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ZANZIBAR PROTECTORATE

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

[Proceedings]

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

ELEVENTH DAY

Friday, 6th October, 1961.

*of proceedings*

Note taken by Treasury Reporter.



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

MR. KANJI: Now, Sheikh Ali Muhsin, you remember yesterday you were giving evidence on the causes which are said to have contributed to the disturbances and you did give evidence on the question of the dock dispute. I am now going to ask you about the squatter problem. Could you tell the Commission whether, in your opinion, the squatter problem was a contributory factor to the disturbances ?

A. I do not think that the squatter affair could be described as having contributed to the disturbances, although I must say that the relations between the landlords and the squatters - or rather the deterioration of some of the relationships between some landlords and some squatters, has contributed to a certain amount of misunderstanding, but I wouldn't say to the point of being regarded as a contributory cause of the disturbances.

After all, Sir, there are thousands and thousands of squatters in Zansibar and in Pemba and if there have been misunderstandings it could only have been comparatively very few, which would happen at any time, although the normal causes of misunderstanding between landlords and squatters may be numerous. Occasionally you get a bad landlord.

CHAIRMAN: Yes, I think we understand that.

SHEIKH ALI MUHSIN: I think those that could have been described as having any political significance are negligible and were the result of some misunderstanding on the part of some squatters taking too seriously the views that have been expressed that they could enter into anybody's plantation and cultivate without anybody's permission.



CHAIRMAN: Am I right in assuming that your answer is intended to convey: that having regard to the very large number of squatters, you say many thousands, the number of disputes that arose as a result of the incidents that we have heard about were so few as to make no impact on the country as a whole ?

A. That is so.

Q. That they may have been more numerous than the troubles which normally arise between landlords and squatters, but not significantly more.

A. The unfortunate thing is that in the last few years anything that would happen between any two individuals the first thing a man would ask was whether a man would belong to this party or that party, but it was not everything that was being tried to be made into a political issue and the political leaders would take one side and the other politicians might take the other side. Instead of being a normal case which might go to a District Court or the headman would settle, each one would get supporters and so turn a harmless case usually settled at a village level into a political matter and get publicity in the cheap type of Press as being political. Making a mountain out of a molehill. I have myself enquired of the rural District Commissioner who had to deal with all these cases and asked him how many were political evictions done for political ends and he has said that as far as he knew, there were only two allegations in which the squatters actually said that they had been evicted as the landlord wanted them to join his party and the landlord replied "This is not true, bring witnesses and no evidence was forthcoming." But those were the allegations. Normally all the cases were normal cases where misunderstanding could arise either with the landlord insisting which perhaps he did not do before a certain speech was made

disputes that would  
formerly have been  
settled on political  
meaning



insisting he should issue written permission that either the squatter should enter the land or expand his field or build a new hut. He would insist on that. Those were normal cases, all that the squatter would insist upon would insult the landlord. For instance, normally it is understood that the squatter is allowed complete freedom to cultivate within the plantation, but usually the plantation owner would have his young plants in the field at the same time, young permanent trees like coconut, cloves and citrus and would expect the cultivator, while he is cultivating his field, that he should keep these trees clean. Now it sometimes happens that the cultivator cultivates his field and deliberately leaves weeds around particular trees, or would throw all the rubbish there and make it a dump-heap instead of clean, and the landlord might come and say "you are spoiling my trees" or a cultivator might cultivate his field when he harvests his crop, he cuts down the leaves from the young coconut plants in order to make baskets. Now that would infuriate the landlord. That type of thing. These are the normal things that happen and if anyone could go into any plantation today he would find that there are literally hundreds of squatters on any plantation who are members of the A.S.P., exercising their political rights. They have no trouble at all and are living quite happily with the landlord. For every 20 or 30 of them, you might have heard of a single case, if any, where there has been some litigation between landlord and the squatter.

MR. KANJI: Now, you refer to a certain speech that was made and you said that after that speech the troubles between landlord and squatter began to rise in number.

A. This was reported to have been made by Sheikh Abeid Karume at Machui. It was alleged that the land belonged to the squatters and their plantation owner only owned the trees, and anybody



could enter into anybody's land and cultivate in any way he liked and do anything he liked, but the land belonged to the squatter and not the plantation owner.

Q. Now, we come to another cause which it has been stated was a contributory factor to the disturbances and that is the name of the Sultan in national affairs. Could you tell us something about that .

A. It is true, Sir, that from the very beginning the Nationalist Party identified itself with loyalty to the throne. That is a cardinal point in our constitution and also that only nationalists of Zanzibar - that means His Highness's subjects - are eligible for membership into the Party, which is perhaps not a point that is insisted upon by our rival party. I have never seen the constitution, but in practice they do not stick to that. We insist on that and identifying ourselves to Zanzibar. We are fanatically Zanzibaris, Sir, and one of our cardinal points is to regard His Highness the Sultan as the symbol of unity of the people of Zanzibar and as a rallying point for the people of Zanzibar, which is traditional in Zanzibar whenever there has been misunderstanding between the people. He has been the greatest unifying factor, just as in the United Kingdom and in the past the British Empire and later the Commonwealth, the Queen and the Monarchy. As far as the use of the national flag is concerned, we regard it as the national flag of Zanzibar. You may call it His Highness's flag, it is the Zanzibar Flag. We are subjects of His Highness, the Sultan, and you may call it the national flag or his own flag. There is no difference, though strictly speaking, His Highness has his own monogram that symbolises His Highness the Sultan or the Royal Family. We do not use that. In fact the monogram of our party in Arabic was originally rather



like His Highness's monogram and we left that out and used another type of scrawl which is quite different so that there should be no confusion, even when an illiterate sees it, it is not confusing even though he does not know Arabic. We are fanatical believers in constitutional monarchy, in keeping away His Highness's name and that of the Royal Family from any controversial politics except when the need for unity or bringing the people together is concerned - then we would. If there is conflict, the people are used to going to the Sultan as the last authority to bring the people together when everything else fails, and the use of the National Flag has never been frowned upon by anybody who is sensible, I should say. It is part of identifying ourselves with Zanzibar nationality just as the Union Jack or the Stars and Stripes are for the countries concerned. We are a patriotic movement.

Q. Now you remember there has been some allegation that a certain section of your party does not follow the policy of the party and particular reference has been made in connection with how you reconcile the policy of that section with the policy that you have a constitutional monarchy. Can you first of all tell us whether there is any section of your policy which does not follow the policy of the party ?

A. Not to my knowledge, Sir. I do not know any section of our party. We have the main party which is the Z.N.P. and we have a women's section and the Y.O.U. which is the youth section of our party and I am not aware of any of these following a policy which is different from the main policy of the party. Of course, the women's activities may be slightly different from



what the men do and the youths also, but nothing that can be described as being different from the policy of the party.

Q. If there was a section which followed a policy different from the policy of the party would you know about it ?

A. Definitely.

Q. Now I come to another cause which it has been stated was a contributory factor to the disturbances and that is the Y.O.J. activity. Could you tell us something about that ?

CHAIRMAN: Have you heard the evidence ? You know the point that was being made: that they were attempting to usurp the functions of the Police, taking the law into their own hands. Those are the type of things.

A. I am not a legal man, Sir, and so I don't know when a man can be described as usurping the functions of the Police. I don't know whether the interpretation may be in odd cases when some youths during a function undertake stewardship, telling cars to park; if the Police take objection to them, I think it is a simple thing to tell them not to do it. In the beginning of the Youth Movement there was a tendency for this sort of thing to happen - to conduct traffic during a function when a big crowd gathers, with arm-bands - we were told that was objectionable. We had planned that ourselves. It was not spontaneous and it has been organised that they should tell the visitors where cars should park and that sort of thing and then we found that that displeased the Police and it was ordered that that sort of thing should be left entirely to the Police and they stopped that years ago. I don't know of taking law into their own hands and organising courts, etc. I have heard of an ASP court being set up at Kizimkazi but I haven't heard of any Youth Movement putting up courts or trying people.



CHAIRMAN: That was not suggested. It was suggested that the band was following His Highness when he was on tour, that type of thing.

A. I do not think that objection was raised to their possessing a band or following His Highness. This was considered to be patriotic. It was not following His Highness but it happened when His Highness the Sultan went on tour in the rural areas, branches of our party asked for a band for entertaining His Highness the Sultan while he visited those areas and we considered that it was a harmless demonstration of loyalty to the Sultan and not intended to usurp the functions of His Highness's band which never accompanied His Highness when he made tours in the rural areas of Zanzibar. It was not like following His Highness when he went to Pemba or his Palace and played the band although even that, if His Highness had no objection, was an expression of loyalty. I have seen musical parties organised at the Palace and ordinary African dances also. Just like any of them. The band is so childish, a schoolboys' band, the instruments were bought cheaply at Shankar Das in Mombasa. It is nothing.

Q. Who are the members of Y.O.U., what age group?

A. Well, Sir, they range from, I cannot say the exact constitutional age for entry, but I have seen children ranging from the age of 6 or 7 to 18 or 19.

Q. As far as you know, does the A.S.P. Youth League have their people in the same age-group as your people?

A. I haven't attended any ASP Youth League Meetings, but from the people that I have heard who are members, the people are over 30, most of them complete grown-ups, not young totos (children).

Q. And you say there are a number of cultural activities ?

A. Yes, Sir.



Q. Could you give us some examples?

A. Well, they have debating societies, organised lectures, they organise dramatics, and a film-show every Friday. They borrow films from the United Kingdom Information Office and the United States Information Office and the Zanzibar Information Office, etc. and other consulates in East Africa which lend them films, mostly educational films, and they work together with the Welfare Section of the Z.N.P. in taking care of the sick, taking them to the hospital; they have a rest home where the sick can stay from the rural parts of Zanzibar, particularly distant ones who have to attend hospital regularly and they organise blood donors.

Q. Did Y.O.U. run any educational establishment?

CHAIRMAN: The witness has already said so. He has given an outline of the cultural activities. He has given several examples of it. Do you mean schools?

A. Yes, Sir, the Party organised these schools, and the youths are the teachers for these numerous schools. Every branch of ours is a school, every branch is built as a class-room and one our fundamentals when we enrol a member is a question whether he is literate or not and in what language. The main idea is to stamp out illiteracy and we organise these classes and have about 8000 pupils attending these literacy classes in our 120 branches they are open to all - some are actually members of the A.S.P. I must say in some areas there are more A.S.P. members attending than Nationalist members and the youths



are teachers, boys and girls.

MR. KANJI: Now we go to another cause, Sheikh Ali Muhsin, and that is inflammatory speeches made by members of your party, people speaking on your platform.

CHAIRMAN: Before the elections. Sometime before the Elections.

A. Yes.

MR. KANJI: Could you tell us the character of the speeches made by members of your party prior to the Elections?

A. I don't quite understand. In what way were they inflammatory?

MR. KANJI: It is suggested that these speeches inflamed the people and created a tense situation which ended in the disturbances, particularly inflammatory speeches contributed to the disturbances.

A. I cannot say, Sir, because that very much depends on the person affected, you see.

CHAIRMAN: You are being asked your opinion on this. It has been alleged that responsible people in both parties, the two major parties, before the Elections, did make speeches calculated to inflame and excite their followers and they raised the tempo of the whole thing and contributed to the outbreak on June 1st.

A. I should say, Sir, that if we had made any inflammatory speeches inflaming our people and did anything that was considered to be harmful to the country, those people would have fought back when they were being killed. They would have certainly demonstrated that during the elections when they were intimidated.



Q. Are we to understand that in your opinion no inflammatory speeches were made by any responsible members of the ZNP?

A. Not to my knowledge. I would add this, if at any meeting any of our members did commit a mistake whereby they might have overstepped the bounds of what could be regarded as a normal electioneering campaign, we took immediate action that another speaker should rectify that by either making an apology - I cannot say that in all the hundreds and hundreds of speeches that have been made there has been no case where a man might have overstepped the bounds of ordinary courtesy.

Q. The suggestion has been that the speeches made by leaders of the ZNP and by the other side too, the Afro-Shirazi Party, were calculated to exacerbate feelings between the opposing sides.

A. Sir, our policy was a policy of conversion, and we believe you cannot convert a man by insulting him.

MR. KANJI: There is one thing I ought to have asked you earlier but I omitted to do so. This boycott of shops and buses, would you say that in any way contributed to the disturbances - it was a contributory factor to the disturbances?

A. I should say it tended to cause a very serious deterioration in human relationships in Zanzibar.

Q. Could you give us some more details about what you have just said?

A. There have been these shop boycotts - people boycotting and organising boycotts and preventing people from buying from particular shops because they were being run by members or supporters of other parties; and anyone who bought or who went to purchase any goods was at least ostracised and at most was beaten up, to prevent him from going to buy from a shop which did not belong to the party.



Q. Which party do you mean when you say "did not belong to the party"?

A. With regard to the shop boycott, it was entirely one-sided: it was the Afro-Shirazi Party which organised it. There were shops, some of them were recognised co-operative societies - a fraction of them. The majority were not co-operative, but they were Afro-Shirazi shops scattered all over the country in Zanzibar and Pemba, but mostly in Zanzibar. Members of the Afro-Shirazi Party were constantly urged during the meetings that they should buy only from their shops and they should which means stop buying from any other. The slogan was "Don't give your money to anyone who does not belong to the Party."

Q. The Afro-Shirazi Party?

A. The Afro-Shirazi Party. The bus boycott was a two-way traffic actually. Nationalist would not get on to Afro-Shirazi Party buses and Afro-Shirazi party members would not get on a bus of a Nationalist. This went on until 1959, when P.A.F.M.E.C.A. sent a delegate in the person of Mr. Francis Khamisi, and it was declared from them on that the Nationalist Party should remove what they had - they had a piece of card which was red, stuck on to their wind-screen, saying that that bus belonged to them, and the Afro-Shirazi Party had a basket made of coconut leaf as a symbol of their party, or a coconut or a piece of skin of an animal hanging to show that the bus belonged to the Afro-Shirazi Party. An appeal was made by Mr. Francis Khamisi - although there had been previous appeals made at a round-table conference organised by the Government which had not been successful, when Mr. Khamisi came he appealed - and Sheikh Abeid Karume and myself appeared on the same platform as Mr. Khamisi - that people should stop this sort of thing. The Nationalists removed their symbols and from then on we actually ordered our people to get on any bus that came along, even the ones which had the symbol of the Afro-Shirazi Party.



It was a type of unilateral abolition of party symbols as far as the buses were concerned. The Afro-Shirazi buses went on maintaining those symbols until to-day, and as far as they are concerned I think they still follow the boycott, from what I know. The Nationalists have stopped. They did practise it up till 1959.

Q. Which boycott came first, the shop boycott or the buses boycott, can you remember?

A. I cannot, Sir.

Q. About the causes, I want to ask you one or two questions. Has the allegation been made that a Nationalist ordered some 600 swords to be manufactured in Pemba some time in 1958? Do you know anything about it?

A. No, Sir. The first time I remember to have heard it was in this hall.

Q. Do you know there was a report in a Sessional Paper laid before the Legislative Council in which the figure mentioned was 200 swords? That was a Sessional Paper of 1959, I think.

A. I have come to know that later, that that was mentioned in the Sessional Paper, but at the time the Sessional Paper was put up it did not stay in my mind. I do not know, but it never occurred to me, because I thought it was just one of the many allegations, such as the Chinese pencils - you see, so many allegations had been made against our party that I did not think it was a serious allegation until.....

CHAIRMAN: Do you remember reading it?

A. No, Sir, I do not.

MR. KANJI: Am I right in saying that a very great majority of the people who were murdered and injured during the June disturbances were either members of your party, or party supporters?

A. Yes, Sir.



Cross-examined by MR. KWAW-SWANZY.

MR. SWANZY: Sir, I was going to make an application that for the first time in this inquiry some very serious matters have been raised, and it might be a good idea and a help to the Inquiry if counsel were given the opportunity of seeing the record, to see precisely what has been said before counsel cross-examines.

CHAIRMAN: I do not think we can agree to that. There are two of you, and one of you has been able to take notes while the other was on his feet; if we were to conduct the Inquiry like that as you well know, we would never get anywhere.

MR. SWANZY: I asked that because much more latitude is allowed here than normal. Now, Sheikh Ali Muhsin, do I understand you to say the causes of the June disturbances are as follows: first, failure to prevent racial speeches - is that correct?

A. Yes, Sir.

Q. Second, absence of immigration control - correct?

A. Yes, Sir.

Q. Third, wrong policy in the recruitment of the police force?

A. Yes.

Q. Fourth, absence of proper security arrangements?

A. Yes.

Q. Would you agree that these are very serious allegations against the Government?

A. They are truths, Sir, not allegations.

Q. You say they are true?

A. They are truths.

Q. Do you realise these are serious matters - very serious matters?

A. Yes, Sir; I know this inquiry is a serious inquiry.



Q. You are at present a member of the Government of Zanzibar?

A. That is so, Sir.

Q. You are the Minister for Education?

A. Yes.

Q. Your Government is the successor to the previous government of Zanzibar?

A. That is so.

Q. You were a member of the previous Government of Zanzibar?

A. That is so.

Q. These allegations, if true, would also be against the government of which you were a member?

A. I am concerned with speaking the truth only, not the consequences of the truth.

Q. Your government, the previous government, was a government of collective responsibility?

A. Yes, Sir.

Q. Then you were one of the causes of the disturbances of the June riots, would you agree to that?

A. That is for the Commission to decide.

Q. For the Commission to decide what were the causes?

A. Who were the causes.

Q. And what were the causes?

A. Yes, Sir.

Q. But you have given an opinion as to what you consider to be the causes?

A. Yes, Sir.

Q. Am I right in saying that you are a metaphysical theoretician in your party?



A. We have no metaphysicians and no theorists in our party.

Q. Am I right to say you are one?

A. The question is not quite clear, Sir.

Q. Would I be right to describe you as the metaphysical theoretician of the Zanzibar Nationalist Party?

A. You are not right, Sir.

Q. Would I be right in saying that there are some amongst the leaders of the Nationalist Party who may be described as dialectical materialists?

A. I do not know dialectic materialism, and so cannot say who are dialectical materialists.

Q. Would I be right to describe you as an idealist?

A. I do not know. It is up to you.

MR. SWANZY: Would I be right in describing you as an idealist?

CHAIRMAN: The witness said he does not know, and in effect he leaves it to public judgement.

MR. SWANZY: I think I heard you say at the beginning of your examination-in-chief that in fact you do not know what race you are?

A. That is true.

Q. You still say you do not know what race you are?

A. I do not know.

Q. How long have you been uncertain as to your race?

A. I have always grown up like this. Since I started thinking: I used to be called an Arab, but I have my doubts.

Q. Since when have you had your doubts?

A. Since I was the age of thinking; and in fact if I were to produce documentary evidence, I would produce one which I wrote in 1935 when I was 16, when I wrote on the question of race.



Q. Since the age of 16 you have been uncertain of your race?

A. Uncertain of the race of anybody.

Q. Do you hold a valid passport?

A. Yes, Sir.

Q. Did you have to fill in a form to obtain that passport?

A. That is so.

Q. There is a provision for race in that form?

A. No, Sir.

Q. You are a Minister of the present Government?

A. Yes, Sir.

Q. You are the Minister for Education?

A. Yes, Sir.

Q. Is it true or is it not true that admission to the schools provides for filling in a form what race you belong to?

A. There used to be those forms, but ~~instr~~ instructions have been issued to remove the question of race.

Q. Have they been removed?

A. I do not know, but instructions had been sent to all the headmasters and principals that they should remove the question of race, because it was immaterial.

Q. Have you ever belonged to the Indian Association?

A. No, Sir.

Q. Have you ever belonged to the African Association?

A. No, Sir.

Q. Have you ever belonged to the Shirazi Association?

A. No, Sir.

Q. You have belonged to the Arab Association?

A. Yes.

Q. Were you an Executive member?

A. Yes.



Q. And in that capacity were you prosecuted in the court for sedition?

A. Yes, Sir.

Q. Together with a member of the Royal Family?

A. Yes.

Q. The Arab Association provides for the welfare of the Arab, does it not?

A. No, Sir, the constitution of the Arab Association allows anybody to join it.

Q. You said in evidence yesterday, and I think I heard it correctly, that the Arab Association provides for the welfare of Arabs.

A. I never did say that. I said the Arab Association was interested in the welfare of Arabs, whatever origin they came from, whether they were foreigners or not.

Q. How many types of Arabs are there in this country?

A. I do not know: numerous.

Q. You mentioned one particular type yesterday, - Manga Arabs?

A. Yes.

Q. What are Manga Arabs?

A. An Omani Arab, who is an immigrant, not a locally-born Arab.

Q. The Manga Arab is an Omani who is not locally born?

A. Yes.

Q. When was it the first Arab was born in Zanzibar?

A. I think more than three thousand years ago.

Q. How long does an Arab have to remain here to be regarded as a locally-born Arab?

A. Anyone born here is a locally-born Arab.



Q. How long does he have to live here to be known so? That is to say, how long does the name Manga Arab take to go away? When a person is known as a Manga Arab, how long is it before he ceases to be known as that?

A. It very much depends upon the acclimatisation. Some people take a shorter time to adapt themselves, and others take longer. It is the same question with what we call a mainlander African, Mtu wa Bara.

CHAIRMAN: Does it depend on his acceptance by the people of the community in which he lives?

A. That is so, Sir.

MR. SWANZY: And how long would it take a mainland African to achieve the same end?

A. The same thing, Sir. If he lives as a mainlander, different from lives lived by the people of Zanzibar, he will always, even if he lives 50 or 60 years, he will still be called "mainlander". If his accent is foreign, if he lives tribally as he did previously, he will still continue to be called a man of the mainland; but if adapts himself quickly enough people tend to forget, and they regard him as one of them, in the same way as a foreign Arab.

Q. Do I understand you to say therefore that even if a person is the subject of His Highness, he may be described as a mainland African?

A. If he naturalises himself locally he is a Zanzibari, and a Manga Arab, if he naturalises after staying the normal period, he is a Zanzibari; but people will still call him a Manga, and a mainlander they would still call a mainlander.

Q. And people would be wrong, would they not, to describe him as a mainlander and therefore a foreigner?



A. That is so.

Q. Now may I ask you your full name?

A. Ali Muhsin - or Ali Muhsin Barwani, or several other things.

Q. Barwani is a distinguishing name of the clan?

A. Yes.

Q. The clan springs from Arabia?

A. Originally, yes.

Q. Would you agree therefore that originally you could be said to be a descendant of an Arab?

A. That is so.

Q. It would be proper then, in the terminology of Zanzibar, to be known as an Arab?

A. I am also a descendant of an African, so it depends.

Q. I believe you are aware of the legal position in Islamic law that you take to the race of your father?

A. Under the Islamic law there is no provision for race. In fact it is frowned upon by the Islamic law, and the Prophet explicitly said "Whoever adheres to racialism is not a Muslim".

Q. And under Islamic law do you take to the nationality of the father?

A. There is no nationality under Islamic law.

Q. And under Zanzibar law, do you take after your father?

A. Under the Zanzibar law, it is the fact of being born in the country: that is the law.

Q. Is it right the father or mother should be naming a child?

A. My recently-born child has been named by my wife, Sir.

Q. Is it the usual custom?

A. No, Sir.

Q. What is the usual custom?



A. There is no usual custom: it depends on how you agree among yourselves, perhaps an uncle calls it and perhaps the grandmother or grandfather gives the name. It is immaterial.

Q. Some time in 1957 you contributed to a debate in the Legislative Council Chamber here affecting the position of an illegitimate child, do you remember? The treatment of an illegitimate child, the responsibility of what you called the so-called father - do you remember?

A. I do not remember. Perhaps you could refresh my memory.

Q. Perhaps during the course of this cross-examination you will have an opportunity of remembering. Now the Zanzibar Nationalist Party, according to you, is supposed to frown on racialism and communism.

A. Yes, Sir.

Q. Would you agree with me that that pre-supposes the existence of racialism and communism?

A. Oh, Yes, Sir.

Q. And that is why you are trying to remove those things?

A. Yes, Sir.

Q. You would agree with me that it is a fact that Zanzibar is a multi-racial community?

A. Yes, Sir.

Q. And these races included Arabs, Africans, Asians, Europeans and others?

A. Yes, Sir.

Q. Did I hear you correctly to say that the Zanzibar Nationalist Party was formed by the poor of Zanzibar?

A. Yes, Sir.

Q. Did I hear you say it was formed also for the peasants of Zanzibar?

A. Yes, Sir.

Q. And invited you to lead it?

A. They invited me to join but not to lead.



Q. And are you poor at present ?

A. I am an intellectual.

CHAIRMAN: Would you, if you can, answer yes or no ?

A. Yes, Sir.

Q. What is your definition of a poor man ?

A. A poor man is a relative term, and it depends, but I used the word poor in general terms, and it is difficult to describe it - a man who cannot get sufficient, I think, is a poor man.

Q. At the time your Party was formed, was there any other type of person who could be described in any other way but poor ?

A. I beg your pardon ?

MR. KWAW-SWANZY: In Zanzibar at the time you formed your Nationalist Party ...

CHAIRMAN: He does not say he formed it.

MR. KWAW-SWANZY: At the time the Nationalist Party was formed, was there any other type of person who could be described in any other way but poor ?

A. Oh, yes, Sir.

Q. Could they be described as well off ?

A. They could be described as well off.

Q. Could they be described as rich ?

A. Some, yes.

Q. The formation of the Party was to fight for the interests of the poor and the peasant ?

A. It was the interests of everybody, including the peasant and the poor. It was not a Labour Party, it was a Nationalist Party, which would comprise everybody of all classes.

Q. But it was formed in the interests of the poor ?



A. In the interests of the people of Zanzibar, which included the rich.

Q. Would you then like to change what you said yesterday, that it was formed for the poor ?

A. No, Sir, I said it was founded by the poor and the peasants,

Q. To cover their own interests ?

A. For their own interests and for the interests of the country as a whole.

Q. That pre-supposes there was some other section with whom they did not see eye to eye?

A. Yes, Sir. When you start a movement, that is natural.

Q. At the time you joined that party, political consciousness was very low in Zanzibar ?

A. That is true.

Q. You considered it one of your duties to let as many as possible hear the light, as far as political consciousness was concerned ?

A. That is true.

Q. Am I right in saying that more than anybody else in Zanzibar you have contributed much in making it possible for more people to struggle for the independence of Zanzibar ?

A. Yes, Sir

Q. But for you, fewer people would be now in the struggle for Zanzibar independence ?

A. I do not know: I cannot give myself such praise. But for the activities of the Nationalist Party, I should say so.

Q. Of which you are the leader ?

A. Of which I am regarded as the leader.

Q. Now would you agree with me that until you joined the Nationalist Party the political consciousness was not as high as it has been since you joined ?



A. There is a definite progress, Sir, from every day that goes on: there is a greater awakeness and consciousness of the people, and it is definite that yesterday is not as it is today, today's progress.

Q. But all along there are other people who still do not fall in line with your desire to achieve independence for Zanzibar within a certain time ?

A. I do not know now, Sir. Now I think both sides of political representatives desire independence now.

Q. Yes, I am thinking more in terms of the period from 1957 to 1960.

A. Yes, there was strong opposition from the Afro-Shirazi Party: they did not want independence.

Q. They thought you were too quick in your demands ?

A. Yes.

Q. They thought that you were introducing revolutionary ideas ?

A. That is so.

Q. They thought perhaps it was better to wait till they could walk before they started to run ?

A. They thought so: that is what they said.

Q. You were a member of the Arab Association when that Association decided to boycott the Government ?

A. Yes, Sir.

Q. What was the reason for the boycott ?

A. Demanding universal adult suffrage: in general, Sir, wanting constitutional development.

Q. Yes, but what was the reason for the boycott ?

A. That is the reason.

Q. Am I right in saying the reason for boycotting the



Government was the failure on the part of the Government to grant what the Arab Association wanted ?

A. Constitutional development.

Q. The failure on the part of the Government to grant constitutional development ? - A. Yes.

Q. That is why you boycotted? - A. Yes.

Q. You have been a member of the Legislative Council on and off, I think I heard you say yesterday ?

A. Yes.

Q. Where you a member <sup>in 1957</sup> before the General Elections ?

A. Yes, Sir.

Q. As representing what section of the community ?

A. I was nominated by the Arab Association.

Q. Did you stand as candidate for the elections in 1957?

A. Yes, Sir.

Q. Against whom ?

A. Against Shoikh Abeid Karumo.

Q. Do you remember polling about 918 votes ?

A. Yes.

Q. And how many voted were there for Shoikh Abeid Karumo ?

A. I do not remember.

Q. About 3,000?

A. Yes, I believe you.

Q. So you lost the election ?

A. Yes.

Q. You advocated constitutional development, and lost the election?

A. That is so.

Q. Thereafter you were nominated by the Government as a member of the Legislative Council :

A. Yes.



Q. How long did you serve on that Legislative Council ?

A. I served till December, 1958.

Q. In fact the last one you attended was 13th December, 1957?

A. I am not quite sure, Sir, but I resigned - it could not be: I resigned in, I think, 1959. I am not quite sure because I remember to have resigned - no in 1958 definitely, because in March it was after my trip to Ghana, when I came back.

Q. Your trip to Ghana was in 1958 ?

A. March, 1958, to attend the anniversary of their independence.

Q. Now I said the last meeting you attended was on 13th December, 1957 ?

A. That is quite possible.

Q. Thereafter you did not attend any more meetings and you formally resigned in 1958 ?

A. It is not that I did not attend because I was boycotting or anything; I do not know, but I was an active member of the Legislative Council until I resigned. There was no question of leaving the seats, or anything like that, if that is the impression.

Q. Can you tell the Commissioners why you resigned ?

A. I gave my reason to His Excellency the British Resident when I resigned. I told His Excellency after returning after being away for a long time - longer perhaps than is normal - without informing of the period I was going to resign. He showed his displeasure and I resigned for that reason, and also primarily - which I made clear in my letter of resignation - that I wanted to devote more time to the work of the Party.

Q. Of the Nationalist Party ?

A. That is it. His Excellency made it clear, or rather the Chief Secretary made it clear on behalf of His Excellency, that His Excellency was not displeased with the fact of my going to Ghana



and Egypt but that I did not comply with the normal rule or regulation - I did not know - of informing him and asking for permission.

Q. But in fact you resigned in order to devote more time to the Party ?

A. Yes, Sir; and I would make it clear I think it was because I was a member of the Executive Council that His Excellency rightly considered it unjustifiable as a member of the Government.

CHAIRMAN: It is usual to ask for leave of absence ?

A. Yes, it is usual, and His Excellency was right.

MR. KWAW-SWANZY: While you were still a member of the Legislative Council, you had occasion to be disappointed with your colleagues in their attitudes towards the struggle for the independence of Zanzibar, did you not ?

A. I do not know what you mean by disappointed.

Q. You did not get that help which you expected of your colleagues in the struggle for independence for Zanzibar ?

A. "Colleagues" as members of the Legislative Council in general ?

Q. Yes.

A. The majority of them - I do not know whether I should say majority - but some of them, yes, were not in favour of what they regarded as rapid constitutional development and which I thought was the right speed at which we should march.

Q. And you slowly became convinced that the Legislative Council was not an effective machinery for the acceptance of constitutional development ?

A. Yes, Sir.

Q. You considered that it would be better to organise the country as a whole, even if it is outside the Legislative Council ?



A. If I said that, it is taking too much credit for myself, but quite a number of people thought the same at the same time. I cannot say I was the ...

Q. I mean you and other people ?

A. That is so, yes.

Q. I want to give you credit where it is due. Now would you agree with me that the struggle for independence would be considered more constitutional coming from the Legislative Council than coming from outside ?

A. No, Sir, it is the usual practice of political struggle and I think you, Sir, as a man coming from Ghana, taking part in the struggle, you understand there is an actual Parliamentary struggle; it is democratic government.

Q. That is so, but the Legislative Council is part of the constitutional set-up of the country ?

A. Yes, Sir, but in any country there are other bodies than Parliament which influence public opinion.

Q. Neither the Zanzibar Nationalist Party nor the Afro-Shirazi Party was a detailed part of the constitutional machinery for Zanzibar ?

A. That is so.

CHAIRMAN: Are you suggesting there is something wrong in a political party going outside the legislature ?

MR. KWAW-SWANLY: No, Sir, I am not suggesting that. I am suggesting that you considered that for your purposes you would achieve your aims better outside the Legislative Council than inside it ?

A. Yes, Sir, the way the Legislative Council was constituted. At the same time I should make it plain that we did not think the Legislative Council was completely useless, but I myself thought I would be doing greater service if I left.



Q. And after your withdrawal from the Legislative Council you concentrated on the development of a political consciousness of the people ?

A. That is so.

Q. Making it clear that there was a necessity for asking for independence immediately ?

A. Yes.

Q. Castigating those who stood in the way of independence ?

A. I will not say castigating: I would use the word criticising.

Q. Sometimes saying they were enemies of the people ?

A. I will say, Sir, they were traitors.

Q. Sometimes you called them stooges ?

A. Yes, Sir.

Q. Sometimes they were called Imperialist Agents ?

A. Yes, Sir.

Q. This was all leading to the good of the political consciousness of Zanzibar ?

A. Yes.

Q. Would you say that the causes of the recent disturbances in Zanzibar can in any way be described as political ?

A. Definitely, yes, you could say so.

Q. Would you say it was brought about by this extreme development of the political consciousness of the people of Zanzibar ?

A. Extreme political consciousness ?

Q. No, extreme development of this political consciousness ?

A. It is the lack of understanding of other sections who are not influenced by me - an absence of understanding of what is political idealism.

Q. But because of the growth of this political consciousness?



A. It is the lack of political consciousness on the part of certain sections of the people that has brought about these disturbances.

Q. I am much obliged: because of the growth of this political consciousness in the minds of some people, these people who were politically conscious would consider their politics seriously ?

A. Those who were politically conscious ?

Q. Yes. - A. Yes, Sir.

Q. So seriously that politics would form part of their lives ?

A. Yes, Sir.

Q. Politics will creep into their relations ?

A. So serious that they will do everything to prevent their politics being interfered with by any petty differences and petty racial attitudes.

Q. But so serious that they would consider anybody who did not see eye to eye with them as an enemy ?

A. No, Sir, so serious that they could not allow anything, including violence, to drive them away from their goal of what they consider to be the most important thing, which is independence and constitutional development.

Q. And putting no obstacles in their way ?

A. They would not allow themselves, Sir, to be dissuaded from their goal even if they were killed.

Q. They would be prepared to lay down their lives to achieve what they wanted ?

A. Yes, they would be prepared to lay down their lives to achieve what they wanted.

Q. To shed their blood to achieve the objective ?

A. Yes, Sir, to allow their blood to be shed by others, if that sacrifice would achieve them the independence they wanted.

Q. To crush any opponent in their way ?

A. Not to crush, Sir.

Q. By laying down their lives ?

A. That is so.

Q. Would you agree with me that anybody who played an active part in developing this political consciousness would have contributed to the causes of the recent disturbances ?

A. No, Sir, on the contrary.



Q. Would you agree that the political tension in Zanzibar has been on the increase since 1957 ?

A. Yes, Sir.

Q. You would agree that it was less before the election than after the election of 1957 ?

A. It was less.

Q. This political tension was less before and more after the general elections of 1957 ?

A. Excuse me, I am a bit dense, Sir.

Q. You said the political tension had been on the increase ?

A. Yes.

Q. Since 1957 ?

A. Yes.

Q. Now I am asking you would you agree with me if I said it was higher after the 1957 elections than before the elections ?

A. The political tension was higher ?

Q. After 1957 elections than before ?

A. Than before 1957 election, definitely, Sir.

Q. In 1957 it had become clear as a result of the elections that the forces of reaction had won ?

A. Yes, Sir.

Q. Those who won the elections were the forces of reaction ?

A. Yes, Sir, definitely.

Q. These forces of reaction prevented the progressives from coming in to carry on the fight to the end of independence ?

A. Yes, Sir, that rather delayed them.

Q. And that was the line of your political speeches after the general election ?

A. Yes, Sir.



Q. You would agree with me, would you not, that the constant harping of forces of reaction as applied to your political opponents would be provocative ?

A. It would certainly annoy them; that is politics, Sir.

Q. It would annoy them ?

A. Yes.

Q. You would call that politics ?

A. Yes, Sir.

Q. Would you agree that this would lead to inflaming of tempers ?

A. If they were normal human beings who understand the ordinary rules of politics they would not, unless we excuse them as being below the normal standards of human beings.

Q. You would agree with me, would you not, that the African sections of Zanzibar have had the least opportunity for education ?

A. That is true.

Q. You would agree with me that on the whole members of the Arab section are more highly educated than the African section ?

A. I should say proportionately yes.

Q. You would agree with me that Ngambo is the worst crowded spot of Zanzibar ?

A. Yes.

Q. You would agree with me that the majority of the people living there are Africans ?

A. Yes, Sir.

Q. You would agree with me that your answer to me that unless they were of intelligence below the average then your speeches would have no effect on them ?

A. My speeches ?

Q. Unless your political opponents were of intelligence



below the average your speeches might only annoy but would not lead to any other trouble ?

A. Unless they were below average our speeches would only annoy them.

Q. That is what you said ? A. That is true.

Q. In this case did you believe your political opponents were in fact below your average ?

A. No, Sir. We were of the same average.

Q. In education ?

A. In education and everything.

Q. Do you remember in 1957 during your campaign referring to somebody as a boat boy ?

A. Who referred to what ?

Q. You in your campaign referring to your opponent as a boat boy ?

A. Me ?

Q. Are you surprised to hear me say this ?

A. This is the first time I have heard it.

Q. Do you remember after the elections saying that these people have put a boat boy in and they did not see the light ?

A. No, Sir, I do not remember.

Q. Do you happen to know who was in the opposition party ?

A. If I may say so the only time I was disappointed was to see Sheikh Abcid Karume this time describing himself as a landlord when he was nominated as a candidate instead of a boat boy which I thought was more dignified.

Q. Being a boat boy is more dignified than being a landlord ?

A. Definitely, Sir, particularly for a politician struggling as he is struggling. I would not, Sir, describe my



political opponent as a boat boy because that would be at a disadvantage particularly when we are appealing to the workers.

Q. You would describe him as a landlord ?

A. Yes, Sir. I would describe him as a rich landlord. He is not a worker like yourselves. If I were to try to belittle his position.

Q. In fact you were a landlord ?

A. No, Sir. I do not own a square inch of land.

Q. When you left the Government service one of your first objectives was to manage the estates of your family ?

A. Of anybody who wanted to pay me a commission, Sir.

Q. You were an overseer ?

A. If you like to put it like that.

Q. You were the agent of landlords ?

A. No, Sir. I was an employee of landlords.

Q. And you sometimes found it necessary to evict squatters?

A. No, Sir.

Q. It never became necessary ?

A. I have never evicted any squatter.

Q. The position which was brought about by the elections of January, 1957 indicated to you that you had to work harder than you did before ?

A. Yes.

Q. You had to educate the people more regularly politically than you had done before ?

A. Yes, Sir.

Q. And the development and objective of your Party was to reach people even in the rural areas ?

A. Yes.

Q. You succeeded ?

A. Admirably.



Q. So that by the time of January, 1961 election you would agree that political consciousness was even higher than it had been in 1957 ?

A. Yes, Sir.

Q. You would agree that political tension was equally higher ?

A. Yes, Sir.

Q. I think I heard you say yesterday that you thought it was unfortunate that Zanzibar should have had two elections in one year ?

A. Yes, Sir.

Q. Do you still believe that ?

A. I still do, Sir.

Q. After the January, 1961 election you could have formed a Government, could you not ? Zanzibar Nationalist Party could have formed a Government ?

A. No, Sir.

Q. Was the Nationalist Party ever called upon to try to form a Government ?

A. Yes, Sir. It was called upon to form a Government.

Q. Did you submit any names of possible members of the Government ?

A. No, Sir.

Q. What was the number of seats for the Nationalist Party at the time ?

A. Nine.

Q. Had you not been able to form an alliance with anybody ?

A. We formed an alliance with the Z.P.P.P.

Q. And that gave you how many seats ?

A. Eleven seats



Q. What was the membership of the Legislative Council ?

A. Twenty-two elected members.

Q. What was the membership of the Council altogether ?

A. Thirty.

Q. And you had eleven out of thirty, you mean ?

A. We had eleven out of twenty-two elected members, that was the important figure. The nominated members were not considered to be of any consideration in the formation of a Government.

Q. When were you first told this ?

A. That is the Constitution, Sir.

Q. Where were you first told this ? Have you read it from the Constitution ?

A. Yes, Sir.

Q. What does the Constitution say on that matter ?

A. It is any Party which has won a majority of seats. I am not quoting the exact words.

CHAIRMAN: That is the way you construe it ?

A. Yes. Any group or party which can assure His Excellency the British Resident that it can command the majority.

Q. Of elected members ?

A. Of elected members then it can form a Government.

Q. That is your construction ?

A. That is my construction and I think it is what I understand also to be the Constitutional set-up.

MR. KWAW-SWANZY: (Document passed to witness) You are looking at the Council's Decree as amended in 1960?

A. Yes.

Q. Section 9 (3) (a)?

A. Yes.

Q. What does it read ?



A. "Of the appointed members, one, who shall be styled, "the Chief Minister", shall be appointed by His Highness acting on the advice of the British Resident, being the elected member of the Legislative Council who appears to the British Resident to be the best able to command a majority in the Legislative Council and who is willing to be appointed".

Q. It is not a majority of elected members of the Council ?

A. It does not say so here.

Q. That is why I am saying it was for the first time that you had to command a majority of elected members ?

A. No, Sir, but this is understood all along. How can you tell the British Resident that you command a majority unless you count only your elected members because those are the only people who are members at that time when you form a Government.

MR. KWAW-SWANZY: There are also other members who are known at the time ?

CHAIRMAN: I think Counsel is referring to the three ex-officio members.

A. The three ex-officio members. It is not commanding a majority. They cannot be counted. They are counted only after the formation of the Government.

MR. KWAW-SWANZY: Is that what it says ?

A. Yes, but that is the interpretation. I am not a legal man myself but that is obviously so.

Q. Obviously it appears to me you were not a member of the Legislative Council when this amendment was being made ?

A. I do not think I was.



Q. So you do not know much about it ?

A. No, Sir, but I was closely connected with it.

Q. Much obliged to you. Did it ever come to your knowledge that the Afro-Shirazi Party had written pointing out that a majority refers only to majority of the Council as a whole ?

A. They regarded themselves ?

Q. Have you ever heard that they wrote to the Resident pointing out that the majority is a majority of the Council as a whole ?

A. Yes, Sir.

Q. Have you heard about that ?

A. The Afro-Shirazis never commanded a majority.

Q. Have you heard they wrote to the Resident pointing that out?

A. I know they went all the way to Ghana.

Q. You know about that ?

A. I know about that.

Q. You disagree with that contention ?

A. Completely.

Q. So you were not disappointed at the inability of any Party to form a Government in January, 1961 ?

A. I was not disappointed ?

Q. You and your Party were not disappointed at the inability to form a Government ?

A. We certainly were, Sir. We wanted to form a Government ourselves.

Q. As far as you were concerned you had lost the election ?

A. No, we were eleven, Sir.

Q. You told me you had nine seats ?

A. Nine seats Nationalist Party and two seats. In our Legislative Council or in any Parliament parties are not material.



There are not in the Constitution. It is commanding a majority of the people, whatever they may be, they may call themselves outside, the parties are not in any Constitution.

Q. But you felt you were not entitled to form the Government in January, 1961?

A. I as a leader of one group if I could command a majority even from the members of the Afro-Shirazi Party I could form a Government. If I could assure His Excellency the British Resident that I have So-and-So and So-and-So who would support me, whatever they may call themselves outside, they may call themselves Afro-Shirazi Party or Independents, but if I could say that these people are to vote for me. It is the practical question of voting in Legislative Council that is important and a majority is understood that way and too much money has been wasted in Zanzibar engaging legal advice in for this petty thing which is any Constitutional text book.

MR. KWAW-SWANZY: My question was you felt after the January, 1961, elections that you were not entitled to form a Government?

CHAIRMAN: Not able, he said.

A. I was entitled to, Sir.

Q. Yes, you were entitled to but you were not able.

A. I was unable to form a Government.

MR. KWAW-SWANZY: You were not disappointed when the British Resident said he did not consider you could command a majority of the Council ?

A. I told him myself that I cannot form a Government. He gave me a week in which to do so and I failed.



CHAIRMAN: The witness has never said that the British Resident told him that he was unable to form a Government. He informed the British Resident that he was unable to form a Government because he could not command a majority of the elected members.

MR. KWAW-SWANZY: You know at a time when the Afro-Shirazi Party felt that they could command a majority of the Council ?

A. Yes, Sir.

Q. That if they were given a chance they could form a Government?

A. If they were given a chance they could not form a Government, they did not command a majority.

Q. As a result of this inability to form a Government a coalition Government was arranged ?

A. Yes.

Q. It was decided to go to elections for the second time ?

A. Yes.

Q. Do you remember any agreement being made as to the division or re-division of constituencies ?

A. Yes, Sir.

Q. In 1957 you stood in the Ngambo constituency against Shoikh Abaid Karume ?

A. Yes.

Q. You lost ?

A. Yes.

Q. In 1961, January, where did you stand ?

A. Malindi constituency.

Q. That is Stone Town North ?

A. Yes.

Q. That constituency was not in existence in 1957 ?

A. Not as a separate constituency. It was a part of another constituency. Nor did Jangombe exist in 1957.

Q. That seat was created in your interest, am I right to say that ?

A. No, Sir, you are wrong.



Q. Could you have won a seat in the Jangombe constituency in 1961, January, election ?

A. No, Sir.

Q. You could not ?

A. Nor could Sheikh Karume win a seat in Stone Town North.

Q. Stone Town North was not in existence in 1957 ?

A. Nor did Jangombe. Both did not exist in 1957.

Q. There was a constituency in Ngambo ?

A. There was a Ngambo constituency and Stone Town constituency. Ngambo was then later divided into three constituencies and the Stone Town into two.

Q. In 1961, January, when it was impossible to form a Government it became necessary to re-arrange the constituencies ?

A. In 1961 under the new constitution. In 1957 it was another constitution. In 1961, January, it was another constitution.

Q. Then there was a tie, if I may put it so, the political parties were almost equally divided ?

A. Yes, the political groupings.

Q. At the time the constituencies were twenty-two ?

A. Yes, Sir.

Q. Do you happen to know the recommendation of Sir Hilary Blood on that point ? What was it ?

A. Twenty-one.

Q. After January, 1961, it was realised that it was not safe to have an even number of seats ?

A. Yes, Sir.



Q. There was a suggestion that the seats should be increased to twenty-three ?

A. Yes, Sir.

Q. You supported that suggestion ?

A. Yes, Sir.

Q. Do you happen to know that there were others who objected to that suggestion ?

A. Yes, there were others who wanted to go back.

Q. There were others who said if we have to make a change let us go back to the recommendation of Sir Hilary Blood ?

A. Yes, which was a retrograde step.

CHAIRMAN: Which was twenty-one elected members ?

MR. KWAW-SWANZY: You would agree with me that if Sir Hilary Blood's recommendation had been accepted as it was there would have been no tie ?

A. Quite possibly, Sir. And that is why to reduce the possibility this proposition of increasing one more seat was not expected to be a definite solution but it might reduce the chances of grouping. In any set-up you might as well get one Independent or an odd number being independent and still have left two main parties of equal seats. It was supposed to be a final and definite attempt at a solution.

CHAIRMAN: It reduced the possibility of a stalemate ?

A. Yes, Sir.

MR. KWAW-SWANZY: What was the reason for the creation of the extra seat in Stone Town in 1961 ?

A. This was there in 1961.

Q. I mean January, 1961 ?

A. It was there.

Q. What was the reason for creating an extra seat



for the election of January, 1961 ?

A. The creation of an extra seat ?

Q. Yes.

A. The argument that was put forward - this was if they were divided they would be two small constituencies.

The argument which was put forward was that Stone Town contained the greatest number of people; it was the centre of business, the centre of the professions and so on. Those were the reasons that were put forward, I think, by the Indian National Association, and the Muslim Association. Those who spoke in favour of increasing the seats in the Stone Town.

Q. Would I be right in saying that one of the reasons was the commercial importance of Stone Town ?

A. That is what I said, Sir, business.

Q. Professional importance of Stone Town ?

A. Yes.

Q. The wealthier aspect of Stone Town ?

A. I do not remember whether wealth actually was put forward, but there were a number of reasons, some quite reasonable, some fantastic, some people used expressions like the sun is like a satellite.

Q. The Stone Town was the leading light of Zanzibar ?

A. Yes, it was the capital and so on and so forth.

Q. I think that all along the fight had been that there should be adult suffrage ?

A. Yes, Sir.

Q. That anyone particular vote should weigh the same as any other vote ?

A. Yes, Sir, as far as possible.

Q. Looking back now would you not say you had turned back on what you had been preaching for ages ?



A. No, Sir.

Q. Because it favoured your position ?

A. It favoured the opposition.

Q. It favoured your position ?

A. No, it favoured nobody's position. Nobody could say when the constituencies were demarcated where anyone was going to stand. In fact I never knew myself where I was going to stand.

Q. That is why I am asking you generally. The vote of one man should be same as the vote of another man. That is one thing you were preaching ?

A. I should say I think for the Commission to get a clear picture of this, these two constituencies are of the same population nearly as some other constituencies. I believe the Stone Town North is about 9,000; the South is nearly 10,000 and so are some of the rural constituencies, Sir. Mkoani is about 10,000 and Mtambile 8,000. It is nothing unusual. It is like any other constituency. If you argue from that point that Stone Town has been favoured so you could say some of the constituencies in the rural areas had the favour. If you make Stone Town as one constituency it will be the biggest constituency in Zanzibar and Pemba. It will have 17,000 which none of the other constituencies ever come near to having. It is just that.

Q. You know some of the reasons given by Sir Hilary Blood concerning the creation of the special constituency of Stone Town, you remember ?

A. Yes, Sir.

Q. If it was felt by a section of the community that your party had engineered the creation of that constituency it would lead to the political tension, would it not ?

A. How can anyone say that we engineered when we were the only people who did not ask for this extra division of Stone



Town and in fact it was asked by the Indian National Association which is known to be favouring the Afro-Shirazi Party.

Q. Would you then answer my question, please ?

A. We did not engineer it so that proposition is just hypothetical, Sir.

Q. If it was felt by a section of the community that the Arab section was responsible for the creation of this constituency to the benefit of Arabs it would lead to a heightening of tension, would it not ?

A. There was no question of Arabs. The voters who are Arabs are a minority living in Stone Town. The Arab population is a minority in Stone Town.

Q. Will you please answer my question ?

A. I do not have to bring in the question of Arabs when it is not a question of Arabs at all nor is it a question of the Nationalist Party having engineered.

Q. Yes, but I put a question to you.

A. That if some people thought that Arabs engineered ?

Q. If the feeling was there you would agree it would contribute to the heightening of the tension ?

A. If the people believed that Arabs engineered an extra constituency in the Stone Town and if the people believed that an extra constituency is unjustified in the Stone Town basing on all these hypotheses, is that so ?

Q. Yes.

A. Yes.

CHAIRMAN: Am I correct in thinking that you expressed an opinion that there were something like 9,000 ?



A. Yes, 8 or 9,000 population.

Q. In Stone Town. Are not the relevant figures those of the registered voters ?

A. No. When the constituencies are demarcated, the registration is after the demarcation of the constituencies.

Q. That is how it was arranged ?

A. It is the population which is the vital figure, the potential voters, not registered voters.

Q. The potential voters ?

A. Yes, Sir.

MR. KWAW-SWANZY: But you would agree that one of the reasons given by Sir Hilary Blood against the creation of a constituency in Stone Town was that Stone Town appeared to him uninterested in the question of franchise ? Stone Town was the least interested ?

A. That is his argument which the Legislative Council in Zanzibar did not consider to be a strong enough reason. After all Sir Hilary Blood was only to recommend. It was the Legislative Council which passed the legislation.

Q. And it has been said here that your Party burnt publicly a copy of this report ?

A. Yes, Sir, or rather the Youths Own Union, not the Z.N.P.

Q. You have said here the Youths Own Union, is the youth section of your Party ?

A. Yes, that is so.

Q. And your Party burnt publicly a copy of this report ?

A. That is so.



Q. That is you rejected it ?

A. Yes, Sir.

Q. You were present at the burning ?

A. And on the same terms as the C.P.P. objected to the constitution in Ghana and then took part in the elections

Q. I beg your pardon ?

A. The C.P.P. objected to the constitution which brought Dr. Nkrumah as Chief Minister, objected to the constitution but when it was formulated they took part sort of under protest and won.

Q. I am much obliged to you for the information which I did not know about. Would you agree with me that this burning of the constitutional report was irresponsible ?

A. That is not the Bible nor the Holy Koran.

Q. Would you agree it was an irresponsible act on your part ?

A. I think it was a legitimate expression of disapproval.

Q. Would you say that that act was provocative ?

A. To Sir Hilary Blood, Sir ?

Q. To a certain section of the community which had accepted this report ?

A. I think that is far fetched. Anyone is entitled to approve and anyone is entitled to reject the constitution, any proposed recommendations. After all, it is a recommendation.

The Nationalist Party and the Z.P.P.P. were for complete independence as you can read in their memorandum that they submitted. The Afro-Shirazi Party wanted that type of constitution and independence in 1963 and so there is the difference. We were entitled to reject it as not being adequate enough.



Q. You have said to me that the Afro-Shirazi Party wanted this type of constitution ?

A. Yes, Sir.

Q. The burning of the constitution in public was more directed to the Afro-Shirazis than to Sir Hilary Blood ?

A. No, Sir, nothing to do with it, otherwise we would have burnt their memorandum but we burnt the report of Sir Hilary Blood.

Q. Is it for the same reason your Party burnt the replica of the rocket ?

A. I beg your pardon ?

Q. It has been said here that your Party about the same time as they burnt this constitution burnt also a miniature rocket ?

A. About the same time ? I do not know whether it was about the same time but we did burn the replica of a rocket.

Q. For the same reason that you burnt the report ?

A. No, Sir, quite different. The rocket is not a constitutional recommendation.

Q. Why did your Party burn a replica of the rocket ?

A. Because our Party disapproved of the establishment of the Mercury project, the Mercury and Courier projects which were being established in Zanzibar.

Q. Am I right in saying that you were correctly reported on 3rd June as having signed a statement on 2nd June that your Party would have no objection if the Americans and British could convince China and Russia of the necessity of the rocket ?

A. Not British, the Americans.

Q. If they could convince China and Russia then your Party would have no objection ?

A. That is so, Sir.



Q. Why did you put that condition ?

A. Because our fear of the rocket here is not because we fear the Americans but what is called the "Rocket". What is said<sup>is</sup> that this military project here may arouse the suspicions of the enemies of America and we be made an innocent victim of the wars between the two parties. If their enemies or their rivals could be convinced that it is a harmless scientific project, that it means nothing, but we were not convinced ourselves. We are not the ones who are going to be harmed directly by the establishment of this project but rather it may be interpreted by the rivals of America and we be the innocent victims of the fight between the Americas and the Russias or Chinas.

Q. You would agree that this is not a military base ?

A. I would not know, Sir.

Q. You would agree that it was brought about by an agreement signed between two lawfully constituted Governments ?

A. Yes, Sir.

Q. Are you suggesting that if you were a member of the Government you would consult a third party before you entered into an agreement of that nature ?

A. We would consult a third party.

Q. Yes ?

A. Definitely, Sir.

Q. If you were the Government before you signed a trade pact with America you would consult China and Russia ?

A. Not trade pacts. This is different. This is a base.

Q. This is a base of what type ?

A. If, Sir, we want to be neutral, if our attitude is to remain neutral and not be involved in any war then legitimate



cause, if you give concession to any country which could be interpreted as having anything to do with military purpose it is only legitimate that you should consult others also if you want to remain neutral and that is the attitude of the Zanzibar Nationalist Party.

Q. Have you informed yourself as to the harmlessness or otherwise of this particular project ?

A. This is what I have always insisted upon that as far as I am concerned I am not the deciding factor. It is the enemies of America who are the deciding factor. There is no use convincing me. Whatever my impression may be whether it is harmless or not is immaterial as far as I am concerned even if it was a military base. If the enemies of America do not worry about it then it is all right for me. Why we do not like military bases on our land or anything that can be interpreted as a military base is lest we should be involved we should be killed for nothing.

Q. Would you also say that before you entered into an agreement with China or Russia you would consult America first ?

A. On anything that would be military or would be interpreted as military or would be interpreted as causing the destruction between the two countries, definitely, yes, Sir.

Q. Would you say, for instance, that before you allow literature of the Communist type to come here which goes against American democracy, you would first seek the approval of America ?

A. As far as I am concerned my policy is to allow literature of any kind and let the people choose what they like.



Q. Even if it is definitely anti a certain power ?

A. Yes, Sir. Every literature is definitely anti or pro something else.

Q. Or scientific discoveries, are either pro something or otherwise ?

A. Scientific discoveries ?

Q. You said all literature ?

A. All literature I said.

Q. What did you say about literature ?

A. Practically most literature. There is always purely scientific literature, but anything which is of sociological importance or political importance or religious importance must be pro something or anti something else so in that case if we began consulting nations on the importation of literature, that would be taking the matter to its absurdity.

Q. You would agree with me, would you not, that the action of your Party in connection with this rocket business introduced actively into this country what is known as the East West cold war ?

A. I would not, Sir.

Q. Would you agree with me that your action in connection with this rocket business would lead to the impression that you were indebted to China and Russia ?

A. No, Sir.

Q. You said in your evidence that on 1st June you



saw a dozen or so people riding bicycles, wearing shirts and trousers, and that they did not look like any person from Zanzibar ?

A. Yes, Sir.

Q. Do you remember saying that ?

A. Yes, Sir.

Q. Do you know all persons in Zanzibar ?

A. No, Sir.

Q. Are there any distinguishing features of Zanzibar people ?

A. You can know a Zanzibari, Sir, not all the time but in most cases you can know. There is the distinguishing look of a Zanzibari, a person born here.

Q. What are the distinguishing features of a Zanzibari ?

A. That is a very difficult question, Sir, to answer. It is like this, to say how could you distinguish an Englishman from a German but there is a feeling, I think, we know so we can say who is a German and who is English by the look of them. Even a country like America which is the melting pot of nations you can tell an American. It is hard to explain but I have that feeling that I am capable of doing that in many cases.



Q. Did you speak to these dozen or so people when you saw them ?

A. No, Sir.

Q. How did you know they were not from Zanzibar ?

A. By their look, Sir.

MR. KAW SWANZY: What does a Zanzibari look like ?

CHAIRMAN: The witness has explained.

MR. KAW-SWANZY: In the case of an American you said you can tell an American from an Englishman ?

A. Yes, Sir.

Q. Would you tell it from his speech ?

A. Even if he does not open his mouth.

Q. From his dress ?

A. All these things combined and even if he does not speak, even perhaps his movements. It is difficult but there is a sense somehow you can sense a man, particularly a person who has been moving about in the world and has seen many characters could know, would distinguish one from the other without necessarily talking with them.

Q. You concluded on 1st June after seeing these people that they must be mainlanders ?

A. That is the impression I got. It was not a conclusion.

Q. You were in a car which was then in motion ?

A. Yes, Sir.

Q. And the people you saw were on cycles which were also in motion ?

A. Yes, Sir.



I will tell you this, Sir. I was coming out of this lane and before I got on to the main road you have to slow down almost stop, halt, while they were getting in. I gave in evidence we directed them to go along this lane to the polling station while I was driving out, having to stop on the main road. If it was motion it was very slow motion, Sir.

Q. The Zanzibar Nationalist Party has always had a fear of the mainland Africans swamping Zanzibar?

A. Yes, Sir.

Q. That fear has almost become an obsession?

A. I would not call it an obsession. That is cold calculation of events.

Q. In 1957 the Zanzibar Nationalist Party went to the extent of saying that a President of the Afro-Shirazi Party was not a Zanzibari?

A. Yes, it was what was believed to be.

Q. You challenged his registration?

A. Yes, Sir.

Q. In Court?

A. Yes, Sir.

Q. Did you succeed?

A. No, Sir.

Q. It was proved that he was a Zanzibari?

A. As far as the Court was concerned, yes, Sir.

Q. And as far as you are concerned he is not a Zanzibari?

A. As far as I know, Sir, he is not.

Q. As far as I know you are an Arab?

A. Yes, Sir.

Q. From the mainland of Arabia?

A. Yes, Sir.



Q. But not Zanzibar?

A. I beg your pardon, Sir, not that I came from Arabia. My great-great-grandfather, eight generations ago came from Arabia.

Q. But you are now a Zanzibari?

A. Yes, Sir.

Q. Others can also be Zanzibaris even though they originally came from elsewhere?

A. Oh, yes, Sir. The point at issue was that Sheikh Abeid Karume was born outside Zanzibar and he came here as a youngster and he is not naturalised and that was the allegation and that was not proved in Court.

Q. How long do you think he has been in Zanzibar?

A. Throughout his life, about fifty years, I think.

Q. He has been here fifty years?

A. Yes.

Q. How old are you?

A. I am forty-two.

Q. And even if he were a Zanzibar subject, a subject of His Highness you would consider him a mainlander?

A. Oh, no, Sir. If he was naturalised he would not be a mainlander.

Q. You said earlier in your evidence that no matter whether a person was naturalised he was still referred to as a mainlander?

A. By people, not I.

Q. Who are "by people"?

A. By the ordinary people. I take the legal view, Sir. The legal view that a person who is naturalised is a Zanzibari even if he is naturalised today.

Q. If you insisted on that person not being a subject of His Highness you would be behaving like all the other people ?



A. The facts, Sir. The allegation was that he had not naturalized. He was born outside the Protectorate and had not naturalized and so legally he was not entitled to vote. That is it.

Q. And it was proved that legally he was entitled to vote?

A. Yes, Sir.

Q. But the ordinary people would say he was not entitled to vote?

A. Yes Sir, that is quite normal for people do not necessarily agree to the court's decisions.

Q. And you were the main opposition to his registration?

A. I personally, Sir, or the party?

Q. You as leader of the party?

A. No Sir, the party objected.

Q. When your party said he was not a Zanzibari did your party say where he came from?

A. That was not the thing to be proved. The fact was that he was not born here, that was the vital thing, not where he was born; that is immaterial.

Q. It is a fact, is it not, that since then your party has been referring to him as a Myamwezi?

A. Never, Sir.

Q. It is a fact, is it not, that since then your party has been referring to the ASP as a Myamwezi party?

A. Never, Sir.

Q. It is a fact, is it not, that since then your party has been referring to the ASP as the mainland party?

A. I doubt it, Sir, but it has been referred to as having a lot of mainlanders, that is true. I do not say most, but a very large number of the membership of their ASP is I should say alien.

Q. Do you know the membership of the ASP?



A. I do not know, Sir, but I know the supporters when they congregate at meetings and so on or they move about, and what are known to be the members, including some of the leaders.

Q. Some of the leaders you say are alien?

A. Yes Sir.

Q. Who are they?

A. What I know to be the vice-president, Mr. Mtoro Rqhani is a mainlander; he has not voted as far as I know.

Q. Since the disturbances the government of Zanzibar has sent away people it considered to be mainlanders?

A. No Sir, nobody was repatriated except those cases which came to the court and the magistrate or the judge recommended their repatriation, which is normal.

Q. It is a fact, is it not, that your party invited people to leave Zanzibar?

A. It is not so.

Q. It is a fact, is it not, that the government invited people to leave?

A. No Sir.

Q. On 1st June about the same time that you saw this dozen or so people you also said in your evidence that at Raha Leo you saw a group of about fifty people who were pushing about a young Arab; do you remember saying that?

A. Yes Sir.

Q. Did I understand you to say that he was a Manga Arab?

A. I said he was an immigrant Arab.

Q. Who was it?

A. I do not know his name, but I believe he must have come from Southern Arabia. He was light brown and looked like the people from Southern Arabia.



Q. What do people from Southern Arabia look like?

A. That again is a very difficult question. I am not an anthropologist and so I cannot describe their anthropological features.

Q. Had you met that Arab before that day?

A. Yes Sir.

Q. You know him?

A. That Arab, no Sir; I had never met him before.

Q. But he struck you as being from Southern Arabia?

A. Yes Sir.

Q. These distinctions are contrary to your dearly held views about races?

A. They are not, Sir.

Q. You do not expect to see different races in Zanzibar?

A. Yes, I do.

Q. As far as you are concerned what is important is that everybody is a Zanzibari?

A. Yes Sir.

Q. It is wrong as far as you are concerned to call a person an Arab if he is a Zanzibari?

A. There is this, Sir, that it depends how you take it.

If you describe a man as an Arab, if you describe a man born in Zanzibar as an Arab racially, I think you are wrong. If you describe a person because of his cultural background then you are right, because I believe there are cultural groups among the so-called Arabs of Arabia itself. The anthropologists have failed to classify those people from any section in Arabia. You will find if an Arab is described as having this, that and the other feature the anthropologists have found in the same group people with a quite different type of features, a different type of skull and so on; so it has defeated the scientist,



this description. UNESCO has gone very deeply into this and they have failed completely to describe these features. I said you could describe people culturally. In the case of America there is no American race, there are Englishmen, Irishmen, Italians, and so on, and if they go and live in America they acquire certain American peculiarities and you can describe them all as Americans, whether they were Red Indians, Dutch or English originally.

Q. You are then thinking in terms of nationality and not race?

A. Yes Sir.

Q. You realise that in America there is more than one race?

A. There are numerous races.

Q. But they have the American nationality?

A. Yes.

Q. So when you think in terms of Zanzibar you would also distinguish between Zanzibar nationality and races in Zanzibar?

A. Yes Sir, but the nationality of Zanzibar is what can be described as the hallmark of the people of Zanzibar; the races are so mixed that it is hard to describe them in many cases.

Q. You said in your evidence-in-chief that the Arabs are almost all supporters of the Zanzibar Nationalist Party?

A. I do not know whether I said that, but it is true, Sir.

Q. What do you mean by the term "Arab"?

A. Those who are called Arabs here.

Q. Called Arabs by whom?

A. By various people. There are some you could classify; anyone could easily say - "He is an Arab", because, let us say, his father may have come from Arabia, or he himself may have come from Arabia and been naturalised; he would definitely be an Arab. Then you come to the people who get mixed. A person may have come here -



a person like myself - whose ancestor may have come here eight generations ago, and all down the line having got mixed with various tribes, Bantu, Comorian, perhaps Indian, and so on. So he is a mixture of all sorts. Some may be as brown as I am, some may be dark, some may be even blacker, Sir, than yourself. You got all sorts of gradations. I have an uncle of the same name as myself in Tanganyika, in Lindi, and he is regarded there as a complete African. In the past when there was native poll tax and another poll tax he was paying native poll tax. There are all sorts of gradations, so much so that the whole thing is so confused that I think it is a waste of time trying to classify people according to their race.

Q. Do I understand you to mean that you would prefer people to be known by their clans rather than by their races ?

A. By their nationality, Sir. Clans are just to know one from the other, just as you call him by his name, like McGregors, McDonalds, and so on.

Q. You would then prefer people to be known by their nationality ?

A. By their nationality; that is what comes in the passport, Sir.

Q. But you have said that even though we have somebody who is of Zanzibar nationality he may be looked upon as a mainlander ?

A. I have said before, not I. This is what we are trying to preach, Sir.

Q. We are thinking now in terms of the people, not necessarily you or me, but the majority of the people ?

A. Yes.

Q. Do you still tend to look upon the Zanzibar national as a foreigner ?

A. The Zanzibar national who is naturalised ?



Q. Do you still tend to look upon him as a foreigner ?

A. Yes, but the Nationalist Party does not think so. The Nationalist Party attitude is that anybody who is naturalised is a Zanzibari to all intents and purposes, and he has to get all political rights and all civil rights, and there should be nothing to distinguish him from anybody, even those who have been born here for generations and generations.

Q. And if that Zanzibar national who was regarded as a foreigner by the majority of the people had employment it would be considered cheating the nationals of Zanzibar who were not regarded as foreigners ?

A. Those who are naturalised ?

Q. And were still regarded by the people as foreigners ?

A. No, Sir, not by the Nationalist Party.

Q. Now, would you be surprised to learn that evidence has been given here by the General Secretary of the Zanzibar Nationalist Party that it is not true to say all Arabs are supporters of the Nationalist Party ?

A. It is quite true; what he said is true.

Q. Would you be surprised to learn that evidence has been given here by the General Secretary of the Zanzibar Nationalist Party that it is not even true to say that almost all Arabs are members of the Zanzibar Nationalist Party ?

A. It is not true to say that almost all the Arabs are.

Q. In fact it is true to say that some Arabs are members of the Zanzibar Nationalist Party ?

A. That is a way of speaking, Sir, but I should say that the majority of Arabs, particularly those who have the right to vote are members of the Zanzibar Nationalist Party. There are some Arabs who are members and supporters of the Afro-Shirazi Party.



Q. Do the Manga Arabs have the right to vote ?

A. No, Sir, unless they are naturalised.

Q. It is possible to have a Manga Arab who is a naturalised subject ?

A. Yes, there are quite a lot of them.

Q. I think you were mentioning the names of the Ministers in your administration yesterday. How many Ministers have you ?

A. We have five Ministers and one Assistant Minister.

Q. Would it be right to say that out of the six there is only one non-Arab ?

A. You are wrong, Sir.

Q. How many are non-Arab ?

A. Even according to the term which is used in Zanzibar, four are non-Arab.

Q. You would be included in that ?

A. No, Sir. I am what they call an Arab.

A. And the Minister for Health ?

Q. The Minister for Health and the Minister of Agriculture; we are the only ones who can be called Arabs, even if you cast your net as wide as possible to include all Arabs. We are the only ones who can be classified as Arabs at all.

Q. Would it be right to say that amongst your Ministers there is only one who can be described as an African or Shirazi ?

A. Shirazi, yes Sir, but not African.

Q. I said African or Shirazi.

A. No, Sir, they are not interchangeable terms, you see. He is a Shirazi but not an African.

Q. How would you describe the races of the others ?

A. All the others are Africans also, Sir, if you like to classify people as Africans.

Q. Who are you thinking of ?



Q. All, Sir; if you like to classify people as Arab and African, then I would say the Chief Minister is an African, the Minister of Works is African, the Assistant Minister is African also.

Q. Who is the Minister of Agriculture ?

A. The Minister of Agriculture is what is normally termed as Arab.

Q. What is his name ?

A. Mr. Juma Aley.

Q. Would you say that you have a Comorian in your administration?

A. Yes, Sir.

Q. Is it one, or two ?

A. Two.

Q. Would you agree with me that in the Population Census of Zanzibar, 1948, the Comorians are put down as a race apart from African ?

A. So are the Shirazis and the Bantu, they are also put apart; it is the imperialist classification, Sir, with which we do not agree.

Q. The 1948 census ?

A. The 1948 Census.

Q. Are you suggesting that in the 1948 Census the Shirazis were put down as a different race ?

A. Yes, Sir.

(Guide Book "Zanzibar" handed to witness).

Q. What book have you in your hand ?

A. It is called "Zanzibar" .

Q. Published by whom ?

A. It is a guide to Zanzibar.

Q. It was said in evidence that this Zanzibar guide book was a government publication; do you dispute that ?

A. It is printed by the government printer; they do not say its publishers.



Q. I have told you it has been said here in evidence that it is a Zanzibar Government publication; do you dispute it ?

A. I cannot dispute it, neither can I confirm it.

Q. Look at the page in front of you. How many races are listed as being in Zanzibar ?

A. Five.

Q. What are those races ?

A. Europeans, Arabs, Indians, Africans and Others.

Q. Shirazis are not listed as a race ?

A. They are not.

Q. Would you say Shirazis come under "Others"?

A. I do not know, Sir.

Q. I put it to you that in that census Shirazis are listed as Africans.

A. It is quite possible, Sir. It is quite possible also that the Comorians are listed as Africans; there are no Comorians; there are "Others".

Q. I put it to you that the Comorians are listed as Arabs ?

A. You may think so, Sir, but I do not know.

Q. It is a fact. Now all along your fear of the mainlanders which I have described as an obsession of the Zanzibar Nationalist Party has been in respect of one territory in the mainland, and that is Tanganyika, am I correct ?

A. No, Sir.

Q. All along where you have expressed your fears about Zanzibar being overrun by foreigners you have not considered the influx of Manga Arabs as a threat ?

A. We have considered the influx of all immigrants who may cause a disturbance in the country because of their not having a settled position in the country and where they can compete; whether it is Europeans, Arabs, Indians or Africans is immaterial. Our policy, Sir, has always been the provision of all facilities for Zanzibaris, and that is our main concern.

Q. The Manga Arabs in the history of this country <sup>have</sup> caused more violence than any other race ?

A. That is not true, Sir.



Q. Why do you say it is not true? What are your reasons for saying it is not true?

A. You can consult the court cases, Sir, and you can see; you can go to prisons and see who form the largest majority, not Manga Arabs.

Q. I did not ask you who have been committing criminal offences.

A. No, I mean violence.

Q. Do you remember a disturbance of the peace here in 1928?

A. I was a child of nine then.

Q. You were then older than I was at the time. Do you remember an incident which took place in 1928 from your reading or knowledge?

A. Yes Sir.

Q. What was that incident?

A. I do not know whether the date is correct, but I think you are referring to incidents where two factions of Arabs fought against each other.

Q. That was so, that was in violent breach of the peace?

A. Yes.

Q. Do you remember an incident in 1936?

A. Yes.

Q. Involving whom?

A. Involving copra makers having a misunderstanding with the people in the Produce Inspection I think, and a riot took place as a result of it.

Q. A British officer was murdered?

A. Yes.



Q. By whom?

A. By the copra makers.

Q. By Manga Arabs?

A. Yes, if you like to call them that.

Q. Why do you want to avoid the use of the terms?

A. You yourself said at one time "African or Shirazi" and I used two terms also; I used the term copra makers because that was the quarrel, their being Manga was incidental. The quarrel was over the passing of the copra brought into the market, and an inquiry was instituted and exonerated these copra makers. It was proved they had been provoked, and the report is there if you like to read it.

Q. Have you read the report?

A. I have been told that it is so.

Q. You have not read the report?

A. No Sir, but it is common knowledge that that was the situation. There are other incidents also, Sir, I need not go into them, where other races were involved. Riots have not been caused by one particular section. There have been murders by all sorts of races. I think we are pursuing a wrong line if we go on like that, but it is up to you. I am in a difficult position. I preach non-racialism. I do not want, just because you mention Manga Arabs, to mention other races. I am at a disadvantage, Mr. Chairman. I cannot lay blame on other races; that would be contrary to all that I stand for. But the point is crime or violence is not the privilege of one particular race in Zanzibar.

Q. I am much obliged to you. I was mentioning mob violence, and I said, as far as I remember, that one particular race has been more responsible for this than any other, and it is for you to say whether you agree or not.



A. I do not agree, Sir.

Q. You said in the course of your examination-in-chief that you objected to the Public Order Bill of 1959?

A. No Sir, I did not say that.

Q. The Zanzibar Nationalist Party objected to it?

A. Yes Sir.

Q. On what grounds?

A. On the ground that it was a restriction of the freedom of the individual.

CHAIRMAN: Mr. Babu gave that evidence.

MR. KWAW-SWANZY: I understand it was given by Babu. You agree to it?

A. Yes, I agree.

Q. But you advocated legislation against speeches which had a bearing on racialism?

A. Yes Sir.

Q. Would you also agree that would be a restriction on the liberty of the individual?

A. No Sir; that would be treading on someone else's toes; that is licence. This is where our way of looking at it was different from that of the Order. The Order gave emphasis to the type of dress you wore. The important thing is what inflames people and not what you wear. There are uniforms like the scouts or the Aga Khan Volunteer Corps which are here, and they have uniforms, they march and do all these things, but they have not caused any inflaming of tempers or deterioration. It is the inflammatory racial speeches and the racial approach to politics that is detrimental and the cause of all our disturbances. That is our way of looking at it, which is quite different from that of the



Public Order Decree.

Q. Would you agree the Public Order Decree was brought about as a result of the activities of the Youths' Own Union?

A. Apparently, yes.

Q. You would say that the Youths' Own Union were not doing anything which might be detrimental to the safety of the State here?

A. No Sir.

Q. You have heard it given in evidence, have you not, that the Youths' Own Union were drilling?

A. Yes Sir, just as I was drilling when I was at school, Sir.

Q. There are still school children who are drilling?

A. Drilling I think was stopped in schools somewhere before 1939, before the last war, when the Pacifist movement was very strong in the United Kingdom and it rather frowned upon that sort of thing, which to us is a tragedy because the health of our children tended to deteriorate. We felt that they could not be disciplined to be active; they were sloppy in their movements, and their health tended to deteriorate, and the whole tone of their activities was lowered. So we who in our youth were given this physical training in schools and drilling - some of us who were scouts, I was not myself - had the advantage of that sort of system and felt it was good to institute it among the youths who are not even scouts.

Q. Do you still have scouts in Zanzibar?

A. Yes Sir.

Q. You would agree with me would you not that the re-introduction of that particular type of drilling in the Youths' Own Union indicated that the particular group were anything but



Pacifists?

A. Which particular group?

Q. You say it was the Pacifists which brought about the stoppage of drilling?

A. Yes.

Q. Those who re-introduced drilling were not Pacifists?

A. I do not know whether we have the same meaning to the term Pacifist, Sir.

Q. You used the term.

A. Pacifists, as far as I remember, in England were people who advocated peace at any cost and would let Hitler or all those people be given whatever they liked - Tanganyika should be given to the Germans to placate them, and so on, that sort of peace at any cost. I think in the end the movement was discredited later in England; it became unfashionable. But that was the time when the then Director of Education, influenced by this public opinion in England which favoured the Pacifist movement, banned physical training in school. Now it is normal in most schools in the world, in fact they have special people who are physical training instructors to deal with the boys.

Q. One of the reasons which led to the introduction of the Public Order Bill was the fear that the existence and the activities of the Youths' Own Union might lead to intimidation of other people?

A. That was the alleged reason given, yes.

Q. And you did not agree with that?

A. No Sir.

Q. It has been described here that the Youths' Own Union was a militant branch of the Zanzibar Nationalist Party; would you agree with that?



A. I would say the whole of the Nationalist Party is a militant movement, militant having nothing to do with military.

Q. Meaning a fighting spirit?

A. A struggling spirit.

Q. Struggling against whom?

A. The imperialists.

Q. Who are the imperialists in Zanzibar?

A. The British Government, Sir.

Q. They have got supporters in Zanzibar?

A. What do you mean by supporters?

Q. You referred earlier to imperialist stooges; have you got these in Zanzibar?

A. Yes Sir, in every country you have stooges.

Q. Who are the stooges?

A. All the people who stand against independence are stooges of imperialism.

Q. Who are the people in Zanzibar who stand against independence?

A. The Afro-Shirazi Party in the past, not after the last debate; they have changed. We had a debate here.

Q. They have changed since last month?

A. Since last Month.

Q. Prior to last month they were the people you were struggling against ?

A. Yes, Sir.

Q. So you are a militant party focussed on eliminating the Afro-Shirazi Party :

A. Yes, Sir, as a rival group. Now we co-operate with each other.

Q. Would you agree with me that that would lead to a situation where trouble might break out again?

A. No Sir. In England it is the duty of the Conservative Party to try to eliminate the Labour Party, and the duty of the Labour Party to try to eliminate the Conservative Party.



That is politics; they win members from each other.

Q. Would you agree with me that the constant calling of names of leaders of the Afro-Shirazi Party was undermining the authority of that leadership over their following?

A. This was a mutual exercise, and it is done in all political parties.

Q. Would you then answer my question?

A. It is part of the game of politics to discredit the leadership of the opposing party, otherwise politics means nothing. You cannot fight an election if you keep on harping on the virtues of your opponents.

Q. Would you agree with me that constantly telling the public that the Afro-Shirazi Party were supporting the British to keep Zanzibar down would eventually lead to the waning of the influence of the leaders on the party following?

A. Yes, that was the whole object of the exercise, Sir, not the whole object, but it was one of the objects of the exercise.

Q. Did you achieve your objective?

A. You can see from the results, Sir, that our party has grown to such a proportion.....

Q. You achieved your objective?

A. Yes Sir, but that is not the only thing that has enhanced the leadership of our party. In the political struggle one of the things is to expose the weaknesses of my opponents, whatever they may be.

Q. If you achieved your objective as you said, would you not agree with me that the leaders of the Afro-shirazi Party would be unable then to control their following in any disturbance?

A. Those who would not agree with them, those who would



understand the weaknesses of their leaders would not be following their party, they would be following us. So long as they remain there they are following them and they have belief in their leadership, but those whose belief has been shaken and who have found their leadership is wanting in something then they join the opposite party; they would not be subject to their control.

Q. And this you would say was part of the development of political consciousness in Zanzibar?

A. As part of a game, yes Sir.

Q. To let people see how leaders of the party were not in fact fighting for independence?

A. No Sir, it is true, and you can see from Sir Hilary Blood's report, it is not what we say, it is what they say. We do not impute motives which are not there. We say we want immediate independence; they say they do not. They are exposing themselves. All we can say is - "Here is what your leaders say; they do not want independence; they fought against the elections in the first instance." The introduction of elections was a hard won battle for us until we got the introduction of elections in the first instance we met opposition after opposition. I am glad to say that after last month's debate in the Legislative Council we are all at one with regard to independence.

Q. You have in fact agreed with me earlier that the Afro-Shirazi Party felt that it would be better to go stage by stage in this struggle for independence?

A. Their slogan is "We should get independence after we are educated."

Q. They were therefore saying, would you agree with me, that it would be better to bring up the majority of the people to a



certain level before you decided to go for a further dose of constitutional development?

A. That is what they claimed, Sir.

Q. And you said that was wrong?

A. It is wrong, yes Sir. It is wrong because you cannot wait for the education of everybody in order to say that you want to make a constitutional development.

Q. You have agreed with me that the African section of the Zanzibar community have had the least opportunity for education?

A. Yes, taking it proportionately.

Q. You have agreed with me that the African section of the community live in Ngambo which is the worst crowded area?

A. Yes.

Q. In 1957 you strongly objected to a housing scheme in the Ngambo area brought forward by the Honourable Patel?

A. No Sir, I objected to Africanisation of the housing scheme, or any scheme of racial division. I did not object to an African housing scheme; in fact a housing scheme is one of our party manifestoes and has been since 1957, and even before that.

Q. You objected to this scheme because it was said that it was a housing scheme to help Africans?

A. Yes Sir.

Q. And as a result of that opposition the scheme never came through?

A. No Sir. I disagreed Sir, with the question of African housing. That was dividing people into races. For one thing in Ngambo it is not the Africans alone who live there. What I said was that we were introducing something that is foreign to Zanzibar. This is what is taking place in Kenya and we do not want



it here. This is dividing people segregating people, this is South Africa and Kenya, their way of dealing with people. We Zanzibar people have been accustomed to living together irrespective of races. If we have to have a housing scheme we should have a housing scheme for Ngambo if you like, irrespective of their races. What I objected to was the introduction of the racial element, and to be fair the Commission should be acquainted with the whole speech that I made.

Q. You would like to see the speech you made on that occasion?

A. Yes, Sir.

Q. It is on page 126 (document passed to witness). You objected to the housing scheme because it was supposed to be for the African district of Ngambo?

A. No Sir. I objected to an African housing scheme. I do not object to a housing scheme in Ngambo.

Q. You objected to the African housing scheme?

A. Yes Sir.

Q. Did you at the time by any chance live in Ngambo?

A. I live at Ngambo.

Q. You lived at the time in Ngambo?

A. Yes Sir.

Q. And that scheme was not going to affect you?

A. No Sir. That scheme was not going to affect me according to Mr. Patel because it was purported to be for Africans only, which would mean the segregation of the Africans in one area and putting the other people out.

Q. But you would agree that the other people were better off than the majority of Africans?

A. Yes, definitely, Sir.

Q. And the housing scheme was meant to benefit the Africans in the area?



A. If the idea was to benefit the Africans that was wrong. If the idea was to benefit the Africans, then that was wrong because in the long run it would not be of benefit to the Africans themselves; it would be only segregating <sup>the</sup> Africans apart and then having the excuse to have another Asian scheme, another Arab scheme, another European scheme. That is what has been done in the past in Kenya and in other countries which have a lot of Africans, and that is why I objected to this, because it was fraught with all the possibilities of discrimination. This is what has been done in South Africa under the pretext of helping the poor African.

Q. In any case, this took place in 1957?

A. Yes.

Q. After your defeat at the general election?

A. I do not know whether it was after or before.

Q. When were the elections of 1957 held?

A. I am not quite sure, Sir.

Q. I put it to you it was after your defeat?

A. You may be right, Sir.

Q. Would you be surprised to learn that such an attitude would give the impression to other people that you were paying back people who had turned you down?

A. No Sir. If the Commission will read the whole speech, or if I may read it, Sir, you will see it has nothing to do with it, nor was it ever suggested at that time that it was. It was a speech for Africans, Sir, and I maintain it is a speech for Africans.



Q. Would you agree with me that a housing scheme would have benefited the Africans in Ngambo area?

A. Instead of going into all that Sir, the thing is to read the speech.

CHAIRMAN: I think the witness has made his position clear. Rightly or wrongly he says that his objection to the scheme was because it was being given a label which had the effect of segregating the Africans in the area, creating a division which he objected to. He maintains, rightly or wrongly - I am not expressing any opinion - he had no objection whatever to a housing scheme providing it did not lead to segregation. That is what he said. He has repeated it two or three times. He is in favour of a housing scheme but not in favour of segregation.

A. That is so, Sir, yes, and it was quite clear from <sup>the</sup> speech, Sir.

MR. KWAW-SWANZY: How would the scheme have lead to the segregation of Africans?

A. Once you start an African housing scheme that is just the beginning of it all. An African housing scheme means putting houses here, and the Africans come here,.....

CHAIRMAN: Mr. Kwaw-Swanzy, if you have travelled in certain parts of East Africa you can see examples of it.

MR. KWAW-SWANZY: I am much obliged to you. And you say that anybody who said you took this attitude because of the results of the general elections of 1957 would be wrong?

A. I have always fought for Africans, Sir, before that and have continued and have never ceased to fight for Africans.

Q. Which brand of Africans have you always supported?

A. All Africans throughout the continent.



Q. The Arab Association case?

A. All Africans, including Congolese and Ghanaians. I should say, Mr. Chairman, that when I was brought into court for sedition it was because we wrote articles fighting for Nigerians and Kenya Africans; that was the sedition case which you referred to as the Arab Association case.

Q. Now tell me what was your contribution to the re-establishment of order on 1st June after the disturbances had started?

A. I think, Sir, I gave that side in my evidence-in-chief. I think I made it clear all the activities I was engaging in, trying to bring about peace after restoring order during the disturbances.

CHAIRMAN: Yes, you did.

MR. KWAW-SWANZY: Am I right in saying that you said you went to Raha Leo?

A. Yes Sir.

Q. Was it after or before you had been asked to tour the trouble areas with Abeid Karume?

A. Going to Raha Leo, Sir, that was before, early in the morning.

Q. After you were asked to accompany Abeid Karume to the trouble areas how many places did you visit?

A. I was never asked to tour with Abeid Karume.

Q. You knew Abeid Karume had been asked to tour, just as you had been asked?

A. Yes, Sir.

Q. How many places did you visit?

A. I went to the Nationalist Party election office. That is where I was told there were people, and from there I was to go to Mtendeni where I was told there was no trouble, so that the Mtendeni rumour was unfounded.



Q. So in fact you only went to one place?

A. Yes, only to one place, and there was no group of Nationalists. That is what we were led to understand, but there was no group of Nationalists who were fighting back, so there was no point in going to speak to a crowd of Nationalists in order to disperse them.

Q. It has been said here, and I think you have confirmed it, that at about 10 o'clock that morning you decided to withdraw your supporters from two constituencies?

A. Yes Sir.

Q. It has also been said that you added a rider that you were concentrating these supporters at Darajani.

A. To do what, Sir?

Q. To give moral support.

A. I do not quite remember, Sir. I may have said it, I do not know, but I do not quite remember. I do not remember whether I said it or not.

Q. You have been at this Inquiry when most of the evidence has been given?

A. Not most of the evidence, I think part of the evidence.

Q. It has been suggested that you said you considered Darajani very important?

A. Yes.

Q. You gave that impression.

A. That is true, Darajani was vital.

Q. It has always been suggested here that you said the A.S.P. had decided to cause a commotion in the Ngambo and Raha Leo areas with a view to disturbing the voting in Darajani.

A. Yes, Sir.

Q. What was your opinion when this expression of opinion was formed?

A. Well, the opinion was formed when we knew that the A.S.P.



were confident of winning the Ngambo and Raha Leo seats, but we know that previous to the Elections that it centred all the attention at Darajani, all the venom of election speeches at Darajani, and a good deal of money was spent at Darajani to win people to vote for the A.S.P. and so that was the vital thing because our majority was not a big one.

CHAIRMAN: It is a marginal seat.

A. It is a marginal seat, <sup>Sir,</sup> and we felt that, by causing disturbances there, the news might come to Darajani that our friends were being attacked at these other constituencies, so that all the people might rush away there and that is how it started. That is why I said it was to draw people from Darajani to this area in order to enquire as to what was happening there. When there is trouble, people tend to congregate towards the troubled spot to take away our voters from Darajani and though later there was evidence that in Darajani people were being way-laid in the lanes, people were being attacked in Darajani, was evidence that it has been put here and people in the queue being attacked and lifted out and intimidated. When I formed that opinion, it was before the Darajani situation had flared up.

MR. SWANZY: It is true that you said you withdrew your supporters to Darajani by way of giving moral support to the voters at Darajani?

A. I don't know if it is true, or not, because I don't remember saying it.

Q. Assuming you said it, how, in your experience, do you give moral support when voting?

A. I think when people see that there are adequate people present of the other party they will not try to attack them. This is my assessment of the situation. I will give concrete examples without implying that this is what happened: if you have a large group of Afro-Shirazis and only a few voters of Nationalist, it is easy for the Afro-



Shirazis to feel that we can hit these and nothing will happen, but on the contrary, if you have a large concentration of Afro-Shirazis and a large concentration of nationalists then people will think twice before indulging in these activities. If I said it, I might have implied that.

Q. Was it after this decision that you discovered an Arab with a sword trying to go and rush at the people? It was after this decision to give moral support to your people in Darajani.

A. I cannot remember, Sir.

Q. Just before we adjourned I asked you about <sup>the</sup> sword which you said an Arab was using to rush the crowd and you prevented the incident.

A. Yes, Sir, but I did not prevent the incident.

Q. Another member was more or less trying to stop the assault and then you came and settled the matter. What were the impressions you formed at the time about how this man came to be in possession of a sword. Would you say he picked it up from Nationalist Headquarters?

A. I wouldn't know, Sir.

Q. What was the impression you got at the time?

A. I gathered no impression. He might have had it there or he might have brought it from a neighbouring place. Swords are available in all houses in Zanzibar.

Q. He may have had it from the Nationalist Headquarters?

A. I don't know, it might be.

Q. Was it the ornamental type of sword?

A. There is only one type of sword in Zanzibar. It can be ornamental, it might be lethal.

Q. Was it a deadly weapon, the one you saw?

A. Yes, Sir.

Q. Did you try to disarm him?

A. I just asked him to disarm and he obeyed. There was no need to disarm him.



Q. Where was the sword taken?

A. They were left there at Headquarters. They were not allowed to go out with swords.

Q. The Nationalist Headquarters is in the neighbourhood of the Police Station and that is the place where you had decided to bring your supporters to bring moral support to the voters?

A. I did not decide to bring them. I did not say that I brought people to bring moral support. I say it may be true or it may not be true.

CHAIRMAN: Another witness gave that evidence.

A. As far as I can remember, Sir, our instructions which <sup>were</sup> given on the advice of Mr. Wright was that we should take our people away from the Polling Station to the Party branches. To try to concentrate them in their branches. That was the advice given by Mr. Wright to the General Secretary.

MR. SWANZY: It has been given in evidence here that on the morning of 1st June after you had told the officials that you were withdrawing you also said that if the Government security forces would not give protection to your supporters, you were going to see to it that your supporters were protected.

A. Yes, Sir.

Q. That is correct?

A. That is correct.

Q. And you have given evidence that security forces were in fact standing by while some of your supporters were being assaulted?

A. Yes, Sir.

CHAIRMAN: I think the Witness said the Police. Your evidence on that point was confined to the Police when the trouble started.

A. Yes, Sir.



MR. SWANZY: And I believe you said this Police Officer was not a Zanzibari?

A. I was not saying that about any particular Policeman, I said in general the Police were slow in taking action.

Q. How did you propose to protest your supporters?

A. If the forces of law and order were not doing their job or they had no power to do so, then the only thing is to concentrate our people at branches and try to defend them if they were attacked.

Q. I believe you said in evidence that you heard about the manufacture of swords in Pemba only at this Inquiry?

A. That was the time when it registered in my mind, Sir, I may have heard it before but it never occurred to me that there was any significance. I had never noticed it, never heard of it as far as I can remember it now. I may have heard it or regarded it as one of those things which are alleged to have taken place.

Q. Since you heard it you have had an opportunity of considering the matter. Would you say now from what you know that if it was true, it was a serious matter?

A. I think it has been established here that it was not true. Instead of 600 swords they found two swords. That was the report that the Police received and when they went to investigate, they found two swords.

Q. I believe the evidence here has been to the effect that in fact there were 400 more on order, but only two had been actually manufactured.

A. Yes, Sir, but the question of order, that is something that has been alleged, but the actual fact is that two swords were found.

Q. Now if it true that there was such an order placed, would you say now that the matter was serious?



A. It was not serious because two swords were manufactured and there is no proof that an order for 400 had been placed.

Q. That is to say, you do not accept the evidence of the Police Commissioner?

A. No, Sir.

Q. But supposing it was true, would you say it was a serious matter?

A. We can say anything is serious in a hypothetical case.

Q. If it is true that an order was made by a prominent member of the Nationalist Party, it would be a serious matter?

A. It would be a serious matter, prominent or non-prominent. Any order would be a very serious matter in Zanzibar, and everybody would know about it.

Q. Now, would you agree with me that the immediate cause of the disturbances of 1st June, 1961 was the strong belief that members of the Nationalist Party intended to steal votes.

A. I do not believe so. Leaders in public meetings tried to make their followers believe this, although I am sure the leaders did not believe so.

Q. My question was: would you agree with me that that was the immediate cause of the disturbances on 1st June?

A. It might have contributed. That was an artificially held belief.

Q. What would you say was the immediate cause of the disturbances?

A. One was the Afro Shirazi people trying to intimidate Nationalist Party people from voting and taking them out of the queue.

Q. Do you know a man called Amari Tnani Feruzi?

A. Yes, very much so.

Q. He is a representative of your party now in Cairo?



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Q. Do you know a man called Amari Thani Feruzi?

A. Yes, very much so.

Q. He is a representative of your party now in Cairo?



A. Yes, Sir.

Q. Did it come within your knowledge on the 1st June that he had been involved in this matter? That he had been pulled out of the queue and man handled?

A. Yes Sir.

Q. Did it come to your knowledge that he had been pulled out a voting quese in Gulioni?

A. Yes, Sir, I heard so.

Q. Did you happen to hear that he was a political agent of the Nationalist Party in the Elections?

A. Quite possibly, in one of the Polling Stations, yes.

Q. Do you happen to know, or don't you, that in fact he was assigned to the Polling Station as an agent of your Party?

A. I don't happen to know, Sir.

Q. Do you know or don't you that in fact he had a right to vote at Kiswandui?

A. I believe he had the right to vote at Kiswandui.

Q. From your recollection of the information which was passed to you on that day or thereafter, you would agree that he was pulled out of the queue at about 9 o'clock.

A. I cannot say, Sir.

Q. If it was true that he was pulled out of the voting queue in Gulioni, would you be surprised?

A. I woudn't be surprised, Sir, I don't see the point.

Q. You would not be surprised that he was pulled out of the queue?

A. If he was an agent at Gulioni, certainly.

Q. I have suggested to you that he was an agent at Kiswaudui?

A. He was an agent at Kiswandui.

Q. That is correct.

A. If he was an agent at Kiswandui and he was pulled out of the queue at Gulioni, it would be surprising.

Q. Have you heard of a man called Hassan Amin a member of your Party?



A. Yes, Sir.

Q. Have you heard that he was also pulled out of the voting queue ?

A. No Sir.

Q. You have heard, have you not, that he was involved in scuffles on the morning of 1st June, 1961 ?

A. Yes, Sir.

Q. In connection with the Elections ?

A. Yes, Sir.

Q. And he was accused of trying to vote when he had no right to vote at that place ?

A. I know that he didn't try to vote.

CHAIRMAN: That wasn't the question: Was he accused of it ?

A. I don't know whether he was accused. I know he was beaten up.

MR. SWANZY: You know that he was a registered member of Stone Town where you were standing as a candidate ? If he was pulled out of the voting queue at Gulioni, would that be a surprise to you ?

A. It would be surprising, yes.

Q. You have heard of Hilal Mohamed Hilal, haven't you? He is a member of your party.

A. Yes, Sir.

Q. He was your Party's election agent on the 1st June, 1961 ?

A. Yes, Sir.

Q. You have heard, have you not, that he was also involved in a scuffle on the morning of 1st June, 1961?

A. Yes, Sir.



A. These, Sir, were the starting incidents. I don't agree that these were necessarily the cause of <sup>the</sup> disturbances.

Q. You agree that these started the disturbances ?

A. These were the first symptoms of a disease. That is so.

Q. And the disease was based on the belief of a certain section that another section was stealing votes ?

A. I would put it this way, on the allegation, whether it is a belief I do not know: that is in a man's heart. Whether they seriously believed that or not I am not the judge, Sir.

Q. You have heard it in evidence, have you not, that on the morning of the 1st June, 1961, the Z.N.P. carried on a patrol of the Polling Stations in cars ?

A. On 1st June ?

Q. That is so.

A. Patrol of Polling Stations ?

Q. The agents were going round in a car.

A. I don't know, Sir. I know that voters who were incapable of going themselves to the voting stations, sick voters who are being taken from hospitals to the various polling stations were taken by cars which were also taking agents to take up their duties, the normal routine work for both parties.

Q. Have you heard it said in evidence here that on the morning of 1st June a pick-up came near a Polling Station full of Manga Arabs ?

A. Yes, Sir, I have heard it.

Q. Now, these were not carrying sick people to vote ?

A. No, Sir. If that is the truth, I do not think they were sick people going to vote.

Q. Now is it true that there had been an understanding that at polling stations there should be no patrolling of Polling



Stations by any political party ?

A. I do not think that was said, but I would think that that was not necessary. I do not think it was said because it just did not occur. Normally, I wouldn't expect people to be patrolling, that is the work of the Police. I would expect the cars to take people to their duties. We said explicitly all the way through that the work of law and order was in the hands of the proper people and our members were not to take part in any attempt to maintain law and order.

Q. So that if members of the Z.N.P. went about in cars round the polling stations you would say that was definitely wrong ?

A. For what purpose, Sir. It depends upon the purpose. If it takes people like members of the Executive of that party to go and see if everything is running smoothly, whether the agents were there and checking with election officers of our party, that is a legitimate part of any political party at the time of election. If there was Patrolling in order to enforce law and order that would be wrong, but the normal duties of an election campaign - that is legitimate and we have been doing that and we have no reason to be ashamed of it.

Q. You would condemn the action more vigourously if the people belonged to Y.O.U. ?

A. Not if they were doing their duty. I would condemn them if they were trying to do the functions of the Police, but if they were checking to see if everything was running smoothly, that people who are sick are brought there, pregnant women, old women, to be sent back to their homes after voting, to see that the agents are there and everything is all right, then that is normal, I think. What I would condemn was anybody trying to take into his hands the duties of law and order.



CHAIRMAN: Or if there were gangs of young men or youths patrolling round the polling booths, you would regard that as serious ?

A. Patrolling, Sir ?

Q. For any purpose other than some official duty ?

A. Yes, Sir.

MR. SWANZY: And if they came with armed weapons, you would condemn that man ?

A. Oh, yes, Sir, definitely.

Q. Now you would agree with me, would you not, that the persons in such groups or supporters of your party would lend colour to the belief that they were out to cheat the law ?

A. Yes, Sir, if they did.

Q. And if it happened they did, well you would agree that that was the immediate causes of disturbances on the 1st June ?

A. No, Sir, I have already enumerated the causes of the disturbances which are much more serious and are fundamental.

Q. What particular incident would you say triggered off the incidents of 1st June ?

A. There were these incidents of pulling out, the members of the A.S.P. preventing people from voting at various polling stations before, and the type of gangs which I saw myself being distributed to stir up trouble, to act as unofficial Police of the A.S.P.; instead of the A.S.P. telling the proper authorities or the Presiding Officer that such-and-such is going to steal the votes, or the accredited agent of the Party. Nobody has any right to check anybody in the queue and anybody interfering like that is contravening the law. The queue is nobody's authority, to take out anybody and decide there and then that you have come to steal the vote. That was made quite clear in meetings and Government



made everything plain through the radio, election committee. meetings, everything was made quite plain and everybody knew that.

Q. What would you give as a reason for the spread of the disturbances to the rural areas as from the 2nd June, 1961?

A. Well, the obvious reason is that once you spark off a fire it tends to spread, particularly in incidents like that, they tend to spread. News spread to the rural areas in no time. They had the news that people had been killed and shops looted to the advantage of the looters and they might find it profitable to attack individual homesteads and take away cash that had been saved by the shopkeepers. Crime breeds crime. It doesn't take long for news to travel from the town to the rural areas.

Q. The incidents in the rural areas seem to have been concentrated on a certain portion of the Island, you would agree with me? Can you give any reason why it should have been so concentrated?

A. The reason is a preponderance in those areas of people who are foreigners to Zanzibar.

Q. Which foreigners have you in mind?

A. People from the Mainland, Sir, who are not indigenous to this country.

Q. Do you know any particular one of those people from the mainland who are so predominant in that part of the Island?

A. In what way, Sir.

Q. You obviously have certain groups of people from the mainland in mind?

A. I said in this area there is a large section of the population from the mainland. People who have no roots: when I say the mainland people I mean those who have not settled permanently here and have no roots. I do not mean that their ancestors came from the mainland, because most of the people in



Zanzibar have had ancestors coming from the mainland; but I am talking about the floating population - people with no roots and no responsibilities, with no uncle to respect, or no father to respect: de-tribalised.

Q. These people would be squatters ?

A. Yes, mostly I think, although not all, but mostly they would be squatters.

Q. How do you account for the fact that nearly everybody who died during the disturbances was an Arab ?

A. That is easy Sir. Although the victims of attack were practically half and half - half Africans and half Arab - those attacked were about 300, of which 145 were Africans, who have been injured, but they are mostly in the town, members of Z.P.P.P. But in the rural areas it so happens that most of these Arabs, who are immigrant Arabs also, live in isolated areas by themselves. All their work is making copra from coconuts, and their trade necessitates that they should be in isolation because each man will have a small shop - which is just a nominal shop for his wife to do work if he is doing something else, with may be a bag of rice, a bag of pulses, a tin of kerosene - but the man would be buying coconuts on a small scale from the small plantations near around him. So he would be covering a certain radius. For their trade, it is for the division of their business, one must live at a distance, which is also conveniently away from his neighbour, so he could also cover an adequate radius - just enough coconuts to feed his kiln; and they usually deal on a small scale with small plantations. The bigger plantations usually - now there are just a few big plantations - they sell their coconuts to the bigger merchants, mostly in the town, or scattered. So these people live in isolation, and it was quite easy for them to be victims of attack; and then again, you see, for a foreigner to Zanzibar he would be easily



associated as a supporter of the Nationalist Party. An African may be an Afro-Shirazi supporter or a Nationalist, so they were not so easily recognisable except by the people of Zanzibar; but an Arab - though in some cases there were some Arabs who were supporters of the Afro-Shirazi Party, though very few - in 90 cases out of 100 you would be successful if you said an Arab was a member of the ZNP, or a supporter of ZNP.

Q. Did I hear you say these Arabs are foreigners ?

A. I said also in my evidence that quite a lot of them have naturalised.

Q. Those who were involved in these deaths ?

A. Mostly, Sir, they are not born in Zanzibar, although I would say some of them have not naturalised and others have naturalised; but most of those who were killed - except for their children, of course, and quite a few children were killed, and those children were born in Zanzibar - were really immigrant Arabs.

Q. Are you saying that in the main the disturbances in the curfew regions were confined to foreign Arabs ?

A. Largely, I would say. It was not a fight, Sir: it was just butchery.

Q. And that is why they were incapable of distinguishing who were members of the Nationalist Party and who were members of the ASP?

A. Who were ?

Q. The two factions. You say a Zanzibari might know that an African is a Nationalist Party member, but a foreigner may not know who is a Nationalist or ASP but would pretend to identify the Arab as a Nationalist ?

A. Yes, Sir, these roaming gangs.

Q. That region is the most fertile of Zanzibar - am I right to say so ?



A. Yes, Sir, the fertile area actually extends up to the north there also, but there is not such a mixture of people as there is here. This is not the only fertile area (indicating on map): it is part of the fertile area of Zanzibar.

Q. Would you agree with me that that was the region in which the incidents of squatter eviction became very noticeable?

A. Yes, Sir, because that is the area where there are squatters, and also it is a question of misunderstanding, which could easily arise out of the squatter element, who are a floating population and do not understand the traditions of Zanzibar. They could easily be exploited by any unscrupulous person without really understanding the implications and traditions and loyalties and understandings that have been here for such a long period. They would not understand them.

Q. Would you agree with me that the eviction of squatters led to a strained relationship between the landlords and the squatters?

A. I would agree with you, Sir, and that the speech made by Sheikh Abeid Karume caused a deterioration of the relations between landlords and squatters.

Q. Where was that speech made?

A. Machui.

Q. Where is that on that map?

A. Machui is about here; (indicating) it is not written on the map, but it is about here on the Ndagaa Road, almost in the centre of the disturbed area, Sir.

Q. I am much obliged. Would you agree with me that this speech you referred to was made after the squatter trouble had started?



A. I do not think so, Sir, not on the scale that is being reported. The point is, as I have said in my evidence before, that the question of eviction were misunderstandings between squatters and landlords. These have always been here, but they have never assumed a political flavour until this time. That was when they assumed a political flavour, but otherwise they were just troubles, which were settled among themselves, either by the headmen, or the local people in the area, or they would settle it between the landlord and the squatter, or other people will settle it between the landlord and the squatter, and that would be the end of it; or if it went to the mudir's court it would not attract any adverse publicity, it would be just one of those cases like a divorce.

Q. But I regret to say that earlier in the history of Zanzibar, there was not much squatter trouble, because political consciousness was low at other times?

A. Yes, it is possible; because there was less political activity and because nobody wanted to exploit that sort of difference for one's own advantage.

Q. And after you and the Zanzibar Nationalist Party had successfully educated the people on politics, would you expect these things to be brought to light?

A. No, Sir, we did not successfully educate all the people. We educated some people. By the time the squatter problem had come, we had educated some people but until last month's debacle I would say we had not educated all the people; but that after last month's debacle we can say that all the people are now educated politically, Sir.

Q. It has been given in evidence here that some time in 1958, the leader of the Afro-Shirazi Party approached the Government and asked the Government if they would produce something about the position of the evicted squatters. Have you heard of that?



A. No, Sir. It is quite possible.

Q. Did you or the Zanzibar Nationalist Party make a similar approach to the Government?

A. Yes, Sir; We made approaches to the Government, approaches to the public. I myself addressed a public meeting as soon as I came back, I think, from Ghana and Cairo in 1958, and appealed to the people that they should not destroy the old traditions. I warned all members of the Nationalist Party that they should not indulge in this. I appealed again also to the squatters. I appealed to the landlords and to the squatters that the squatters - I used a Swahili phrase which means that if you are carried, do not let yourself loose: in other words, something like that you should try to help yourself, and because people bear with you, you should not make yourself completely impotent so that you cannot help yourself: you must try to cope. I said that no reason should be strong enough to eject anybody from the area he has been cultivating.

Q. And you say you approached the Government to do something for the squatters ?

A. Yes, we were in constant touch, I think, with Mr. Smithyman at that time, and we were in constant touch with the Afro-Shirazi Party, through the Freedom Committee we appointed jointly - Sheikh Ali Ahmed, Sheikh Abeid Karume and myself, and I was asking if anything arose they should try to settle matters between themselves and never bring matters to the court.

Q. Did any of these evicted squatters belong to your party - those people who had been evicted or ejected from the land - did they belong to your party ?

A. I would not know, Sir. It is very likely: I believe there have been some.



MR. SWANZI: It has been said in evidence here that the Afro-Shirazi Party, when they realised the Government was not in a position to help the evicted squatters, bought a piece of land for the purpose of re-settling them ?

MR. KANJI: Sir, I do not think there is any definite evidence to that effect. All Mr. Smithyman said was that he had heard of it.

MR. SWANZI: Did the Nationalist Party take a similar step to re-settle the evicted squatters ?

A. The Nationalist Party has encouraged the formation of co-operative farming society, but it was not a question - I do not know whether it was a question of re-settling evicted squatters, but it was the beginning of a co-operative farm.

Q. Co-operative farming under the auspices of the Nationalist Party Movement ?

A. Encouraged by the Nationalist Party.

Q. And it was meant to be for the benefit of the members of the Nationalist Party ?

A. That is so.

Q. Would you agree that most of the landlords were absentee landlords ?

A. Yes, Sir, that is unfortunately the case.

Q. They mostly live in the town ?

A. Yes, Sir, in the Island of Zanzibar; not so in Pemba though.

Q. And their estates were looked after, as you said, by agents or employees ?

A. Overseers, Sir.

Q. And the relationship between landlord and squatters would be strained by actions of overseers without knowledge of landlords ?

A. It is quite likely, but not always the case. It is likely that in some cases it was so.

Q. You referred to the dock disputes of 1958 in your evidence, and I think I heard you say it was the result or the effect, and not the cause, of something ?



A. Yes.

Q. I am not quite sure what you said.

A. The effect.

Q. The effect of what ?

A. Of the deprivation of the people of Zanzibar, of Zanzibaris getting jobs, and the lack of immigration control, which resulted in most jobs being taken by non-Zanzibaris. This was the effect of Zanzibaris trying to get a job, which was resented.

Q. In fact Zanzibaris decided that the people they considered to be not Zanzibaris should give way to them ?

A. Yes, Sir: at least in the initial stages, to share in the jobs.

Q. Would you say in your struggle for the betterment of the people of Zanzibar, you would be justified to remove some people and place another person in the job ?

A. Yes, that is the Zanzibar national policy; that is the policy of His Highness's Government.

Q. Would you consider that fair and just ?

A. Yes.

Q. As far as you are concerned, the end justifies the means ?

A. Not always, but in this case it does.

Q. Your Party has all along advocated that cause ?

A. Yes, Sir: it is a Nationalist Party.

Q. And you have told me that very often people called a person a mainlander, in spite of the fact that he may in fact be a subject of His Highness?

A. Yes, Sir, but that is not the policy of the Nationalist Party, nor is it the practice of the Nationalist Party: but I was telling you of the ordinary man, the way he regards him, the way they used to regard him before the Nationalist Party came into being. This is the policy of the Nationalist Party, that anybody, whoever he may be, as long as he has been born here or has naturalised according to the law, then he is a Zanzibari; but in the past that was the practice with all people.



Q. And do you or do you not know that during the course of the trouble in the docks in 1958 a group of Manga Arabs were brought to the docks with swords and daggers?

A. No, Sir, what I know is that some of these Manga Arabs or so-called Manga Arabs, bringing their produce - copra, for instance - from the rural areas in the buses, have asked for Zanzibari labourers to unload their bags of copra. They insisted on having Zanzibaris to do it.

Q. In the course of the investigation of the arbitrator he discovered that the address used by one of these people was the address of the Nationalist Party headquarters.

A. Yes.

Q. That means it should be aware of these troubles?

A. Not officially.

Q. But unofficially it was?

A. I think it happened that this man - what is the name of the person I do not know - but his address - he must have been a member of the Nationalist Party, that is all I can say, that he should be a member of the Nationalist Party. That is why he used the address of the Nationalist Party, where he could easily be located. I do not think it was an organised movement in the true sense of the word, though now I think they have made themselves into the Agricultural and Allied Workers' Union and, I think, the Maritime and Allied Workers' Union: they are registered trade unions, but at that time they were just trying to get a job, a body with no particular organisation. The man they put forward as the man who corresponded with the Government had his address as the Nationalist Party, where I presume he would be a member. I do not actually even know the person.

Q. And would you agree with me that the Nationalist Party continued that policy of trying to displace workers already in jobs with those workers they considered true Nationalists of Zanzibar?



A. That is so. As I say, within the Government service - that is the service of His Highness the Sultan's Government - it is Zanzibarisation of the service, and wherever possible there is this; and in any country - you, Sir, would know better than I - in any country which is emerging from colonialism to independence there is the assumption of the nationalists and you may call it what you like - Africanisation, Ghana-isation, Tanganyika-isation, Zanzibarisation, Sudanisation. It has happened in any country where the locals have to take jobs which have been taken by others. The Government can press it within the Government service, but members of the public are justified in doing the same for other jobs where a local man of equal qualifications - or at least one who can cope with the work even if the qualifications are a bit lower - his duty is to take it. It is the accepted policy also of Her Majesty's Government. It has been reported also by various Secretaries of State.

Q. And that is what you mean by "Zanzibar for the Zanzibaris" - that is what your policy means?

A. We are not thinking of our stomachs only, but the politics and everything.

Q. You were editor of the newspaper called Mwongozi, were you not?

A. Yes.

Q. When did you cease to be the editor?

A. When I became the Minister for Education.

Q. About February of this year? That is when you became a Minister?

A. No, I became Minister in the previous caretaker Government, but though I ceased writing for the paper, my name was not struck off the paper until that time.

Q. When was your name finally struck off from the paper?



A. I do not remember - may be February: you may be right.

Q. About February ?

A. Yes.

Q. On December 9th, 1960, you were still the editor of this newspaper ?

A. Yes.

(MVS.46)

Q. This is an extract, Sir. On 9th December, 1960 there was an article: the title is "Zanzibar for Zanzibaris". This article is in connection with the right of Zanzibaris to occupy a post from the highest to the lowest - the last sentence of the first paragraph.

A. Yes, Sir - what was the question ?

Q. The article is concerned with propagating the idea that Zanzibar people are entitled to occupy posts from the highest to the lowest.

A. Yes, Sir.

Q. Now would you agree with me that it is not all members of your party who are as intellectual as yourself ?

A. Yes, Sir.

Q. Constantly drilling upon them that other people are taking work from them would tend to incite them against those people they considered were depriving them of jobs ?

A. I will say this, Sir. The Party started - and I gave this in evidence-in-chief - that the Party started from those people who perhaps, as you like to put it, are not as intellectual as myself, but who have the same feeling of hunger as anybody else, and it is those who started the Party in order to struggle for their own right to earn a decent living in their own country. So it is not a question of drilling into them any new ideas, it is what came from the bottom. We are not instilling into them any new ideas from high up, this is a mass movement which started from the bottom.

Q. If this feeling and conviction was in the party from the bottom, did you not consider it was your duty to temper the effects ?

A. I would have tampered with it, Sir, if I had been convinced they were not justified, but the thing is I know they are justified.

Q. Will you please turn to the previous page ?

A. I will say this, Sir - that we have not advocated ...

Q. Acts of violence ?

A. No, we have not advocated any measures that would distract the functions of the country or the Government, as our stand in the Legislative Council has amply demonstrated. We said we wanted Zanzibari-  
sation, but that it should be according to well-arranged plans. That is our aim.



Q. But you would agree that harrying a group of people going to the docks one morning and trying to displace the usual workers is not carrying on things according to plans ?

A. No, Sir.

Q. Please turn to the previous page. "Mwongozi", 18th December, 1960, title "Employment Problem for the Citizens". In that article you are supposed to have explained that foreigners have overpowered Zanzibaris in the way of employment. In that article you are said to have explained that foreigners had overpowered citizens of Zanzibar in the way of employment ?

A. Yes.

Q. That it was a bad thing, that this could be laid at the door of administration which had failed to pass suitable immigration laws ?

A. Yes, Sir.

Q. You would agree with me, would you not, that such an article is inflammatory?

A. No, Sir.

Q. You were a member of the Committee on Immigration, 1959 ?

A. Yes, Sir.

Q. It was brought to the notice of this Committee, was it not, that there are seven types of jobs which the people of Zanzibar felt too lazy to do ?

A. Yes. It was alleged by some witnesses that the evidence of the other side was overwhelming and the Committee came to the conclusion that their immigration was justified and that we have reached the end of our absorbing capacity and that the present people who are in Zanzibar can cope with all jobs themselves. That is the conclusion of the report. What you are reporting, Sir, is evidence which was in a very small minority.



Q. Can I ask why your Party continued to preach the doctrine that all must give way to people your Party considered true Nationals of Zanzibar ?

A. Not what my Party considers true Nationals of Zanzibar; what the law considers.

Q. You would agree with me, would you not, that this trouble of employment, one section trying to displace the other, continued right up to 1961 ?

A. One side trying to ?

Q. One side trying to displace the other, the true National trying to displace who was considered not a true National ?

A. Where, Sir, particularly ?

Q. In Zanzibar ?

A. I think there has been a constant struggle by the people of Zanzibar to earn their living.

Q. Do you remember that after the June elections Zanzibar Government put out a broadcast statement that people had been going about trying to displace other persons from employment and that this should stop ?

A. Yes, Sir.

Q. So even after the elections the troubles continued ?

A. Yes, Sir. The point there, Sir, is the position of His Highness's Government was also made clear and it was the policy of the Government of Zanzibaris, the Services. It was made clear that that did not prejudice the position of the Government but the Government did not want people to go and instigate employers to remove others, organisations going to employers, and it was, in fact, that which was investigated. There was found to be no truth in the allegations; that was put out as an allegation by certain groups that people had done. Although Government found no real truth the Labour Officer went into this and found no justification but under



any circumstances in order to explain the position to make it clear that this was put up as a reminder to the people so that particularly at this time after the disturbances there should be no interference and that sort of thing because anything, even what is normal, would be considered all right under the present circumstances. It was a tricky business after the disturbances.

Q. Do you know or do you not know whether as a result of this particular philosophy being preached by your mass movement that some people suffered losses of employment ?

A. Yes, it might be, but the position is that the Zanzibaris had always suffered. This is the position. We know we had to be unkind in order to be kind and we had to be kinder to the people of Zanzibar. Our policy was not to cater for foreigners to come and live in open doors and after all although we want the whole world to be prosperous one is entitled first to struggle for one's own country and that is what the Nationalists do. If you understand, it is a Nationalist Party, it is a patriotic movement for the people of Zanzibar and we can only be in happy co-operation and understanding with other countries if we ourselves can make a decent living in our own country. The position where the people in Zanzibar have to stay without employment, where the majority of the people cannot find employment except in about two or three months every three years when there is a bumper clove crop, that is the tragedy of Zanzibar. Most people are unemployed. There is an acute state of unemployment in Zanzibar and that is the thing that anybody who has any feeling about this country must do. You cannot be generous to other people while your own children are suffering.



Q. Will you please turn to two or three pages after that one and the article I have in mind is from "Mwongozi", 7th April, 1961; it is headed "Immigration Control". This article is also in connection with employment for Zanzibaris?

A. Yes, Sir.

Q. And an attack on the authorities for laxity in the control in immigration?

A. Yes, Sir.

Q. And you say there is an excuse ...?

A. I do not know what you mean by attack. It is criticism.

Q. Criticism?

A. Yes.

Q. And that article says excuses are always being given that when you live in the world of neighbours you have to be reasonable?

A. Yes, Sir.

Q. And this article goes on to say that excuse is utter nonsense?

A. That is so.

Q. You would agree with me, would you not, that from your point of view there was acute unemployment about this time in Zanzibar?

A. Yes, Sir.

Q. This state of unemployment made people excitable?

A. Yes, Sir.

Q. This state of excitement made people inflammable?

A. Yes, Sir.

Q. Would you agree with me questions of employment may have contributed to the causes of the disturbances of June, 1961?

A. It is quite possible; that was why we wanted a restriction on immigration so there should be no unemployment, Sir.

Q. You would agree with me that the same would apply to the floating squatter population you mentioned?



A. Yes. If the squatters could be integrated into Zanzibar society, there would be no problem.

CHAIRMAN: I do not think that is an answer to the question. I understood Mr. Kwaw-Swanzy to say would you agree with him that the effect might be the same in the case of those squatters that are being referred to, the immigrant squatters?

A. That is the question of immigration, Sir, because he referred to the floating population.

Q. A question of inflammability arising through the prospect or the fact of unemployment?

A. The squatters would not be, the employment problem does not apply to squatters.

Q. You did agree that it is a subject that could cause a good deal of violent dissatisfaction, unemployment?

A. Yes, Sir.

Q. I think you have expressed on several occasions your belief that Zanzibaris were not being treated fairly in respect of employment?

A. That is so, yes, Sir.

Q. I think you said, or I inferred from what you said that you felt that that was a considerable cause of dissatisfaction which could inflame people?

A. Yes.

Q. I think Mr. Kwaw-Swanzy is asking you if you do not think the same thing might be applicable to the immigrant squatters if they saw a prospect of being unemployed?

A. Yes, Sir.

MR. KWAW-SWANZY: You said in evidence this morning that it was childish for anybody to object to the use of the national flag?



A. Yes, Sir.

Q. Is it true to say that after 1957 the Z.N.P. was concerned in portraying itself as the true loyal subject of His Highness?

A. Yes, Sir.

Q. And to seek to give the impression that anybody who was not in your fold was necessarily not loyal to His Highness?

A. No, Sir.

Q. There was an agreement between the political parties and the Resident that the Parties should cease to use the flag of the nation?

A. The Parties?

Q. Should no longer use the flag?

A. No, Sir.

Q. There was an agreement?

A. There was not.

Q. I am referring to the agreement of 26th July, 1960?

A. Yes, I know that, Sir.

Q. You were a signatory?

A. Yes, Sir.

Q. The second paragraph requested all parties to refrain from involving His Highness in politics?

A. Yes, Sir.

Q. Would you like to have a look at this?

A. Yes, Sir. (Document MVS. 39 passed to witness)

Q. There is mention of use of the flag?

A. Yes, Sir.

Q. So that as a result of this there was this agreement?

A. I think you have not understood what is said in this, what has been agreed upon:

"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 causes racial animosity".

Which causes racial animosity. If you would like to know the background of this, there was allegation and counter allegations. There were allegations that the Z.N.P. were using His Highness's flag as their flag. His Excellency the British Resident said it would infuriate His Highness the Sultan if he learnt that we were trying to stop anyone from using his flag. So long as it is used in an honourable way there is no point and Sheikh Abeid Karume said **is it** right that people should put up flags on their branches on the morning and put them down in the evening. His Excellency said, "I have a neighbour in England who religiously puts up the Union Jack early in the morning and puts it down in the evening with all the pomp and seriousness befitting the nation and it is nothing in England. The parties in England may use it or anybody may use it". But the counter allegation was that the flag of the Sultan was being degraded by some people, some people using it to tie on the back of their goats or stamping on it, tearing down, as evidence was later given here during the disturbance at Mfonosini and that sort of thing which was the counter allegation which might create racial animosity; but it was nothing so long as you do not degrade His Highness the Sultan or degrade the national flag of Zanzibar and you do not cause any racial animosity like putting up the flag. It is on the contrary the non-use of the flag may be interpreted for those who like it that it degrades the name of the Sultan.

Q. The flag became associated with the Nationalist Party?

A. It is up to anybody to associate anything.

CHAIRMAN: Will you answer the question please. He asked you did it?



A. No, Sir, it was the flag of Zanzibar. The only thing, we were Zanzibaris, patriots of Zanzibar, nationals of Zanzibar, and we had been using it. I know we were using it on our vans and cars and so on, that has been discontinued after this, that we considered, it was expressly said, that that is bad and I agreed with His Excellency that would create confusion. A man seeing the flag coming on a car might associate that with His Highness the Sultan coming in the distance. That was discontinued at this time, but it was explicitly understood by all that the use of the flag in the branches or during the occasions, say, on His Highness's birthday, at functions like that. We have always used it just as Afro-Shirazis have been using the Union Jack.

Q. You say playing on His Highness's birthday - you mean the band ?

A. No. During his Highness's birthday we may display the flag. It is the custom in Zanzibar, Sir, during the Maulidi celebration to display the flag. Before the Nationalist Party came into being during any functions, religious or function connected with His Highness in any way or any important function people were putting up flags. Followers of His Highness the Aga Khan put up the flag of His Highness the Aga Khan and mixed with His Highness's flag also the Sultan's.

Q. In a similar way you consider that the use of the Youth's Own band in no way associated His Highness with your Party ?

A. In what way, Sir.

Q. Accompanying His Highness on official tours ?

A. Yes, Sir. It is not accompanying His Highness on official tours. It is being there. It is being there in the village playing the band when His Highness arrives.

Q. When paying a visit to a school ?

A. Whether a school or a village.

Q. You would agree with me that it is not everybody in that village who would belong to your Party ?



A. Not necessarily, Sir.

Q. You would agree with me that <sup>if</sup> your Party's band plays it will have a tendency to play your Party tunes ?

A. No, Sir. What is played when His Highness arrives is nothing political. It is the National Anthem of the Sultan and there is a particular hymn which is a prayer for the Sultan which is played. They do not play political tunes during His Highness's visit. That is absolutely forbidden.

Q. You would agree with me, would you not, that on one such occasion some subjects of His Highness protested by withdrawing from the gathering ?

A. Some subjects of His Highness the Sultan have acted discourteously on many other occasions.

Q. Will you please answer my question ?

A. Yes, Sir.

Q. I put it to you that connection coupled with your effect to tell everybody else that the other Party are mainlanders was in fact meant to show you up as the most fervent Party of His Highness?

A. Anybody would put any interpretation but I do not see the association of mainlanders and His Highness the Sultan.

Q. Would you agree with me that if you used His Highness in such a way you would tend to bring him down in the esteem of his subjects ?

A. No, Sir, on the contrary. I cannot see that a person expressing loyalty to his monarch tends to degrade that monarch. I cannot see that.

Q. We are talking in terms of Zanzibaris. We are not talking in terms of the world at large.

A. Zanzibar is a part of the world, Sir.

A. After the January election, 1961, you went into the house of a member of the Royal Family for meeting of the Z.N.P. and the Z.P.P.P. ?



A. Yes, Sir.

Q. Would you like to give evidence of this in camera ?

A. No, Sir, there is nothing secret about it.

Q. Whose house did you go to ?

A. Seyyid Seif bin Hamoud.

MR. KWAW-SWANZY: My Friend has told me that the Commissioners have decided to hear similar type of evidence in camera.

CHAIRMAN: If the witness does not mind.

A. It is nothing secret, Sir.

Q. It has been said on several occasions.

A. Seif is a member of the Royal Family in a very loose term. He is not expected to become heir to the throne in any way.

MR. KWAW-SWANZY: In fact he has a Royal title, Seyyid ?

A. So are many other people Seyyid.

Q. He has a Royal title ?

A. That is not correct. Seyyids are members of Oman which is great-great ancestor of the dynasty in the same way as there are descendants of the Prophet and they are numerous.

Q. But you say he is a member of the Royal Family ?

A. Yes, he is a member of the Royal Family.

Q. He was at one time a member of the Legislative Council ?

A. Yes. He was a member of the Legislative Council and he used to run a newspaper.

Q. Why did he withdraw ?

A. He did not want to go, he was compelled to go.

Q. He was co-accused in the sedition case ?

A. Yes, Sir.

Q. He was brought up to Court for raising sedition in Zanzibar ?

A. I beg your pardon, Sir. Yes, he was.



Q. He was your co-accused ?

A. Yes, Sir.

Q. In face he was accused No. 4 ?

A. Yes, Sir.

Q. What did you and other members of the Z.N.P. and the Z.P.P.P. members go to do in Seyyid Seif's house ?

A. We went to negotiate the alliance that you see now, Sir, with the Z.N.P. and Z.P.P.P.

Q. You went to negotiate an alliance ?

A. Between the Z.N.P. and Z.P.P.P.

Q. To be able to form a Government in January, 1961 ?

A. Not only to form a Government but to work for the common good of this country.

Q. Before then you had been sent to Pemba by this member of the Royal Family ?

A. No, Sir, I went on my own.

CHAIRMAN: Is he a member of the Royal Family ? Is he the son-in-law ?

MR. KWAW-SWANZY: He is both, Sir, both Royal in his own right and he is married to the daughter of the Sultan.

A. He has no restrictions, Sir. The people who are members of the Royal Family in the strict sense of the word are the direct descendants of the Sultan. The Royal Family is a large one. What is called the Royal Family here is a large one.

Q. There are certain people in Zanzibar against whom no criminal action can be instituted without the fear of the British Resident and the Attorney-General, is that correct ?

A. I think <sup>not</sup> His Excellency, Sir. His Highness.

ATTORNEY GENERA: His Highness, Sir.

Q. This person is one of them ?



A. Yes, Sir.

Q. Could you please tell us what took place in that meeting?

A. We discussed, as I said, the formation of a coalition as it was at that time because it was after the January election.

CHAIRMAN: I think you have explained it. We know what the constitution of the various parties was, and you went there, as you have told us already, to negotiate if possible a coalition between yourselves and the Z.P.P.P.

A. That is so, Sir.

Q. And you achieved what is seen today ?

A. Yes, Sir.

MR. KWAW-SWANZY: Is he a member of the ZNP or a member of the ZPPP ?

A. He is neither a member of the ZNP. or a member of the ZPPP.

Q. Who were with you at that meeting ?

A. Ali Shariff was there.

Q. Mohammed Shamte was there ?

A. Yes, Mohammed Nassor, Abdulla Amur and Said Njuga.

Q. Was your General Secretary also there ?

A. I do not think he was there, I do not remember, I do not know.

Q. Was it at about the same time as your meeting that you headed a large crowd outside the house of Othman Shariff ?

A. I headed a large crowd ?

Q. In connection with one man called Bakari ?

A. Not me.

Q. Do you know who this Bakari is ?

A. I know he is a member of the Legislative Council.

Q. In January 1961 to what party did he belong ?

A. The ZPPP - he still does.



Q. It was your desire in January to get him to join the alliance ?

A. But he was in the alliance.

Q. I am talking about prior to his being abducted.

A. By Othman Shariff ?

Q. Is that why you went there - to rescue him ?

A. No, Sir, I did not go.

Q. You happen to know, do you not ?

A. I heard about it afterwards.

Q. That a large crowd of Y.O.U. boys were there ?

A. I do not know, Sir.

Q. You happen to know ?

A. I know Mohammed Shante was there.

Q. You happen to know, do you not, that Y.O.U. boys assaulted an Indian gentleman called Jayantilal Hirji during the January elections?

A. I do not know, Sir.

Q. Do you happen to know an Indian gentleman called Varas Mohamed who was similarly assaulted to Y.O.U. boys during the June elections?

A. Who is Varas Mohamed ?

Q. An Indian gentleman who was a candidate for the A.S.P.

A. I do not know, Sir; I have never heard of it.

Q. How many Indian gentlemen were members or candidates of the A.S.P. in June 1961 to your knowledge ?

A. Two.

Q. Who were they ?

A. One is Mr. Rastom Sidhwa, and the other we call Muki.

MR. KAW-SWANZY: That is all.



Cross-examined by THE ATTORNEY GENERAL

Q. Sheikh Ali, in the course of your evidence you gave four causes of disturbances of which two were the wrong policy in the recruitment of the police, and the second one was lack of security arrangements. You have had legal advice on these matters since the disturbances, have you?

A. Yes.

CHAIRMAN: On those particular subjects?

ATTORNEY GENERAL: Have you retained counsel in this matter?

A. In what matter, Sir?

Q. Representing the ZNP at this Commission.

A. Yes Sir.

Q. Have you given your counsel full instructions in those matters? Have you told him what in your estimation were the causes of the disturbances?

A. Yes Sir.

Q. Did you tell him that in your view those two were the causes of the disturbances?

A. Some of the causes.

ATTORNEY GENERAL: Does it strike you as somewhat odd that not a single word was put to any person who was called earlier to give evidence that the government was wrong and had employed a wrong policy in the recruitment of the police, and that there was a lack of security arrangements?

MR. KANJI: If you please, Sir, I did ask questions of Mr. Robertson about Raha Leo and Jangombe.



CHAIRMAN: Yes, you did, that is quite right, but you did not put anything like the evidence that this witness has given. It is true that you were critical in your questions about the arrangements at those two polling stations, but it is quite idle to suggest that the evidence of this witness was substantially put to any of those witnesses.

ATTORNEY GENERAL: I will ask you again. Do you think it odd that not a single question as to the policy of recruitment of the police was put to Mr. Biles, the Commissioner of Police?

A. I do not know, Sir; that is a legal aspect.

CHAIRMAN: If you establish that a statement to that effect was given before these proceedings commenced is not that a matter of comment? The witness may not be familiar with the proceedings.

A. I am not.

ATTORNEY GENERAL: I will take his answer that he did instruct counsel.

CHAIRMAN: But before these proceedings commenced; you have not established that.

ATTORNEY GENERAL: When did you instruct your counsel as to what in your view were the causes of the disturbances?

A. I cannot remember exactly, Sir.

Q. Before the Commission started?

A. No Sir, as the Commission was going on. I cannot remember exactly. In fact, Sir, I should say I think it was the day before yesterday.

Q. Now I refer you to the evidence on page 14 of the Second Day's hearing, evidence given by the Civil Secretary, in which he stated



".... our assessment was that everything indicated that the elections would pass off peacefully, though the possibility of trouble arising when the results had been announced was recognised."

I also refer you to the evidence of Mr. Biles, the Fifth Day, page 72.

In answer to my learned friend Mr. Dourado he said:

"I was present at a meeting which was held by the Civil Secretary on the 19th May and I did see the various political leaders on various occasions. They came to my office with various complaints....."

Q. Did any of them give you any indication that violence would break out on the scale that it did?

A. Not one of them gave any indication that their parties would resort to violence."

You said in your evidence-in-chief - I think I got down what you said -

"I feared that there would be more violence in the June elections; there had been scuffles in the January election", and then you enumerated five factors that led you to fear that there would be more violence.

Do you remember that?

A. Yes.

Q. Did you tell the Civil Secretary of your fears and the reasons for your fears before the June elections?

A. Yes, Sir, I said so in my evidence.

CHAIRMAN: The witness has said that he repeatedly pointed these matters out.

A. Yes.

ATTORNEY GENERAL: Did you hear the Civil Secretary being asked in this Commission whether you had told him that or not?

A. I was not present all the time he was here.

Q. Did you tell the Commissioner of Police what you feared and the reasons for your fears?



A. I said, Sir, that I do not recollect myself definitely telling the Commissioner of Police, but I know that our representatives Sheikh Hilal Mohammed and Sheikh Juma Aley in meetings when the Commissioner of Police was present put these matters to him.

Q. Did they put these matters?

A. Exactly, the question of security in these two constituencies.

Q. Not these matters you have enumerated but as regards the two constituencies?

A. That is right, and the question of security.

Q. You have said that months before the election you raised the question of security at Jangombe and Raha Leo constituencies and asked for stronger security forces to be put there. Did you hear the Commissioner asked if he had increased the security forces at Jangombe and Raha Leo?

A. No Sir.

Q. It is at page 23 of the Third Day. Did you hear him say he had increased the number of constables at Gulioni, Raha Leo, Darajani King George VI School and Kisiwandui and Kikwajuni?

A. No, I heard him say it was increased by two policemen.

Q. Did you hear in addition that he had sent out two mobile police stations, and there were also patrols of officers going round? You said yesterday morning - "I realised the danger of over-weighting some places and depleting the mobile forces"?

A. Yes.

Q. Have you any experience in riot drill, the preparation for riots?

A. No Sir.

Q. Preparations for keeping law and order all over Zanzibar and Pemba?



A. No Sir.

Q. Do you say now that the dispositions the Commissioner of Police made as regards those two constituencies having regard to the forces at this command were inadequate?

A. I said, as I explained to the Chief Minister, Sir, I was not an authority on the subject of the disposition of forces of law and order, and I still say I am a layman. I give my opinion as a layman for what it is worth, as a citizen, and not as Commissioner of Police.

Q. Do you say the dispositions were inadequate?

A. I cannot say one way or the other; I can only judge by the results, Sir.

CHAIRMAN: The witness has expressed the view that if there had been more security forces at these places from June 1st onwards the flare-up might not have occurred.

A. I must say one of the tragedies of all this is where the feelings and opinions of ordinary people who happen to be in close contact with affairs have tended to be so much ignored, as it has been demonstrated here in evidence that was given by Mr. Smithyman, that the Commissioner of Police refused that the Superintendent of Police should consult with the District Commissioner on the question of security, that these were to be discussed at a much higher level.



That is where the situation was not controlled by the people who had their feet on the ground, the ordinary people, the provincial administrators and ordinary people like ourselves, citizens who are in close touch with affairs. I think the forces of law and order were too high in the air.

ATTORNEY GENERAL: You have criticised two policemen you say earlier that morning; you said you did not think they acted quickly enough.

A. Yes.

Q. They just sauntered up?

A. That is right.

Q. And then you also criticised the police because you saw a photograph of a special policeman fraternising with the mob.

A. Yes.

Q. Have you got that photograph?

A. No, I could get it.

Q. In what manner was he fraternising?

A. He was smiling with the mob.

Q. What was the mob doing?

A. Almost in a state of riot, Sir.

ATTORNEY GENERAL: And you criticised the general body of police because you saw a special constable smiling?

CHAIRMAN: That is not quite what the witness said, Mr. Attorney. The impression I gathered from what the witness said was that the circumstances were such that the officer concerned ought to have been doing something about it rather than smiling encouragement. That is what the witness said. Is that what you mean?



A. Yes, thank you, Sir, I am much obliged, Sir.

ATTORNEY GENERAL: Now we come to the Darajani incident. You went on to talk about the unreliability of the police force at Darajani. I have here a note of what you said in your evidence-in-chief. There was no adequate response to Suleiman Said Kharusi's order. May I remind you of the evidence given by Suleiman Said Kharusi, page 35 on the Sixth Day.

CHAIRMAN: I have a fair recollection of what he said, the Commissioner gave evidence on the subject. The witness you speak of did not give quite such emphatic evidence.

ATTORNEY GENERAL: He said:

"I told my men to advance and snatch away the sticks from the crowd.

Q. Did they do it?

A. They went, yes. They advanced and reached the crowd.

Q. Did they manage to disarm them? A. They did not.

CHAIRMAN: Did they try?

A. They made an attempt.

Q. Of course, they were grossly outnumbered?

A. They were, and they made an attempt to tell them to surrender arms."

Did you hear that evidence?

A. No Sir.

MR. DOURADO: The evidence you are referring to of the Commissioner was indirect evidence relating to this incident. Would not the Commission prefer the direct evidence?

CHAIRMAN: I am expressing no opinion about it. I do not see the purpose of the intervention. All I am saying is that evidence on the subject was given by the Commissioner of Police, and the witness being referred to now did not give quite such emphatic evidence.



ATTORNEY GENERAL: You did not hear that evidence?

A. No, I was not here when he said it.

Q. Were you here when Suleiman Said Kharusi was cross-examined by Mr. Kanji?

A. No Sir.

Q. Would you be surprised to hear that there were two questions asked of him and neither of them referred to his order to his men to advance and disarm the crowd?

A. No Sir.

MR. KANJI: With respect to my Learned Friend the evidence was heard in camera. The Commissioner of Police said something about it and I thought it was my duty not to ask any questions of the Superintendent of Police Suleiman Said Kharusi when he was here before the Commission in the hearing when everyone was present.

ATTORNEY GENERAL: I do not understand what my friend is referring to.

CHAIRMAN: I do not think you are being criticised.

A. What I gave was the report I received from people who were there. I was not referring to any evidence that was given here.

ATTORNEY GENERAL: I want to come to what you say were the causes of the recent disturbances. You said the causes of the recent disturbances were political, lack of political consciousness on the part of certain people has brought about these disturbances ?

A. Yes, Sir.

Q. Would you say today that these disturbances were premeditated by anybody ?

A. Yes, Sir.

Q. Have you given the reasons here why you consider



these disturbances were premeditated?

A. No Sir, I gave the train of events which were brought about. This is the first time I have been asked.

CHAIRMAN: It is the first time this question has been put directly to the witness. He has given what he says is the sequence of events and he has not been asked that by anyone else until now.

ATTORNEY GENERAL: Has your party stated in terms that in your opinion the massacre was in no sense the result of accidental circumstances but the premeditated consequences of cold calculation and careful planning. Did your party write that?

A. I do not know whether they did, but I agree with that, Sir.

Q. Did they go on to say the riot was not racial as between Africans and Arabs, but political?

A. Yes Sir.

Q. It was part of a pre-arranged plan conceived when it was realised that an Afro-Shirazi defeat at the polls was almost a certainty to prevent by violence a ZNP/ZPPP victory.

A. That is so.

Q. This is a letter to the Secretary of State signed by Sheikh Hilal Mohammed Hilal for the General Secretary of the ZNP. Do you remember that letter?

A. Yes.

Q. It was discussed, I presume, before it was sent?

A. Yes.

Q. Paragraph 5 is headed "Disturbances" -

"We regret to have to admit that we have in our possession a very considerable body of evidence to substantiate the claim that the disturbances were definitely premeditated, and that the Afro-Shirazi leadership is inescapably incriminated in the plot."



Have you or any of the members in your party laid that evidence before the Commissioner of Police so that a prosecution for conspiracy can be instituted?

A. I think all the cases have been reported to the police.

Q. Have you laid that evidence of a premeditated plot?

A. Whether it was a conspiracy or not I do not know.

CHAIRMAN: Have you laid evidence that there was a premeditated plot before the Commissioner of Police? Do you know whether any of your members have or not?

A. I have not been dealing with the question of advancing evidence to the police, but if you like to talk to people who have been concerned in this they will answer it. I have not been dealing with the legal aspect or the legal proceedings concerning these disturbances.

ATTORNEY GENERAL: Do you consider or do you not consider that if your party has evidence of the preparation of a massacre plot it is the duty of your party to lay the evidence before the police?

A. Yes Sir, unless there are other overriding factors which might make it unwise to do so.

Q. When is it unwise to report a crime to the police?

A. In the same way, Sir, if I am permitted to quote an example that I know, where the Attorney General has refused to prosecute a sedition because of a number of overriding factors.

CHAIRMAN: That is rather an exceptional case. If you had definite evidence that the whole of these disturbances



resulting in the murder of many people, had been deliberately plotted and engineered would you not consider it your duty to bring the persons responsible to book ?

A. As I say, Sir, I know of a particular case of sedition .....

Q. Would you answer the question please ?

A. Where the evidence is concrete, where there are political considerations and other important matters of security, and the overriding factors are political matters ...

Q. That is another case, but you are being asked about this one.

In the same case, as perhaps you have noted, Sir, we have not tried to implicate anybody other than those who are openly implicated.

Q. Those who actually committed the deeds ?

A. Yes, Sir.

ATTORNEY GENERAL: You have seen fit to criticise the police before this Commission. How do you think the police can do their job properly if citizens with evidence of crimes do not report such matters to the police ?

MR. KANJI: May I assist the Commission. There is a section of the Z.N.P. which dealt with that.

CHAIRMAN: This witness is the recognised leader of his Party, and it is <sup>a</sup> perfectly proper question for the Attorney-General to put. Will you please not intervene. If you have any information



information that such evidence has been placed before the police by any particular section of the party in question you can say so.

Q. Am I correct in assuming that your answer to that question is that normally speaking you would think it was a person's duty to lay the evidence before the police, but there might be overriding political considerations that would make it undesirable?

A. That is so.

Q. And that would justify it not being done?

A. Yes, I am much obliged.

CHAIRMAN: That is what I understood you to say.

ATTORNEY GENERAL: In the body of this letter, drafted after consideration by your party, it is stated:

"It is submitted that if the Afro-Shirazi Party live up to their threat and boycott the Legislative Council they will be doing so for other reasons and certainly not as an expression of the opposition to the existing constitution. As a matter of fact they have not said so in their declaration and in fact cannot do so because they are on record as having wholeheartedly approved this same constitution when it was debated in the Legislative Council. Abeid Karume said at that time that the the proposed constitution was exactly what he and his party had wanted. There was no sign then, or at any time before 1st June, that the Afro-Shirazi Party were dissatisfied with the constituency boundaries either in Zanzibar or Pemba."

That last sentence is scarcely consistent with a coldly premeditated, plot is it?

A. I do not see the connection, Sir.



Q. If they were satisfied with the constitution and the constituencies as drawn in Zanzibar and Pemba, that is not consistent with a premeditated plot before the elections to cause massacre, riots and disturbances ?

A. The massacres and riots were not calculated to oppose the constitution. It was to oppose the coming into power of the Nationalists and the Zanzibar and Pemba People's Party. It was not against the constitution. It is one thing to accept a constitution and another to accept the winning of a rival party to come into power.

Q. Going back to paragraph 5 of this letter, it is stated :

"There is a considerable body of evidence to substantiate the claim that the disturbances were definitely premeditated. This evidence will in due course be made available to the Commission of Inquiry which you propose to set up shortly to enquire into the causes of the disturbances."

Have you got the evidence here, Sheikh Ali ?

A. As I say, Sir, much water has passed under the bridge since then, and my previous answer to your first question still stands.



ATTORNEY GENERAL: I understand that you are the last witness to be called by my learned friend. It that so?

A. Yes.

Q. Will this evidence be available in due course for the Commission? Is it available?

A. I have already answered that. Overriding political considerations are more important than the conviction or condemnation of certain individuals.

Q. I understand that you have not produced evidence of this premeditated plot for massacre to the Police. Will you produce it for the Commission?

A. Is that your wish?

CHAIRMAN: Have you got any evidence which would go to show that any other Party or body of persons deliberately planned to cause the disturbances which commenced shortly after 8 a.m. on 1st June, apart from the evidence that you yourself have given and the Secretary-General, Mr. Babu, before us here? Is there any other concrete evidence? You have expressed your own views strongly on the matter, but is there anything else?

A. Sir, I must ask your indulgence, Sir, and try to explain so that you may understand our position. We are being faced with very important constitutional problems and we are struggling to bring about the unity of this country, the unity of East Africa in general. Factors which are very important and vital to the destiny of this country and East Africa in general and I would ask the indulgence of the Commission, Sir, to allow us not to pursue that matter further than we have done. We have tried as much as possible to keep ourselves within.....

CHAIRMAN: Would you answer my question. Is the evidence there or not? Would you be good enough to answer my question?



A. I must say that the letter when it was written was correct, but I personally am not prepared to pursue that matter further.

Q. Are we to assume that there is evidence available which would show that some body of persons or Party deliberately set about engineering the events which occurred from the 1st June onwards, and resulted in the murder of a number of innocent people? Are we right in assuming that?

A. You may be right, Sir.

Q. I am asking you the question? The answer is simply an affirmative or negative. I must ask you to answer the question. It is yes or no.

A. No, Sir.

Q. We would be wrong to think that?

A. Yes, Sir.

Q. In other words, the concrete evidence is not available.

A. It is not available, Sir, for this Commission.

Q. And we would be wrong to assume that you or anyone connected with your Party are deliberately concealing anything that, having regard to our terms of reference, we would be entitled to expect to hear?

A. Yes, Sir.

Q. Have you finished?

ATTORNEY GENERAL: Yes, Sir.

CHAIRMAN: One or two short questions in order to save you the burden of having to appear tomorrow. You did say, I think, in answer to Mr. Kanji, that the party which you lead consists of three sections: there is a women's section, the Y.O.U. and then there is the main body of the Party members?

A. Yes, Sir.



Q. Now, would it be correct to say that the Y.O.U. is definitely the Youth Wing of the Party?

A. That is so.

Q. From its inception has it been regarded as such?

A. No Sir. That is why it is called "The Youths Own Union".

Q. But it has since become definitely affiliated?

A. That is so.

Q. Can you remember, there was a meeting held in the Civil Secretary's Office, I believe, on the 19th May, when the leaders of the various parties were present. Do you remember that? And the question of security arrangements came under discussion and I think that certain points were definitely set out at that meeting that people should be persuaded to queue quietly and in an orderly manner; people asked not to take the law into their own hands and leave matters to the Police, and eight other points should be drummed home before the Elections?

A. I was not there, but I am aware of the meeting.

Q. And there would have been responsible representatives of your Party present at that meeting if you were not there yourself, who would have known your views and been able to represent them.

A. Yes.

ATTORNEY GENERAL: Thank you.

Re-examined by MR. KANJI.

MR. KANJI: Sheikh Ali Muhsin, you have told us something about literature which came from China. Now, did you attempt to get literature from a country other than China before you got this literature?

A. Yes.

Q. Name the country?



A. I think that bookshop itself offered literature from the United Arab Republic, the United Kingdom, the U.S.A. I, as Minister of Education, have been in contact with other authorities trying to get them to get in touch with this bookshop so that varied literature can be made available at a low price. I have been in touch with the U.K. Information Office in Zanzibar and Dar-es-Salaam and have written to publishers in the U.S.A. at the recommendation of the Consul General in Dar-es-Salaam, Mr. Duggan, and Mr. Pickard here.

CHAIRMAN: Has the importation of literature any bearing on this matter we are now investigating, importation of communist literature or any other kind of literature?

MR. KANJI: You were asked some question about Amani Thani in Cross-Examination. Did you know that he was Mr. Babu's agent in Raha Leo? He was the candidate standing in Raha Leo.

A. I didn't, Sir.

Q. Do you know that Mr. Babu was Z.N.P. Election Secretary at the time of the General Election?

Q. Am I right that there is a section in your party which dealt with report of crimes to the Police and do you know that certain letters were addressed to the Police complaining about the crimes? I will put the letter through Mr. Wright, Sir.

CHAIRMAN: Is that all?

The proceedings were adjourned until 8 a.m. on 7th October, 1961.