



ZANZIBAR PROTECTORATE

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

held at

The Legislative Council Chamber, Zanzibar

before

- SIR STAFFORD FOSTER-SUTTON, K.B.E., C.M.G., Q.C. (Chairman)
- SIR VINCENT TEWSON, C.B.E., M.C.
- C.A. GROSSMITH, ESQ., C.M.G., O.B.E.

Commencing on Monday, 25th September, 1961

FOURTEENTH DAY

Tuesday, 10th October, 1961.

of proceedings

Note taken by Treasury Reporter

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APPEARANCES

For the Government:

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

(Continuation of cross-examination of Sheikh Abeid Karume by Mr. Kanji.)

Q. Had there been any speech from the A.S.P. platform before the June election which used race as a political weapon ?

A. I do not remember

Q. You do not think there was one ?

A. No.

Q. I asked you whether you knew of any speech from the ASP platform which used race as a political weapon; I mean by that a speech which would try and differentiate between the races in Zanzibar and attack race for political ends, for instance - "Arabs are bad people". Was there any speech from the ASP platform before the June election to that effect ?

A. No, I do not remember.

Q. If there was a speech of that character you would know about it, would you not ?

A. Yes, I would have known.

CHAIRMAN: We find it very difficult to accept the proposition that in a hotly contested election such as this was everybody was behaving like perfect little gentlemen.

MR. KANJI: Would I be right in saying, to clarify the same question, that there was no speech from the ASP platform before the June election saying that Africans should vote for the ASP and that Zanzibar is for black Africans ?

A. There is not such a speech, and if anybody stood up and said that, it would be foolish.

Q. Did your Party ever try to obtain assistance from the Afro-Shirazi Club in Dar-es-Salaam, not only financial assistance but also asking the Afro-Shirazi Club to send some members to Zanzibar ?

A. My Party did not ask the Afro-Shirazi Club in Dar-es-Salaam to bring people here, because Tanganyika has a government, and you simply cannot ask somebody to bring people here in that way.

Q. Have you seen Mr. Thabit Kombo signing papers? Would you be able to recognise his signature?

A. Yes, I can recognise it.

Q. Is this his signature? (Document handed to witness).

A. The name is that of Thabit Kombo. No, I cannot say for certain.

Q. Do you think that it is the signature of Thabit Kombo?

A. The writing is "Thabit Kombo" but I am not certain it is his signature.

Q. You have seen Mr. Thabit Kombo's signature before?

A. Yes.

Q. Are his signatures which you have seen before similar to this signature?

A. I am sorry, I cannot say for certain this is the one. If I had the old signatures perhaps I could have compared them.

MR. KWAW-SWANZY: If it is of any help to my Friend, I shall be calling Mr. Thabit Kombo to give evidence.

CHAIRMAN: Thank you, Mr. Kwaw-Swanzy.

MR. KANJI: Was Mr. Smithyman present at Gulioni at the time when you saw Hassan Amin?

A. I think he was there.

Q. I put it to you that you did not see Hassan Amin pulled out of the voters' queue.

A. I saw him.

Q. Would you be surprised if Mr. Smithyman had said in his evidence that he did not see Hassan Amin being pulled out of the queue?

A. I can say this; perhaps Mr. Smithyman does not know Hassan Amin, and if you asked him by the name of Hassan Amin he could say that he did not see him. You should have asked him if he had seen people being pulled out from the queue.

Q. If my recollection is correct, Mr. Smithyman mentioned only one person who was being beaten by the crowd whom he tried to put in his car, and he was stopped from taking him away.

A. I saw Hassan Amin with my own eyes, and you asked Hassan Amin before I came; did he tell you he had gone to Gulioni or not ?

Q. We are not talking about whether he was in Gulioni or not; we are talking about whether he was pulled out from the queue.

A. I saw him being pulled out from the queue, and that surprised me.

Q. You would be surprised if Mr. Smithyman did not see this?

A. I can say it again, that Mr. Smithyman does not know Hassan Amin.

Q. But Mr. Smithyman would be able to see a person being pulled out of the voters' queue, and he would be able to tell us about that ?

A. It could be that at the time he was being pulled out Mr. Smithyman's attention was somewhere else and he could not see. You cannot possibly see everything that is happening.

Q. Did you accompany Mr. Smithyman to the Fire Station after your broadcast at about 3.20 p.m. on 1st June, 1961 ?

A. I did.

Q. When you arrived at the Fire Station did you speak to the crowd there ?

A. I did not. Those people came to me to speak to me, and I did not get out of the car.

Q. You did not speak to them ?

A. We spoke to each other.

CHAIRMAN: The witness did not address them.

MR. KANJI: He did not address them.

A. By the Fire Station I mean the branch of the Nationalist Party and the Youth Union - it was they who came to speak to me.

Q. Was the crowd at the fire station angry when you came there?

A. Yes, they were angry; they were throwing stones and fighting each other with sticks.

Q. They were fighting among themselves, were they?

A. The crowd on the other side.

CHAIRMAN: Both sides were fighting.

MR. KANJI: At the fire station?

A. A bit farther than that; some distance away.

Q. Am I right in saying that you personally believed up to June 1961 that the ZNP would steal votes in the June 1961 election?

A. On this day in June 1961 when I saw somebody being pulled out from the queue, that made me believe that there was this stealing of votes. Before that I had only heard rumours.

Q. What I asked you was: Did you believe before the June election that the ZNP would steal votes? Belief is quite different from being able to substantiate.

A. There was a big rumour and at that time I was just half and half. I was not sure - and also about people being pulled away from the queues, but I was not quite certain.

Q. Would I be right in saying that the members and supporters of your party shared your belief that the ZNP may steal votes during the election in June?

A. They did not have the same views as I had.

Q. Did they have any views about the ZNP stealing votes?

A. They had the view that they were stealing votes; that is why they took some people to the police.

Q. We were talking about before 1st June. Did your followers have any views on the subject of the stealing of votes on

election day?

A. Yes, they did have that view that the ZNP would steal votes, because on 17th January they had a scuffle with them and had taken them to the police station. That was before 1st June.

Q. You had heard some rumours that the ZNP would steal votes before June?

A. Yes.

Q. Did you do anything to verify the rumours which you heard?

A. I was not certain.

Q. Am I right that nothing was done by your party to dispel the belief which was held by your members and supporters that the ZNP would steal votes in the June election?

A. It did.

Q. What did it do?

A. It took the people to the police.

CHAIRMAN: Mr. Karume, Mr. Kanji asked you if you or your colleagues did anything to persuade your followers that the ZNP were not stealing votes, before the election.

A. I did not, because I was not certain.

MR. KANJI: I put it to you that you knew that your party would lose the June election as a whole, and you found an excuse in advance, namely, that the members and supporters of the ZNP would steal votes, and the ASP members and supporters should prevent this to appease your followers?

A. Not in the least. I did not have the least thought that my party would lose the election. I knew that my party was the one to win. There was no thought of such an excuse. We were to fight the elections in a proper constitutional way, according to democracy, that is all, and we knew that we would win. We were happy and up to now we are happy.

Q. Do you know that you lost the elections ?

A. I did not lose the elections. There is no Party which got more seats.

MR. KANJI: You agree with me that the ZNP and ZPPP electoral alliance won the election and you lost it ?

CHAIRMAN: Do you agree that there was a firm alliance between those two Parties before the election ?

A. Yes, they had.

Q. They had a firm alliance before the election ?

A. Yes, they were together before the June election.

MR. KANJI: And that electoral alliance was formed in March, 1961 - is that correct ?

A. I do not remember exactly.

Q. About then ?

A. Yes, it could be, it is possible.

Q. Would you agree with me that in the June 1961 election the ZNP and the ZPPP won the election and you lost it?

A. No, I do not agree. The ZPPP won three seats, the ZNP won ten seats and the ASP won ten seats

Q. It is a question of simple arithmetic, is it not ?

A. Yes.

Q. The ZNP and the ZPPP had thirteen seats and therefore they, banded together, won the election as compared with you ?

A. Yes, before the government was formed there was some talk and it appeared that the ZPPP wanted something more. This is what was understood.

Q. I put it to you that as soon as the election results were known, due to the use by you and your party of race as a political weapon during a considerable period prior to election day in June, and the disappointment felt by members and supporters of your Party that you lost the election, the members and supporters of your Party carried the disturbances further, culminating in the death of a number of people.

A. It is not true.

Q. Would you be prepared to shed your blood in the cause of your country Zanzibar and protect His Highness the Sultan ? I want an answer yes or no.

A. There are certain answers you must explain.

Q. It is a simple question which can be answered yes or no; I do not wish to hear explanations. Your advocate can ask for the explanation. Would you be prepared to shed your blood in the cause of your country Zanzibar and protect His Highness the Sultan ?

A. Yes.

Cross-examined by MR. DOURADO.

Q. Is it not a fact that Zanzibar has always in the past had the reputation of being a peaceful and quiet country ?

A. Very much.

Q. And in fact it is well-known that we in Zanzibar took a pride in that reputation ?

A. Yes, that is true.

Q. I want you to forget what you now know in the light of hindsight and I want you to go back to just before the June elections. From all the evidence that was then available, was it possible for anyone to have foreseen the tragic events that subsequently took place ?

A. No.

Q. In fact would I be right in saying that the security position was always discussed together with the political leaders ?

A. Yes.

Q. And everyone had security very much in mind ?

A. Yes.

Q. Are you aware of any person warning the authorities in question about the possibility of the outbreak of violence ?

A. No.

Q. Do you remember, Mr. Karume, attending a meeting on 19th May, 1961?

A. Where was it ?

Q. At the office of the Civil Secretary who was then the Chief Minister.

A. Yes.

Q. Was Sheikh Ali Muhsin present ?

A. Yes.

MR. DOURADO: Thank you.

CHAIRMAN: Do you recall anyone at that meeting suggesting that the security arrangements at any particular polling booths should be strengthened, in other words, the number of constables in the polling booth and in the vicinity thereof should be increased ?

A. No, I do not remember.

Q. Did you have meetings to discuss the plans for maintaining law and order ?

A. Yes.

Q. At any of those meetings, do you recall anyone suggesting that there was a greater possibility of disorder in the June Elections than there had been in the January Elections?

A. No, not to my recollection.

Q. What was your own personal feeling about the possibilities of the Election going off fairly smoothly ?

A. My views were that the Elections would go completely quietly.

Q. We have fairly accurate figures of the casualties during the relevant period in June. In any event, we know the number of people who were treated by the Out-patients Department and who were admitted. Now, by and large, those two figures are fairly equal for both Africans and Arabs.

A. - Yes.

Q. But there is another figure which only represents the actual number of bodies received by the mortuary. Now the figure of dead ascertained in the manner I have described are 64 Arabs and 3 Africans. That is, over the whole period, bodies actually received at the mortuary. Could you, Mr. Karume, help us by giving us your idea as to why there were so many more of one race than the other killed, as apart from injured ?

A. In my personal opinion, the reason why in this particular instance the number was more, was that this is only one section of the race, like the Manga Arabs. I think they were the bigger number because they are living in this country. There has not always been peaceful living. Several times they have brought up one sort of trouble and another. I think in 1927 or 1928 when this country was so peaceful and quiet they brought trouble into this country because they lived in the rural districts mostly. They attacked and killed the Shihiris here and then they went back to the rural districts.

Q. Do I understand you, Mr. Karume, to be saying that you think that to some extent it was a case of paying off old scores?

A. That could be. Then they brought another trouble here in the copra market, I think it was in 1936. From the shamba they came to town. They came and attacked those people who were in charge of the copra and even killed a European and also a Police officer who came there was knifed. The European officer was Mr. Skinner; I know because I was there at that time and then they went back. And recently about evicting these squatters from the shambas and burning their houses and throwing away their crops. This is what makes me think has brought about this feeling into the hearts of the people.

Q. I understand you to be saying that in your view some of the deaths were due to people taking advantage of the situation to pay off old scores?

A. Yes, that could be so.

Q. Now these Manga Arabs that you talk about, are they only cultivators or are they also small shop-keepers?

A. They do have small shops but their main business is they lease crops from the shambas and then when they are well off they buy shambas themselves.

Q. We have also heard that there was a great deal of looting in addition to killing and that many of the Arabs who were killed were small shopkeepers living in the outlying districts.

A. Yes, correct.

Q. Some witnesses have expressed the view that the criminal and hooligan element of the community took advantage of the situation and were responsible for some of this.

A. That is true, Sir.

Q. To what extent do you think in your own mind they were responsible?

A. I should say fifty-fifty because all types of criminals and hooligans and bad elements took full advantage of the trouble on this occasion.

Q. Do you think, Mr. Karume, that it would be reasonable to assume that all the Arabs, for practical purposes, killed and injured, would be Z.N.P. supporters, if they supported anybody?

Re-examined by MR. TALATI.

MR. TALATI: If they supported anybody?

A. I can say some of them could have been members of the Z.N.P., some supporters and others could be neither, Sir.

CHAIRMAN: That is what was put to you, if they supported anyone. Would you suppose that any significant number would be members of the A.S.P.?

A. Yes, there is that possibility. Some could have been, though very very few.

Q. What would you say about the Africans killed and injured. Have you got any views about that? You must have heard and know of quite a number of cases of people who were injured? What is your impression? Is your impression that, by and large, they were members of your party if they supported any party?

A. Openly there are members of our party and supporters of our party as well as members of the Z.N.P. There were also African members of the Z.N.P.

Q. Africans, injured?

A. Yes.

Q. Which would you think were the majority?

A. Ours.

Q. Thank you. Before any speeches were made prior to the election, is it correct to say that an application to the Police had to be made by the person wishing to make the speech?

A. Yes.

Q. And that the person making application had to give his name?

A. Yes.

Q. And would he have to indicate the party he was speaking in support of?

A. Yes.

Q. I think Mr. Karume told us yesterday, or any way during the time he has been in the witness box, that so far as he is aware, no speaker for the A.S.P. was prohibited from speaking between January and June, 1961?

A. Yes.

Q. He knows of no case?

A. Yes, Sir. Nobody was prohibited from speaking as far as I am aware.

Q. You have told us that you, among others, supported the departure from Sir Hilary Blood's recommendation and urged that there should be 22 Elected Members. I understood you to say that before the General Elections - I think it was in July 1960 - there was a discussion about the number of Elected Members in the Council. Ultimately, there was a Sessional Paper.

A. After Sir Hilary Blood's Report, Sir?

Q. Yes, Sir Hilary Blood recommended 21 and that recommendation was departed from and it was agreed that there should be 22.

A. Yes.

Q. Did it never occur to any of you that it might result in an equality of seats between the parties, or add to the danger of such a situation?

A. There was a view that if the Stone Town was given one more seat there would be some danger.

Q. But if the seat was placed elsewhere, there was no danger?

A. Yes, Sir, there would have been no danger.

Q. Would it be correct? We have heard from Mr. Smityman that both political parties - I am speaking of the main ones - were certain of success.

A. Yes.

Q. It may be because of that they agreed or wanted 22?

A. People only objected to that extra seat being allotted to the Stone Town, and others said "we stick to Sir Hilary Blood's allocation of 21 seats.

Q. Who wanted the seat allocated to Stone Town?

A. The people who live in the Stone Town.

Q. Which particular party do they normally support?

A. The Nationalist Party, they support.

MR. TALATI: Have you known that it is bad to refer to an Arab as an Arab?

A. No.

Q. Or a Comorian as a Comorian; or an Indian as an Indian; or an African as an African?

A. No.

Q. Now in the January 1961 Elections, did you have an Indian candidate for A.S.P.?

A. Two.

Q. Two..Indian candidates in January, 1961. Did you have any Comorian candidate?

A. Yes.

Q. How many?

A. Two.

Q. In June, 1961 Elections how many Indian candidates did you have?

A. Two.

Q. And Cormorians?

A. Two.

Q. You did not have any Arab candidate, did you, at either of the two Elections?

A. We did arrange or discuss with one Arab candidate and then later he declined.

Q. Is it true that you did not have an Arab candidate because you were anti-Arab as such?

A. No.

Q. You have already given evidence that you have very few Arab membership. You were asked this morning about the Afro-Shirazi Club in Dar-es-Salaam?

A. Yes.

Q. What is that Afro-Shirazi Party in Dar-es-Salaam?

A. It is an Afro-Shirazi branch which is in Dar-es-Salaam.

Q. A branch of you organisation?

A. Yes.

Q. Why do you have an Afro-Shirazi branch in Dar-es-Salaam?

A. Because there are many Zanzibari youths who are working in Tanganyika because there is no employment for them in Zanzibar, and there they have formed their own club and called it the Afro-Shirazi.

Q. Is that a different thing from the Afro-Shirazi Branch?

A. No, it is the same.

Q. You mean in one building there is a club and branch?

CHAIRMAN: No, he means the same organisation.

MR. TALATI: Now, do you know whether the A.S.P. Youth League speakers were prohibited by the Government from making speeches?

A. Yes, I remember that.

Q. And about what time was this, between January and June?

A. Before.

CHAIRMAN: Before when?

A. Before January and June.

MR. TALATI: Yes, but how long before?

A. I think about two or three months before January.

Q. Were any other speakers also prohibited before January, 1961?

CHAIRMAN: You are distinguishing between the Afro-Shirazi Party and the Afro-Shirazi Youth League?

A. I cannot remember.

Q. But some were prohibited before the January Elections and he cannot remember now how many, if any, were prohibited before January and June.

MR. TALATI: All these questions refer to the Afro-Shirazi Youth League. Are their meetings quite distinct and separate from the Party meetings?

A. Yes.

CHAIRMAN: Is that all, Mr. Talati.

MR. TALATI: That is all.

CHAIRMAN: Thank you Mr. Karume.

The witness withdrew.

Mr. Thabit Kombo called and sworn

MR. TALATI: Now you are the General Secretary of the Afro-Shirazi Party?

A. Yes.

Q. For how many years have you been the General Secretary of the Party?

A. Since we started the A.SP. in February, 1956.

Q. On the 1st June, 1961, were you in Zanzibar?

A. Yes, I was.

Q. What was your business or duties then in connection with the Elections?

A. My duties were at Kijangwani.

Q. And do what there?

A. My duties were to direct motor cars to carry people who wanted to go and vote in the rural districts and other places.

Q. Did you have a right to vote?

A. Yes.

Q. You are His Highness's subject?

A. Yes.

Q. What are you by tribe?

A. I am a Shirazi.

Q. Where had you the right to vote: what constituency and what polling station?

A. My polling station was at Kikwajuni.

Q. In the Darajani constituency?

A. Yes.

Q. What time did you start work that day? On the 1st June.

A. I left my house at 8.30 in the morning.

Q. Where did you go to?

A. I went to Kikwajuni to see whether I would get an opportunity of voting at that time.

Q. And did you get the opportunity?

A. No, I didn't get it. The queue was from the Station right up to the main road.

Q. So did you go away?

A. I left and I went to Kijangwani.

Q. That is the Election Office of the A.S.P.?

A. Yes.

Q. When did you leave this office?

A. I was there at the office carrying on my duties of directing those vehicles up to 2 p.m.

Q. And where did you go to at 2 p.m.?

A. Then at 2 o'clock I then came back to vote.

Q. At Kikwajuni?

A. Yes.

Q. Did you cast your vote there?

A. Yes, there was room then and I voted.

Q. And from there where did you go to?

A. I went to my house, which is somewhere at Kikwajuni.

Q. You reached Kikwajuni polling station at about 2 p.m.?

A. Yes.

Q. What time did you leave the station after casting your vote?

A. About quarter of an hour. I wasn't late.

Q. When you reached Kikwajuni polling station did you see any crowd of persons outside?

A. No, I didn't. There was ample room to vote and many people had voted and there wasn't a crowd.

Q. Did you see any person or people there with sticks?

A. No, since morning there had been nobody with sticks.

Q. Did you address any crowd or group of persons outside Kikwajuni polling station when you went to cast your vote?

A. I did not because there was no crowd.

Q. You have heard here the evidence of Ali Raza Nathani?

A. Yes, I was surprised.

Q. You heard what he said: He said that between 11.40 and 12 o'clock he was outside the Kikwajuni polling station. You then went there in a car with other persons in your car. You got out of your car and addressed a crowd of about 2-300 persons and incited them to violence?

A. It is not true.

Q. Is any part of that true?

A. I did not have any business of going out. My business was to remain in our Election Office and that has been my business in every Election.

Q. Have you known Ali Raza Nathani for some time?

A. I know him. Yes, I have known him and his parents for some time.

Q. On the 1st June, did you know he belonged to a particular political party?

A. Yes.

Q. What party did he belong to?

A. Nationalist Party.

Q. Was he an ordinary member?

A. Perhaps he may be a front-rank member, because his activities outside are even more than the leaders. And because even when His Highness returned from England everybody had one flag: he had two flags.

Q. You say "his activities outside". What did you mean by that "outside"?

A. Whenever there is a public meeting of the Nationalist Party.

Q. Did you ever on the 1st June or on any other day prior to 1st June, or after the 1st June, take any part in inciting any crowd to violence?

A. No, never.

Q. Mr. Thabit, after the 1st June you came to learn of a great deal of propoganda going on in town as to who was responsible for the disturbances?

A. Yes, there was a lot of talk.

Q. Did you also receive anything in writing or come to know of anything in writing?

A. Yes, we did.

Q. What did you receive?

A. I got a paper or a writing, which came from the Workers' Party of the Zanzibar Nationalist Party.

Q. Am I right in saying what you mean is the Federation of the Progressive Trade Unions?

A. Yes.

Q. Do you see this publication? (Document passed to the witness).

A. Yes.

Document
TK.65

Q. This is the one you referred to?

A. Yes.

Q. Do you produce it?

A. Yes.

Q. Did you receive any other publication?

A. No.

Q. Did you receive any publication of the ZNP itself?

A. No.

Q. Did you think it was necessary or did your party think it was necessary to issue a press release?

A. Yes.

Document
TK.66

Q. Was this the press release referred to (handed to witness). Is there any date on it?

A. No, I do not see any date here. This was not dated.

Q. Was it in the same month?

A. Yes.

Q. In this statement you refuted the allegation that the ASP was responsible for these acts of violence?

A. Yes.

Q. One other subject, Mr. Thabit. You have heard evidence here of a Land Rover described as covered with expanded metal?

A. Yes.

Q. When was this Land Rover purchased, approximately?

A. We bought this Land Rover in Dar-es-Salaam about two months before the elections.

Q. Was it second-hand or new?

A. Second-hand.

Q. Did you have the sides of that vehicle closed by expanded metal?

A. No, we bought it in that condition.

Q. Where was this Land Rover on the 1st June?

A. It was in Pemba, at Konde.

Q. And when was it brought back to Zanzibar?

A. I think about July.

Cross-examined by MR. KANJI.

Q. Mr. Thabit Kombo, did your Party ever decide to obtain any assistance from ^{the} Afro-Shirazi club in Dar-es-Salaam - not only financial assistance but to ask the Afro-Shirazi Club to send some people to Zanzibar for the elections ?

A. No, we did not ask for such assistance.

Q. Is this your signature ?

A. (Shown to witness for identification). No, this is not my signature: it has been copied.

Q. Is it a signature similar to your signature ?

A. Yes, it is like mine.

Q. But you are definitely saying now it is not yours ?

A. Yes : it was accepted as mine.

F/KJK

MR. KANJI: Sir, I would like to put this in for identification purposes.

CHAIRMAN: Yes.

MR. KANJI: Did you ever write in any letter to the Chairman of the Afro-Shirazi Club that "We wish that our co-operation may increase and gather strength, and also as we have before us a hard task we should like to get your generous aid in money and men." Did you ever write something to this effect before the general election to the Afro-Shirazi Club in Dar-es-Salaam ?

A. Yes, I did write, because there are people who had already registered here as voters, and after registering these people went to Dar-es-Salaam for a visit, and so when the election time was near we just reminded them that they should not forget to come here for elections.

Q. Did you want this money and men for fighting the "hard task" which was before you ?

A. The money we got, 1,000/- shillings after the election.

Q. I am not asking you what happened: what I am asking you is did you want the money and men to fight the "hard task" which was in front of you ?

A. No, we wanted those people who were entitled to vote - we wanted them to come back and vote.

Q. Is that how you expressed yourself when you are asking your Club to request the voters to support your Party to come to Zanzibar for the election ?

A. Yes, I mean, that is the procedure: and people who are entitled to vote in Dar-es-Salaam were asked to come here and vote. They had been asked to come from Cairo, those who were entitled to vote, and they did come and vote.

CHAIRMAN: What you are being asked is this : if the reference to help in money and men only referred to absentee voters, what you are being asked is why did you not say so ? Do you not think it is rather a strange way of expressing the request ?

A. The Secretary at Dar-es-Salaam had already been here, and this was just a reminder of what we had spoken about here.

Q. And you thought this was a right way of expressing it ?

A. Yes, it was just a reminder, and those people who were entitled to vote did come to vote.

CHAIRMAN: Mr. Kanji, I think you should ask the witness to sign his name on a piece of paper, so as to compare it.

MR. KANJI: Yes, Sir. Mr. Thabit, will you sign your name on this piece of paper ? (The witness did so, and the paper was handed to the Commission). And did you further write here in the letter which was sent to the Afro-Shirazi Club, Dar-es-Salaam, before the election, that "We give thanks for the arrival of your representative, Bwana Achman Issa, in order to take part in celebrating the self-government of Tanganyika" ?

A. That may have been a celebration of Uhuru. It was no question of election.

Q. What I am asking you is, did you write to that effect ?

A. Yes, many letters we have written.

Q. Am I right that you celebrated in Zanzibar the self-government which was to be given in Tanganyika ?

A. Yes.

Q. And it was your Party which supported the celebrations ?

A. No, not Party: the people of the country, that is all. They want to do it.

Q. But the letter which you wrote to the Chairman of the Afro-Shirazi Club, thanking him for sending a representative from Tanganyika was issued by the party - am I right ?

A. Yes, it was written by the party at the request of members.

Q. Am I right that whilst you were looking after the question of asking people to come from districts to vote at various places you also moved about on the election day ?

A. No, I did not. It was not my duty. I had particular work. I did not have to move about.

Q. I put it to you that you were moving around quite a lot on the election day.

A. No, I did not.

Q. I further put to you that you were at Kikwajuni polling station at about 12 noon.

A. No, I was not there: I was in the election office at Kijangwani from 12 to 2.

Q. You do not know where you were before 12 o'clock do you?

A. I said before that I was at Kijangwani since morning.

Q. I put it to you that you went to Kijangwani in a Hillman car with three other people with you, at about 11.40.

A. I did not get into a Hillman car that day. I had an Austin, a white Austin car, and the number of the car was A.N.9.

Q. Were you at Darajani at about 10.30 on the morning of 1st June, 1961 ?

A. I was not there.

Q. Did you address any crowd at Kikwajuni polling station on 1st June, 1961 ?

A. I did not. It was nothing to do with me, Sir.

Q. Am I right that two days before the election, or just before the election in June, a number of people from the mainland came to Zanzibar ?

A. I am not aware of that. I only know of the people who came here to vote; the people who are entitled to vote as His Highness's subjects.

Q. Are you saying these people came from Tanganyika ?

A. Yes, they were from Tanganyika and from Pemba.

Q. Did lots of people supporting your party come from Tanganyika during the election time ?

A. No, they did not come: I am not aware of them.

Q. Did your party succeed in meeting people who came from elsewhere at the election time ?

A. None, except the people who came to vote from Pemba and from Tanganyika about their coming and returning.

Q. Am I right that your party has bought a farm at Pangweni, called Kilombero Farm ?

A. Yes, we have. We bought this shamba specially for those people who had been evicted from the plantations.

Q. As to the statement you have produced which has been marked 65, all that you know is that you gave a paper like this: you do not know where it came from ?

A. I knew where it came from by the address on the top.

Q. You do not yourself know where it came from ?

A. How ?

Q. You do not have personal knowledge whether this paper came out of the Zanzibar Nationalist Party headquarters or their branch ?

A. It is on account of the address: from the address which is on ~~top there~~. That is all.

Q. What in effect you are saying is this: you see the paper with this heading and therefore you assumed it came from the Zanzibar Nationalist Party ?

A. I deny it from the beginning. I was asked whether it came from the Zanzibar Nationalist Party. I did not say it came from the Zanzibar Nationalist Party; but this organisation, it is in league with the Nationalist Party.

MR. KANJI: It is only from the heading of this paper ? You say this came from the Federation of Progressive Trade Unions, which you say is in league with the ZNP ?

CHAIRMAN: The witness said it came from the Federation.

MR. KANJI: Is that correct ?

A. I did not say that it came from the Nationalist Party.

Q. I am asking a different question now. When you read this letter and when you read the heading of the statement, because it says the address you know - the Progressive Trade Union - did you only on that assume this came from the Federation of Progressive Trade Unions ?

A. Yes.

Q. There was no other indication whatsoever to show that this came from the Federation of Progressive Trade Unions ?

A. And from what was written on the paper.

Q. Am I right that your Afro-Shirazi newspaper is owned by the Afro-Shirazi Party ?

A. No, the Afro-Shirazi Party has no paper.

MR. KANJI: Thank you.

MR. DOURADO: No questions.

By the COMMISSION

CHAIRMAN: Are there some newspapers published in Zanzibar, circulating in Zanzibar, who support your party ?

A. Yes. There are papers who support our party.

Q. Do you say that your party and no one in your party has any say in what these papers publish ?

A. One can express his own views, but as far as our party is concerned, it has no paper.

Q. Please answer the question. This is the question I put: do you say that no leader of your party has any influence on any of these papers, in the sense of being able to say what should be published ?

A. We have a secretary, Mr. Rastom Sidhwa.

Q. Who gives out information ?

A. Yes.

Q. But nothing more than that ?

A. No.

Q. There is no control over the editorial staff ?

A. No, Sir: it is absolutely on the choice of the editor.

Q. Now you have been asked about some evidence that was given here which accused you of trying to incite a crowd to act of violence; and you said you were very surprised when you heard it.

A. Yes.

Q. Do you know the witness well ?

A. Yes, I know him.

Q. What is his name ?

A. Ali Raza Nathani.

Q. The evidence he gave briefly was that you appeared on the scene, gave a "Victory" sign; that you came in a black Hillman car, accompanied by three Africans, and that you addressed the crowd and said, "Your colleagues have already started: why are you so idle ? Whom are you looking for ? Let us finish them now." Now did anything like that occur ?

A. No, Sir, not at all.

Q. I understand you to say that you went to vote at about 8 o'clock ?

A. Yes.

Q. The queue was too long so you gave it up ?

A. Yes.

Q. You went back to your office and you stayed there until what time ?

A. Until 2 o'clock, Sir.

Q. When you went out you found the queue no longer a long one and voted ?

A. Yes, Sir.

Q. Do you affirm that you did not leave your office before 2 o'clock after you returned to it early in the morning ?

A. Yes, Sir.

Q. You say you were surprised at the evidence ?

A. When I heard that, yes.

Q. Can you suggest any reason why the witness should have come and given that evidence if it did not occur ?

A. Even myself I am surprised that he should come and give such evidence.

Q. Have you ever had a quarrel with him ?

A. No. We have not quarrelled but one thing I can think of because as the Nationalists are in the habit of accusing people as they have accused, for example, the police here. Hilal Mohammed Hilal who is a big person said he was held by the police on each side and at the same time people were beating him. So from this it is not a surprise that it may have been planned for him to come and accuse me in this way.

Q. He knows you, does he not ?

A. Yes. He knows me and I know him.

Q. He knows that you are the General Secretary of the Afro-Shirazi party ?

A. He knows that, Sir.

Q. He knows that you are the General Secretary ?

A. Yes, Sir.

CHAIRMAN: Thank you.

Re-examined by Mr. Talati.

Q. May I, with your permission, Sir, put the letter as a whole to him? (Document passed to witness) Will you please read this letter?

A. Yes, I have read that.

Q. Did you address such a letter as this to the Afro-Shirazi Club, Dar-es-Salaam?

A. Yes.

Q. In the first paragraph there is reference to the representative coming to Zanzibar?

A. Yes, and he is a voter.

Q. What voter - in Zanzibar?

A. Yes.

Q. A Zanzibar man. Then in the second paragraph you have referred to the hard task before us?

A. Yes.

Q. Were you facing a hard task on the date of this letter? Will you please read the date.

A. The hard task I meant was the election because many of our people are labourers, daily paid labourers, and on the election day one has to stand the whole morning, from morning to evening, in order to cast his vote, without eating. Sometimes that very same person has to stand up to 6 p.m., that is the closing time. So I must tell the people that election is as hard work. They have to tolerate, they have to be patient and go without food.

Q. This is the Afro-Shirazi Club. Has it got anything to do with your branch in Dar-es-Salaam?

A. This Afro-Shirazi Club is a branch of our Party but in Dar-es-Salaam it is known as a club. In Zanzibar we call it a branch of the association.

CHAIRMAN: A point I would like to make is that the witness's explanation of what he meant by a hard task seems inappropriate when it is addressed to the club in Dar-es-Salaam or the Afro-Shirazi branch there.

MR. TALATI: You have said that the hard task was with regard to the tough time that a voter would have at the elections, having to go through without food or work?

A. Yes.

Q. To get the context - "We have before us a hard task. We would like to get your generous aid in money and men".

A. Yes.

Q. The question is if the hard task was with regard to the toughness of the election, namely the hard times the voter would go through, why do you want assistance of generous aid in money and men?

A. We wanted financial assistance in respect of the people who were to come here and vote and then go back; we had to pay for their passage.

Q. The suggestion is that the letter suggests you were trying to import men to cause violence in Zanzibar?

A. No, Sir, it would have been found out in the letter if I had done so. Such letters we have even written to Pemba in bringing their men and sending them back because we had to spend a lot of money towards their coming and returning.

MR. TALATI: May I refer for information to a document entitled "Speakers prohibited by police orders from addressing public meetings"? It will be produced tomorrow by Mr. Wright. May I use it now today as the witness is here?

CHAIRMAN: Has Mr. Kanji seen it?

MR. KANJI: I have a copy.

CHAIRMAN: If there is no objection.

MR. TALATI: Certain speakers here are mentioned as belonging to certain Parties and I want to have that verified.

CHAIRMAN: Certainly. It has not arisen out of the cross-examination. Mr. Kanji must be given an opportunity, if he wishes, to ask questions on it.

MR. TALATI: Certainly. Mr. Thabit, I have a list before me which has been supplied by the police giving names of speakers prohibited by police orders from addressing public meetings, and giving the names of the Parties which they represent. I will start with the first name which is H.N. Moyo. It is said he was stopped from making any speech from 31st December, 1960 to 13th January, 1961. He is stated here as a member of the Afro-Shirazi Party.

A. He is a member of the Federation of Labour and he has never addressed a meeting of the Afro-Shirazi Party. He has addressed a meeting of the Federation of Labour.

MR. KANJI: Can we have the name of the Federation of Labour properly recorded; it might not be sufficient?

A. It is called the Federation of Dabour, Zanzibar and Pemba.

MR. TALATI: Another speaker, Seif Bakari, is stated to have been stopped from making speeches between 7th January, 1961 and 13th January, 1961, then again between 14th March, 1961 and 17th April, 1961. Do you know Seif Bakari?

A. I know him. He is a member of the Youth League.

Q. Afro-Shirazi Youth League?

A. Yes.

Q. Then there is Bibi Mwajuma Koja, a lady. She was stopped from making a speech. She has quite a number of stoppages in between. To which Party does she belong?

A. She is a member of the Youth League and she was prohibited from addressing a meeting of the Youth League. There was a case against her which went to Court and which was finally dismissed.

Q. When you mention the Youth League it is Afro-Shirazi Youth League?

A. Yes.

Q. Then there is Abdulla Amur. This was the man referred to yesterday by the last witness. He was stopped for three days from making speeches, from 13th May to 16th May last. Does he belong to the A.S.P.?

A. He was a member of the Z.P.P.P. when he was stopped. Not a member of the A.S.P.

(Document
TK G.)

MR. TALATI: That is all, Sir.

Further cross-examination by Mr. Kanji.

Q. You said that Mr. H.N. Moyo was a member of the Federation of Labour?

A. Yes, and he is the General Secretary.

Q. Am I right that the Federation of Labour is a body very closely affiliated to the Afro-Shirazi Party?

A. In what way?

Q. It supports strongly the Afro-Shirazi Party?

A. Yes.

Q. Would I be right that members of the Federation of Labour would generally vote for the Afro-Shirazi Party in the elections?

A. Yes.

Q. Would I be right that the great majority of the members of the Federation of Labour would also be members of the Afro-Shirazi Party?

A. Yes.

Q. Would I be right in saying that Mr. H. N. Moyo is also a member of the Afro-Shirazi Party?

A. Yes. He was prohibited at a meeting of the Federation of Labour. We do not allow anybody to speak anything at the meeting of the Afro-Shirazi Party; that is why nobody was prohibited.

Q. Are you saying that no member of your Party was prohibited from speaking at public meetings by the police?

A. In Zanzibar, none except in Pemba.

Q. We heard evidence yesterday, Sheikh Thabit Kombo, that Abdulla Amur came to support your Party, A.S.P. from about the middle or end of January, 1961. Would I be right in saying that he continued to do so right up to date?

A. Yes, but as you have heard Abdulla Amur's story yesterday.

Q. So he, in fact, spoke on A.S.P. platform in May, 1961?

A. No, he did not.

Q. Am I right that he is not a member of the Federation of Labour or Afro-Shirazi Youth League?

A. That is so.

Q. So the only political meeting which he would be able to address after about the end of January, 1961, would be Afro-Shirazi Party?

A. If he has addressed but he has not addressed.

Q. He has not addressed any meeting in April or May, 1961?

A. Not to my knowledge.

Q. It is very important for you to consider the whole situation carefully before you answer the question.

A. I must answer according to the oath I have taken.

Q. You agree with me you do not in fact know whether Abdulla Amur addressed any A.S.P. meeting or not in April or May, 1961?

A. I do not know.

Q. And it is possible that he might have spoken?

A. I cannot say whether he did or not because I was not there.

Q. Am I right that Abdulla Amur took a very leading part in organising a section of the Party of which a number of people were arrested during June election?

A. He could have done so.

Q. I am asking you did he do it?

A. Up to now he is doing that.

Q. Would you agree that he is in fact one of the prominent members and perhaps he could be recognised as a leader of the A.S.P.?

A. He is not a leader.

Q. Would you say he is a prominent member?

A. He is well known in all the Parties.

Q. I am asking you is he a prominent member of the Afro-Shirazi Party?

A. No, he is not that. He is not on the committee or anything.

Q. Would I be right in assuming that Bibi Mwajuma Koja was and is a member of the Afro-Shirazi Party?

A. She is a member of the Youth League.

Q. How old is she?

A. I do not know.

Q. Would she be in the region of about twenty years or thirty years?

A. Yes.

Q. Would you say she would be about thirty years old?

A. About twenty-five years.

Q. Besides being a member of the Afro-Shirazi Youth League is she also a member of the Afro-Shirazi Party?

A. No she is not a member of the Afro-Shirazi Party.

Q. Are you quite sure about that?

A. Yes.

MR. DOURADO: No questions.

CHAIRMAN: Thank you.

(The witness withdrew)

CHAIRMAN: We will adjourn now until 2 p.m.

(The proceedings were adjourned until 2 p.m.)

ON RESUMPTION

MR. IDI BIN BAKARI called and sworn

Examined by MR. TALATI.

Q. Your name is Idi Bin Bakari ?

A. Yes.

Q. What work do you do ?

A. I work in the agriculture department in shamba.

Q. Where do you normally live ?

A. I live at Kidongo Chekundu.

Q. Are you His Highness's subject ?

A. Yes.

Q. Were you registered as a voter in the June elections?

A. Yes.

Q. For what constituency were you registered as a voter ?

A. Raha Leo.

Q. What was your polling station ?

A. Raha Leo.

Q. Did you go to vote on 1st June to Raha Leo polling station ?

A. I did.

Q. At what time did you go ?

A. I went at 7 o'clock in the morning.

Q. When did your turn to vote come ?

A. At five minutes past twelve.

Q. After that did you leave Raha Leo polling station ?

A. Yes I did; after voting I went out.

Q. You went out of the polling station ?

A. Yes.

- Q. Did you go anywhere from there ?
- A. I was there. I was waiting for a companion of mine.
- Q. Who was your friend ?
- A. Harun Rehani.
- Q. Was he then within the polling station, voting ?
- A. No, his polling station was at Gulioni.
- Q. Later on did you meet Harun Rehani ?
- A. Yes, he came there.
- Q. Where ?
- A. He came outside Raha Leo.
- Q. That was at what time approximately ?
- A. I think it was about quarter past one.
- Q. And with him did you go anywhere ?
- A. Yes, we went to town.
- Q. That is the Stone Town ?
- A. Yes, we came to town to pay some money.
- Q. Did you go walking ?
- A. Yes.
- Q. From Raha Leo to what place ?
- A. From Raha Leo we came to town, passing Mwembetanga.
- Q. And then from Mwembetanga where did you go ?
- A. Then we went to Mtendeni.
- Q. Where were you actually going to ?
- A. We were coming to town to pay money somewhere near

Darajani.

- Q. Darajani, beyond the Creek Road ?
- A. Yes.
- Q. That is where you intended to go ?
- A. Yes.
- Q. On the way you reached Mtendeni ?

A. Yes.

Q. What happened ?

A. When we reached Mtendeni Harun was in front and I was behind him.

Q. How far in front ?

A. Just about three feet away from me.

Q. Then what happened ?

A. We saw a crowd of Arabs.

Q. On the road ?

A. Yes, on the road. They were sitting at each side of the road. They were carrying heavy sticks, pangas, knives.

Q. What do you mean by "pangas"?

A. I mean swords.

Q. What happened then ? Did they tell you anything ?

A. We went on further and we came across another group.

Q. Still at Mtendeni ?

A. Yes.

Q. What was the second group doing ?

A. They were also carrying sticks and other weapons.

Q. What were they actually doing ?

A. They were standing right in the middle of the road.

Then we passed them - by-passed them.

Q. What do you mean "by-passed"?

A. We passed them at the side, and immediately after having passed them, just about two feet away, we heard shouts behind us.

Q. What shouts did you hear ?

A. Saying - "They are not ours, those are not ours, those are not ours." Suddenly I was struck on the back of the head.

Q. From the front or from the back ?

A. From the back.

Q. Do you know what you were struck with ?

A. No, I could not see, it was from behind me.

Q. When you were struck what happened to you ?

A. I fell down and I was struck again on the head.

Q. Did you see your assailant this time ?

A. No, I did not; I fell face downwards, I did not see.

Q. Then what happened ?

A. They struck me, they hit me again on my leg and arm, and then I was not conscious.

Q. What were you struck with ?

A. I do not know whether it was a piece of iron or a heavy stick; I could not say.

Q. You were being beaten all over ?

A. Yes.

Q. And you said you lost consciousness ?

A. Yes.

Q. I think you described the first of the two crowds you saw as being Arabs; what was the second one ?

A. The other crowd were also Arabs.

Q. After that, when you came to, what do you remember seeing ?

A. When I came to myself I found myself in the Nationalist Party branch.

Q. Where ?

A. Mtendeni.

Q. What did you see around you ? Who did you see ? Besides yourself was there any person ?

A. There were four people there.

Q. What was their condition ?

A. One I do not know properly, but the other one, I know him.

Q. What was their condition ?

A. One was bleeding.

Q. Bleeding from where ?

A. From the head and other parts of the body.

Q. The second one ?

A. The other one was sitting on a bench.

Q. Was he injured ?

A. No, I did not see. He was not injured; I did not see injuries.

Q. You cannot remember one of the people ?

A. That is right.

Q. One you have described as injured ?

A. Yes, the injured one I know.

Q. The third you have described as sitting on the bench?

A. The third was also sitting on a bench. He is young.

Q. Were you the fourth ?

A. No, I was the fifth.

Q. Do you remember the fourth man ?

A. The fourth one was also a man.

Q. Was he injured ?

A. No, he was not.

Q. Were you bleeding at that time ?

A. Yes, I was bleeding from the head and from the nose.

Q. What did you do when you regained consciousness ?

A. I wanted to go out.

Q. Did you realise where you were at that time ?

A. Yes, I did. Then I became anxious. I wanted to go out.

Q. What did you do ?

A. Then I went. Inside in a corner there was a tap and I started washing off the blood.

Q. Did you talk to the others who were there ?

A. No, I did not talk to them, but one of them spoke to me. He said - "Why are you moving about ? Sit down."

Q. Then what happened ?

A. Then about five minutes later I saw the door opened.

Q. Who opened the door ?

A. I do not know who opened the door.

Q. Was it opened from inside or outside ?

A. From outside.

Q. Then what happened to you ?

A. The people then started going out, and I also struggled; I tried and I walked out, in a swaying manner.

Q. Which way did you go ?

A. I went to a place called Mkamasini.

Q. You said you walked to Mkamasini ?

A. Yes, I walked as far as Mkamasini, and then I fell down.

Q. What happened then?

A. I was unconscious for some time. Then I came to myself again and continued walking up to Baraste Kipande.

Q. What happened at Baraste Kipande ?

A. Then I fell down on a baraza of a certain house.

Q. That is on an open verandah ?

A. Yes.

Q. Then what happened ?

A. Then a man called Rashid came up and lifted me and put me in a car. Then I passed out again. I do not know where he took me. Then after a long time I came to myself and I found myself in the Nationalist Party branch at Kisiwandui.

Q. That is near the fire station ?

A. Yes.

Q. Where were you in that branch when you regained consciousness ?

A. In a yard.

Q. In the yard of the house ?

A. Yes. I was lying down on the grass.

Q. In the compound ?

A. Yes.

Q. What did you see when you regained consciousness ?

A. I saw a group of Arab women inside. Then about ten minutes later I heard shouts from outside saying "Stones, stones, stones". They they closed the doors and I was left alone in the yard. I could not walk.

Q. What happened then ?

A. Then after a little while they opened the doors.

Then I heard the voice of a man called Abdulrahman Mahzumi.

I said to somebody - "Is that Abdulrahman Mahzumi talking?"
He said - "Yes" - and I said "Call him".

Q. Did he come to you?

A. Yes, he came. He is my nephew, because his
mother is my sister. He said - "How is it you are here?"

I said - "You have beaten me at Mtendeni."

Q. Why did you say - "You have beaten me"?

A. Because he is a member of the Nationalist Party.

Q. Is he an African?

A. No he is an Arab on his father's side.

Q. Then what happened?

A. He went out. After some time a European police
officer and two askaris came and carried me and put me in
their car and took me to hospital.

Q. Were you admitted to the hospital?

A. Yes, I spent the night in hospital. On Friday
there were was not room in hospital and in the morning they
put me in a car and asked me where I was to be taken to,
and I said - "Take me to Kidongo Chekundu."

Q. And you were taken there?

A. Yes.

Q. For how many days were you unable to go back
to work.

A. Twenty days.

Cross-examined by MR. KANJI

Q. Whilst you were standing in the queue at Raha Leo in the morning did you see any disturbances there ?

A. No.

Q. When you came out of the polling station at Raha Leo did you see any disturbances there ?

A. No.

Q. Would I be right in saying that right from seven o'clock in the morning until about 1.15 p.m. you did not see anything irregular, such as people being beaten or large crowds at Raha Leo ?

A. At the place where I was I did not see anything.

Q. From Raha Leo where did you go first ?

A. When I came out of the station I remained there waiting for my friend.

Q. After your friend arrived there where did you go ?

A. We came to the town, passing Mwembetanga.

Q. Did you hear any rumours at Mwembetanga ?

A. No, I did not.

Q. Am I right in saying that you did not hear any rumours at Mwembetanga to the effect that Afro-Shirazi members and supporters were being attacked at Mtendeni ?

A. No, I did not hear any. If I had I would not have gone.

Q. So the position right up to the time when you went to Mtendeni was that you did not see any disturbances anywhere, nor did you hear any rumours that there were disturbances ?

A. No, I did not. If I had I would not have gone.

Q. Do you know any person who attacked you ?

A. No, because I was struck from behind.

Q. You do not generally go to Mtendeni, do you ?

A. No.

Q. People really would not know you in Mtendeni ?

A. There may be some who know me and some who do not know

Q. Am I right that you are just an ordinary member of the ASP ?

A. Yes.

Q. It is possible, is it not, that you were attacked by a crowd of ASP people ?

A. No, they would not attack me because many of them know me.

Q. If they were supporters and members of the ASP who did not know you - if for instance they came from Manganyika - would I be right that they would not know that you are a member of the ASP ?

A. No, not a single one, because I know many of them.

Q. In effect you are telling me now that whether members and supporters of ASP knew you or not they would not attack you ?

A. They would not hit me because there is bound to be somebody who knew me.

Q. Would you answer my question please. The question is, whether members and supporters of ASP knew you or not, they would not attack you ?

A. Yes, they would not attack me.

Q. Is it not possible, Mr. Bakari, that the Nationalist Party thought that you were one of their members and so when they saw you were attacked they took you to their branch ?

A. No, it cannot be at all.

Q. Would I not be correct in saying that if they thought you were really a member of the ASP they would have killed you there and then; there was no-one to protect you ?

A. What was their intention in keeping me inside ?

Q. Can I have the reply, please ?

A. Many they hit and put them inside. They do not kill them.

Q. Would you say they are very kind people ?

A. Yes, it could be so.

CHAIRMAN: For not killing them ?

MR. KANJI: So you agree that the Nationalist people are kind people ?

A. Yes, it is possible that they could be kind.

Q. I put it to you that you were never beaten at Mtendeni ?

A. I was beaten at Mtendeni.

Q. I am telling you that you are not telling the truth to the Commission.

A. I am speaking the truth. The man who was with me at the time I was hit was there.

Q. Am I right that people were beating you while you were unconscious ?

A. They hit me whilst I was on the ground.

Q. What I am asking you is whether people were beating you while you were unconscious ?

A. I don't know.

Q. Now is it your story that whilst you recovered and got away from Mtendeni you fell down at another place ?

A. Yes.

Q. Where was this other place ?

A. Mkamasini.

Q. Now you said that you knew some A.S.P. members and supporters in or near Mtendeni.

A. No, I don't know the members or supporters of the A.S.P. at Mtendeni.

Q. Near Mtendeni?

A. No, I don't know.

Q. Now were you unconscious when you were picked up at Mkamasini and taken to the Nationalist Branch near the Fire Station?

A. No I wasn't taken from Mkamasini.

Q. Where from?

A. From Baraste Kipande.

Q. Do you know any member or supporter of A.S.P. at Baraste Kipande?

A. Yes, there are some I know. Because there is a branch there.

Q. Why didn't you go there?

A. I could not go because when I reached there I fell down on the baraza and I lay down there.

Q. Was this the second time ^{that} you lost consciousness?

A. Yes, that is right.

Q. And not a single member of A.S.P. or supporter tried to help you?

A. I don't know. I cannot remember. Except one who carried me in the car. I know him.

Q. Was he a member of the A.S.P.?

A. The man who called this car to carry me? I know him, he is Rashid.

Q. Is he a member of A.S.P.?

A. No. He is not a member of A.S.P. He is related to me.

Q. Am I right that not a single member or supporter of A.S.P. helped you when you fell down at Baraste Kipande?

A. At this place where I fell there wasn't anybody except the one who was related to me.

CHAIRMAN: Were there any there?

MR. KANJI: I got a statement from him that there were supporters of A.S.P. at Baraste Kipande. And you say you were taken to the Nationalist Branch at the Fire Station?

A. From Baraste Kipande. I was carried in a car.

Q. It seems the Nationalists liked you very much. They wanted you in all their branches.

A. Because amongst the Arabs are my relatives. I am an uncle.

Q. Are you saying that because there are relations in the area of the branch they took you to the branch?

A. That is what I think, yes.

CHAIRMAN: No one prevented you leaving either of these headquarters when you were able to go. Is that so?

A. No one, Sir.

MR. TALATI: When you were put in the car and later on you found yourself at the Fire Station, the Nationalist Party branch, that was because you were mistaken for a Z.N.P. supporter, is that what you said?

A. I am not sure because I wasn't conscious in the car.

Q. Would you say that when you found yourself at the Mtendeni Branch, do you think you were being put in there for your own protection?

A. No, they just threw me down. I was lying on the ground and there was a lot of blood on the ground there.

CHAIRMAN: Thank you.

The Witness withdrew.

MR. TALATI: The next witness has applied for his evidence to be taken in camera.

CHAIRMAN: Mr. Dourado, are you making any application to recall any witnesses?

MR. DOURADO: Mr. Chairman, we are going to make an application for the recall of Mr. Robertson. I am just going through the evidence to find out if it is necessary to recall Mr. Biles. It might be that he has already covered that aspect. It might be necessary to clarify a few things.

SENIOR SUPERINTENDENT W. WRIGHT recalled on his former oath

Examined by Mr. Dourado

Q. Mr. Wright, you prepared a list of speakers who were prohibited by the police from addressing public meetings?

A. I did, Sir.

Q. On that list you showed parties or groups to which they belonged?

A. That is so, Sir.

Q. How did you ascertain the parties of the speakers?

A. All public meetings require a police permit and the name of the party is ascertained from the application for a permit to hold a meeting.

CHAIRMAN: Each person who wishes to speak has to apply for permission?

A. The party concerned applies for permission, Sir, naming the speakers whom they wish to speak at the meeting. I have, if you

(Document would like to see it, the type of permit we issue.
WW. 67)

Q. It is not necessarily a political party. It might be any other organisation presumably?

A. That is so.

Q. They have to state who the person is speaking in aid of?

A. Yes, Sir. The condition of names of speakers was a condition the police made when the tempo of political speeches was worsening.

Q. You thought they were getting out of hand?

A. Yes, Sir.

MR. DOURADO: I am just going to deal with one or two names. The first one - H.N. Moyo. Do you know if he is also a member of the Federation of Labour?

A. Yes. He is, I believe, the General Secretary of the Zanzibar and Pemba Federation of Labour.

Q. But when he was prohibited from speaking, banned from 31st December to 13th January, was that in response to that application to speak by any political party?

A. It was as a result of the speech he had made at a party meeting of the Afro-Shirazi Party.

CHAIRMAN: But the application there referred to, was to speak on behalf of the Afro-Shirazi Party?

A. This does not necessarily relate to applications to speak.

Q. Just to persons banned?

A. A person has been banned on this date because of a speech he made on or thereabouts. The first date on the list represents a date upon which the person has been banned; the second date represents the date upon which the ban has been lifted, probably as a result of an assurance given, or when the superintendent is satisfied that the ban ought to be lifted.

MR. DUORADO: Just for the purpose of clarification, you name several parties; what do they stand for?

A. The initials of the parties.

Q. Does that indicate that he is a member of the party, or that he spoke at a meeting organised by that party?

A. That he spoke at a meeting organised by that Party.

MR. DUORADO: I tender in evidence, Mr. Chairman, a list of speakers prohibited by police orders from addressing public meetings.

Q. Mr. Wright, have you also prepared extracts giving us a fair idea of what political leaders and members of political parties said at the various meetings they held prior to the June election?

A. Yes. Sir.

Document
WW. 69A

Q. You have prepared these extracts of speeches made at Nationalist Party and Youths' Own Union meetings?

A. Yes, Sir.

Document
WW.69B

Q. And also similarly those made at Afro-Shirazi Party and Afro-Shirazi Youth League meetings ?

A. Yes, Sir.

Document
WW.69C

Q. Those made at meetings of the Zanzibar and Pemba People's Party ?

A. Yes, Sir.

Document
WW.69D.

Q. And finally those made at meetings of the Human Rights League ?

A. Yes, Sir.

CHAIRMAN: Covering what period ?

A. Principally, Sir, the period from the beginning of April 1961 until the election day, 1st June. There are one or two speeches at an earlier date. These extracts are translations from speeches taken by officers of the Police Force who attended these meetings.

Q. And you have available for inspection the original reports of the speeches in Swahili ?

A. Yes, Sir.

Q. If any of the legal representatives wish to examine or check them they are to be made available to them?

A. Yes, Sir.

Q. These extracts that you have caused to be prepared were made in response to a request from the Commission ?

A. Yes, Sir.

Q. To give a fair cross-section of the general tone of all parties in speeches during the relevant period ?

A. Yes, Sir.

MR. DOURADO: And similarly at the request of the Commission have you prepared a list showing the casualties or injuries suffered by people as a result of action taken by the security forces ?

A. Yes, Sir.

Q. Do you produce that list ?

A. Yes, Sir.

Q. How many casualties are there ?

A. A total of ten non-fatal casualties known to have been inflicted by the security forces by gunfire, and one fatal casualty.

Q. These are the only casualties that you are aware of ?

A. These are, Sir¹/₂

Q. There are also one or two matters we wish to clarify, and they are about incidents relating to the flag of His Highness the Sultan. There was first the Dimbani incident. Could you tell us in brief what happened at Dimbani ?

A. There was a series of incidents, Sir, in the Kizimkazi/Dimbani area where a member of the Human Rights League and one of the hooligan element from the town went to the area and quite clearly stirred up trouble there. There were a series of unlawful assemblies, riots and breaking into houses and shops.

CHAIRMAN: When did this take place?

A. This took place on the third day, 3rd June.

In one of these cases the Sheha's flag at Kizimkazi was

uprooted; the flagpole was uprooted and the flag was torn down and shredded. A number of persons were prosecuted for that offence, but there was a conflict of evidence and the individuals charged with the offence were acquitted. A similar group were, however, convicted of an offence occurring at the same place on the following morning, when there was a further unlawful assembly and what was intended to be an attack upon the Sheha, but he was not in his house at the time.

MR. DOURADO: I think you can leave it at that. Now we come to this complaint at Kisimamajongoo; could you tell us what that is about?

A. Yes, at Kisimamajongoo in June the Sheha's flag rope was cut and the flag cut down. I am not certain whether the flag was torn to pieces or whether it was merely the rope that was cut. It was not reported to the police, but it came to our knowledge that there was an allegation that some members of the security forces had cut down the flag; we did not know at the time where. We thought it possible that some of the security forces from the mainland, not knowing that His Highness's flag was flown outside Shehas' houses may have mistakenly removed one, and we put word round immediately to all the security forces to clear up that point. I have statements since from the Sheha and from the neighbour to say that a patrol of security forces cut the flag down.

Q. There is one more point ? It has been given in evidence here that Mr. Amani Thani witnessed an incident at Kikwajuni and the gist of it was that he overheard Mr. Thabit Kombo inciting a crowd. The suggestion is that this evidence was placed before the Commissioner of Police and the Commissioner of Police did nothing about it. Do you know anything about that alleged report to the Commissioner of Police ?

A. Yes, from what I know of the alleged incident, but not Mr. Abdulla Raza's connection with it. I have a report from the Nationalist Party from Mr. Amur Zahor dated 17th June.

MR. KANJI: The letter is dated the 17th: the statement is dated the 12th.

MR. DOURADO: To whom is this letter addressed:

A. It is addressed to Assistant Superintendent of Police Nassor Abdulla who is one of my C.I.D. officers, an Acting A.S.P.

Q. What mention does it make of this alleged incident at Kikwajuni ?

A. Under a heading "Thabit Kombo, General Secretary of the A.S.P." On 1st June, 1961 at about 12 noon at Kikwajuni Polling Station, Thabit was heard by two witnesses inciting a group of armed people to start attacking all voters who were there at that time. It is alleged that Thabit said these words. The translation is: "Your colleagues have already started, why are you waiting. Hurry up, finish them off!"

Q. Now you say that this is one of the reports on several allegations made in that statement ?

A. Yes, this is one of 28 allegations in this particular letter.

Q. Was the author of that letter asked to produce factual evidence in support of these allegations ?

A. Not necessarily in a specific incident but he was regularly visiting the C.I.D. officer and was sending along to us witnesses where there were witnesses in support of any allegation.

CHAIRMAN: Did the Police cause enquiry to be made about that particular one ?

A. We did enquire into this and other allegations against prominent political leaders, but neither I nor my staff have any recollection, in fact I am sure, that no witness has come forth in support of this allegation.

Q. You say that in the course of your inquiries no witness came forward to support it ?

A. Yes.

MR. DOURADO: This man Amani Thani: do you know what he described himself as ?

A. When he came to make a statement to the Police, he described himself as a politician.

Q. One last question, and that is the June incidents. The alleged double-voting in the election offences. Were investigations carried out ?

A. Yes, Sir.

Q. What were the results of the investigation ?

A. No cases of double voting were substantiated. There were arising from it a number of cases of wrongful arrest in the January Elections and again in the June ones.

CHAIRMAN: No cases substantiated, and a number were investigated after each election.

A. Yes.

MR. DOURADO: Thank you very much, Mr. Wright.

MR. KANJI: Mr. Wright, it has been said here by a witness this morning that at least 3 of the people on the list did not speak on the platform of the A.S.P. H.N. Moyo: would you in fact say that he did speak on the A.S.P. platform and then he was prohibited from speaking further ?

A. This list is supplied to me from our files and it does record that H.N. Moyo was prohibited after speaking on an A.S.P. platform. I have not myself been able to check that fact yet, Sir.

Q. Would you say that your record would correctly record the fact on which platform particular speakers spoke ?

A. Yes.

Q. So you would agree that H. N. Moyo spoke on an A.S.P. platform before he was deprived of speaking ?

A. I am sure that that is so, Sir.

Q. And there are two other instances of the same character. The third on the list is Scif Bakari and the sixth on the list is Bibi Mwajuma Koja.

A. Bibi Mwajuma Koja, from personal recollection, spoke at A.S.P. and Afro-Shirazi Youth League meetings.

Q. And would you agree that Scif Bakari spoke on the A.S.P. platform and that he was deprived of speaking ?

A. I am sure the record speaks for itself.

CHAIRMAN: He has said that they were Youth League or A.S.P.?

MR. KANJI: This witness now confirms that they spoke from the A.S.P. platform. Now, the Afro-Shirazi Youth League and the Human Rights League: they are very closely associated with the A.S.P. Party ?

A. The Afro-Shirazi Youth League is very closely associated with the Afro-Shirazi Party. The Human Rights League is hard to describe as a political party: it is in the main a collection of hooligans.

Q. Am I right, Mr. Wright, that the Human Rights League is a body which supports A.S.P.?

A. Prior to these elections they quite clearly showed in their political speeches that they supported the A.S.P.

Q. Prior to the June Election ?

A. Prior to the June Elections and earlier than that, in the January Elections, too.

Q. I am told Mr. Wright that Abdulrahman Abdulrazak whose name was mentioned in Exhibit W.W.68, last but one on the first page, did not speak on the Y.O.U. platform ?

A. I can only repeat, Sir, that this list has been prepared for me by the officer who directly prohibited and released these speakers and it is a record from his files.

CHAIRMAN: He is the person who has directly dealt with this matter ?

A. Yes.

MR. KANJI: At Kizimkazi, the incident which you have described, were there lots of members of the A.S.P. and supporters of the ASP at the incident ?

A. The indications are that the people were supporters of the A.S.P.

CHAIRMAN: This incident on the 3rd June ?

A. Yes.

MR. KANJI: You have told us, Mr. Wright, about the reports which were made to you by Sheikh Amur Zahor; in fact the reports were contained in a letter addressed to Sheikh...

A. Nassor Abdulla.

Q. Do you know Sheikh Amur Zahor was told to address matters in connection with the disturbances to Sheikh Nassor ?

A. He was told that he could address them to the C.I.D. in general, Sir.

Q. You are saying he was not told to address letters to Sheikh Nassor ?

A. I do not say he was never told at any stage or that he may not have been told to address them to Mr. Nassor Abdulla; but he was addressing them to officers of the C.I.D., in general - the senior officers, that is.

Q. Now a number of letters were sent, were they not ?

A. A large number, Sir.

Q. Did your department ever reply to Sheikh Amur's offer ?

A. We made no written replies to Sheikh Amur's offer. He was visiting our headquarters regularly, bringing in information. It was not a matter on which we had time to write replies.

Q. Was there any incident when you asked him to assist you to produce witnesses ?

A. None, to my knowledge, Sir.

Q. Am I right that as to all the reports which were made to you, particularly in connection with leaders of the ASP, no action has been taken ?

A. No action is apparent, Sir, possibly on reports which are mere rumours or allegations. Where it has been possible to interview a witness, when a witness has been named, we have done so.

Cross-examined by MR. KAW-SWANZY

Q. These complaints you referred to as having been made by Amur Zahor, I believe ?

A. Yes, Sir.

Q. Would they be after the 1st June ?

A. After the 1st June ?

Q. This man you called Amur Zahor, is he a retired police officer ?

A. That is so.

Q. How long ago did you retire him ?

A. Seven years ago, I think.

Q. To the best of your knowledge, shortly after retirement, he joined the ZNP ?

A. That is so.

Q. Now it has been suggested here that there were many new faces, non-Zanzibar local faces, on the 1st June, 1961. Would you subscribe to that ?

A. I was rarely in the town on the 1st June itself, Sir. My entire day was spent in the headquarters building.

Q. So you never in fact saw any incident yourself ?

A. I saw no incident on the 1st June myself.

Q. From reports received by your department, would you say that a large number of foreigners came into Zanzibar just before the elections ?

A. I have not found evidence to support that.

Q. You have had the report though ?

A. I have had numerous rumours and reports of that nature, yes.

CHAIRMAN: But he says he has found no evidence to support it.

MR. SWANZY: And these reports came after the 1st June ?

A. I believe the first report, not from the Nationalist Party but the first indication - the first rumour which I heard - would have been on the eve of the elections, that is the 31st May.

Q. Would you say that generally the reports you received were from political parties or were they merely from the Nationalist Party ?

A. We received the bulk of the reports from the Nationalist Party, but we did also receive a considerable number of a similar nature from the headquarters of the Afro-Shirazi Party.

Document
WW.68.

Q. On Exhibit WW.68, towards the bottom of the page there are four names, against which there is no indication as to their release. Would I be right in saying these people have never been released ? The first name is Omar Hamadi. He was stopped on 22nd May, 1961, as a speaker for Pemba. Would I be right to say he has never been released ?

A. That is incorrect, Sir. My apologies. He was released. I have only just noticed that date is missing.

CHAIRMAN: Can you tell us when these people were released ?
You will have to amend the Exhibit.

A. I cannot, Sir. I had not observed that that was so. It is the case that I know he spoke in May of this year. Yes, I can correct that. He was stopped and released immediately because he was himself a candidate at the elections. It could be regarded as the 23rd, Sir, the following day. He was stopped and representations were then made, and because of his position as a candidate we agreed to permit him to speak.

MR. SWANZY: And the same applies to the next three, does it ?

A. Mzee Said Mzee - that was only eight days before the elections and no public meetings have of course been permitted since 1st June. He has not been permitted to speak again.

Q. And he was also a candidate ? You say Omar Hamadi was stopped on the 22nd May and you say he was released because he was a candidate the following day. What about Mzee Said Mzee ?

A. I have not a note here to the effect that he was a candidate. I will accept it if you say so.

CHAIRMAN: Was he a candidate ?

MR. SWANZY: I do not know. What I asked you was, was he also released ?

A. No, I said he was not released.

Q. He has not been released yet ?

A. No, Sir, the position is that this man was stopped speaking on the 22nd May. There were only 8 days of public meetings thereafter. The question of his being released again has not come up because no public meetings have been permitted since 1st June.

Q. Do I understand you to say then that there is nobody on this list who at this time is being prevented from speaking on a public platform ?

A. The question has not arisen: since 1st June we have not permitted any public meetings.

MR. SWANZY: That is to say, everybody here has since been released ?

CHAIRMAN: No, Mr. Swanzy. The witness said the question of releasing people has not arisen because no public meetings have been permitted since the 1st June, so it has not arisen yet. When it does arise then it will be considered.

MR. SWANZY: Sir, I cannot understand the question of releasing them has not arisen.

CHAIRMAN: He does not say the question of releasing them has not arisen.

MR. SWANZY: That is what he is saying. Then is it correct to say that the remaining three persons are still living under the ban: they are banned from speaking on public platforms ?

A. Perhaps I could explain more easily this way, Sir: if public meetings were permitted from now on we would have to consider, in view of what these three persons had last said, whether or not we would permit them to speak.

Q. Do I understand you to say the question of release will be considered when an application has been made for the said release, for them to speak on the platform ?

A. It is not a question of release, Sir; it is a question of whether a political party wishes this man to speak at a future meeting. If they ask for him to be permitted to address a meeting, we must consider, in the light of circumstances existing at that time, whether or not that particular person may be allowed to address that meeting.

MR. DOURADO: No re-examination.

By the Commission

CHAIRMAN: Would it be correct to say that where complaints have been made and no action has been taken by the police it is because after investigation it was not possible to produce witnesses to support them, is that correct ? Witnesses have not come forward to give evidence?

A. There are a very large number of allegations, Sir, in which witnesses

Q. Could you answer my question. If it is not correct will you say so ?

A. I am sorry, Sir. Where witnesses have come forward, Sir, police action to investigate has been taken but police action to prosecute has in many cases not been taken because of lack of supporting evidence.

Q. Because you did not consider that you had a prima facie case ?

A. That is so, Sir.

Q. Would it be correct to say that the police have only abstained from prosecuting where they considered, or were advised, that there was not a prima facie case ?

A. That is so, Sir.

Q. For no other reasons ?

A. No, Sir.

Q. That you are aware of ?

A. That I am aware of, Sir.

CHAIRMAN: Thank you, Mr. Wright. We can release you and we are much obliged to you for your help.

We will adjourn now until 8.30 tomorrow morning.

(The proceedings were adjourned until
8.30 a.m. Wednesday, 11th October, 1961).