to try and help and every day thereafter he held a meeting with them. In the rural areas it was not so easy because in some cases it was not safe for people to move about and so regular meetings were not held. But on 6th June there was a meeting of all the Mudirs of the Central Mudiria and also the Northern Mudiria addressed by D.C. (Rural) and, of course, messages were sent constantly by Mudirs to their Shohas. They come directly under a Shoha.

Q. I think that is about all except for one question, Mr. Smithyman. It has been suggested by my very learned and good friend, Mr. Kwaw-Swanzy, that two elections in a period of six months were a bit too much for Zanzibar. What was the attitude of the



political parties and of the Afro-Shirazi Party on the need to have a second election in June?

A. Both Parties insisted upon it.

Q. Would you say that in fact was a part of the settlement of the deadlock?

A. It was an essential part of it.

CHAIRMAN: Would we be incorrect in assuming that the agreement to form a coalition Government was on the footing that it was merely a caretaker Government and there would be an election within six months?

A. Yes, Sir. That was one of the main terms of the agreement, that an election would be held at the earliest possible date.

Q. Which was agreed ultimately as 1st June?

A. Yes, Sir. The Government tried to persuade them to make it later. There were various factors. But the Parties wanted an election as soon as possible.

Q. That was the basis on which the coalition was formed?

A. Yes, Sir.

MR. DOURADO: Thank you very much.

Cross-examined by Mr. Kwaw-Swanzy.

Q. Mr. Smithyman, in trying to give the Commissioners some of what you considered indirect causes of the disturbances of June, 1961, you said that there was a tendency in Zanzibar to interpret the cry "Africa for Africans" to mean "Africa for Black Africans", am I correct?

A. Yes, Sir.

Q. In Zanzibar in 1948 your population census had division into races, had it not?

A. Yes.



Q. How many groups of African races did that population census list?

A. This latest one, 1958.

CHAIRMAN: You were being asked about 1948.

A. It has actually got ...

MR. KWAW-SWANZY: I will show you my copy of "Zanzibar" issued by the Government.

A. This is not actually the census; it is a different publication but it does give the total.

CHAIRMAN: What is that you are looking at?

A. Publication called "Zanzibar" issued by the Government in 1952. A Guide to Zanzibar and it gives the official figures from 1948 elections and gives racial population.

MR. KWAW-SWANZY: That is so. And various races listed are?

A. Europeans, Arabs, Indians, African, others.

Q. Out of this list of races who would you say were in the habit of interpreting the cry "Africa for Africans" to mean Africa for Black Africans?

A. I think it was a certain section, an extreme section of one of the political parties, not a group. These people belong to all the political parties.

Q. That group would come from which of the races listed?

A. From the Africans.

MR. KWAW-SWANZY: There was only one African race in Zanzibar.

CHAIRMAN: Mr. Kwaw-Swanzy, the witness has qualified his answer.



MR. KAW-SWANZ: He was trying to talk about political parties.  
M  
I was talking about races.

CHAIRMAN: No. He gave you in my opinion a very fair answer.

A. These Africans belong to all political groups.

Q. The people who had that slogan, so to speak, were Africans,  
that is clear; that is the answer the witness gave.

A. Yes, they were Africans; the slogans appeared in African  
newspapers; the editors were Africans.

Q. But it was only one portion ?

A. One portion, Sir, yes. I cannot say whether they were  
advised secretly by members of other races. There are extremists in all  
races and it would not surprise me if the odd individual from a different  
race had advised them, but I do not know that, Sir.

MR. KAW-SWANZY: Mr. Smithyman, exhibit 45 shows about 21  
newspapers published in the Protectorate of Zanzibar. You have attempted  
to say, I believe, which of the political parties they tended to support ?

A. Yes, Sir.

Q. How many such newspapers supported the Nationalist Party ?

A. Eleven supported the Nationalist Party, but there is one  
which was the Zanzibar and Pemba People's Party, and you might include that  
at the present time.

Q. That is so.

A. That would make twelve.

Q. How many of them tended to support the Afro-Shirazi Party ?

A. I am afraid I made a mistake in counting the Z.N.P.; there  
are three less. I think it is eight on this list and seven for the A.S.P.

Q. That will be nine for the ZNP and ZPPP, and seven for the ASP.

A. Yes.

Q. In exhibit 46 you have brought forward extracts from some  
newspapers. There are six altogether which you selected ?

A. Yes, Sir.

Q. How many of these are supporters of the ASP ?

A. Four support the ASP.

Q. The remaining two are for the Nationalist Party ?

A. Yes, Sir.



Q. Would I be correct in saying you did not have sufficient time to go through the remaining newspapers and that is why the proportion is as it is?

A. I merely went through as many papers as I could; I did not particularly go through one first or the other first.

Q. You picked them at random?

A. I just picked them at random, yes.

CHAIRMAN: Did you pick them at random, or did you pick what you considered were the most striking?

A. What I did, Sir, was to go through the main papers starting at the present date, and I went backwards for just over a year. Other officers on my instructions were sending me extracts, and so the ones I picked out myself plus the ones picked out by the other officers made up this list.

MR. KWAW-SWANZY: You said in examination-in-chief that during the election of June 1961 you were assigned to the Afro-Shirazi side of the elections?

A. No Sir.

Q. You were assigned to the Afro-Shirazi Party to calm the supporters of that party?

A. What I said was that most of my time was spent with the Afro-Shirazi people because I was going round with Sheikh Abeid Karume trying to get mobs to disperse; that is the June election, 1961.

Q. Did I understand you say you were assigned to that particular section?

A. I had instructions on one occasion.

CHAIRMAN: He said he had duties in that area which happened to be an Afro-Shirazi area.



A. I got an instruction from His Excellency to go and contact Sheikh Abeid Karume and ask him to use his influence. In doing that and going round with him that took up a lot of my time. In addition, I spent quite a bit of my time on the first day with leaders of all the parties; for example, I met Sheikh Ali Muhsin two or three times, and so on.

MR. KAW-SWANZY: Do I understand you to say that during this time you did not visit polling stations or scenes where Nationalist Party supporters gathered?

A. Yes, I visited a lot of polling stations, and you get supporters of both sides. Wherever you go you have got supporters from both sides. In Gulioni the majority would be African, the Afro-Shirazi Party, but when I visited Darajani, for example, the Nationalist Party won the election so they must be in the majority.

Q. His Excellency asked you to contact Sheikh Abeid Karume?

A. Yes Sir.

Q. And elicit his support in your efforts to calm the situation?

A. Yes Sir.

Q. Was any other officer, to the best of your knowledge, also assigned duties to contact Ali Muhsin for the same purpose or a similar purpose?

A. I heard that he was going to be contacted by another officer to come and address the people at the fire station who were protecting the Nationalist election office. I do not know this, I merely heard this at the time, because I knew it should be done, and a message was passed to them that it would be advisable to get him to come and speak to this particular crowd.

Q. Do you happen to know who that officer was?



A. No Sir.

Q. In your own experience during this period did Ali Muhsin at any time come to address a gathering in your presence?

A. No Sir.

Q. Did you at any time ask Sheikh Ali Muhsin to come and try to calm any gathering in your presence?

A. No Sir.

Q. You have given the impression that Abeid Karume toured round with you in most of the trouble areas.

A. Yes Sir.

Q. In most of these areas the two major political parties had supporters gathering?

A. Most of our time was spent in the Jangombe and Raha Leo constituencies where the Afro-Shirazi Party is in a large majority, but part of our time was spent, as I have said, in the Darajani constituency where the Nationalist Party won the election.

Q. In Darajani constituency crowds had gathered of supporters of both political parties?

A. Yes.

Q. At Darajani you had leaders of the Afro-Shirazi Party to speak to the crowd?

A. Yes Sir.

Q. Did you at the same time have leaders of the Nationalist Party to speak to the crowd?

A. I do not know.

Q. You did not?

A. I myself was not present.

Q. You were not present at Darajani?

A. No, I was present at Darajani, but I was not present when any Nationalist Party leaders addressed their followers.



Q. Were you present when there was a gathering or a group of persons you could call supporters of the Nationalist Party at Darajani?

A. Yes Sir.

Q. You did not yourself ask any leaders of the Nationalist Party to address them?

A. In the crowd that I saw at the fire station there was no usual leader in front of them. There was no one to whom I could say - "Tell these people to behave themselves", and so I did not ask any recognised leader. I did speak to a couple of people who were in front of this particular crowd, and I said to them they should not move at all in the direction of Darajani, and they should try and control their followers, but they were very excited. The fact of the matter is they did not move, which is the important thing.

Q. You did not see Abeid Karume leaving the group when you asked him to assist you in calming the crowds?

A. Certainly not; he did his best to disperse the crowds.

Q. In fact, what I am saying is you asked him to come to you?

A. Yes.

Q. From his house?

A. I picked him up at Holmwood polling station on the first occasion. It was one of his stations and he was going around seeing that everything was going on in the normal way. That is where I picked him up.

Q. He was not at the time in front of an angry crowd?

A. No Sir.

Q. When you saw the situation at Darajani as you have described it, did it not strike you to look for a leader of the Nationalist Party to address the crowd?

A. I did send a message through the radio that Sheikh Ali



Muhsin should be asked to come and address the crowd at the Nationalist Party election office, but I then left for other areas and I do not know what happened.

Q. You said that in other stations both parties had gathered. You said, for instance, in Raha Leo there were groups of Nationalist supporters?

A. No, my answer to you was that there was Nationalist supporters there because they were voting. I did not say there were groups of dangerous mobs, or anything like that, that is quite the wrong impression. If I gave that impression that is quite wrong. The only people I saw at Raha Leo were supporters of the Afro-Shirazi Party, and they dispersed without any difficulty, without any trouble.

Q. At any time in the course of the day did you see a situation where both supporters were gathered opposite each other?

A. Yes Sir, at Darajani.

Q. That was the only place?

A. Yes, that was the only place.

Q. You have also stated that early in the morning Sheikh Ali Muhsin talked to you about the possibility of cancelling the elections?

A. Yes Sir.

Q. And he also said he was withdrawing from two constituencies?

A. That is right, Sir.

Q. In order to concentrate at Darajani?

A. Yes.

Q. To the best of your knowledge did the Nationalist Party leaders also withdraw from Stone Town North?

A. I do not know about that, Sir.

Q. You would agree with me, would you not, that soon after



the withdrawal of the Nationalist supporters from the two constituencies the situation in Darajani deteriorated?

A. In time it did, because the information I had from Sheikh Ali Muhsin was, as far as my knowledge goes, about an hour before the situation became very bad at Darajani. I do not know that there is any connection between the two, but the one was later than the other.

Q. Would you say that that might be one of the results of the concentration of police supporters in Darajani?

A. It could be, Sir.

Q. What did you understand Sheikh Ali Muhsin to mean when he said he was going to concentrate his efforts at Darajani as a moral support?

A. I have got the words he used at the time; I made a note of them at the time.

Q. Could we have the words please?

A. He said that because the attack by the Afro-Shirazi Party was aimed at Darajani constituency the Nationalist Party had decided to leave the other two seats and to concentrate at Darajani. They had therefore ordered their agents and voters to leave these two constituencies because of the numerous incidents. They hoped that by concentrating at Darajani they would give moral support to their voters.

Q. In your experience as Deputy Supervisor and at one time Supervisor of Elections, how would one give moral support to a voter?

A. What I envisaged at the time was that he meant that if a lot of his supporters came and stood in the area near the Darajani station that would then encourage the voters at that station to feel that they had support and they would therefore go in and vote. That



is what I assumed.

Q. Would you agree that that also meant a show of force?

A. In a way, yes Sir, That is why we tried to dissuade him from doing it.

Q. You have said to the Commission that one of the immediate causes of the scuffles in the morning was the belief that the Nationalist Party intended to cheat the other side of votes. In the course of your excursions that morning did you hear the name of Amani Thani mentioned to you as being involved in one of these scuffles at Gulioni?

A. No Sir.

Q. Did it come to your notice also that one Hassan Amin was also involved in the early morning scuffles?

A. No Sir.

Q. Did you see the name Hilal Muhammed Hilal as also being involved in Gulioni?

A. No, I am afraid I did not myself. You see, we have a lot of officials to deal with individual cases. I do not myself go into individual cases at all.

Q. But you would agree that the first scuffles started at Gulioni?

A. That was the first time <sup>that</sup> I saw a difficulty.

Q. I put it to you that that scuffle was as a result of being pulled out of a voting queue?

A. I do not know, Sir.

Q. You stated in your examination-in-chief that there was a strong rumour that Nationalist Party supporters were assaulting supporters of the Afro-Shirazi Party in Mtendoni?

A. Yes Sir.



Q. And you said, if I am right, that these rumours were unfounded?

A. To my knowledge they were unfounded because when I was there I saw nothing to indicate any trouble taking place; I did not personally have any evidence, that is all I can say. I would not like to say they are unfounded. I cannot say that; I have not the evidence.

Q. I believe you said when you visited the area the shops were shut and the owners were sitting in front of these shops?

A. Yes Sir, the shops on both sides were shut, people were sitting in the doorways and on the walls at the side leading as far as the Nationalist Headquarters in Mtendeni and the Mosque. They

Q. And you said, if I am right, that these rumours were unfounded? They were all one party and it could have been very dangerous.

A. To my knowledge they were unfounded because when I was there I saw nothing to indicate any trouble taking place; I did not personally have any evidence, that is all I can say. I

Q. At Mtendeni you have a branch office of the Nationalist Party?

A. Yes Sir. I believe you said when you visited the area the shops were shut and the owners were sitting in front of these shops?

Q. Did it ever come to your notice either on that day or thereafter that certain people had been assaulted and grabbed into the Nationalist Party headquarters at Mtendeni?

A. That was the sort of rumour I am talking about; those are rumours. And you said, if I am right, that these rumours were unfounded? They were all one party and it could have been very dangerous.

Q. Did it come to your notice therefore that in fact cases have been brought up in court in connection with that?

A. I do not know, Sir. I cannot say that; I would not like to say they are unfounded. I cannot say that; I

Q. At Mtendeni you have a branch office of the Nationalist Party?

A. Yes Sir. I believe you said when you visited the area the shops were shut and the owners were sitting in front of these shops?

Q. Did it ever come to your notice either on that day or thereafter that certain people had been assaulted and grabbed into







Q. In the early afternoon of 1st June 1961 you came across two Africans who claimed to have been injured at Mtendeni by Nationalist supporters?

A. There was a boy who said he had been cut. That was the one I mentioned yesterday; he said he had been cut on the leg. That was one case. I did not actually see anybody who had injuries on him, who said he had been injured in Mtendeni. It was always reports from someone else, that is the sort of thing.

Q. I am talking about the people you saw who had injuries in the head.

A. Yes Sir, they were in the back of the car.

Q. They claimed they had been injured at Mtendeni?

A. Yes.

MR. KAW-SWANZY: By Nationalist supporters.

CHAIRMAN: What time was this?

A. That would be about 3.25.

MR. KAW-SWANZY: And it has been said in evidence that this trouble of assault around and in Mtendeni started when the Riot Act had been read at Darajani and people were moved from Darajani.

A. That was the rumour.

Q. And this was between 12.34 and 1 o'clock?

A. I do not know, I was not there when the Riot Act was read.

Q. After you had seen these two people injured apparently at Mtendeni, would you continue to insist that was mere rumour?

A. They may not have been injured at Mtendeni. This boy who told me he had been knifed by an Arab had not been knifed by an Arab. It was merely these two people who said they had been injured at Mtendeni. That was the information I had at that time. It was



as a result of that that I sent a message to police headquarters asking them to send a patrol. As a result of seeing those two people I asked the police to send a patrol to Mtendeni to investigate the matter. I think they sent two patrols, and that was the second patrol I think.

Q. Even if you considered it was some rumour, if the people believed strongly it was true they would take steps, as they said they were going to take steps?

A. Yes Sir.

Q. You were very much concerned with the elections: tell me how many election officers there were.

A. About 1,000 altogether, election officials.

Q. How many returning officers were there?

A. Twenty-two.

Q. How many were stationed in Zanzibar?

A. It will be thirteen for the second election; there is one returning officer for each constituency.

Q. Out of these thirteen in Zanzibar how many were African?

A. I am afraid I do not know, I am sorry.

Q. Would you like to have a look?

A. That would <sup>not</sup> help me, I am afraid. The name does not really help.

Q. You are looking at page 106 of the Gazette Extraordinary, dated 17th April, 1961, the appointment of returning officers. Do you happen to know any of those persons by sight?

A. Yes, I do, Sir.

Q. Am I right in saying Abdulla Musa Mfuahaya is non-African?

A. He is a Comorian I understand.



Q. Am I right in saying M.M. Patel is non-African?

A. Yes.

Q. Would I be right in saying G.H. Coles is non-African?

A. Yes Sir.

Q. Is W.M. Hamilton non-African?

A. Yes Sir.

Q. Is P.T. Drummond non-African?

A. Yes Sir.

Q. Is J.R. Clarke non-African?

A. Yes Sir.

Q. Is Jaffer A. Rahim non-African?

A. Yes Sir.

Q. Is Ali Khamis non-African?

A. African I would say; I do not want to get into trouble with him.

Q. Am I right in saying G.F. Marsh is non-African?

A. Yes Sir.

Q. A. de L. Machado is non-African?

A. Yes Sir.

Q. Ali Khalifa is non-African?

A. Yes Sir.

Q. Ali Said Karusi is non-African?

A. Yes Sir.

Q. Is A. Hill non-African?

A. Yes Sir.

Q. You would agree there is only one African in that list?

A. Yes Sir.

Q. As opposed to that we had more Africans in Pemba. Is Mr. Suleiman an African, would you say?



A. Yes.

Q. Oman Ali Saleh?

A. I believe he is an African too - well, a Shirazi.

Q. I am looking at it from the point of view of the population of the island by races. Mr. Abdulhamid Hamid, he is also an African?

A. No, I think he is an Arab, Sir.

Q. He is an Arab. You would agree then that there were two Africans in Pemba?

A. Yes Sir.

Q. While we have only one in Zanzibar?

A. Yes.

Q. Mr. Smithyman, would you know who was responsible for recommending persons to be appointed as returning officers?

A. According to the law the recommendation must be made by the Supervisor to the British Resident. I might mention in this respect that the Afro-Shirazi Party did put in a request to the Supervisor that all returning officers should be European.

Q. That is to say they had greater confidence in Europeans?

A. I suppose so, Sir.

Q. Mr. Smithyman, would you look at page 107 of the same Gazette, the appointment of election clerks. Looking to your left-hand side, election clerks, how many of them would you say are African?

A. It would be very difficult, Sir. I had nothing to do with the appointment of the election clerks. Many of these I do not know, so it would be very difficult for me to give an opinion. I know one or two and I can say, but I cannot except for one or two.

Q. I would be grateful if you would point out which those two or three are. Ali Khatibu Kibwana - would you say he is an African?

A. Quite likely, Sir.



Q. Tahir Fatawi from Makunduchi, is he an African?

A. Quite likely again.

Q. Saleh Azam, is he?

A. I really do not know.

Q. How many election clerks are there altogether? Are there twenty-three?

A. Twenty-three, yes, one for each constituency.

MR. KWAW-SWANZY: And out of these you would agree there are not more than three Africans?

CHAIRMAN: No, he did not say that. He said he is not able to say.

MR. KWAW-SWANZY: Would I be right in saying that even in respect of election clerks the Afro-Shirazis would have preferred any other than indigenous races?

A. They never raised the question of election clerks to me, so I do not know about that.

Q. You would agree, Mr. Smithyman that in the elections the Mudirs also were officials?

A. No, they are not, Sir. Mudirs are not officials.

Q. They played no part at all in the elections?

A. No part in the technical running of the elections.

Q. But the Mudirs are, all the same, officials of the Government?

A. Yes Sir.

Q. From your recollection how many Mudirs are African?

A. Four. I think the composition is five Arabs, four Africans and one Comorian.

Q. How long have you had four Africans as Mudirs?

A. The number has increased recently.



Q. How recent was the increase?

A. I am afraid without looking at the records I could not tell you exactly, but over the last two or three years there have been more Africans appointed because there have been more people suitable.

Q. You would agree that in a multi-racial community like Zanzibar it is always easier for people of the same racial community to command respect among their community?

A. I do not quite follow, Sir.

Q. This is a multi-racial community?

A. Yes.

Q. You would expect that leaders of the communities if they are Arab will expect greater respect from the Arabs than from others?

A. Not necessarily, Sir, no. A man gets the respect which he earns. He can get it from any race. I know people of various races who are respected by people of other races.

Q. From your experience of the incidents that started in 1957, would you say that if you wanted to calm an African mob you could do it better by bringing an Arab to calm them?

A. No, I think with an African mob the thing would be to bring an African leader.

Q. Similarly if you have an Arab mob you would automatically bring an Arab leader?

A. That would be normal, Sir, yes.

Q. You remember that after the January elections there were several complaints as to the conduct of the elections?

A. Yes Sir.

Q. You remember that questions were put in the Legislative Council about these elections?



A. Yes Sir.

Q. These questions concerned impersonation, did they not?

A. I was not present in the Legislative Council but as far as I remember that was one of the questions raised.

Q. You heard in the Legislative Council about certain things going on in the elections?

A. Yes Sir.

Q. There were also complaints that people attempted to vote twice?

A. Yes Sir.

Q. Most of these complaints were made to the police?

A. I believe they were all passed on to the police by the Supervisor of Elections where he thought there was any sort of foundation, where the facts warranted it.

Q. And you said it was considered there was insufficient evidence to bring these cases to the court of law?

A. That was what I was informed when I enquired.

Q. Would you say that the complainers were given to understand why cases had not been taken to court?

A. I do not know the specific cases, but I know that the Supervisor in meetings of the election committee did say that the reason why there had been no actual cases was because there was not sufficient evidence.

Q. You would agree, would you not, that these questions about these elections took place in about March and April of 1961 in the Legislative Council?

A. Yes. Sir, the questions in the Legislative Council I think were in March, if I remember rightly.

Q. At this time there were still complaints that nothing had been done about people who had been arrested as impersonating or voting twice?



A. Yes Sir.

Q. Mr. Smithyman, you would agree that as a racial group the Africans in Zanzibar have had the least opportunity for higher education?

A. I think I would agree, Sir yes; partly because of their background, their lack of means, partly natural inclination. Up until quite recently it was very difficult to get them in school at all.

Q. By and large would you say they are the most uneducated people?

A. Yes, on the whole.

Q. By and large they are the poorest of the lot?

A. Yes Sir.

Q. And before the social revolution which you referred to they were mostly unrepresented in the Legislative Council?

A. Yes Sir.

Q. So politically they were backward?

A. Yes Sir.

Q. Socially they were backward?

A. If you call it backward; they were not, shall I say, regarded as being leading citizens. There was a snob value to being an Arab where there was not to being an African. In the community most people try to belong, shall we say, to the Arab race rather than the African. If the chap had a choice he would choose to be an Arab because it was better regarded on the whole.

Q. A better social value?

A. Yes, that is right.

Q. You would agree that the worst crowded spot in Zanzibar is where most of the Africans live?

A. Yes Sir; this is in the township.

Q. The township, that is so?

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A. The rural areas are a different matter.

Q. I am referring to the Ngambo area; that is the worst crowded area of Zanzibar?

A. Yes Sir.

Q. You would expect in such a situation the incidence of crime would be greater?

A. Yes Sir.

Q. You would also expect the incidence of crime would be greater amongst the poorer classes of Zanzibar?

A. I do not know, Sir, about that.

Q. The less wealthy classes in Zanzibar?

A. No, I think crime can come from any class. Just because they are a poorer section it does not necessarily mean they are worse behaved. For example, the Africans in the rural areas who are just as poor are among the best behaved people in the country. It is not necessarily the case at all.

Q. The Africans in the rural areas are tied down to the land, are they not?

A. They are much closer to the land, yes.

Q. They are concerned with the cultivation of the land?

A. Yes.

Q. The Africans in the Ngambo district are normally divorced from the land?

A. Much more so, yes Sir.

Q. You would agree that normally crime goes with poverty?

A. Not necessarily, Sir, no.

Q. In any case, where the incidence of poverty is greatest there you have the opportunity of inflammatory speeches being listened to more?

A. Yes Sir.



Q. You said something about a social revolution. The social revolution you had in mind was in fact backed by politics and politicians?

A. Yes, the two were going together; one was interacting on the other. The politics was making the social revolution go faster, if you see what I mean, and the social revolution was enabling the politicians to assume a more important position. The two were interacting all the time. We are dealing here with thousands of people and thousands of ideas all the time interacting on one another.

Q. That social revolution coincided with the political consciousness of the majority African section?

A. I have only been here since 1956, and that appears to me to be the case, that since 1956 there has been a very big change, but I am told that probably started a little earlier than that.

Q. Am I right in saying Zanzibar has had a Legislative Council since 1926 ?

A. Yes, Sir.

Q. Am I right in saying that for about 21 years Africans were not represented on it ?

A. I believe so, Sir, yes. I am not certain they were unrepresented; perhaps a better way to put it would be to say the actual African by race was perhaps not on it. In 1926 there were three Arabs, one European and two Indians, but at that stage one would say the Africans were represented by the majority of the officials who were on the Council, and the three Arabs, for example, would have represented the views of the Africans. They were not intended to represent just one point of view; they were leading people. I know some of these people and they are the sort of people who at that time would have felt they were representing the whole people.

Q. Therefore the Arabs and the officials were representing the Africans ?



A. Representing the whole community.

Q. Do you know if that changed, and when ?

A. In 1946 an African member was nominated for the Legislative Council.

Q. Was it no longer adequate for officials and Arabs to represent the Africans ?

A. Yes, I suppose that by then they found a suitable African who could be nominated.

Q. Would you agree with me that since that event the growth of political consciousness among the Africans has been increasing ?

A. I only know from 1956; I do not know about 1946.

Q. You were here, were you, when the report by Mr. Coutts was brought about ?

A. Yes, I came after he had arrived but I was here when the new constitution was introduced.

Q. That brought about another change ?

A. Yes, that introduced common roll elections for the first time.

Q. It was held when ?

A. 1957.

Q. Who won that election ?

A. The Afro-Shirazi Party won five seats and an independent won one seat.

Q. And the Afro-Shirazi Party also included people who now call themselves the ZPPP?

A. Yes Sir.

Q. You would say by that time political consciousness had grown to such an extent as to make the Africans even go to vote and win the elections ?

A. I think the election itself was a very strong factor.

Q. And this political consciousness ushered in the social revolution you are talking about ?

A. I do not really know. I do not know the period beyond 1956. I am able to tell you from 1956 when I arrived in September, from then onwards. The two things really are combined, because in 1956 when I arrived the Coutts report was just about to be introduced, the Coutts constitution was agreed Government policy;



So as far as I am concerned the two worked together.

Q. You were here at the holding of the first elections ?

A. Yes.

Q. That was the time when people started to talk loudly about the future of this country ?

A. Yes Sir.

Q. Before that there were hardly any political meetings in the open ?

A. Very few, Sir, yes.

Q. And these political meetings which were now being held in the open were also talking about the need for social change ?

A. I don't really know if that type of thing was specifically mentioned. The theme would be that the Africans should advance.

Q. That would be social change ?

A. Yes, I think so.

Q. And the odd thing you could hear from your verandah were the same thing ?

A. When violent events took place on the mainland, it was echoed here by young people walking past my house, not that they were talking about violence. It was as though they were pleased with the things they heard about.

Q. This would be included in the term "wind of change" to which you referred ?

A. Certainly.

Q. Now about this time when a certain section was talking about "wind of change" what was the attitude of the other section who would consider this change not to the advantage of themselves.



A. Which change ?

Q. Social change.

A. It would be a levelling up of positions: the organised machine in which the Shirazis were higher than the Africans, the Indians higher than the Shirazis and the Arabs higher still, and a levelling up of a higher positions. It was a question of social relationships and therefore it wasn't a case of being servile or being in some legal lower capacity, it is just when you meet you either meet as equals or as a little bit more than equals.

Q. Would you agree that this levelling up would leave nobody in a static position ?

A. Yes, Sir,

Q. Whose who were lower would seek to come up ?

A. Yes, Sir.

Q. And that in that process those who were higher might fall.

A. No, Sir.

Q. They wouldn't fall ?

A. No, Sir.

Q. Now, would you say that this analysis was appreciated by the other side to were always on a higher pedestal ?

A. I do not, Sir. I would say that some of the leaders clearly realised what was happening in other parts of Africa and the implications for Zanzibar and some of the leaders understood what was happening, but the rank and file did not understand, so clearly that is where you get your tension arising out of the social change.

Q. Now this would represent to the higher-ups that there was danger in the "wind of change" for them.

A. I suppose so, Sir, yes.

Q. Now was there anybody from your own experience in



Zanzibar, consciously or unconsciously, who would want to retain that high position ?

A. I should say the majority, Sir, but you must not include everybody in this because none of the leaders ever consciously made that attempt.

Q. I said consciously or unconsciously.

A. Well, yes, a lot of followers would receive the change as altering their position.

Q. And this would lead to a worsening of the tension ?

A. Yes, Sir.

Q. There would be a tendency, therefore, for some of the leaders of the higher-ups to attack the lower ones, who were trying to bring about that change, in speeches.

A. I think that is much too simple an analysis. As an official policy, the group representing the privileged class, their policy was equality and that there should be one man, one vote. It is the quickest way of levelling everybody. The rank and file might not be able to understand these implications.

Q. What do you mean by official policy ?

A. The officially declared policy of the Nationalist Party as shown in the constitution and as gathered from their published speeches and newspaper articles. That is, what I gathered has been their policy.

Q. Now you are talking about political parties. I have been talking about racial groups. What would you consider the official policy of the group that is labelled "Arab".

A. I do not see how I could say what is the official policy of the Arab group because the Arab Association is not a political association. It has been out of politics since about 1956. As a racial group I just cannot give an answer. The



majority are Arabs belonging to the Nationalist Party. You could say that the policy enunciated by the Nationalist Party was the policy of the Arabs of this country.

Q. You said the official policy was equality ?

A. Yes, Sir.

Q. One man, one vote.

A. Yes, Sir,

Q. Did you also say that some were more equal than others ? Do I understand you to mean that an official policy which talks about equality would mean what that group meant by equality ?

A. I am afraid that is rather an involved question.

Q. What do you mean by saying some were more equal than others ?

A. The accident of history had placed some people in an inferior position, both socially, economically and so on. Not all of them. There are Arabs who are just as poor and live in social conditions which are the same as the Africans, and Africans who are in a better position. As therefore the accident of history placed some of these in a privileged position, so if they came to a meeting with the Mudir, they would automatically sit in front seats ; automatically be greeted by a local man; if an African was sitting there, he would probably bow and hand over his seat. It was quite a friendly relationship. Now the official policy was that there should be equality of all His Highness's subjects.

CHAIRMAN: When you refer to official policy, are you talking of Government's also ?

A. No, the officially declared policy of the Nationalist Party.

MR. KWAN-SWANZY: That situation you describe began to



have a change in the period that you have been here and that change was being resented by some of the leaders of the Arabs ?

A. I haven't got knowledge of that, Sir, not the leaders. I cannot really say I can give evidence to that effect.

Q. That attitude of greeting and getting up when an Arab came in, would have been resented if it stopped ?

A. I do not know.

Q. Now, the political party which talks about equality in the sense you have mentioned, would be unpopular if it was understood to mean it was understood to encourage the break-up of this social system ?

A. I just don't know, Sir.

Q. Would you say that the practice was started of Africans refusing to have their children adopted was resented ?

A. I do not know of any particular reaction. I merely heard of these points being made in speeches and articles. Meanwhile, one or two people I have spoken to said it was rather a pity that politics should interfere with a reasonable and friendly relationship.

Q. About this time there were speeches on the Nationalist Party platform making remarks which meant they looked down upon leaders of the A.S.P.

A. Yes, Sir.

Q. They called one of the leaders "Manjo".

A. Yes, Sheikh Abeid Karume.

Q. The President of the ASP. The most influential person as far as Africans are concerned. What is "Manjo" ?

A. I understand it to mean a derogatory term.

Q. And about this time speeches were being made on the Nationalist Party platform that they did not wish to be dominated by mainland Africans ?

A. Yes, Sir.



Q. And these speeches normally refer to these people as "Wanyamwezi" ?

A. That term has been used.

Q. That is a particularly offensive term ?

A. No, Sir, an excellent tribe of Tanganyika, a very hard-working, robust tribe.

Q. Are there some of these tribes in Zanzibar ?

A. Yes, Sir.

Q. They are supposed to be backward in Zanzibar ?

A. They belong to the African community. They are labourers, very good workers, of a standard the same as the rest.

Q. They are normally people to till the land, not people for offices ?

A. Yes, Sir.

Q. Now about this time, about 1961, just before the Elections, there were also speeches on the Nationalist Party platform where they also said they wouldn't want to be ruled by "Chombe Mapara".

A. I can't say I remember seeing that, Sir.

Q. Have you ever heard the expression "Chombe Mapara" ?

A. No, I haven't.

Q. Have you heard of the word "Tshombe", the leader of Katanga ?

A. Tshombe has been used locally as a slang term of disrespect for a bad man.

Q. What is "Mapara" ?

A. Just a man who is bald.

Q. Bald-headed Tshombe ?

A. Yes, Sir.

Q. If this came from a Nationalist Party platform, would it be tending to refer to a particular person on the other



side - the other side being the A.S.P. ? Now, in May, 1961, just prior to the Elections, there was a meeting of the Nationalist Party at which Sheikh Ali Muhsin addressed the gathering in these words "It is blasphemous for us to be governed or ruled by these mainlanders". Did you ever hear that ?

A. I did not see that report, Sir. At that time I was in the Office of the Chief Minister. I did not see these reports at that stage.

Q. Did you hear that he said "we are prepared to shed our blood so that we may not be ruled by the uncivilised mainlanders ?"

A. I did not see it. I would definitely remember it if I had seen it.

Q. Did you hear that he asked the crowd "Are you prepared to shed your blood" three times.

A. I did not see it. I am not saying he didn't say it, simply that I did not hear it myself. Previous to that the theme had been on some occasions that the policy of the Nationalist Party was in defence of His Highness and the dynasty. People were emotionally excited and they agreed that they would defend him with the last drop of their blood. I have heard reports like this.

Q. Who in Zanzibar was attacking His Highness ?

A. There were one or two reports which were considered as being attacks on His Highness in the newspapers.

Q. There were one or two speeches and that led to this expression of shedding blood to defend His Highness?

A. I do not know if they led to it. It may have been just a political game.

Q. Now about this time, the newspaper called "UMMA" had reports of various of these speeches. You have not included "UMMA" in your list ?



A. I rather thought that "UMMA" started rather late and, therefore, it wasn't really relevant. That was the only reason.

Q. "UMMA" came into existence in December, 1960. That would be relevant.

A. I thought it hardly would be, Sir. It is only six months ago that it started.

Q. You know the policy of that newspaper?

A. Yes, Sir.

Q. And "ZANEWS" - you did not include that newspaper in your list?

A. Also a very recent one and in those newspaper extracts I was trying to show the effect on public opinion over a longer period. Perhaps it is an omission which I should remedy.

Q. Mr. Smithyman, this "UMMA" of 2nd December, 1960 is for evidence. Now, which party would this paper support?

A. The Nationalist Party.

Q. And the newspaper called "ZANEWS"?

A. The Nationalist Party. Well, it was supporting the Nationalist Party, but it really supports a different party.

Q. Which other party does it support?

A. The Communist Party.

Q. Mr. Smithyman, have we any Communist Party in Zanzibar?

A. Not officially, to my knowledge.

Q. Now this party which you say "ZANEWS" supports, would it be within the Nationalist Party?

A. Well, certain members who are in the Nationalist Party are responsible for this newspaper.



Q. And this newspaper you say supports the Communist Party?

A. Well, most - say 80% - of the contents are a repetition of things said in Communist countries.

Q. And you say officially there is no Communist Party here, but unofficially there is one.

A. I did not say so, Sir. What I say is: there are people who produce this newspaper, which is 80% repetition of things said in Communist countries. Now those same people are members of the Nationalist Party.

Q. It is published in the Nationalist Party headquarters?

A. Yes, Sir. In the same building.

Q. In the same building?

A. Yes, Sir, as far as I know.

Q. Do you know who publishes that newspaper? - The person? The General Secretary?

A. Yes, the General Secretary.

Q. The language used in this newspaper is anything but moderate?

A. It depends on your point of view.

Q. Your point of view, Mr. Smithyman?

A. I think it is a lot of Communist claptrap.

Q. Now I am looking at Exhibit 39. That is the agreement between the political parties on 26th July, 1960. This was announced by His Excellency. Was it on the radio?

A. Yes, Sir.

Q. There is a paragraph in which there is a reference to events locally involving His Highness and the Royal Family in politics. Mr. Smithyman, what led to this? What had been going on before August 1960 to make this necessary?

A. As I understand it, from the one point of view -



from the A.S.P. point of view, the Nationalist Party had more or less appropriated the throne as its private property and they are objecting to it being suggested that the Nationalist Party and their followers were loyal. So the A.S.P. objected to that: in other words, using the throne for political purposes. It was rather clever. Then, on the other hand, the Nationalist Party objected to reference to His Highness and the throne which might undermine his position in any way. So between the two of them there was a very good reason for that to be made and His Excellency to ask that no mention in speeches should be made to His Highness and the throne and no mention should be made about racialism. This was specially mentioned.

Q. Now, one of the agreements was, I am reading from Exhibit 39:

"It is the wish of all parties not to involve His Highness and the Royal Family in politics. We exhort everyone to avoid any action or statement which gives the impression that His Highness is exclusively associated with any particular party, or to use His Highness's name or flag in any way which cause racial animosity."

After this agreement, the Nationalist Party continued to make use of the flag.

A. Yes, Sir.

Q. After this declaration, the Nationalist Party continued to involve members of the Royal Family?

A. That I cannot say. You see, the thing about the Flag is that the Zanzibar flag is plain red and the Zanzibar Nationalist Party flag is plain red with three stars. The three stars are very small and sometimes just do not exist, but as for actually using members of the Royal Family, that I do not know.



In what manner?

Q. Calling him to their meetings. Or the leader calling him to meet at his house.

A. Not as far as I know.

Q. Were you here in January, 1961? Did it ever come to your knowledge that a member of the Royal Family invited leaders of the Party to his house?

A. That was a different matter. I thought you meant meetings beforehand to get support from the public. The report I got of that meeting was that it was a private matter about the formation of a government.

Q. But those matters would be known to the public?

A. They would hear about it, yes, Sir.

CHAIRMAN: Wouldn't it be fairer if you asked the Witness what he knows about that meeting?

MR. KWAW SWANZY: Would you care to tell the Commissioners what you know about that meeting.

A. I wasn't present, Sir, and I merely know what I was told by other persons or what I read in reports that the general sense was that this highly respected member connected with the Royal Family had called the elected members of the Nationalist Party and the Z.P.P.P. and they met at his house. What went on I just don't know.

CHAIRMAN: I am sorry. I thought it was in connection with inviting them to form the Government.

A. No, Sir, just a private meeting at their house.

MR. KWAW SWANZY: Now you would agree with me, would you not, that the object of this joint declaration of 26th July, 1960 was to protect His Highness and members of his family from



fooling under suspicion in the eyes of uneducated and ignorant persons of having been made use of the Royal House to persuade voters to support a particular party to the detriment of another?

A. Yes, Sir.

Q. That was the object and you say that in spite of that, the Nationalist Party continued to use the Flag?

A. Yes, Sir.

Q. Was that promise given on that particular date subsequently broken?

A. I suppose so, Sir, yes.

Q. I am asking you a question about January-June, 1961. Do you happen to know whether a gentleman called Jayantilal Hirji was assaulted by members of the Y.O.U. in the January, 1961 Elections?

A. I saw a report that he was a candidate for Stone Town (South) for the A.S.P.

Q. What race is he?

A. An Indian. I did see a report that he had been assaulted by two youths on a bicycle in a certain road of Stone Town and I think also they hit him with a stick, but I don't know which party they belonged to.

Q. Do you know that this was a few days before the Elections?

A. Yes, Sir.

Q. Do you also happen to know that the gentleman called Mohamad Varas Saloh Kassam was assaulted in 1961?

A. I did not know that, Sir.

Q. Do you know that gentleman?

A. I don't know him personally.

Q. Did you hear of him?



A. Yes, he was a candidate also.

Q. Which political party?

A. A.S.P.

Q. Do you know his race?

A. Indian.

Q. Mr. Smithyman, I believe you were Senior Commissioner before you got your present job?

A. Senior District Commissioner,

Q. Now you were Senior District Commissioner.

Would you have anything, or your Department have anything, to do with the Annual Reports of the Provincial Administration?

A. Yes, they were produced by the Senior Commissioner.

Q. Have you got the Annual Reports for 1957, 1958, 1959, 1960.

A. Yes, Sir.

Q. And the first half of 1961?

A. That will be produced at the end of the year.

Q. Would you like to produce those?

A. Yes, I have them here.

Q. Now, Mr. Smithyman, you would agree that the most fertile spot of Zanzibar is the area which is marked there?

A. This is the western side and is considered to be the most fertile. The green shows it dark.

Q. Now you would agree that was the place where eviction of squatters took place?

A. Yes, Sir.

CHAIRMAN: He was giving a detailed explanation of what took place, but has not given evidence that there was eviction.

Documents MVS  
Annual Reports  
for:

1957 50A  
1958 50B  
1959 50C  
1960 50D



MR. KWAW SWANZY: I am sorry.

CHAIRMAN: The Witness did say that in that area there was a considerable amount of friction and trouble between landlords and squatters.

MR. KWAW SWANZY: Mr. Smithyman, you would agree that between 1957 and 1960 there were evictions of squatters from that area:

A. Yes, Sir.

Q. Do you happen to know the cause of those evictions?

A. I think I have dealt with that. I explained it was the difficulty in relationships between squatters and the landlords.

Q. Mostly the squatters were Africans?

A. Yes, Sir.

Q. Mostly, the landlords were Arabs?

A. Yes, Sir, but there were others and one of the worst cases was an Indian.

Q. An Indian? Now you would remember that Abaid Karumo brought to the attention of the Government about this time the hardships of the squatters?

A. Yes, Sir.

Q. Abaid Karumo is the President of the A.S.P.?

A. Yes, Sir.

Q. He asked the Government to do something for these evicted squatters. Did the Government do something for these evicted squatters?

A. Well, it did in the sense that it got the legal position quite straight and it tried to conciliate the two sides, but if you mean did it take the few people who were evicted and settle them somewhere else, I do not know of any specific



settlement of that sort. The number of evictions were quite small. One eviction is quite enough to give trouble.

Q. How many families would be involved in one eviction?

A. Well, it might be one family.

Q. What about numbers?

A. It might be two, three or four, depending on the size of the family.

Q. You know, don't you, that eventually the A.S.P. leaders decided to re-settle the evicted squatters?

A. Yes, they made a statement to that effect.

Q. They bought land to settle those evicted squatters.

Now, would you please from your notes tell us which particular spot did the evictions come from?

A. I did not actually personally deal with all those cases. I cannot really pin-point all the cases, but you can take it they were spread out throughout the area. I remember a case right at the north, ten miles north of Zanzibar Town, Kitopo and Mahonda, and such cases would spread throughout the area where you had squatters living on the shambas of other people. It was not limited to any one area.

Q. There were no troubles on the east side?

A. I do not remember any cases on the east.

Q. How many cases did your Department deal with between 1957 and 1959 when the order was given?

A. I cannot say how many cases we dealt with because, as far as possible we prefer to deal with them by conciliation. It is far better to settle their differences out of court, as it were, and these sort of cases, it may be several hundreds, were settled by automatic machinery. If there was a dispute, the person would go to his Shoha - the village headman and a highly respected member of the community - and he tries to settle the



affair with his elders. If they cannot settle the matter the case goes to the Mudir. Several hundreds of cases went to the Mudir and many have been settled. Where the Mudir failed, then it became a formal case for the District Commissioner under these Administrative Orders and I think I gave the figures this morning.

Q. You did. Now before 1957, squatter troubles were negligible, would you agree?

A. They did not come to our notice particularly, so I would agree with that. They were settled at village or mudirial level.

Q. Now people who were permanently removed from the land would normally live in places other than the place from which they were evicted. Would you agree?

A. Perhaps, Sir, I do not know.

Q. In fact, you would expect some of these to be permanently resident in a town area after eviction?

A. They could be, Sir.

Q. You would also expect some to shift to the eastern side of the Island?

A. They could do.

Q. Do you happen to know where the A.S.P. people settled some of these evicted squatters?

A. I don't know.

(The Proceedings were adjourned for a short time).



ON RESUMPTION

(Continuation of Cross-examination of Mr. M.V. Smithyman  
by Mr. Kwaw-Swanzy).

Q. You remember the dock dispute of 1958?

A. Yes, Sir.

Q. There was an attempt on the part of some persons to  
displace the dock workers at the dockyard?

A. Yes, Sir.

Q. Would you agree that these persons were trying to  
displace others who were not followers or supporters of the Nationalist  
Party?

A. So I was informed.

Q. You have in fact seen the report of the Arbitrator into  
the matter?

A. Yes, Sir.

Q. Would you agree with me if I said that this was an  
instance of putting out of employment people who were not supporters  
of the Nationalist Party?

A. In effect, it was, yes.

Q. Would you equally agree with me that displacing people  
on the land by way of eviction of squatters was another form of putting  
out of employment persons who were not followers of the Nationalist  
Party?

A. Yes, Sir.

Q. About this period, 1957 to 1960, would you agree that  
the economic situation in Zanzibar was progressively deteriorating?

A. Yes, Sir.

Q. Was this deterioration due to the deterioration in  
the clove industry?

A. Yes.



Q. And that the people who were most hit were the labour classes and the farming classes?

A. Yes, Sir.

Q. Would you agree that a situation by 1961 had been created where everybody was likely to be excitable because of the economic uncertainty?

A. That was one factor.

Q. Would you agree therefore that by and large one would be correct to say that the economic situation was a considerable factor to the disturbances in June, 1961?

A. Yes, Sir.

Q. Would you agree that following the elections of January, 1961 there was clear evidence of frustration on the part of most followers of the Afro-Shirazi Party because that party had not formed a government?

A. The leaders expressed very strong dissatisfaction with the result of the endeavours to form a government, yes.

Q. And the followers would be frustrated, disappointed?

A. I do not know how many of the followers would even know what was going on actually - I just do not know - but I met the leaders at that time.

Q. At this time the Government made every effort to put across the situation and what was going on?

A. A press release was issued after every meeting; a press release was also broadcast.

Q. Not only in English, but also in Swahili?

A. Oh, definitely in Swahili. A broadcast is always in Swahili.

Q. You agree that on 18th January, 1961, the A.S.P. could have formed a government?



A. His Excellency did invite them to form a government at that time.

Q. Would you agree that they were the single largest party that emerged out of the elections ?

A. Yes.

Q. Please have a look at these press releases and say what they are.

A. Yes. They all relate to the efforts to form a government after the January elections.

Q. What is the date of the first press release ?

A. 18th January, 1961.

Q. What does that say ?

A. It says "the British Resident discussed with His Highness the results of the elections and with leaders of political parties. These leaders were congratulated on the good behaviour of their members." His Excellency asked the leaders to advise everyone to be calm. Finally it says, "His Excellency, in accordance with the Councils Decree, invited the leader of the Afro-Shirazi Party to submit his proposals for the formation of a government."

Q. Now the second paragraph says, "In accordance with the terms of the Council's Decree, His Excellency has invited the leader of the Afro-Shirazi Party, which obtained the greatest number of seats in the election, to submit his proposals for the formation of a government which would command a majority of the votes in the Legislative Council." What was the total of the Legislative Council at this time ?

A. 22 members.

Q. What was the total number of the Legislative Council at this time ?

A. The elected members were 22.



Q. Mr. Smithyman, what was the number of the Legislative Council at this time ?

A. In addition to the elected members there were five nominated members and 3 ex officio members and a Speaker. So it would be 31.

Q. The Speaker is not a member of the Legislative Council, according to the Decree.

A. We will call it 30, then.

CHAIRMAN: Mr. Swanzy, I am sure the witness knows the Speaker does not have a vote there.

MR. KAW-SWANZY: Very well. Mr. Smithyman, what will be a majority in a Council of 30 ?

A. 16, I suppose.

Q. What was the next press release you hold in your hand ?

A. 19th January.

Q. What is that about ?

A. It mentions that a press conference was held on the 18th with His Excellency. The results of the election were announced and it was announced that the Afro-Shirazi Party had been asked to form a government. It says that in considering its proposals, His Highness the Sultan would need to be satisfied that they formed a satisfactory basis for stable government, and in particular that they would command an adequate majority in the Legislative Council.

Q. That is so: that is, they would have at least 16 out of the 30 ?

A. It depends, Sir. A majority of 30 is 16, but it does not necessarily mean 16 is a stable majority.

Q. At least 16 out of 30: that was my word.

A. That is a majority, yes;



Q. Now about this time the Afro-Shirazi Party submitted their proposals to His Excellency - do you know or do you not know ?

A. I was told so, yes.

Q. What release have you in your hand ?

A. This is the 21st January.

Q. Again that release speaks of a majority of the Legislative Council, does it not ?

A. Yes.

MR. KANJI: Sir, I am wondering what relevance this has to this Inquiry.

CHAIRMAN: I think it is relevant to the terms of reference. It is going to be suggested, presumably, that this contributed to the general state of unrest.

MR. KWAW-SWANZY: That is dated 21st January, 1961 ?

A. Yes.

Q. That is a quotation from Sir Hilary Blood's Constitutional Report, is it not ?

A. Yes.

Q. And it still talks about a majority of the Legislative Council, does it not ?

A. Yes.

Q. The last two paragraphs also insist on a majority in the Legislative Council ?

A. Yes, Sir.

Q. You have in your hand another press release dated ... ?

A. 23rd January, 1961.

Q. Reading through that press release a mention is for the first time made of a majority of elected members of the Legislative Council ?

A. Yes, Sir.

Document  
MVS.51 C

Document  
MVS. 51D



Q. And from that press release does it say that the person who will command a majority in the Legislative Council of elected members is the only person who can form a government ?

A. Yes, Sir.

Document  
MVS. 51E

Q. What press release have you in your hand ?

A. 27th January, 1961.

Q. And that press release, am I right in saying, explains further the decision that you should have a majority of elected members in order to form a government ?

A. It goes further into the question of the government, yes.

Q. Of elected members ?

A. Yes, it says here : "It is explained the term "majority" must be understood to mean more than half of the elected members in the Legislative Assembly."

Q. That was explained at a press conference.

A. The one on 18th January ?

Q. The one you are looking at.

A. This is the 27th January.

Q. When does it say an explanation was made ?

A. On the 27th January it says that the term "majority" must be understood to mean more than half the elected members.

Q. Do you know the Afro-Shirazi leaders submitted a petition to the Governor about his interpretation of the law ?

A. I believe so, yes.

Q. In effect the petition disagreed with that interpretation of the law ?

A. Yes, Sir. They asked for permission to send a deputation to the Secretary of State.

Q. Do you know whether there was a reply to that petition ?

A. I do not know if they ever submitted one. They were given permission to do so if they wished - I am sorry, the petition.



Q. To His Excellency, the Resident ?

A. I did not myself know that there was a reply, but I gathered from subsequent meetings that there must have been a reply. In fact I believe they actually saw His Excellency personally.

Q. Now you know about the organisation known as Y.O.U.?

A. Yes, Sir.

Q. Do you know about that that it is the wing of a political party ?

A. Yes, it is part of the Nationalist Party.

Q. Would you include that as the section who were all supporting the Nationalist Party, as you said this morning ?

A. I do not know whether as a class they do. They are a sort of young, vigorous wing; but I just do not know whether they all support it or not.

Q. Do you happen to know who were the leaders in this Y.O.U.?

A. The General Secretary of the Nationalist Party I know was a prime mover in the formation of the organisation of the Y.O.U., but in addition of course there were many young leaders.

Q. It has been said in evidence here that that Youths' Own Union was established by the General Secretary and the leader of the Nationalist Party.

A. It is quite likely. I do not remember the exact details. It was some years ago, either the end of 1955 or in 1956.

Q. At what period between 1957 and 1961 would you say the Youths' Own Union was most active ?

A. During 1958 I should think really. It was very active indeed.

Q. In 1958 ?

A. It has been active all the time, but in 1958 certainly we were moving at a very high degree of tension, and while they were active so the tension was high.



Q. Would you say the activities of this Y.O.U. contributed to the tension of the time ?

A. Yes, Sir.

Q. About this period, the activities of the Nationalist Party also did contribute greatly to the tension of the time ?

A. Yes, Sir.

Q. You remember the burning in public of Sir Hilary Blood's Constitutional Report ?

A. I was not present but I heard about it, yes.

Q. Whom did you hear burnt it ?

A. The Nationalist Party.

Q. At a political rally ?

A. Yes, Sir.

Q. About the same period you heard about the burning of a replica of a rocket ?

A. Yes.

Q. Who did burn that replica ?

A. That was at a Nationalist Party rally.

Q. These would contribute to tension, would they not ?

A. Yes.

Q. About the same period, the same Nationalist Party referred frequently to their political opponents as Western capitalist stooges ?

A. That was one of the favourite terms, yes, Sir.

Q. Neo-Colonialist supporters ?

A. That is rather later. It is a new term which has only been popular in the last year or eighteen months.

Q. Imperialist agents ?

A. Yes, that is a favourite one.



MR. KAW-SWANZY : But these were English. Would you please give us some in Swahili terms ?

CHAIRMAN: I do not think that is necessary.

MR. KAW-SWANZY : Perhaps it means more to the Swahili listeners than in English.

CHAIRMAN: Yes, I know, but the witness is giving evidence for the Commission. They are merely spectators.

MR. KAW-SWANZY : I fully understand, Sir. You have in your hand a newspaper called the "Daily Nation".

A. Yes, Sir, dated 3rd June, 1961.

Q. Do you remember there was a swearing-in ceremony for a new government on the 2nd June ?

A. Yes, Sir.

Q. Immediately after that do you recall a press conference ?

A. I think it was the 3rd June.

Q. By the appointment of 2nd June ?

A. Yes.

Q. At some time after that do you recall a press conference held by Sheikh Ali Muhsin ?

A. As I recall it, I do not recall whether he called a press conference or not, but just before the meeting at which it was discussed, while he was waiting to go in the meeting a large number of press correspondents button-holed him and other leaders, and were asking him questions. That is to my knowledge, but of course he may have called a press conference afterwards. I do not know.

Q. Have you seen that paper before you ?

A. Not this particular issue, no.

Q. Will you look at page 2, the last but two paragraphs, the section dealing with Western influence and Roman Catholic influence in the mainland. Shall I put it this way: there is a reference to



Tanganyika in relation to the Commonwealth?

A. Yes.

Q. There is a reference to Tanganyika allowing itself to be overrun by Western - what is the word ?

A. "Neo-Colonialist domination".

Q. And the Roman Catholic Church?

A. And the Roman Catholic Church.

Q. There is also a reference to the American rocket station here.

A. Yes.

Q. What does it say about the American rocket station here?

A. Of the Americans' Mercury tracking station on the island it says: "We are determined to oppose this unless America can convince Russia and China of the innocence of the project."

Q. That would convey an impression to you, would it not, that this particular leader would prefer to take what Russia and China would say ?

A. It says what it says, I think. The inference is that they are going to oppose it unless America gets permission from Russia and China to say that it is innocent. It is quite simple.

Q. What paper have you in your hand ?

A. The "Tanganyika Standard", 29th September, 1961.

Q. There is a report of the activity of the Youths' Own Union somewhere - I think it has been marked.

A. This is the Zanzibar Students' Union: that is the one which is marked.

Q. Yes?

A. It says the Zanzibar Students' Union from Leipzig issued a statement which backed the stand made by the Federation of Progressive Trade Unions and the Y.O.U. against the establishment of an American Consulate and military bases in Zanzibar.



Q. Will you please go on ?

A. The statement says the Union has opened a fund to buy material necessary for the functioning of the Progressive Trade Unions which is necessary following the raiding and pillaging of its offices by police and military forces.

Q. That comes from Leipzig in Eastern Germany?

A. So it says.

Q. A communist country ?

A. Yes, Sir.

Q. Do you know the peculiar role of this Federation of Progressive Trade Unions?

A. No.

Q. The Trade Union referred to here, the Progressive Trade Unions in Zanzibar - do you know what political party they support in Zanzibar ?

A. I think they tend to support the Zanzibar Nationalist Party.

Q. They mention there is a collection of funds of materials to fight what they call the Establishment? -

A. No, Sir, it says to buy funds to replace - a fund to buy materials necessary to the functioning of the Progressive Trade Unions.

Q. You said in examination in chief that the Progressive Trade Unions attempted to oust those who were not Zanzibar nationalists?

A. Yes - not Nationalist Party. The nationals, subjects of Zanzibar.

Q. By that was merely meant people from the mainland or who descended from the mainland, non-nationals were people who descended from the mainland or who were mainlanders?

A. No. Non-Zanzibaris. The person who is not a national. Their declared object is that Zanzibar subjects should be employed



instead of people who are not Zanzibar subjects.

Q. Was it not a fact that this Progressive Trade Union concerned itself with dock workers as well ?

A. It was formed at that time, the Progressive Trade Union as far as I know.

Q. Since its formation has it concerned itself with dock workers ?

A. Yes, it has.

Q. The dock workers are traditionally Africans mainly sprung from the mainland?

A. Yes, Sir.

Q. That you would say was an attempt to employ members who support the Z.N.P.?

A. In effect it amounts to that, yes, because the Nationalist Party is composed only of subjects of His Highness so if the Progressive Trade Union wants to employ only subjects of His Highness the two go together, plus the fact that it is connected with the Nationalist Party. Many of the same leaders are common so I would put it this way: it would be unreasonable to expect them to direct their attentions to a person who is, in fact, a supporter of their Party. The attention would be directed to those places where people are non-Zanzibaris.

Q. Did you say the Nationalist Party comprised only of Zanzibar nationals?

A. That is in their constitution, the Zanzibar Nationalist Party.

Q. You would expect them to have only Zanzibar nationals, that is what you say ?

A. Yes.

Q. But not that they actually are ?

A. I do not know. I do not actually know the nationality of all their members but that is in their constitution.



Q. Do you know how many Africans are members of the Zanzibar Nationalist Party ?

A. No, Sir.

Q. Do you know how many Arabs?

A. No, Sir.

Q. In effect you do not know whether the members are all Zanzibar nationals or not ?

A. No.

CHAIRMAN: But he assumes that they are from their declared constitution, and from the surrounding circumstances, I presume?

A. That is right, Sir, yes.

MR. KWAW SWANZY: Would you give any reasons to the Commissioners why the trouble spread into the rural areas after 1st June, 1961?

A. I have mentioned there was tension throughout. There was strong feeling throughout the country, divided political parties and divided strength. There was strong feeling. Then on the 1st news started to go to the rural areas of disturbances. News was given merely through the Press release going on the radio. It was also given by people in buses. There was a lot of movement on the 1st and the 2nd, out into the country and back again and through these means news of disturbances spread to the rural areas then like spontaneous combustion.

CHAIRMAN: And presumably numbers of rumours?

A. And all sorts of rumours, yes, Sir.

MR. KWAW SWANZY: Would you please give a reason why nearly all the people who lost their lives in the disturbances were Arab?

A. I assumed at the time that was because the attack to some extent had a racial basis as well as a political and all these other factors, that was one of them, and the most easily identified member of the Nationalist Party is obviously an Arab because the majority of them belong to that Party.

MR. KWAW SWANZY: Thank you very much.



Cross-examined by Mr. Kanji.

Q. Mr. Smithyman, you remember you have told us in your examination in chief that a speech was made by, I think, a certain member of the A.S.P. to a gathering about land?

A. Yes. I mentioned a speech which was made early in 1958.

Q. That is right?

A. Yes.

Q. Was that speech made by Mr. Abeid Karume?

A. Yes, Sir.

Q. Was it made to a gathering of A.S.P.?

A. I was not present. I am only quoting from a report which I received at the time. The report was towards the end of February, 1958; a meeting had been held at, I think, it is called Machui and that there were over a thousand people present and it was members and various leaders of the Afro-Shirazi Party including Sheikh Abeid Karume.

Q. You would agree it would be an A.S.P. gathering?

A. Yes, Sir.

Q. Would you agree that in that speech Abeid Karume said to the people words to the following effect: the land belongs to us; whoever tries to stop you is pouring petrol on himself at one end and setting himself on fire at the other end. It is only the trees which belong to the landlord?

A. That would be the general tone of the report which I saw.

Q. Would you agree with me that it was subsequently after that speech that you began to get what you call squatter and landlord problems?

A. It was obvious straight away that a speech of this nature was very dangerous and I remember the Senior Commissioner



discussed this with me and it was decided to instruct the administration to take immediate steps to try and ensure that it did not have any undue repercussions and I know the Senior Commissioner asked Sheikh Abeid Karume to come and see him and he spoke to me a day or so later about this matter. It is a fact that it is at that period towards the middle of 1958 that our squatter problems became very much more difficult. There have always been squatter problems but they have been settled amicably at village level.

Q. There had been tension about landlord and squatter problem before this speech?

A. Yes; about the middle of 1958 it really became bad.

Q. Would you agree with me that there is a Government farm at Kizimbani?

A. Yes, Sir.

Q. Would you accept that it is of about 6,000 acres?

A. I do not know the acreage. It is a very large farm.

Q. Would you agree with me that there are no squatters on this land?

A. I just do not know.

Q. You will agree with me that by the middle of 1958 mostly the squatter troubles were of a nature which had nothing to do with politics?

A. Yes, Sir.

CHAIRMAN: Prior to 1958?

A. Yes, Sir.

MR .KANJI: Prior to the middle of 1958.

CHAIRMAN: They were the ordinary squatter problems that you have had experience of in other countries, in any country where you have squatters?



A. Yes, Sir.

MR. KANJI: About a year or two before the June election a number of A.S.P. speakers or people who spoke on the platform of A.S.P. talked in racial terms, is that correct?

A. Yes, Sir.

Q. This is mainly demonstrated by Exhibit 46, that is extracts from a number of newspapers which the Attorney General tendered in evidence through you?

A. Yes, Sir.

Q. May I refer to some of these passages. On the first page, 14th July, 1960, newspaper "Afrika Kwetu" article:

"The time has come for the blacks to take over their lands which belonged to their ancestors and to rule over them. All Africans have stood firm in their claim for Africa".

Then on the same page, 29th September, 1960:

"The theme of an article was that Africa was for black Africans. There were references to slavery and the slave trade, and how the immigrant races looked down on Africans and treated them as beasts."

This article of 29th September, 1960, was an attempt to create tension in the racial relationship of Africans and non-Africans in Zanzibar, mainly Arabs?

A. That would be the effect. I do not know the writer's intention.

Q. 8th December, 1960:

"On page 2 article urges the black members of Z.N.P. to join the A.S.P. because unity is strength. The black members of Z.N.P. are asked not to associate themselves with the Z.N.P. which is the Party of high class people."



There again was it intended to create an effect to gain some political advantage by use of race?

A. The impression it gave to me was that it was trying to use race for political ends. I do not know the intention of the writer.

Q. But that would be the effect on an ordinary reader?

A. That is as I read it, yes.

Q. I do not want to go through all of them because most of them do refer to the black Africans and people against them, as it were, generally. If one goes through generally and reads this bundle of newspapers, particularly the Afro-Shirazi Party newspapers or the newspaper which supports that Party, would you agree with me that it generally tries, in fact does create the effect that black Africans should join the A.S.P. and that they should not support Z.N.P.?

A. Yes, Sir.

Q. In fact it used the race as a political weapon?

A. Yes, Sir.

Q. And this would in the result create very strong racial feelings amongst members of A.S.P. and their supporters who would generally read these papers?

A. That is what we were afraid it would do.

Q. Do you know that it is a fact that most of the people killed during the rioting in June were Arabs?

A. Yes, Sir.

Q. Mr. Smithyman, we have these newspapers which support A.S.P. or they are in fact organs of A.S.P. Do you know whether they are supported by the Party leaders or whether they form part of the Party?



A. I do not know that any of them are actually official organs in the sense that they have officially adopted them or give them funds, anything of that nature, but "Afrika Kwetu" as an example, the Editor is a member of the committee of the Afro-Shirazi Party and "Agozi", the Editor is a member of the committee as far as I understand it. That is a connection as I understand it. I would not like to say it is not the official paper. They may claim it to be. I cannot remember having seen it.

CHAIRMAN: You have no knowledge of it?

A. No, Sir.

MR. KANJI: You do not know about "Sauti ya Afro-Shirazi". I understand that is officially organised?

A. The title would suggest that it is.

Q. But these are the newspapers which in Zanzibar would be read by mostly A.S.P. supporters and their members?

A. Yes, Sir.

Q. Mr. Smithyman, do you know that just before the June election the A.S.P. obtained some Land Rovers from Tanganyika?

A. Yes. I remember seeing some new Land Rovers.

Q. Did you see any special peculiarity in the Land Rovers? Were they covered with expanded metal?

A. I believe some of them were, yes.

Q. Am I right - this was the first time Land Rovers covered with expanded metal were found in Zanzibar?

A. I cannot remember seeing them before myself.

Q. Would you agree that the A.S.P. element before the election said that Z.N.P. would arrange for the use of Chinese pencils which has been described by you as of no substance?

A. Yes, Sir.



Q. Do you know that Othman Shariff and Hasnu Makame were fairly prominent leaders of the A.S.P. and went to All Africa People's Conference and then visited other countries just before the election?

A. Yes, Sir.

Q. Am I right that on their return the tone of speeches of A.S.P. speakers became more inflammatory?

A. I cannot say that I noticed any particular difference. It was difficult to get any worse.

MR. KANJI: Thank you.

A. I would mention that I actually now remember I think it was May it was reported on three occasions Sheikh Abeid Karume addressed large gatherings and asked them to behave themselves and not to talk about racialism or to create any troubles between the people. That was in May. I remember now seeing a report on three occasions, so that would suggest the other way round.

Q. You would agree that the damage had already been done by lots of other publications and speeches?

A. Yes.

Q. Would you agree with me about two or three months' prior to the June election the Z.N.P. speakers concentrated mainly on their election manifesto?

A. I would have to examine that. I am sorry I could not really say.

Q. Mr. Smithyman, lots of questions were put to you about African representation in the Legislative Council or a body similar to that which existed in Zanzibar a long time. Am I right that in 1954 the Arab members of the Leg. Co. boycotted it?

A. Yes, Sir.



Q. Was the principal reason for the boycott that they did not want to accept Rankin's proposal on constitution, said that in Legislative Council they should be represented on a racial basis, that is four Arabs, four Africans and various other communities?

A. I was not here but I was informed so and that is what I have seen in report.

Q. Am I right that the Arab Association which then used to participate in politics insisted that there should be universal suffrage?

A. Yes.

Q. Universal adult suffrage?

A. Yes.

Q. And on a common roll basis?

A. Yes.

Q. It was, in fact, this system of universal adult suffrage on a common roll basis which enabled the A.S.P. to obtain about five or six seats in 1957?

A. Yes, Sir. There was not adult suffrage at that stage.

MR. KANJI: Some qualification?

CHAIRMAN: Male?

A. Males only and certain qualifications.

MR. KANJI: Would you agree with me that the Z.N.P. represents youths of various communities in Zanzibar comprising Africans, Shirazis, Arabs and others?

A. All communities are members.

Q. All communities are members?

A. Are members of the Z.N.P. yes.

Q. And the primary qualification for becoming a member is that persons should be subjects of His Highness?



A. Yes, Sir.

Q. Was there any report or was it ever found that any of the persons who participated as election officers misconducted or misbehaved?

A. I cannot remember one. There were one or two accusations made but I cannot remember any official being charged or anything like that.

Q. Would you say that all the allegations which were made against election officers were really unfounded?

A. Yes, Sir. I think the results of the elections show the way it was carried out; really very excellent. The technical side of elections has not really come under any allegation.

Q. You do not think there was any truth whatsoever in this belief, put it that way, in the minds of members or supporters of the A.S.P. that the election officers had made up their minds to cheat them?

A. I am quite convinced it is absolutely unfounded. There is the very good reason that by law the whole system was arranged from the start of 1959 until the day of the election; every process was witnessed by people from both political parties.



It was not carried out in secret. It was done in the presence of delegates from both Parties. Every stage of election and thus if any malpractice did take place it took place in their own presence.

Q. Which is unlikely?

A. Which is unlikely. Human beings being what they are there might have been the odd mistake but they were mistakes which they could not find themselves at that time but as for deliberate offences in connection with the elections, I do not know.

Q. Would you agree that if in fact any Party had deceived an election officer then the thing would have been obvious from the election results?

A. Certain things would have been obvious. I mean, for example, putting in extra ballot papers. The little table made up would not balance. There would be too many ballot papers, that sort of thing.

CHAIRMAN: In point of fact there were something like 96 per cent. of the registered electorate who voted?

A. Yes, Sir, but there are certain things, shall we say, for example, persons dead. His name is on the list.

Q. A person impersonating him?

A. Yes, Sir, that could be done.



MR. KANJI: You told us in your evidence before that even in the January election there had been some difficulty about members of the ASP or their supporters thinking that ZNP supporters would try to cheat them ?

A. Yes, I understand about a dozen reports were made alleging impersonation, double voting and cheating; about a dozen were investigated.

Q. And eventually it was found that ?

A. I have not myself investigated them. I do not know of any case having been taken to court. I know that one or two people concerned were lunatics.

Q. This was a false impression which had been created in the minds of ASP members and supporters ?

A. Yes, they honestly believed it I think.

Q. But it was a false impression ?

A. Yes.

Q. Do you know whether the leaders of this party did anything to see that this impression was not perpetuated in their minds ?

A. I think the leaders themselves continued to believe that these offences had taken place. That is my impression from contact with them after the elections.

Q. So it would appear in fact that the leaders would go on perpetuating the impression which had been created already in the minds of ASP members and supporters ?

A. I did see I think two reports of speeches made at Afro-Shirazi meetings in which they mentioned these offences and said they were very bad, and that they must ensure they do not happen.

Q. In fact that was indirect advice or an order to the ASP members and supporters that they should take the law into their own hands and see no election offences took place ?



A. Not necessarily, Sir, because they have their agents in each polling station, and it may merely have meant their agents should do their work better.

CHAIRMAN: It might have been an injunction to the people to watch the situation ?

A. Yes Sir, it could easily have meant that. If there had been something direct to show they were going to set up their own squad outside we would certainly have noticed that and taken action.

MR. KANJI: Have you heard of a person called Mwaka Bilali ?

A. I seem to remember seeing the name, but I cannot remember.

Q. Perhaps I may be able to give you a little more information which may refresh your memory. There was a criminal case in the Criminal Court of Zanzibar, No. 1043, 1961, and the person charged and convicted was Mwaka Bilali and, although I have not read the judgment myself, I understand this man was charged with rioting and unlawful assembly, and in the judgement the Magistrate said that he was one of the local leaders of the ASP who participated in the riots. Do you know anything about it ?

A. I do not know when it took place, but since January I have been in the office of the Chief Minister and I would not see this sort of thing.

Q. Have you ever heard of the name Mohemmed Chumu ?

A. No.

Q. Have you ever heard the name Salim Ahmed ?

A. No, I do not remember him specifically.

Q. Did you ever receive a report that Thabit Kombo had tried to provoke a crowd near a polling station ?

A. No, Sir, I should be most surprised at that.

Q. Am I right that a number of prominent leaders of the ZNP have been called by names other than their real names by ASP



members and supporters ?

A. Yes, I believe so.

Q. Perhaps you are not quite sure, Mr. Smithyman as to the way it operates, but may I put it to you that in fact the youths have entirely different premises from those used by the ZNP ?

A. It may be, I was only going on a report someone mentioned to me that that was where they were operating. I have not actually been into the place.

Q. You were asked questions about the national flag of Zanzibar. It is true that this flag has always been used by the ZNP ?

A. Yes, Sir.

Q. Do you know of any incident where a flag has been torn by ASP members or supporters ?

A. I believe there were one or two reports of this. I believe there was a case made in either Dimbani or Kizimbani, somewhere down there, of a flag having been defaced, and I believe a court case was made. I am not certain whether it went to conviction or not. Then I believe there was another instance reported.

Q. Am I right in saying that His Highness the Sultan of Zanzibar does not participate in any way in politics ?

A. Yes, Sir.

Q. And that perhaps the only person who might have taken some interest or indirect interest by calling a meeting at his house, or to whom a request may have been made to call a meeting at his house, is the Sultan's son-in-law, Seyyid Seif ?

A. I did have that report. I was not present, but I heard a meeting was held at his house. That is all I know about it.



Q. Outside that report am I right that his family have not participated in any way in politics?

A. Not to my knowledge.

Q. You were asked a question about whether the economic situation in Zanzibar contributed to the disturbances of 1st June. Am I right that in 1958 the clove prices were going down?

A. Yes.

Q. And therefore the income which a landlord would get from his plantation would not be the same as before?

A. Yes Sir.

Q. Just as the African labourer would be hit, so the master would be hit?

A. Yes.

Q. In fact the plantation owner would suffer more because it is unlikely that wages would go down, whereas he would get hardly any or no profit if the prices went down?

A. The wages did not drop anything like the same amount on a percentage basis as the clove prices. Clove prices dropped from a little more than 200shs down to 70shs or 75shs, but wages tended to remain the same.

Q. So probably it may be right to say that part of the squatter trouble may have arisen due to the economic situation, namely that landlords wanted to cultivate their own land to obtain an additional income as they might have lost their income from their clove plantations?

A. In some cases owners did say that that was the reason they wished to evict their squatters. That was given as the reason in those cases.

Q. A number of questions were put to you about elected members and members of the Legislative Council, particularly in reference to the majority. Am I right, Mr. Smithyman, that before either the January election or the June election it was quite clear in the minds of people that whoever won the majority of elected seats would be able to form a government?



A. I think all the leaders understood that you had to win the election in order to win the government; that is the whole idea of the fight.

Q. That does mean elected seats ?

A. I do not think many people really got down to thinking in terms of that sort.

Q. They did mean, when they said if they won the election they would form a government, that winning the election meant winning the elected seats ?

A. The Afro-Shirazi Party thought it meant winning a majority of the 30 seats, whereas the interpretation was that it was the majority of the elected seats.

Q. This was after the election results came in ?

A. Yes, this was when the thing became so vital because of the result.

Q. But at the time when these two parties, the ASP and the ZNP and ZPPP were contesting the election would you agree there was a definite thought in their mind that they would only be able to form a government if they won the majority of the elected seats ?

A. No, I think they all said they were going to win 22 seats. They never worried about the possibility of winning less. Only one politician admitted that he would win less than 22 seats.

Q. What do you think they meant when they said they would win the election ?

A. That they would win 22 seats and form a government; that was clearcut.

CHAIRMAN: And both sides were expressing an equally hopeful view ?

A. I think "unshakeable conviction" are the words to use.



MR. KANJI: After the January election the ASP and the ZNP each had eleven seats, with the assistance of the other party ?

A. As a result of a split in the Pemba People's Party you then had two groups, each commanding a total of eleven seats.

Q. And since each party had eleven seats neither could form a government ?

A. That is right, Sir.

Q. Would you agree with me that as far as the Zanzibar dock dispute is concerned the people who worked at the docks at the time the dispute arose maintained a position of closed shop, as it were ?

A. Yes Sir, that is what they tried to do.

CHAIRMAN: A closed shop in what respect ?

MR. KANJI: Would you agree it was a closed shop in the sense that people who were not already working there, whether they were Zanzibar nationals or not, should not be allowed to go in ?

A. Yes Sir. Anybody wanting to work had to be admitted by his own trade union. It was a trade union thing.

Q. You did tell us I think in your examination-in-chief that a report was received by you from the District Commissioner that certain disturbances were expected during the election ?

A. Yes Sir. A report was made I think Are you referring to the report made by the District Commissioner (Urban) in March ? He made a report to the Senior District Commissioner not saying he expected disturbances but I think from memory the theme was that he considered a meeting should be held on security with the police in regard to certain stations - Gulioni, Darajani, Raha Leo, Kisiwandui and Holmwood from memory.



Q. But this meeting was never held ?

A. No.

Q. Would you agree with me that perhaps the District Commissioner is the administrative officer who is best equipped with local information ?

A. He is one officer with local information.

Q. You have not got the report here with you now, have you ?

A. About this meeting ?

Q. Yes.

A. No, I am afraid I have not. There was not any meeting held. It was a letter sent by him to the Senior District Commissioner. The Senior District Commissioner then wrote to the Commissioner of Police with a copy to the Supervisor of Elections and other people, and that is when I saw it, because the Supervisor of Elections mentioned it to me. The Senior District Commissioner had suggested that this meeting should be held and he suggested who should come, and then the Supervisor of Elections told me about this and said that he had replied to the letter.

Q. Can you remember, Mr. Smithyman, as to whether the boycott on shops came first or the squatter trouble came first ?

A. As far as I remember - I would not like to be absolutely certain - I rather think the squatter trouble was slightly earlier. I rather think the boycott of buses started more about the middle of 1958.

Q. I am not referring to buses; I am told the boycott of shops was before the squatter trouble.

A. I would not like to say that, no.

Q. I think you mentioned in your examination-in-chief that there were some rumours by the ASP members and supporters at Gulioni that a crowd of Nationalists was throwing stones ?



A. I did not actually drive along the road myself. As I say, I had to take Abeid Karume.

Q. Would you say it was most unlikely that a Nationalist crowd would be found in Gulioni when there was trouble ?

A. The report was that it was along Hollis Road. We were at Gulioni and it was along Hollis Road this crowd was reported to be. I did not myself go so I just do not know.

Q. Do you know there was an Arab doctor who was travelling at Mikunguni and he was hit by stones ?

A. I remember hearing about it.

CHAIRMAN: You have no personal knowledge ?

A. I have no personal knowledge. This was only after, in talking.

MR. KANJI: Did you also hear his car was hit by an ASP crowd throwing stones at his car.

A. I was told so afterwards, not officially; I just heard.

CHAIRMAN: Were there any election petitions brought as a result of all these rumours ?

A. There was only one election petition brought in respect of the January 17th election, but that was in respect of the Chake Chake seat, that there were certain offences committed in connection with the election at Chake Chake. That election petition was brought but was subsequently withdrawn.

Q. It was brought by whom ?

A. By the Nationalist Party.



Q. Who were successful ?

A. By one vote, Sir, but there was no other election petition to my knowledge, Sir.

Q. There were no election petitions after the June election ?

A. No Sir, not to my knowledge.

Q. Would you give us the race of the Chief Minister and his colleagues in the Cabinet; we have not yet had it.

A. The Chief Minister is a Shirazi, Sir, and really I would not like to give the race of the other members.

Q. Wou are not certain ?

A. I know from hearsay.

Q. You are quite right, if you do not know for certain I do not wish you to answer the question.

A. I know according to common report, but I prefer not to say.



Re-examined by the ATTORNEY GENERAL.

Q. Do you know that a prosecution was brought against a candidate at the election in June?

A. I was away I am afraid very soon after the elections; I do not know anything about that.

Q. There is one other question which was put to Mr. Bilos by my learned friend Mr. Kanji at page 11 on Friday, 29th September:-

"Q. But prior to politics entering into the relationship of the landlord and tenant, would you agree that the squatter system was on the verge of disappearance?"

Can you say anything about that?

A. It was not a squatter system, it was a fixed part of the way of life here. There is no question of it disappearing at all. It may disappear, but I would not use that expression about it at all.

By the COMMISSION.

MR. GROSSMITH: Can you tell me what happened to the consumer co-operative movement said to be started by the ASP in 1958? Did it endure? Is it alive today?

A. They had a very ambitious start and they very soon opened over 20 co-operatives. The Registrar of Co-operative Societies found it very difficult to assist them. They did not have qualified people as officials. Their books were frequently difficult to balance, and whenever the political temperature declined so their clients drifted away, and so it was not really as successful as they had hoped. I believe there are a few still operating which were formed at that time, but the movement as a whole I think was a failure. It had been hoped that there would be a complete replacement, that was the initial intention, and



it has not succeeded in that aim.

SIR VINCENT TEWSON: You have made reference to two trade union federations, to two youth organisations. The trade union federations I believe are allied to the two main political parties, and the youth organisations are part of their party. We have heard a good deal about foreign visits, the importation of communist literature and so on. Would you be able to tell us which of the trade union federations and which of the youth organisations are most prone to participate in those foreign visits and the importation of communist literature?

A. The two on the Nationalist side, the Progressive Trade Union and the Youths' Own Union, they started the movement off, and they have been most vigorous generally; as with most things they have been the most pushing in the anti-imperialist campaign, but latterly other people I think will accept anything that is offered also.

Q. I do not want to be too formal here, but frankly I am puzzled. We have heard in your evidence of the importance which is attached by the ZNP to loyalty to His Highness, and yet the organisation which is so strong on this point is the organisation which has probably the greatest number of communist people. It seems strange to me. I do not want to ask the people concerned, otherwise we would get a speech on this, but do you get any impression as to how these people square their ideas on communism with what is basic in the Nationalist Party?

A. I think you have to divide, here, Sir, the rank and file from the leaders. The rank and file really do not know very much, they take what is given to them. Then again you have I think to divide the leaders into sections, all with



different interests. I think that probably among a lot of these loaders the published objectives of the Nationalist Party they take as their bible, but I would assume from what one gathers, the way articles are produced and that sort of thing, that the small group of people who favour the communist line use the party for their own ends. I do not know their own feelings about His Highness, I just cannot say. The official line by them and by everybody is complete loyalty. Again, I myself have not been able to reconcile that line with the communist ideology. I just do not see how the two can mix. I can only assume the party is being used for purposes which it itself does not realise. That is the way I reconcile it.

(The witness withdraw)



Dr. W.L. Barton called and sworn.

Examined by ATTORNEY GENERAL.

Q. Are you the Assistant Director of Medical Services, Zanzibar?

A. I am.

Q. When did you take up your appointment in Zanzibar first?

A. In November, 1956.

Q. As a result of the disturbances in June, this year, did a considerable number of refugees move from Ngambo and the rural areas into Stone Town?

A. They did, Sir.

Q. And were they all or mostly of the Arab race?

A. I would say so, yes.

Q. And where were they first accommodated when they entered the Stone Town?

A. Well, when they first entered the town area they were accommodated in private houses and in one of the community centres.

Q. And did the numbers increase to a considerable extent as time went by?

A. Yes.

Q. And can you give an estimate of the total that was reached in the numbers?

A. Well, the original estimate given on assessment was that the figure was in the region of 4,000.

Q. Men, women and children?

A. Yes.

Q. And was a refugee relief co-ordinating committee set up on the 7th July?



A. It was, Sir.

Q. What was the purpose of this committee?

A. May I refer to my notes? It was formed on the 7th June for the purpose of co-ordinating all refugees.

Q. Could you tell the Commission, were members of this committee taken from various departments and organisations?

A. That is so, Sir.

Q. Can you tell the Commission who these people were?

A. The Chairman appointed by Government was Mr. S.F. Hann, the Director of Education. He was the original chairman of the committee. He called together members from various organisations representative of departments and various organisations in Zanzibar of which the list is:

The Red Cross  
The Zanzibar Nationalist Party  
The Welfare Department  
The Zanzibar Refugee Relief Committee  
The Treasury of Government  
The Provincial Administration  
The Education Department  
The Health Department.

Q. Towards the end of June, did the number of refugees fall?

A. Yes, it did, Sir.

Q. And by the 9th July, were nearly all the refugees sent back to their homes?

A. That is so.

Q. And schools in which they had been accommodated, were re-opened on the 20th June.

A. That is so, except one.

Q. Now what was the main activities of the committee?



A. Well, the main activities of the committee were concerned with the provision of food, the maintenance of health and hygiene standards and finance.

Q. Now, let us take the question of health and hygiene. Were any epidemics or illnesses notified or found?

A. No, Sir.

Q. The health of the refugees was uniformly good, was it?

A. Yes, Sir.

Q. And were they fed by your committee?

A. The organisation for the provision of food was done by the committee. The actual cooking and distribution was organised by the Zanzibar Nationalist Party.

Q. Where did the food come from?

A. From various sources. In the original, initial stages it was generally provided by the community, by private citizens of Zanzibar and by the Nationalist Party. The Government then accepted full responsibility when the co-ordinating committee was formed for the supply and issue of foodstuffs and Government provided commodities such as meat, rice, tea, bread and various other items. Assistance was given in the provision of food from the Red Cross Society, the United Nations Children's Fund, the United States Navy, the United Arab Republic and private citizens.

Q. And was considerable financial assistance received from various sources?

A. It was, Sir.

Q. From which sources?

A. Again, the Red Cross Society of both Tanganyika and Kenya Branches and the Zanzibar Branch through its own Distress



Relief Committee which was formed by various citizens, representing the different communities in Zanzibar. This committee organised a collection and raised funds. The Zanzibar Government provided funds for the purchase of food and for rehabilitation purposes.

Q. Now, the rehabilitation of refugees. Was a special committee formed?

A. It was, Sir.

Q. What was their job?

A. The Special committee was formed to consider claims submitted by refugees for financial assistance.

Q. Who was on this sub-committee?

A. The Senior Welfare Officer representing the interests of his Department; the District Commissioner, Urban Areas, and the Hon. .... representing the Zanzibar Nationalist Party.

Q. And how many cases were considered by this committee.

A. 236.

Q. And how much was expended for the rehabilitation of refugees?

A. £2,288/10/0.

MR. KANJI: Would you agree that the Z.N.P. did a great deal to accommodate and assist the refugees?

A. Yes.

Q. Would you agree with me that more than 50% of the refugees were black in colour?

A. I wouldn't like to give an answer to that at all. For one thing it is so long ago and for another thing my main impression of the refugees were that they were Arab women and children. But then I am a doctor.



MR. TALATI: Dr. Barton, the refugee relief committee: there was not a single African member on it, was there?

A. No, Sir.

Q. Can you tell us about the formation of this Committee?

A. I understand that the Civil Secretary appointed the Chairman with a specific objective. He was given the objective of being the collecting point of all problems affecting the refugees. He was then instructed to co-ordinate all problems for dealing with the refugees. He was advised that he should maintain close liaison with such organisations of voluntary and private agencies and there is no objection to their advice and assistance being utilised. But official bodies should not be associated with measures which are clearly identifiable with a political party. In the event of a difficulty over this point, the Chairman, was advised to refer the matter to Government before being committed. At this point, I should like to say that Mr. Hann consulted me early in the organisation of the committee as it was mainly the Health Department that had drawn the attention of Government to the problem in the first place. Before the committee had been called, I personally visited the A.S.P. Headquarters in Lady Janbai Road and saw Mr. .... and Mr. Karumo and explained what we and the Health Department had discovered in the Stone Town area and asked if they, as a party, had any similar problem. I visited headquarters and consulted with the leaders on three separate occasions advising them of the setting up of the committee and asking them if they particularly wanted representation or if there was any specific refugee problem. The answer always was that there was no such problem.

Q. Am I right in saying there was no African



representation on this committee because refugees who were to be dealt with by this committee were almost exclusively Arabs ? Was that at the back of your mind ?

A. I wouldn't go as far as that, Sir. I would say that the party which was affected by the problem were members of the Nationalist Party. I approached the leaders of the A.S.P. as a party organization.

Q. You said they had no refugee problem as such ?

A. I was advised so.

Q. And therefore you thought it was no use having them on the refugee committee ?

A. I am not suggesting they had a refugee problem.

Q. If they had had a problem, they would probably have had representation. As they had no problem there was no point in their being represented ?

A. I think that is so.

Q. Dr. Barton, you do not have a blood bank in Zanzibar ?

A. We do not.

Q. You have a list of blood donors ?

A. We have. If the occasion arises we call for them.

Q. Now the occasion did arise all of a sudden. A great demand arose on the 1st June and the following days. Did you call for the existing blood donors on your list ?

A. May I ask, Mr. President: I can only now give evidence indirectly, because I am not the Medical Superintendent of the Hospital.

CHAIRMAN: You can give evidence on the information which you have available ?

A. They were called.



MR. TALATI: And at a certain stage it was discovered that the list was getting exhausted ?

A. That is so.

Q. You had then to arrange for blood from Nairobi ?

A. We did.

Q. And also from Tanganyika ?

A. I think that is so, yes.

Q. A great deal of publicity was given to this in the newspapers ?

A. That is so.

Q. Is it not true that as a result of that an approach was made to you by members of the Y.O.U. for being blood donors ?

A. I cannot tell.

Q. You cannot tell that. It has been said here that one of the activities of the Y.O.U. was to arrange blood donation. Hasn't that come about as a result of those disturbances and not before ?

A. I think that is certainly so. Though to my knowledge the position anyway as far as blood donors is concerned was that in the past we have had a voluntary list of donors. In any given emergency, the first people asked to give blood are near relatives of the patient and so naturally in the particular situation we had after the first list was exhausted, we turned to the relatives and close associates of the patients, explaining the position and the Nationalist Party members did organise a group of volunteers prepared to act as blood donors at the time.

ATTORNEY GENERAL: That is all the evidence I propose to call subject to the Commission. That concludes the evidence-

MR. TALATI: There is Mr. Wright still to come.



ATTORNEY GENERAL : Does the Commission want to go round the rural areas at any time ?

CHAIRMAN: I do not think there is any need to interrupt the evidence to do so now. Before we conclude the hearing we shall wish to, but I doubt very much if it is necessary to go now.

(The Commission adjourned until 8 a.m. on Wednesday morning, 4th October.)