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ZANZIBAR PROTECTORATE

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

hold at

The Legislative Council Chamber, Zanzibar

before

- SIR STAFFORD FOSTER-SUTTON, K.B.E., C.M.G., J.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

T W E L F T H D A Y

Saturday, 7th October, 1961.

of proceedings
Note taken by Treasury Reporter
— 1

APPEARANCES

For the Government:

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

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

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

For the Afro-Shirazi Party:

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

ON RESUMPTION

CHAIRMAN: Mr. Kanji, in view of the evidence given by the last witness just before we adjourned yesterday afternoon, we wish to ask you, as a member of the Bar, representing the Zanzibar Nationalist Party before us in this Commission, whether or not you are aware of any credible evidence, other than the evidence already tendered by you, that the incidents which culminated in a number of innocent persons being murdered from the 1st June onwards were deliberately planned by any person, persons or Party?

MR. KANJI: If you please, Mr. Chairman, I think you will remember that at one stage I had produced a tape recording for Mr. Wright to recognise the voice, and I then asked Mr. Wright whether he knew Aboud Jumbe's voice, and I had asked him whether Aboud Jumbe was one of the leading members of the Afro-Shirazi Party. Now I have that here, Mr. Chairman, which may have some bearing on the point of whether there was organisation.

CHAIRMAN: Apart from that, are you aware of any other evidence - and by that we do not include the evidence of these unfortunate victims which related to individual incidents of violence?

MR. KANJI: I appreciate that, Mr. Chairman. The only evidence which would help the Commission perhaps is my letter which I was putting to the Commissioner of Police. a letter addressed

by to Mtoro Rehani, who is the president of the Afro-Shirazi Party; and some extracts from that letter were in fact put to the Commissioner.

CHAIRMAN: If you think that the tape recording is relevant, you had better put it in, and any other evidence you have of that type, if it is relevant to the matter we have just asked you.

MR. KANJI: Well, Sir, I think I ought to say at this stage there is no definite direct evidence. This is all circumstantial evidence, which could lead to a conclusion,

There was a letter which was written by a section of the Nationalist Party to the police, reporting in detail all the various crimes which had been committed including statements to the effect that injured people were walking on the street and there were ASP supporters in the crowd, and they were laughing at them.

CHAIRMAN: Now, if it exists we are expecting you to call such evidence as was referred to in the letter, evidence that relates solely to an individual attacks we do not think would help us. We have already had several witnesses, and it is not denied that these unfortunate incidents did occur. Have you got your tape recorder?

MR. KANJI: It is available, but it is not here. It can be brought.

CHAIRMAN: Very well, you must use your own judgment, you know. We have asked you the question. Unless it directly bears on the matter that we have asked you, it probably would not help us, but there was suggestion - you heard the suggestion

yesterday, which was afterwards denied in the sense that it was stated categorically by a witness on oath that no such evidence existed, as had previously been referred to. We hope that you completely understand the point. I will read it out again so that there shall be no mistake - "credible evidence, other than that tendered by you already, that the incidents which culminated in a number of unfortunate persons being murdered from 1st June onwards were deliberately planned by any person, persons or Party." If the evidence that you have, and have not yet called, is of the same type as we have already heard, I am sure you will agree that it will not help us to have it all repeated.

MR. KANJI: I agree, Sir.

CHAIRMAN: That is all: that is what we wanted to make clear. We have heard the views of responsible persons of the Zanzibar Nationalist Party, and you have called three witnesses who were injured, giving evidence of individual incidents, presumably to support the evidence **giving a general picture**; and we do not think further evidence of the type we have mentioned, giving the general picture and individual incidents, will help us. That is the point. We put this to you this morning because of certain answers given by the last witness just before we adjourned. We also wish to say, Mr. Kanji that if it is the case that you were unable to obtain a statement from your last witness until after the witnesses had been called by the Attorney General, we wish to withdraw any criticism we have made in connection with you personally.

MR. KANJI: I am much obliged to you, Sir.

(Mr. Kanji indicated that though he had previously said he was going to close his case, he had decided to call two other witnesses who were referred to briefly in cross-examination of the last witness:

and it was agreed that Mr. Hamilton, who was being called by the Attorney General at our request, should be called first.)

MR. W.M. HAMILTON called and sworn

Examined by MR. DOURADO.

Q. Will you give your full name, please?

A. William Morrow Hamilton.

Q. And you are the Town Planning Officer for Zanzibar?

A. I am.

Q. At both the January and June elections, you were the Returning Officer for the constituency of Raha Leo?

A. I was.

Q. And that constituency is divided into three polling divisions?

A. It is, namely Gulioni, Raha Leo and Miembeni.

Q. Now what is the legislation covering the election machinery?

A. The Legislative Council Decree is the Decree which covers the running, the procedure, in every sense, of the election.

Q. That is Decree No. 4 of 1957. I think you can take it that it is.

A. Yes, I accept that.

Q. I am tendering the Council's Decree and three handbooks published before the election. The three handbooks were prepared before the election?

A. Yes.

Q. One was the presiding officer's handbook?

A. Yes.

Document
WMH. 58

Document
WMH. 58A

Document
WMH. 58B

Q. The returning Officer's handbook?

A. Yes.

Document
WMH 58C

Q. And the candidate's handbook?

A. Yes.

Q. Those handbooks contain the procedure, and system of voting?

A. They do.

Q. Could you describe this system and procedure, Mr. Hamilton? To start off with, would you deal with a voter coming to the polling station?

A. Yes, could I refer to the Presiding Officer's handbook? The polling staff usually sets off at an early hour, about 6.30 in the morning, and proceeds to the polling station to ensure that they are there in plenty of time to commence voting at 8 o'clock. There are certain operations to perform and certain things to do between the time of arrival and the time when the actual voting commences. First of all they have to pin up on the notice-board, or display in a public place outside the polling station, certain forms - Form No. 9, directions to electors, Form No. 6, the notice of poll - which is usually already there - a clean copy of the list of electors for that station, a copy of the symbol for each candidate and, if the candidates submit, a photograph of each candidate. Then they instruct the policeman about his duties. He is to keep order and to assist the people forming a queue, and if there are any disturbances he is to take the necessary action. Then he speaks to the Sheha, who is a Government official. You might call him a local government official. He is a person who knows his area intimately and knows most, if not all of the people intimately. He is instructed about his duties inside the polling station, which are to detect personation. If he sees someone in the polling station who should not be there and is hoping to vote

CHAIRMAN: In the place of somebody else?

A. In the place of somebody else, then he immediately objects to the presiding officer, who considers that objection and gives a decision. He also meets the candidates' agents if they are there. They do not necessarily have to be in the polling station. They do not have to be there, but the law provides that one agent appointed by the candidate can be inside.

Q. Inside?

A. Yes, he can appoint many agents, but only one must be in the polling station at the time.

Q. And the purpose of that is to enable the candidates' agents to check that everything is being done properly?

A. That is correct, Sir.

Q. To satisfy themselves

A. That the procedure is carried out according to the legislation, and also of course to detect personation and double voting.

Q. So you have two people normally?

A. Yes, the Sheha and the candidate's agent, and also you are permitted to invite into the polling station three members of the public - three voters in that constituency - who can witness any of the proceedings.

Q. And also watch the voters as they come in?

A. Well, Sir, supposing it so happens that no agents were appointed, then there are certain things which must be witnessed before the voting takes place, such as the sealing of the box. In effect that would merely mean the witnessing by officials.

Q. Can you tell us what happened - were your agents there?

A. Yes, they were.

Q. And did you have the three members of the constituency inside?

A. I do not think so.

Q. But you did have the two persons you mentioned?

A. Yes, indeed.

MR. DOURADO: Have you finished the initial preparations?

A. Yes, that is before the voting starts.

Q. Now we come to the ballot box. What arrangements are made to check the ballot box?

A. I should say first of all, Sir, before actually the ballot box is dealt with, you address the public - the presiding officer addresses the public and he informs them about the secrecy of the vote and informs them that any person whose name is in the list may, subject to the provisions of the Decree, vote at the polling station, even though he is no longer living in the polling station.

CHAIRMAN: Provided his name is on the list?

A. Provided his name is on the list: and that if they deface or tear the ballot paper a fresh one can be supplied, and the one that is torn will of course be marked "cancelled" and put in a separate envelope. Also if an elector, having received a ballot paper, decides, not to vote, he may return the voting paper to the presiding officer, who will again mark it "cancelled" or "spoilt". There are three members of the staff, the presiding officer, the poll clerk (who are both inside the polling station) and a direction clerk (who is outside and who is guiding people into the polling station). He is a reserve poll clerk, in case there is some trouble of illness or something. He comes in then as a

reserve and acts as a poll clerk. Now that is everything outside which is finished with, and we come inside the polling station. This, of course, is the most important part of the equipment (indicating the ballot box) and as you can see, it is an ordinary box with a lock and with a slit at the top here. Normally the presiding officer puts all the materials inside this when he is issued with them, because they are important - seals, and so on - and then he locks it and arrives at the polling station on the morning of voting: he opens this box and takes out everything, and just before voting commences, about quarter to eight, he shows to everyone in the polling station - that is the candidates' agents and his own staff - he shows them the box is absolutely empty like this: there is nothing in it, and they agree there is nothing in the box. He then closes it and locks it. He puts the key in a small envelope and puts it in his pocket. That key is given to the returning officer when he returns all the materials at the close of voting. He then prepares to seal the box by placing a piece of red tape between the two holes here, two depressions, one on either side of the slit in the lid. He then pours sealing wax over the tape and seals it with his official seal. It is inspected by anyone who wishes to inspect it - usually the candidates' agents inspect it, and they agree it is properly sealed. Now that box cannot be opened at any time between the time of voting and the time of counting of votes, without members of the public or without candidates' agents witnessing it.

MR. DOURADO: We then come to a voter coming into the voting room.

A. Yes. This box is placed in a conspicuous place in the centre of the polling station, and we usually have officials here, and the public come in on the right or left. They receive the voting paper and a voter is instructed to go and place a cross under the symbol of the candidate for whom he wishes to vote. He then comes back and puts the ballot paper in the box; and then leaves the polling station.

Q. What check is made before the voter is given his ballot paper? Is there any check made? Does he have to give his name?

A. Yes, the voter arrives in the polling station and he gives his name and address and occupation to the presiding officer, who then verifies that this name and address and occupation corresponds to an entry in the official list.

CHAIRMAN: The register of voters?

A. The register of voters. If everything is in order and if there are no objections from anyone, he says, "Are you so and so, and is your occupation such and such and your address such and such a place?" and he says "Yes".

Q. He announces it again?

A. Yes, and the man says "Yes" in the hearing of everyone.

Q. Who is present there?

A. All the election staff and candidates' agents. He then tears off the ballot paper from his book of ballot papers. He folds it over and stamps it with a rubber stamp, which merely shows the number - for example, it might be 32 - which is the corresponding number for that polling station, which means it can only be used for that polling station. The man cannot take it out and vote in another polling station, otherwise the number would not correspond. They would discover at the counting that the number did not correspond to that polling station.

Q. And that would be rejected ?

A. That would be rejected as an invalid vote.

MR. DOURADO: Now when he gives his name and the check is made, is his name ticked off the register of voters ?

A. It is indeed. That is most important: it must be ticked off.

Q. Now we come to the stage when all the voters have cast their votes. What happens at the close of polling ?

A. At the close of the poll various forms are completed by the presiding officer. He first of all checks up the number of unused ballot papers in his books through the counterfoils, and he checks up the number of unused ordinary ballot papers and tendered ballot papers. He makes a note of that. If there are any papers - which is most unusual and I have never seen any - if there are any lying around the station, then he picks these up, puts them in a separate envelope and makes a note of them. It is a spoilt paper and has not been used at all.

CHAIRMAN: You say you have never seen that ?

A. I have never seen it happen, Sir, but there is the possibility and therefore it must be noted. Then of course from these figures, the unused ballot papers, the cancelled papers, the spoilt papers, the ones that were lying round - that total, deducted from the total number of votes which he was issued with, gives him the number of votes inside this box: and that is most important, because you can obviously at a moment's notice detect if there is any irregularity. If, for example, someone has put 20 votes in here instead of one, you can immediately detect that because obviously the figures do not tally; so that every precaution is taken and everything is done to ensure that there are no irregularities whatsoever. If there is any irregularity, it is immediately spotted and the candidates' agents or the counting

agents can then formally object to the running of the voting arrangements and to appeal against the position of that station.

Q. Now what about the ballot box - is it sealed after that ?

A. Yes, the ballot box is then taken in front of the witnesses, the candidates' agents and the members of the staff. It is then sealed, and this is quite a complicated procedure. A piece of paper corresponding to the shape of this frame here on the lid is put across the slit. Tape is then taken and crossed over the paper, and then it is sealed in the four corners and sealed with the official seal. It is then impossible to insert anything during the journey from the polling station: it is impossible to put any more papers inside.

CHAIRMAN: It is sealed at each side and in the centre ?

I see there are five seals.

A. Yes, I am sorry: it is also sealed in the centre.

I think the law states it must be "properly sealed". You can put as many seals as you wish, providing it is satisfactorily sealed.

MR. DOURADO. Now about the journey from the polling station to the counting centre ?

A. The presiding officer is in charge of this, not the returning officer. When everything is completed, the presiding officer takes with him a policeman and a representative from each party in the actual vehicle, so that he has a witness to everything that takes place on the way from the polling station to the counting centre - so that right from the beginning at 8 o'clock in the morning till the actual counting ceases at 10 o'clock or 11 o'clock, there are witnesses; there are representatives of the candidates present at every operation. When I say they are present, I mean they may be present, and usually are.

Q. They are entitled to be present ?

A. Yes.

CHAIRMAN : And usually are ?

A. And usually are.

MR. DOURADO: And now on 1st June, in spite of the disturbances, were all the polling stations open ?

A. Yes, Sir, they were indeed. It was a little bit difficult at Gulioni School, and I was a little bit worried in case we would not open at 8 o'clock; but I am glad to say we did open, and I am also glad to say that despite all the troubles - and there was much trouble at Raha Leo - despite all these troubles, the polling was carried out very effeiciently, very efficiently indeed.

CHAIRMAN: And you had a very high percentage of the registered voters who voted, did you not ?

A. Yes, indeed, Sir.

MR. DOURADO: Now you have described the system. Can you give us an idea as to what extent it was possible to indulge in double voting or impersonation or any other form of malpractice which would materially affect the result of the election ?

A. Well, of course, there is the possibility, and I would say it is possible to double-vote; it is possible to impersonate and it is possible to carry out other malpractices which may affect - though I do not say materially - the result of the election. It is possible to carry out any of these malpractices.

CHAIRMAN: When you say it would not materially affect the result of the election, do you intend to convey by that that it could happen so infrequently as not to have any significant effect ?

A. Yes, Sir: for example mention has already been made of this mystical pencil from the Mystic East.

Q. This Chinese pencil ?

A. The Chinese pencil. If that pencil was used it would

have to be most carefully-planned operation for that to succeed. For instance, you would have to determine the number of voters who are going to be in excess of your votes - that might be 100. You might say, "Well, to be on the safe side I will say 100 voters." Obviously you cannot use the pencils in every polling station, otherwise you would find here 3,000 papers which had no cross on them. Therefore you would have to use the pencils in, say one or two only.

Q. You had better not give too many details about it, Mr. Hamilton, or somebody might try it.

A. I would say, Sir, if such a thing was done it would be immediately detected.

MR. DOURADO: In your constituency, did you find any instances of impersonation, double voting or any other malpractice, and were any allegations of these made?

A. At the second election, I would say no; but there were a few cases during the first election. Candidates' agents did object.

CHAIRMAN: That was in January, 1961?

A. January, 1961, a very few cases.

Q. Of objections?

A. Of objections.

Q. What about June?

A. I do not remember any at all, Sir. The point was, you see, that because of the troubles the Nationalist candidates withdrew their agents from Raha Leo constituency.

Q. When were they withdrawn?

A. I would say about 10.15.

Q. Had a fair number of people voted by then?

A. Oh, yes, Sir, but not the majority.

Q. Then there must have been a great deal of voting afterwards?

A. Yes, Sir.

Q. Because of the number of votes recorded ?

A. Yes. From recollection, Sir, I think the number of votes cast for Mr. Abdul Rahman Muhammed was just less than 1,000, at the first election, and in the second election it was 363; so there was, say, a difference of about 600 votes. The Honourable Member for Raha Leo, Mr. Rastom Sidhwa, had a majority of thousands.

Q. The report of the election for June, 1961, records that the successful candidate received 3,301 votes.

A. That is correct, Sir.

Q. But the unsuccessful one to whom you have just referred received 363 votes. There were 61 rejected voting papers; the total number of registered voters who voted on that day was 3,725 out of a total roll of registered electors of 4,357.

A. Correct, Sir.

Q. So that on any basis that could be considered a very high proportion of recorded votes ?

A. Indeed, Sir.

MR. DOURADO: There is just one point I am not clear about: this double voting. How would you say that would be possible ? A person goes into the polling station and gives his name. His name is checked off. How does he come and vote again a second time ?

A. Well, he comes in again, and he may be a person who is not very well known in that locality. He comes in and votes first of all under his name.

Q. Yes ?

A. He comes again and claims a vote and the presiding officer says, "But I have already ticked off this entry that you are now giving me as a person who has already voted." But then the man says, "But I have not voted." The presiding officer then makes the decision as to whether this man should be given a vote.

CHAIRMAN: Given a ballot paper ?

A. Given a ballot paper, yes. Now if he asks him questions and he is satisfied in his own mind that this person should vote, then he must give him a ballot paper. You cannot prevent anyone voting who is entitled to vote. The candidates' agents will probably object and they will put forward their reasons why this man should not vote. They may say, "We saw him; we know him: he has already voted: we can assure you he has already voted."

Q. Then you have the other official you have described.

A. The Sheha ? Yes, he also may object. Now the decision rests with the presiding officer. If he thinks there is justification for objection that this man has already voted, then he can refuse to give him a ballot paper. Then of course the man who does not get the ballot paper can appeal against that decision and say "I was denied the right to vote at that station."

Q. On 1st June, did you come across any cases like that ?

A. No, Sir.

Q. In any of the three polling stations ?

A. Three polling divisions: no, Sir.

Q. From what you have told us the mechanics of the procedure are strictly followed ...

A. Yes, Sir.

I understand you to have expressed the view from your experience in actual practice, that any attempt at malpractice is most likely to be detected, and if it remained undetected, and the person got away with it, it would be so insignificant as to be unlikely to affect the result of the election ?

A. That is correct.

Q. Where the candidate had a reasonably good majority ?

A. Yes, Sir.

Q. Of course, if it was a case of one vote, it would affect it.

A. Of course.

Q. But that was not the case on the elections of 1st June.

Each candidate succeeded by a reasonably substantial margin.

A. They did.

Q. In some cases by a very large margin.

A. Indeed, Sir.

Cross-examined by MR. KAW-SWANZY.

MR. DOURADO: After the polling on 1st June, 1961, when you started counting you had to reject several papers?

A. That is true.

Q. Can you say how many of such papers indicated that they had been found with the wrong number? That is to say, each polling station had its own number, you say?

A. Yes.

Q. Can you say how many of these voting papers had a number which belonged to a different polling station?

A. None at all, Sir, not one.

Q. Did I understand you to say that the Sheha is man who knows everybody in the area?

A. Well, he does not know everybody, but he is a local person and he knows most people.

Q. Yes, and he is the man who tells the returning officer whether this man is in the area and that he has given the correct name?

A. He does not tell him. He is merely there to detect personation.

Q. Am I right in saying that the shehas are minor government officials?

A. That is correct.

Q. They are more or less like headmen of villages?

A. That is correct.

Q. Would you say it is possible that a Sheha can have a sympathy for any political party?

A. I would suppose so.

Q. Would I be right to say that in fact some shehas are active members of some political parties?

A. That may be so.

Q. Apart from the possibility of voting twice, would you agree with me that double voting may also mean that a person is seen there more than once, but not necessarily using the same name?

A. Yes.

Q. It often happens that people die after the list has been corrected?

A. That is correct.

Q. It also happens that they leave permanently the area where they lived before registration?

A. That is correct.

Q. Now the Sheha, according to paragraph 32 of the handbook for the returning officer, does not always stay at the polling station?

A. No, he does not.

Q. This is because there may be more than one polling station and he is entitled to appoint a deputy.

A. Yes.

Q. The deputy may also be a supporter of a political party?

A. He may be.

Q. He may be also an active member of a political party?

A. Yes, indeed.

Q. Would you agree that most of the agents of the political parties were also supposed to know intimately people in their area?

A. Well, it was to the advantage of their candidates.

Q. You have said that the returning officer had arranged to take a certain decision, am I right?

A. I am sorry: the presiding officer.

Q. On the spot?

A. On the spot.

Q. At the polling station?

A. At the polling station.

Q. If one group of persons considered that his decision was unfair, it might lead to ill-feeling on the spot?

A. Well, I suppose so.

CHAIRMAN: Almost certainly so.

MR. SWANZY: To the best of your knowledge, how did the scuffle start in your polling station?

A. I should point out, Sir, that I am the returning officer merely in what you might term

Q. A constituency?

A. Yes, I am in charge of the whole constituency.

Q. And you are not tied down in any particular polling station; so you are not in a position to say what time the scuffles started?

A. Which are you referring to?

Q. On 1st June, 1961.

A. No, I am not in a position to say. I was there sometimes and I saw one or two things, but not everything.

Q. Were any reports made to you as to complaints of attempted double voting?

A. No.

Q. Were any reports made to you as to complaints made by another group of persons that some others were attempting to cheat or steal votes?

A. No.

CHAIRMAN: You know the candidate of the Afro-Shirazi Party for the Raha Leo constituency won by nearly 3,000 votes?

MR. SWANZI: That is so, Sir.

Cross-examined by MR. KANJI.

Q. Is it true Mr. Babu was a candidate for Raha Leo constituency?

A. On both occasions, at both elections.

Q. And am I right in saying he was also the elected secretary of the ZNP?

A. He is, yes, that is so.

Q. And was he also personally present in any of the polling stations in the Raha Leo constituency?

A. He was not.

Q. Am I right that on 1st June a general feeling developed in Raha Leo constituency that whoever tried to vote for Z.N.P. would be prevented or would be beaten by the A.S.P. people?

A. I had no knowledge of that.

Q. Am I right that at all the polling divisions right up to the end of polling A.S.P. agents were present?

A. I would say so.

MR. DOURADO: No re-examination.

CHAIRMAN: Mr. Hamilton, we are much obliged to you. We can release you.

A. Thank you.

(The witness withdrew)

CHAIRMAN: We do not think it is necessary to recall Mr. Smithyman. Will you apologise to him for any inconvenience caused, please.

MR. DOURADO: I am much obliged. I will do so.

MR. AMANI THANI FERUZI called and sworn

(Interpreted)

Examined by MR. KANJI.

Q. Is your name Amani Thani Feruzi?

A. Yes, Sir.

Q. Are you a member of the Z.N.P.?

A. Yes.

Q. And at some time you have represented your party in
Cairo?

A. Yes.

Q. Am I right that Mr. Abdulrahman Muhammed, known as Mr.
Babu was the candidate for Raha Leo constituency?

A. Yes.

Q. Am I right also that he was Z.N.P. election secretary?

A. Yes.

Q. Am I right that since he was not able to visit his polling
divisions himself he had obtained a letter from either the Election
Supervisor or the Deputy Election Supervisor to the effect that you
could act as agent?

A. Yes.

Q. On 1st June, 1961, did you visit Gulioni polling station?

A. I did.

Q. At what time did you go there?

A. About a quarter to nine I arrived there.

Q. Could you tell the Commission what took place when you got
to Gulioni polling station?

A. I arrived at the Gulioni polling station in a car which
was being driven by a driver. Before we stopped our car we saw a
group of people on both sides sitting. They were not in a queue but
they were sitting. Then we stopped our car and I got out of the car.
I was walking along in the direction where there was an askari in front.

When I arrived before the askari I said to him: "I have been informed that our people have been beaten here. What was the reason?" Before the askari could answer me I saw a group of people, about ten, coming towards me. They said what does that hizbu want and I stopped there and they already arrived there. I said I have a right; I am entitled to come to this Raha Leo constituency. They said we do not want any right today or anything. You are the thieves of votes. If you do not leave immediately, well, you will see it yourself. You had better go away and they started pushing me. When I saw that the action was dangerous I thought it better to go away and I then started walking towards the car by which I had arrived and they kept on pushing me from behind. I said you have asked me to go and I am going away. Why push me? They said now are you becoming rude and they went on hitting me. I ran off a short distance until I reached the car. Before I got into the car they pulled me away and hit me and threw me down and then there was a crowd of people there and I was being hit. I fell down, I got up, I fell down again and then an askari came up. The askari, when he came up, he said leave him. You have already beaten him. Leave him. It is not right. They went on saying these hizbus come and steal votes. Then another man along with the askari said you have beaten him enough and these two assisted me. When I reached the main road there was a car, not the one by which I had arrived there. A young Indian's car. He came from the Hollis Road, stopped there. I got into that car and I was taken to hospital. At the hospital I was treated and then my relatives came and took me away.

CHAIRMAN: Is this relevant?

MR. KANJI: I agree it is lengthy but I think my learned Friend is trying to show that these are three people who created the trouble and therefore I thought the Commission should hear them.

A. I was home and I was in bed; I was in pain.

MR. KANJI: Did you know anyone in that crowd of people who were beating you ?

A. No. There was not a single one I knew.

Q. Did you form any belief as to the people who were beating you ? Were they supporters of any political party ?

A. Yes.

Q. Could you tell us which Party ?

A. Yes. I formed an opinion that they belonged to the Afro-Shirazi Party because of what they said - hit me, hit the hizbu.

Cross-examined by MR. KAW-SWANZY.

Q. Were you an agent for the Nationalist Party in the January 1961 elections?

A. Yes.

Q. For what constituency?

A. Darajani.

Q. In June, 1961, were you also an agent for the Nationalist Party?

A. Yes.

Q. For what constituency?

A. Baha Leo constituency.

Q. What polling station?

A. I was not for any special polling station because by the letter which Abdulrahman Babu got I was to act in all the stations of his constituency.

Q. Who wrote the letter to you?

A. I got the letter from Babu and that letter came from the Government election office.

Q. Where is that letter?

A. That letter was lost there. When I was beaten everything of mine was lost there.

Q. Are you suggesting to the Commission that you were a roving agent?

A. Yes. I had a right to go to that constituency of Mpriani, Gulioni and Raha Leo.

Q. You were a roving agent not attached to any polling station?

A. Yes.

Q. Therefore you were in a car patrolling these polling stations?

A. I had a right to go.

MR. KAW-SWANZY: Do you happen to know that the leaders of your Party had agreed that agents should not patrol the polling stations during the election day? They would not allow volunteers like you to go round polling stations during election day?

CHAIRMAN: I do not think that is fair. Surely what they would have said was no one other than people entitled officially. They may have made a mistake in an individual case but surely that is not a breach of the agreement. He is an agent; rightly or wrongly he says that he received a paper from Mr. Babu.

MR. KAW-SWANZY: I am obliged.

CHAIRMAN: He might have given a wrong impression, but it is not a breach of the agreement.

MR. KAW-SWANZY: Before you got to Gulioni Station you had already voted?

A. Yes.

Q. You had voted at Kisiwandui?

A. Yes.

Q. At the time you were waiting to vote the leader of the A.S.P. was also waiting to vote?

A. Yes, we were together, actually inside.

Q. I put it to you on 1st June, 1961, you were an agent for the Z.N.P. at Kiswandui?

A. That is not true,

Q. I put it to you further that before the leader of the A.S.P. left Kiswandui polling station you had occupied your table as such an agent?

A. That is not true.

Q. That your sudden appearance at the Gulioni polling station gave the impression to people who were near the queue that you were attempting to vote again?

A. That is not true.

Q. When you got to Gulioni you were informed that Hilal Mohammed Hilal had caused trouble there?

A. No. I was not informed.

MR. DOURADO: No questions, Mr. Chairman.

MR. KANJI: No re-examination.

CHAIRMAN: Thank you.

(The witness withdrew)

MR. HASSAN AMIN called and sworn

(Interpreted)

Examined by MR. KANJI.

Q. Is your full name Hassan Amin?

A. Hassan Amin.

Q. Are you a member of the Z.N.P.?

A. Yes.

Q. And are you also a member of the Z.N.P. Executive
Committee?

A. Yes.

Q. Did you on 1st June go to Gulioni polling station?

A. I did.

Q. What time did you go there?

A. At half past ten.

Q. In the morning?

A. Yes.

Q. Why did you go to Gulioni polling station?

A. I had left the market. I was going to Malindi.

Q. Why were you going to Malindi?

A. I was going to Malindi to my house in order later to go
to vote.

Q. In which constituency were you supposed to vote?

A. Malindi.

Q. Carry on now.

A. When I reached the D.C.'s office I met a man called
Abdulrahman Baabde and he stopped his car and asked me to get in

Q. Is Abdulrahman Baabde a member of the Z.N.P.?

A. Yes, Sir. I asked him where are you going to. He said let's go there. I said I cannot go anywhere because I have to go and vote. He said we had better go because I understand Amani Thani has been beaten at Gulioni. And I got into the car. When we reached Gulioni we did not find Amani Thani. But we saw askaris standing in line at a house in white shirts and they had clubs in their hands.

Q. What happened to you at Gulioni?

A. We got off and we were standing on the main road and I saw a crowd of people and there was an old man. They were holding him and shaking him and telling him you want to steal vote.

Q. Did you know this old man?

A. No, I did not know him. I said to the people it is not right to create this disturbance. They said this man wants to steal a vote. I said is it not better to call a policeman. They said we ourselves today are policemen and perhaps you also want to steal a vote. When they told me that I thought it better to go away. I then went to in front of the public lavatory where the car was. The people then followed me to where the car was. I opened the door, got into the car. They caught hold of the door and opened it and said you must come out. As I was being taken out I looked at the people but I could not recognise anybody. And then they started hitting me. I think I fell down. After that I do not remember anything except I found myself in a car on the road. Then I noticed that there was an askari in the same car in which I was travelling and he came with me to the hospital.

Q. Did you go out to the Gulioni polling station with the intention to beat anyone?

A. No. I only went there to find out about Amani Thani.

Cross-examined by Mr. Talati.

Q. Do you know at what time Amani Thani was beaten at Gulioni ?

A. No, I do not know.

Q. That it was round about 8.45 in the morning ?

A. I do not know.

Q. Why did you want to go to the polling station at Gulioni ?

A. Because I heard that my colleague had been beaten.

Q. But not at that very moment, not at 10.30 ?

A. I do not know because when I went there I did not find him.

Q. Did you ask for any further information from Abdul Rahman Baabde ?

A. No.

Q. You just rushed to Gulioni ?

A. Yes, because he is related to me. When he asked me to accompany him I accompanied him.

Q. Did you find Sheikh Abeid Karume there at the time at Gulioni polling station ?

A. Yes. I saw him standing with a loud speaker announcing and some European police officers there.

Q. What was he telling the crowd ?

A. He was telling the crowd do not create disturbance, go away.

Q. Go away ?

A. Yes.

Q. At that time what were you doing ?

A. At that time I had arrived and I was standing on the main road.

Q. You never entered the area of the polling station ?

A. No.

Q. You never went anywhere near the polling queue ?

A. No. There was a line of policemen standing in front of the house between us.

Q. I put it to you that you were actually in the queue of voters ?

A. I did not go there.

Q. And you were pulled out of the queue ?

A. No. I was pulled out from the car.

Q. When you went to the car was Sheikh Abeid Karume still there ?

A. Yes.

Q. You got out of your car, you said ?

A. Yes.

Q. What was the intention of getting out - to find out about Amani Thani ?

A. Yes.

Q. And where did you intend to go to find out particulars about Amani Thani ?

A. I thought I might meet or see Amani Thani.

Q. Where ?

A. At Gulioni.

Q. Where ?

A. Where the people were.

Q. Where the people were. That means where the voters were?

A. In the compound of Gulioni there because I know that

I am not entitled to go to the voting compound.

Q. And did you know whether Amani Thani was entitled to go there ?

A. Yes.

Q. What right had he to go ?

A. Because I know Amani had been kept in place of Abdulrahman Muhammed to go around to the constituencies.

Q. That is Raha Leo constituencies ?

A. Yes.

By the Commission.

CHAIRMAN: Did I understand you to say that when you came to after the beating you found yourself in your motor car ?

A. Yes. I was being driven.

Q. With a policeman ?

A. Yes.

Q. Was it he who was taking you to the hospital ?

A. Yes. The askari accompanied me to the door of the hospital

MR. DOURADO: No questions, Mr. Chairman.

CHAIRMAN: Thank you.

(The witness withdrew)

MR. KANJI: That is my case, Sir.

CHAIRMAN: Yes, Mr. Talati.

MR. TALATI: I will call my first witness.

SHEIKH ABEID AMANI KARUME called and sworn

(Interpreted)

Examined by Mr. Talati

- Q. What is your full name?
- A. Abeid Amani Karume.
- Q. You are the President of the Afro-Shirazi Party?
- A. Yes.
- Q. And its leader?
- A. Yes.
- Q. You are His Highness's subject?
- A. Yes.
- Q. Can you tell us, Mr. Karume, what are you by race?
- A. I am an African.
- Q. When was the Afro-Shirazi Party formed ?
- ✓ A. February, 1956.
- Q. And did you take a keen interest in its formation?
- A. Yes.
- Q. Before February, 1956 did you have any other African Association in Zanzibar?
- A. Yes.
- Q. What was that?
- A. African Association.
- Q. And when was that Association formed?
- A. 1934.
- Q. When did you join that Association?
- A. When it was formed I was a member - from the formation.
- Q. What was the object of that African Association?
- A. To put together Africans and to know each other.
- Q. By 1934 were there communal organisations in Zanzibar similar to the African Association?
- A. Yes.

Q. And who were they?

A. Arab Association; Indian National Association. That is all.

Q. Did you know of any Africans at that time who were members of the Arab Association?

A. No.

Q. So since there were other racial Associations you formed the African Association?

A. Yes.

Q. When did you hold any responsible office in the African Association?

A. 1942.

Q. What did you become?

A. Secretary.

Q. Secretary of the African Association. Was there any representation for Africans in the Legislative Council in 1942?

A. No.

Q. Did you try and make endeavours to obtain representation for Africans?

A. Yes.

Q. Can you tell the Commission if you made representations to the personalities in that matter?

A. Yes, I did.

Q. What did you do?

A. We were in consultation with the Senior Commissioner, I think this office has been abolished.

Q. Would I be right in saying the Senior Commissioner was known as a Provincial Commissioner?

A. That is correct.

Q. Later on did you happen to see any Secretary of State for the Colonies?

A. Yes. I saw the Hon. Oliver Stanley in 1944.

Q. Here in Zanzibar?

A. Yes in this very building.

Q. And did you discuss with him the question of African representation in the Legislative Council?

A. Yes. I personally requested him.

Q. And ultimately in what particular year African representation on the Legislative Council was allowed?

A. I think round about 1948 or between 1946, 1948, somewhere about that.

Q. And that was in that year one African was nominated by His Highness the Sultan on the Legislative Council?

A. Yes.

Q. You have given the year as 1940?

A. (He was not sure, either between 1946 and 1948, round about that time).

Q. Would it be 1947?

A. Yes, it is possible.

Q. And who was appointed on the Legislative Council?

A. Sheikh Ameri Tajo.

Q. Later on was this representation increased?

A. Yes. Another one was added.

Q. What was that year?

A. I think about 1950.

Q. And who was appointed on the Council?

A. Sheikh Ali Sharif Musa of Pemba.

Q. There were frequently since 1947 a few changes of Africans on the Legislative Council?

A. There were.

Q. But the representation always remained at two African Councillors?

A. Yes.

Q. We all know that there were certain constitutional changes which were brought about in early 1957?

A. Yes.

Q. And as a result of that common roll elections were introduced?

A. Yes.

Q. At that time did you find it proper to continue with the African Association or did you make any changes?

A. Yes, I made some changes.

Q. What was the change?

A. The African Association was not a political body.

Q. Yes?

A. And then we had to form a political body in the name of Afro-Shirazi.

Q. So you formed the political party known as the Afro-Shirazi Party?

A. Yes.

Q. That was in early 1957?

A. No, 1956.

MR. TALATI: I am sorry, 1956.

CHAIRMAN: When in 1956 did it start?

MR. TALATI: When did the Afro-Shirazi Party start in 1956?

A. In February, 1956

Q. And according to the new Constitution that was introduced in 1957 there were going to be six elected seats?

A. Yes.

Q. Did your Party contest any of the six seats?

A. Yes.

Q. How many?

A. We had put five candidates and another candidate had our support.

Q. An Independent; you had five Afro-Shirazi candidates?

A. Yes.

Q. And one Independent candidate?

A. Yes, we supported the Independent.

Q. As a result of the elections did you win all the seats you contested as A.S.P. members?

A. Yes.

Q. When did you first become the President of the Afro-Shirazi Party?

A. Since its formation - when it was formed, I am the President up until now.

Q. You contested the Ngambo constituency in 1957?

A. Yes.

Q. The Z.N.P. had already been formed?

A. Yes.

Q. And who was your opposite number for the Z.N.P. in the Ngambo constituency?

A. Sheikh Ali Muhsin

CHAIRMAN: He was the candidate?

MR. TALATI: For Ngambo constituency, 1957. Did you win the election by a large majority?

A. Yes.

Q. Could you tell us what were the figures? How many votes did you get in 1957?

A. 3,328.

Q. And Sheikh Ali Muhsin?

A. 918.

Q. You then joined the Legislative Council?

A. Yes.

Q. And from that time onwards you have held the leadership of the Afro-Shirazi Party?

A. Yes.

Q. You have held since 1957 appointments on the Executive Council as well, is not that so?

A. No.

Q. You have not?

A. No.

Q. Since 1957?

A. Since 1957.

Q. From 1957 up to December 1960 did you hold any appointment on the Executive Council?

A. I think about nine months in 1960.

Q. You were appointed as a member of the Executive Council?

A. Yes.

Q. And in the caretaker Government of February, 1961, did you become a Minister?

A. Yes.

Q. Minister of what, please?

A. Minister of Health and Local Affairs.

Q. Let us now go back to 1957. Your Party had won five out of the six elected seats?

A. Yes.

Q. Was there any trouble in that year in the rural areas of Zanzibar?

A. For a short time it was quiet.

Q. For a short time it was quiet?

A. Yes.

Q. Let me go back a little. When were the elections held in 1957, what month?

A. 22nd February, 1957 - I think 21st February.

Q. And for a few months it was all quiet?

A. Yes.

Q. Then what happened?

A. And Z.N.P. had collected to go and create ill feeling between the squatters or the cultivators and the landowners because the landowners were mostly Z.N.P.

Q. Most of the landowners belong to what community?

A. Arabs.

Q. And were they the supporters of Z.N.P. or A.S.P.?

A. They were supporters of Z.N.P.

Q. And what had happened? You said there was some feeling. Please explain that.

A. The leaders of Z.N.P. were telling the Z.N.P. landowners to get all the squatters, force them to be members of the Z.N.P. and that they should have Party cards.

Q. Yes. So what happened actually?

A. The landowners agreed.

Q. What happened to the squatters? Did they become members of Z.N.P.?

A. Many refused.

Q. What happened when they refused?

A. Their crops which had already fairly grown up were destroyed and their banana plants and others were destroyed at night, completely destroyed, and some who had left their huts were burnt

- Q. You have already told us the landlords were mostly Arabs. Who were the squatters by race?
- A. They were Swahilis, Africans.
- Q. You have used the word "Swahili". By that I think you mean Africans?
- A. Yes.
- Q. Will you please tell us with reference to these squatters were they what are known in Zanzibar as Zanzibaris or were they partly Zanzibaris or partly mainlanders or what?
- A. The Zanzibari surprises me. What does Zanzibari mean?
- Q. Those who were born here, people of long residence or had become His Highness's subjects, naturalized?
- A. And there are many, those were actually.
- Q. Who were what - His Highness's subjects or what?
- A. Yes. Most were subjects of His Highness.
- Q. There was a greater proportion of His Highness's subjects?
- A. Yes.
- Q. And the remaining were from what particular place?
- A. Some few came from the mainland.
- Q. Where from in particular - mainland - where do you say?
- A. Uganda, Kenya but mostly Tanganyika.
- Q. And also from Portuguese East Africa?
- A. Yes.
- Q. They are mostly known as what?
- A. Wamakonde.
- Q. When the landlord started to destroy the crops of the squatters were you approached by anyone?
- A. People requested the Government to approach them. A request was made to the Government to approach the landlords.

Q. As a result of that did you approach the Government?

A. Yes.

Q. Who did you approach? What particular officer?

A. The Senior Commissioner. Before that we had to go and calm down our people and also appeal to the landlords and then we approached the Government.

Q. So what did you do in the form of an appeal?

A. We went on two purposes: one was to calm down those people whose property had been damaged and to plead to the landlords that they should not listen to that attempt to create ill feeling between them and the squatters. And we told the people who had suffered damage that they should be patient. And we told them you should not quit this land on which you have been allowed to be for years because it is in the Islamic law if anybody wants to remove you from the land he must compensate you. And we will go and speak to the Government so that they can make this law for you to be compensated before you leave. And we also requested the landowners in a very, very polite manner we said you landowners, it is not befitting for you to agree to these attempts to create ill feeling because you know very well that these cultivators, they do not cultivate by machinery or by bulls. They work by their own sweat and they are elderly people, either in rain or in the sun. So on account of that you know that they strive in sweat. And if when his crop has grown up well enough he comes and finds it destroyed he is in very great sorrow. He feels that when he stands and looks at his destroyed property he feels as if the person who did it has poured petrol on his body. So the only thing left is for you to light a match and burn him up. So we appeal to you. You should not listen to this bad talk, instigation, and eventually the thing quietened down.

Q. Was this the speech you made at Machui?

A. Yes.

Q. It has been suggested here in evidence that you made a speech informing the African squatters that all land in Zanzibar belonged to them. It was only the trees that belongs to the landlords and that they should take charge of any land and use it as they please. Did you say that?

A. Not in the least.

Q. Was there any occasion for you to say that?

A. I did not say that. I was not annoyed. I was not angry. I was only going out to appeal to the people and even if I had said, even the people to whom I had said that, would they say perhaps I am mad and they would have gone away.

Q. Is it true that the squatter troubles started after you made a speech at Machui and not before?

A. No, it is not true at all.

Q. Before 1957 had you received complaints of any ill treatment or wrongful eviction of squatters?

A. No.

Q. You have described how you went to Machui?

A. Yes.

Q. You had already received complaints from squatters.

Was the complaint widespread or was it limited to small areas?

A. No, it was not wide.

Q. That was at?

A. At just one or two places by Machui, and one or two huts had been burned and crops had been destroyed.

Q. How many landlords were involved?

A. I think about three landlords were involved.

Q. How many squatters were involved?

A. I think about twelve perhaps.

Q. And their families?

A. Yes.

Q. Did this eviction of squatters spread thereafter?

A. Yes, it spread, but it spread in this way. The leaders of the ZNP themselves started evicting people from their shambas.

Q. Was it widespread, or was it limited to a few squatters?

A. It started with a few people.

Q. A few ZNP leaders?

A. Yes.

Q. And later did it spread?

A. Yes.

Q. About how many squatters were involved in these troubles ultimately?

A. About 700.

Q. When you say that, from your knowledge you mean 700 squatters were moved out of the shambas?

A. By that time the government had already introduced a law that after the District Commissioner^{er} and Agricultural Officer had visited the place and seen it then you must compensate the squatter before you evict him.

CHAIRMAN: Did they value the crops?

A. Some of them immediately when the crop was valued the landlord would pay the squatter and he would go away, but others even if the property was valued would not pay anything at all, would refuse to compensate. That increased the trouble.

MR. TALATI: You mentioned 700 squatters being evicted.

A. Yes.

Q. Were there others who accepted membership of the ZNP and chose to remain?

A. Yes, many accepted.

Q. That was in the shambas?

A. Yes.

Q. Subsequently was a similar movement organised in the township of evicting people from their work?

A. Yes.

Q. What was that?

A. I think it was in 1959, either 1958 or 1959, somewhere about then.

Q. What was the trouble?

A. This trouble was in the copra shed, at the wharves.

Q. That was in about August 1958, was it not?

A. Right.

Q. What was the trouble in the copra market?

A. The Nationalist Party went and fetched members of the Nationalist Party from Bumbwini and Mkwajuni.

Q. That is from the rural areas?

A. Yes. One is 16 miles from town and the other is 26 miles from town.

Q. In the north?

A. Yes.

Q. What did they do?

A. They put them in a lorry and Manga Arabs were also in another lorry, and there was a lorry full of copra.

Q. And they went to the copra market?

A. Yes.

Q. And they started to unload the copra?

A. In the copra shed there are people who have been working there for years, regular people working there.

Q. Labourers, you mean?

A. Yes, and in the group of Manga Arabs there were two members of the executive committee of the Nationalist Party, one is Ali Ahmed Riyami and the other is Salim Rashid.

Q. What did they do at the copra market?

A. They told the Bumbwini and Mkwajuni people to get down from the bus and start doing their work - "Now it is our independence we must do all the work ourselves; you there go away from here; don't you touch anything here in this copra shed".

Q. What happened as a result of that?

A. I went and told the regular workers - "These people intend to come and beat you here, so all of you should go away immediately and let them do what they want."

Q. At that time was there any tension created?

A. Yes, but fortunately all the people listened to me and they all left.

Q. Later on was there a similar trouble at the dhow shed?

A. Yes.

Q. What happened then?

A. They again brought people from Bumbwini and Mkwajuni.

Q. To do what?

A. At the dhow shed there are dhows alongside there, or schooners, bringing goods from the mainland, and those goods are unloaded by regular workers who have been there for a long time.

Q. What happened then when the men from Bumbwini and Mkwajuni were brought down?

A. There were two Arab dhows and one schooner, and they were there alongside with goods to be unloaded. Then Salim Rashid and Ali Ahmed said "Come along and unload these things and any of these shenzis trying to do anything, we will see what will happen to them."

Q. What does "shenzi" mean?

A. Savage.

Q. What happened that day?

A. Their headman there, the unloading headman called Abdul Rahman, did not agree at all.

Q. What happened as a result?

A. Then the police came up immediately.

Q. What happened thereafter?

A. They were all stopped.

Q. What happened thereafter? Was an arbitrator appointed by the government to enquire into the dispute?

PAPR.1

A. Yes, Sir John Grey was appointed to go into the matter.

Q. And he made his report?

A. Yes.

Q. That is already in evidence. After that trouble was there any other trouble?

A. Yes, at the market, porters at the market who were carrying loads.

Q. What happened there?

A. People from Bumbwini were brought and those people who were regular workers were told - "You are not supposed to touch anything here. Everything will be done by the Nationalist Party because they are the subjects of His Highness and it is their country."

Q. Anywhere else apart from this?

A. Yes, the slaughterhouse; they were also sent there.

Q. Will you please tell the Commission which political party the workers at the docks supported?

A. They mainly were supporting the Afro-Shirazi Party.

Q. That is at the dock as well as the copra market?

A. Yes.

Q. Were they His Highness's subjects or not?

A. Mostly.

Q. Then at the fruit market?

A. One could say at the fruit market all were His Highness's subjects.

Q. Which party were they supporting?

A. The Afro-Shirazi Party.

Q. Then at the slaughterhouse, were they His Highness's subjects?

A. Yes, some were His Highness's subjects, and those were the ones who had been turned out, and those who belonged to the Nationalist Party were allowed to remain there.

Q. Those who belonged to the Nationalist Party, what community did they belong to?

A. We use very much the term Shihris, Arabs.

Q. You have been told in evidence here that in 1957 and 1958 political tension grew in Zanzibar?

A. Yes, slowly, not very much until 1958 and 1959 when people were being turned out, then it increased.

CHAIRMAN: When you say people being turned out, you mean the labour troubles?

A. Yes.

MR. TALATI: You have already referred to the passing of legislation with regard to squatters.

A. Yes.

Q. Did that quieten down the squatters and landlords in the north central area?

A. Yes, slowly.

Q. With regard to trade boycott it is said that Africans started to boycott the shops of Arab and Indian traders in rural districts as well as in Ngambo?

A. It is not true.

Q. What was the position with regard to trade boycott;

will you explain that?

A. At that time people were creating co-operative stores, and each co-operative store had 100 members, and in purchasing you received a certain benefit which people liked, and they subscribed shares each of shs.40/-.

Q. So a number of co-operative stores were established?

A. Yes, everybody wanted it.

Q. That was mainly by Africans?

A. Yes, mostly Africans.

Q. Did your party support that co-operative movement?

A. Yes, correct.

Q. As a result of that did the other shop owners suffer?

A. Yes, it was in connection with things like rice and other things, but not fruit; it had nothing to do with the sale of fruit.

Q. That was with regard to the shops. Now we will talk of the bus boycott.

A. There was no boycott of buses.

Q. Did the ASP direct its supporters not to use any bus but an ASP supporters' bus?

A. I am surprised to hear that as the ASP has no buses.

Q. ASP supporters' buses.?

A. I repeat again, I am sorry to hear that because the ASP had no buses of its own.

CHAIRMAN: Yes, but the suggestion has been made, and there has been quite a bit of evidence, that they were not buses owned by the Afro-Shirazi Party but buses owned by supporters of the party and by supporters of the ZNP. There has been quite a considerable body of evidence on that.

MR. TALATI: There has been evidence here of certain buses owned by ASP supporters not being used by ZNP supporters, and buses, owned by ZNP supporters not being used by ASP supporters.

A. In the ASP there is not such a thing.

Q. What you say is that you as the ASP did not encourage such a thing?

A. No, I did not at all.

Q. You heard that such a trouble was going on in town?

A. Yes, I heard.

Q. You had also heard of and seen buses carrying identification marks?

A. Yes, and even photographs of people who were there.

Q. You had heard that?

A. I saw that.

Q. Was this an organised policy of your party?

A. If it was an organised policy it may have been organised by the bus owners so that they should grab money from each other. It may have been organised by the bus owners for their own benefit.

Q. You say the bus owners created this in order to benefit themselves?

A. Yes, they took advantage of the political situation.

Q. As a result of the squatter troubles, as a result of the dock and other labour troubles, as a result of these bus and shop struggles, was the situation in the community getting more and more tense?

A. Specially the labour, the work trouble and this shamba trouble.

Q. Allegations and counter-allegations were going on in political speeches?

A. Yes, but some speeches were just in answer to previous speeches.

Q. There was one other aspect as well, was there not at that time, with regard to the use of His Highness's flag and name, associating these two with a particular political party?

A. Yes.

Q. Did you make any representations with regard to that to anybody in authority?

A. Yes.

Q. Whom did you complain to?

A. The Senior Commissioner.

Q. Once only or from time to time?

A. Many times.

Q. Before we go on to the actual complaints and the results of these complaints I would like you to tell the Commission what was the nature of the complaints?

A. That a political party has got a political band for the party's own political use. Whenever the Prince, the son of His Highness, went out to tour the shambas they would go ahead, they would be there ready, and they would tell the people that this is the party of His Highness, and then they would play the national anthem. Then when His Highness left they would spread propaganda and say - "Anybody who does not support this party does not support His Highness" - and that is not true, and it does not come from His Highness. It has nothing to do with His Highness, and it annoys the subjects of His Highness the Sultan to allow political parties to divide them. Then they are bitter, and owing to their ignorance they believe of course that His Highness supports that party, and it is not true. It is just because they do not understand and it creates ill-feeling in their hearts.

Q. You complained about this use of the flag and associating the name of His Highness and his family to the Senior Commissioner?

A. Yes.

Q. And you remember that the British Resident then started to have what is now known as round table conferences in about the middle of 1960?

A. Yes.

Q. As a result of this conference a statement was signed by the leaders of the three political parties?

A. Yes.

Q. In the interests of peace for the community?

A. Yes.

Document
MVS.39

Q. And His Excellency then broadcast the contents thereof to the people of Zanzibar on 25th July, 1960?

A. Yes.

Q. The second paragraph of that read - "It is the wish of all parties not to involve His Highness and the Royal Family in politics; 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."

A. Yes.

Q. You have already explained the manner in which the flag of the Royal Family was being associated with the ZNP.

A. Yes.

Q. As a result of this declaration was there any change in the ZNP with regard to the use of His Highness's flag and with regard generally to the feeling of association of His Highness and the Royal Family with the party?

A. There was no change at all so far as the ZNP was concerned until the elections came in. After the election there was a stop to it.

Q. Which election are you speaking of?

A. In June, 1961.

Q. Did it go on from 25th July 1960, the date of this announcement, up to the June elections?

A. Yes, it went on from then until the June election took place.

Q. One other thing I would like to refer to is the question of the speeches. You have said that allegations were made in speeches, and counter-allegations. In your speeches from the ASP platform was it ever suggested that any person should be less loyal to His Highness or disloyal to His Highness?

A. No.

Q. Did you ever advocate violence?

A. No.

Q. Did you attack the opposite side by race?

A. No.

Q. If the ZNP made any particular reference to the Afro-Shirazis in their speeches, did they refer to the Afro-Shirazis as of a particular race?

A. They said "We will never agree to be ruled by Wanyamezi or Wandengereko, or the people of Tanganyika."

Q. Are they Wanyamwezi and the Wandengereko Tanganyikan tribes ?

A. Yes.

Q. Your personal origin is from Tanganyika ?

A. Mnyassa.

Q. Where is that tribe from ?

A. Nyasaland.

Q. Just before the elections were being held in 1957 there was a question of the registration of voters ?

A. Yes.

Q. At that time when the question of the registration of voters came up did you apply for registration?

A. Yes.

Q. Did you apply as a person born in Zanzibar as being His Highness's Subject ?

A. Yes.

Q. By birth ?

A. Yes.

Q. Was that contested by anybody ?

A. Yes.

Q. Who objected to your being registered ?

A. You mean a party or an individual ?

Q. If it was a party, say so.

A. The Nationalist Party.

Q. They opposed your registration ?

A. Yes.

Q. On what ground ?

A. That I was not born here.

Q. Where did they say you were born ?

A. The Congo.

Q. Did they say how you came down to Zanzibar ?

A. They said I came here very small; I was carried by my mother.

Q. How did they say your mother come to Zanzibar ?

A. My mother came here very young at the age of nine.

Q. But what did they say ?

A. They said she came here as a slave.

Q. And at that time you were carried by her and so you were not born here ?

A. Yes.

Q. That objection was heard by the officer ?

A. Yes.

Q. And a ruling was given in your favour ?

A. Yes.

- Q. Then they took an appeal to the court ?
- A. Yes.
- Q. And you succeeded before the court ?
- A. Yes.
- Q. Did they still continue to refer to you as a mainlander ?
- A. Yes.
- Q. Before you joined politics, Mr. Abeid Karume, what was your work actually ?
- A. I was a seaman.
- Q. What were you doing as a seaman in Zanzibar ?
- A. I was working in a boat. I was working in the Motor Boat Syndicate.
- Q. What was your position in that Syndicate ?
- A. In the syndicate there are two groups, the workers and the shareholders.
- Q. When you say the shareholders you mean the owners of the boats ?
- A. No, I mean the boats have no owners, and by that agreement we got 40 per cent of the profit and they got 60 per cent.
- Q. Were you holding any position with this 40 per cent ?
- A. I had the 40 per cent share.
- Q. You were the head of that 40 per cent share ?
- A. Yes.
- Q. You became the head of the boat boys ?
- A. Yes, that is correct.
- Q. You remember this name, "boat boy" ?
- A. Yes.
- Q. Was it being levelled in politics at any particular person?
- A. Yes.
- Q. Who did it refer to ?
- A. Myself.
- Q. When was that ?
- A. Since the end of the completion of the 1957 elections.
- Q. That was the start of calling persons by names ?
- A. Yes.

Q. And thereafter did that trend of political speeches go on ?

A. Yes.

Q. Angered by events from day to day ?

A. Yes.

Q. In 1957, 1958 and 1959 - correct ?

A. Yes.

Q. Till 1960, the round table conference - correct ?

A. Yes. I want to say something here. In 1958 when these troubles of landlords and squatters occurred when I went to the shamba and calmed things down a bit some people expressed a sort of pleasure to me that I had approached the government and the government introduced this legislation according to Islam which was to the effect that people had to receive compensation. In the speech of the Nationalist Party they tried to bring in the name Abeid Karume, the people who had gathered in that meeting. They said in Arabic "Radhiyallahu" which means "God's blessing be on him".

Q. In Z.N.P. meetings ?

A. Z.N.P. It was those people who were on the outskirts of the meeting who were listening to the meeting; the people on the boundaries of the gathering, who are outside.

Q. They used to shout this back ?

A. They used to shout like that - "Radhiyallahu" - in chorus.

Q. Who were these persons ?

A. The whole crowd which happened to be there, some from the Afro-Shirazi Party and some from the Z.N.P.

Q. What happened thereafter ?

A. This angered the Nationalists very much. Then they said "Manjo". That is how this "Manjo" came into being, because it is a bit derogatory, so that people would not cry that blessing term.

Q. What is "Manjo" actually ?

A. As far as I know this "Manjo" is a mainlander term or word. As far as our country is concerned here it is not respectful.

Q. Can you enlighten the Commission on this word "Manjo"? What is it connected with on the mainland ?

A. Whenever there is a native dance or a gathering the person who sings is referred to as the Manjo. I think that is solely the mainlander people up to now.

Q. That was the term then referred to you; "boat boy" was forgotten ?

A. Yes.

Q. And until the date of the elections did that reference continue?

A. Yes Sir.

Q. You remember the speeches that were being made just before the January elections from the Z.N.P. platform ?

A. I only attended one meeting which was a very large meeting which people from the shambas and Pemba attended. I think it was in May.

Q. May 1961 ?

A. May 1961.

Q. You heard the speeches at that meeting ?

A. Yes.

Q. Can you remember any particular speaker making derogatory references about you and other leaders of the A.S.P.?

A. Yes.

Q. Who did you hear ?

A. Three persons.

Q. Let us start with the first one.

A. One is Abdulrahman Muhammed, Babu, the General Secretary.

Q. What did he say ?

A. He addressed the people informing that - "You should all be aware that elections are nearby; we must work very hard, because Manjo is ready to rule us, or if Manjo does not get in we will be ruled by Shombe Mapara; so under those circumstances we must win to be human beings."

Q. Shombe Mapara was a reference to whom ?

A. Othman Shariff.

Q. Who is the leader of the opposition ?

A. Yes.

Q. Who was the next speaker ?

A. Ahmed Seif Kharusi.

Q. What did he say ?

A. He said - "Members of the ZNP, I am telling you that we are a respectable people. It is a shame for us to be ruled by one from Wanyamwezi and Wandengereko. We must do everything we can even by shedding blood; we must rule ourselves rather than be ruled by Wanyamwezi and others."

Q. Is it true the ASP consist of Wanyamwezi and Wandengerekos?

A. Neither Wanyamwezi nor Wandengerekos have a vote here, unless they are born here. Even then I think the term Wandengereko is kept away and he calls himself Swahili, a Zanzibar person.

Q. Did anybody else speak at that meeting?

A. Ali Muhsin.

Q. What did he say?

A. He supported what Ahmed Seif had said. "We will not agree; we will not agree to be under these mainlanders like, for example, this Manjo. It is better we should shed blood. I ask you members of the Nationalist Party, do you agree to be ruled by Manjo?" They said "No, we do not" three times. "Are you ready to shed your blood in order not to be ruled by Manjo?" They said - "We agree".

Q. Was that one of the last speeches of the ZNP before the election?

A. That is the one which had a large number of people, and that is the one I attended.

Q. Did you make from the ASP platform such speeches?

A. I dare not say things such as shedding blood.

Q. Now, may I take you a little way back, to the Y.O.U.
Do you remember the Y.O.U. ?

A. Yes, I know it.

Q. To which of the two political parties did it belong ?

A. The Nationalist Party.

Q. You remember the time they started to give them
uniforms and marched them about ?

A. Yes.

Q. Did you see them performing other duties ?

A. Yes.

Q. At that time did you have a youth movement in your party?

A. No.

Q. Was a youth section formed in the A.S.P. ?

A. Yes.

Q. Are you directly connected with that youth wing of the
A.S.P.

A. In this way, Sir, that when this party was formed, they
appointed me as their patron.

Q. Now what was this movement called ?

A. The Afro-Shirazi Youth League.

Q. Now why was that Youth League formed ?

A. It was formed in order to protect the African youth who
were being taken away by the Y.O.U. of the Nationalist Party.

Q. It was to prevent them being attracted by the Y.O.U.?

A. Yes.

Q. Why was there any attraction to join the Y.O.U. ?

A. There was parade drill; police drill; a drill with
sticks as guns; marching; a band; and uniform. Young children are
attracted by this sort of thing.

Q. You thought it necessary that there should be a counter-
organisation ?

A. Yes.

Q. About how many months later was your youth movement formed after you saw the Y.O.U.

A. Between six and seven months.

Q. How do you remember the passing of the Public Order Bill in 1959 ?

A. Yes.

Q. Do you remember the debates at the time ?

A. Yes, I know there was a discussion.

Q. A Select Committee was formed to discuss the matter.

A. Yes.

Q. And you were on the committee ?

A. That is correct.

Q. Did you support the passing of that Bill ?

A. Yes, with both hands.

Q. Did your party as a whole or members of your party support it ?

A. Yes and they gave me support.

Q. Who was in opposition to that Bill - which side of the Legislative Council ?

A. The Nationalist Party.

Q. Now, is the object of the A.S.P. to seek freedom and independence for Africans alone ?

A. No. There isn't such an independence for an Island like this, with so many different kinds of people.

Q. I am now reading from the constitution. Is one of the objects of the A.S.P. "to seek freedom and independence within the British Commonwealth from foreign and minority domination"?

A. That is correct.

Q. Is it also the object to establish and maintain the

Government for the Islands of Zanzibar and Pemba under the sovereignty and with loyalty to His Highness, the Sultan ?

A. Yes.

Q. And to strive for the elimination of every kind of racialism?

A. Yes.

Q. And racial discrimination from the society ?

A. Yes.

Q. Now, who are the majority of your members ?

A. Africans.

Q. Have you had any support from the Arab section of the community ?

A. What support ?

Q. Membership.

A. Very few, they would not amount to more than six.

Q. Is your membership open to any inhabitant in Zanzibar or Pemba who is domiciled in Zanzibar ?

A. Yes.

Q. Subject to an age limit ?

A. Yes.

Q. Have you ever stated as an objective to unite Zanzibar with Tanganyika ?

A. No.

Q. You are now being shown three issues of a newspaper published in Zanzibar called "UMMA", dated 2nd December, 1960, 24th April, 1961, and 27th April, 1961. These newspaper publications, extracts from them show the nature of the derogatory remarks and incitable speeches and articles published by the Nationalist Party. These are publications in Ki-Swahili. You can read Ki-Swahili ?

A. Yes.

Q. Now, let us go on to the events of 1st June, 1961.
Mr. Chairman, I think the newspapers speak for themselves.
Translations are attached.

On the 1st June, what did you do in the morning ?

A. A little before 8 o'clock I left my house. I went to Kiswandui Girls School, that is my voting station where I was to cast my vote.

Q. And you cast your vote at the Kiswandui Girls School ?

A. Yes.

Q. Did you see Amani Thani, the Nationalist Member at Kiswandui ?

A. Yes.

Q. Did you see him cast his vote ?

A. Yes.

Q. From there, where did you go to ?

A. I went to Jangombe.

Q. That is your constituency ?

A. Yes.

Q. What did you do at Jangombe ?

A. I looked at the people who were voting. I found them all in their queues and then as I was coming out, I met Mr. Smithyman.

Q. About what time was this ?

A. I think it was about 9 o'clock.

Q. And did Mr. Smithyman give you any information ?

A. He said "I am looking for you because there is a little pushing about of people at Gulioni". He said "let us go to Gulioni".

Q. Did you go with him to Gulioni ?

A. Yes,

Q. What did you find at Gulioni ?

A. I saw askaris standing there with Police officers and I saw in the group all people who are voting all in line. And then I saw on the other side the women voters and in front, under some trees, there were a group of about 100 people. Mr. Smithyman then requested me to take that loud-speaker and tell the people to move away from the trees to go to the other side and I said to the people "it is not any use to stand about in groups". Then I heard people there talking loudly or shouting and they said that Amani Thani was being pushed about. I was surprised. How did Amani Thani come here ? Then, when the people left, then I was there with Mr. Smithyman and the officers of the Police ...

Q. The people left when you spoke to them ?

A. Yes.

Q. And then things settled down ?

A. Yes.

Q. Then what happened ?

A. Well, suddenly I saw on the hollis side, that is the men voters, about three or four people struggling with one man. There was a commotion in the queue and they were coming along with that man towards where we were standing. Then when he got near me I recognised him as Hassan Amin and he is not a child, he is an old man like myself.

Q. He gave evidence here this morning ?

A. Yes.

Q. Now you saw him being pulled out of the queue ?

A. Yes.

Q. Did you know then where Hassan Amin lived ?

A. I know him very well. His brother was a great friend of mine until he died and I buried him and his home is at Malindi.

Q. Now, after that, at Gulioni, what happened ?

A. Then after Hassan Amin had left.

Q. Do you know whether Hassan Amin was a registered voter for Gulioni or not ?

A. I know Hassan Amin is registered as a voter at Malindi.

Q. You have verified that information ?

A. Yes.

Q. Now what happened to Hassan Amin ? You saw him being pulled out of the queue by a group of persons.

A. Then I saw there was a struggle and he got into a car and the photographers, pressmen from outside, started taking his photograph.

Q. After Hassan Amin had one, did everything quieten down ?

A. Yes.

Q. Did you remain there ?

A. For a little while.

Q. From there, where did you go ?

A. I went to King George School

Q. Alone, or with Mr. Smithyman ?

A. Alone.

Q. What did you see there ?

A. Everybody was voting quietly. There was nothing unusual at all.

Q. What time was that ?

A. It would be about 9.45.

Q. From King George School, where did you go to ?

A. I went to the Trade School.

Q. Another polling station in the Jangombe constituency ?

A. That is right.

Q. Did you find any commotion or was everything quiet ?

A. No, there was nothing there and then I saw the Commissioner of Police standing there.

Q. Did he tell you anything ?

A. Because he was the first to arrive, I said "what is happening here". He said "Nothing".

Q. After that where did you go to?

A. I went back to my house.

Q. What time did you get out of your house again ?

A. I think about 11.30.

Q. Where did you go to ?

A. I went to Jangombe.

Q. Now, why did you go to your house ?

A. To get a cup of tea.

Q. From what time had you been out that morning ?

A. I had left my house at about 7.45 in the morning.

Q. All right, you had your tea and a little rest and went out at 11.30 ?

A. Yes.

Q. You went to Jangombe ? What did you do there ?

A. I just went to see if everything was in order.

Q. Did you find everything was in order ?

A. No.

Q. Where did you go to from there ?

A. I then started again going round to the polling stations?

Q. Which ones ?

A. The polling station at Jangombe.

Q. Now, did you receive any information about disturbances thereafter ?

A. Yes, I did.

Q. When did you find that ?

A. I think it was between 1.30 and 2o'clock.

Q. Where were you then ?

A. I met Mr. Smithyman as I was going out from King George School and he was at Gulioni and he stopped me.

Q. And what did he tell you ?

A. Disturbances had started at Darajani. He then said "get into my car". I got into his car.

Q. What did he do ?

A. He said I should go to Raha Leo and broadcast 20 or 30 words to calm the people down.

Q. Did you go with him to Raha Leo ?

A. Yes.

Q. And did you make a broadcast ?

A. I did.

Q. Now, before you met Mr. Smithyman, did you hear of the disturbances at Darajani ?

A. No, I didn't hear. I heard about them there from Mr. Smithyman.

Q. At Raha Leo, did you see anything, any persons injured ?

A. We were standing outside with Mr. Smithyman and someone came out being held on each side. He had been struck with something like a knife but he had an open cut right across the cheek and some broken teeth and he had been struck right at the back by knife and on the shoulder. A very young man. He was covered in blood.

Q. Was he an African ?

A. Yes, an African.

Q. What happened ?

A. The people were then taking him to Ngambo Police Station.

Q. Did anybody ask as to who had assaulted him ?

A. The man himself was saying "I was going back from work, riding a bicycle through Mtendeni. I heard somebody shouting from behind me "he is the man, he is the one". People came from the front and stopped me and said "where are you going". He said "I am returning to work from Ngambo" and they said "you are finished now" and they struck him, first across the face and then a knife at the back of the head and the bicycle was broken into pieces, and then they didn't do anything more to him. Then he started going away swaying. Further on he met some people who supported him. They were passing on the way from Raha Leo to Ngambo Police Station.

Q. Did he mention the persons who had assaulted him ?

A. He said, Arabs at Mtendeni, and he doesn't know their names or anything.

Q. Did you know that man ?

A. No, I do not know him.

Q. Did you see any other person at Raha Leo besides this man ?

A. Yes, not less than five minutes later another one came up to me with injuries.

Q. How was he injured ?

A. He had a wound on the forehead and this skin had fallen down the face and he had another cut across the left arm and he had his hand supporting his stomach. He was covered in blood. I do not know if he was supporting a wound. He was moaning.

Q. Did you ask what had happened to him ?

A. Yes, I did.

Q. What did he say ?

A. I was beaten.

Q. Did he say by whom ?

A. By people at Mtendeni.

Q. Did he say by what people?

A. He said: "I was attacked by a mixture of people at the Z.N.P. branch".

Q. After this, you said you went to broadcast at Raha Leo and you saw these two injured persons? Did you go anywhere else?

A. Mr. Smithyman said "We should not separate from each other because I have just been informed that there is a disturbance at Darajani and I would like you to be with me so we can go together to Darajani.

Q. Did you go with him?

A. Before we reached Darajani, we came up to the Fire Station where the Nationalist Party Branch is and we saw a lot of young people with sticks and stones. When they saw me in the car there were some policemen in the car - they came up to me. They said "today it is a fight, it is a war, because we won't agree". From the way we have been wounded." I said: "You are young people, don't you light the fire, you should quieten things." Then we turned our car there and went to Darajani.

Q. What was that crowd ?

A. Nationalist Party. It was at their branch.

Q. Near the fire station ?

A. Mr. Smithyman said "You know, it wasn't a wise thing to have brought you here to this place. It is rather dangerous for you."

Q. From there you went to Darajani ?

A. Yes.

Q. What did you see at Darajani ?

A. I saw people on both sides throwing stones at each other, young people, and abusing each other. One of them ran up to me. He had a large cut in the sole of the foot. He said "I have been struck by a Manga with a sword". I said "You are a liar, you must have been cut by a glass." Then Mr. Smithyman asked me to tell the people through the loud-speaker to disperse. Then I started pleading with both the parties, A.S.P. and Nationalist Party, that they should go away and leave off that disturbance, and fortunately they did disperse.

The Commission adjourned until Monday morning,

9th October, 1961, at 8.30 a.m.