



ZANZIBAR PROTECTORATE

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

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LOS ANGELES

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. GROSSMITE, ESQ., C.M.G., O.B.E.

Commencing on Monday, 25th September, 1961

FIFTEENTH DAY

Wednesday, 11th October, 1961.

*of proceedings*  
Note taken by Treasury Reporter

APPEARANCES

For the Government:

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

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

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

For the Afro-Shirazi Party:

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

ON RESUMPTION.

MR. P. A. P. ROBERTSON recalled.

Examined by the ATTORNEY GENERAL.

Q. Mr. Robertson, you have been recalled by permission of the Commission to deal with one or two points that were given in evidence two days ago but were not put to you during your examination in chief or cross-examination. If I might direct your mind to the situation in May of this year, you have said in your evidence that the assessment of 29th May - this is page 40 of the Second Day - "We considered the situation, as I say, on the 29th May, and our assessment was that everything indicated the elections would pass off peacefully, though possible trouble arising when the results were announced was recognised."

A. Yes.

Q. Prior to that, had you had meetings with leaders of the political parties ?

A. There was a meeting with representatives and some leaders of the political parties on the 19th May, but there was a meeting at which two of the leaders of the political parties, the ZNP and the ASP, were present in their capacities as Ministers at a meeting on the 4th May.

Q. We will take the 4th May. Will you give the Commissioners the names of the Ministers present, if you remember them.

A. The names of the Ministers present were - perhaps I should say myself as Chief Minister, as I think it is important to put the position - the Hon. Sheikh Abeid Karume, Minister for Health and Local Affairs; the Hon. Sheikh Ali Muhsin, Minister of Education; the Hon. Sheikh Ali Shariff Musa, Minister for Works. There was one other, Sir, but for the moment my memory fails me. I am afraid I have forgotten, but there were four Ministers. I have a note of this

particular meeting, but unfortunately it does not give the names of the people who were there.

Q. As regards the Ministers you have mentioned, to which parties did they belong ?

A. Sheikh Abeid Karume - the ASP; Sheikh Ali Sharif Musa - ASP; Sheikh Ali Muhsin - ZNP; and there is another gentleman.

Q. That was 4th May ?

A. Yes.

Q. Was an assessment made at that meeting of the security situation ?

A. It was not quite like that, no. May I explain how this meeting arose ? I returned from leave on the 8th April and I was immediately on arrival the Chief Minister, and I decided it would be a good thing to have a very early meeting with all the Ministers to discuss a number of different matters, including security and the coming elections, so I tried to arrange a meeting, but in the absence of Sheikh Ali Muhsin from Zanzibar at the time, the earliest date at which I could fix it was the 4th May. On 4th May the first item which I raised with the Ministers present was the arrangements generally for the elections; and I described what those were. I also indicated to the Ministers that we were watching the security position and that according to the information available there was no sign that there would be any trouble. There is no record in this note, and I certainly have no recollection of any contradiction of that particular assessment by anybody present. At a later stage in that meeting, Sheikh Ali Muhsin went back to the question of elections - we had been discussing other things, and he went back to the question of elections. The comment recorded here is that he suggested there were too many police who had been kept in reserve in January, and there were an insufficient number of police at the polling station. He also said that in some cases when the police were asked to

take action at the January elections they did nothing, and in other cases they took unnecessary action which was not required. This is what was recorded as having been said at that meeting. I then explained to him that these arrangements were matters which were the business of the Elections Committee because the Elections Committee contained representatives of all the parties and the officers directly concerned with the arrangements and the police, to go into these details and to work out whatever would be regarded as a satisfactory arrangement. I pointed out that the operational control of the police was a matter for the Commissioner of Police himself, and I emphasised it was absolutely essential for there to be a reserve of police available. Those are the points which were discussed. To that extent - what I have just described - there was an assessment made, but I have no recollection, and I can find no record, of anything more than that.

Q. Can you remember whether at that meeting the fear was expressed that there would be more violence at the June elections than the January elections ?

A. I have no recollection of any such statement being made.

ATTORNEY GENERAL: I will give the reference: I am quoting from page 92 of the Tenth Day: Sheikh Ali Muhsin. Did he give you any reasons why he and his colleagues felt the dangers of violence were greater in the coming election in June than in January ?

CHAIRMAN: But has the witness said that Sheikh Ali Muhsin said that he thought there was a greater danger ?

ATTORNEY GENERAL: He said he cannot remember, but this is another answer he gave on page 93 of the Tenth Day. Can you remember whether any reasons were enumerated why there was a greater danger in June than January ?

A. No.

Q. That was on the 4th ?

A. Yes.

CHAIRMAN: The witness has said he cannot remember it even being said, so he could hardly remember any reasons being given in support of that statement.

ATTORNEY GENERAL: I have to put it on each meeting: because on page 24 of the record no date is given for the statement. Did you have another meeting with the Ministers or leaders of the parties ?

A. There was a meeting on the 19th May, which was concerned with the arrangements for the elections, and of which I think I gave an account to the Commissioner earlier.

Q. Page 15 of the Second Day : Was Sheikh Ali Muhsin present at that meeting ?

A. No, Sir.

Q. Did you have another meeting at which Sheikh Ali Muhsin was present, between 4th May and 1st June ?

A. There must have been meetings of the Executive Council, yes; but no meeting other than that.

Q. I think it would be convenient if I read the evidence so that the witness can understand what was said by Sheikh Ali Muhsin. I am reading from the bottom of page 93 of the Tenth day :-

" Q. And you said that factor led to tension and was the reason why you and your colleagues felt dangers of violence were greater than in January ?

A. Yes.

Q. And I understand you to say that fear was shared by at least one A.S.P. leader in his speech ?

A. Yes, in the report of that speech.

Q. Now did you make known these feelings to the authorities ?

A. Yes, Sir.

Q. Did you explain ? To whom did you explain ?

A. As I said before, Sir.

" Q. Did you tell Mr. Robertson ?

A. Yes.

Q. Did you tell the Commissioner of Police ?

A. I remember, Sir, to have told him. But in meetings of the Election Committee and preparations for the Elections where our representatives Sheikh Hilal and Sheikh Juma Aley were present they had put these matters to them and to the Commissioner of Police. "

So it does not read quite properly.

Can you remember Sheikh Ali Muhsin telling you of his fears that there should be greater violence in June than in January ?

A. No, Sir, I have no recollection.

CHAIRMAN: You have no recollection of his expressing the view that there was a greater danger of more violence in June than in January - or of him giving you any reasons why he thought so ?

A. Both, Sir.

Q. I should have thought the second: the reasons necessarily follow the answer to the first question.

A. Yes.

Q. Except that you have told us he was critical of the number of police actually stationed at some of the polling stations ?

A. Yes, Sir.

Q. And Sheikh Ali Muhsin did stress that in his evidence.

A. Yes, Sir.

Cross-examined by MR. KANJI.

Q. Mr. Robertson, the notes which you have of the meeting only contain a brief summary of what took place ?

A. That is so.

Q. That is not a verbatim report ?

A. No.

Cross-examined by MR. KWAW-SWANZY.

CHAIRMAN: Are you relying not only on the minutes of the meeting, but also on your recollection ?

A. Both, Sir.

MR. SWANZY: Were you at any time before the 1st June told by Sheikh Ali Muhsin or any other leader of the Zanzibar Nationalist Party that the ASP were planning to massacre people in Zanzibar ?

A. I was never told of such a thing.

Q. Were you at any time prior to the 1st June, 1961, told that anybody in Zanzibar was planning to bring about violence on election day ?

A. No, Sir.

ATTORNEY GENERAL: No re-examination.

By the COMMISSION.

CHAIRMAN: We have heard from the Commissioner of Police that he considered the strength of the force to be under what he considered was necessary, and that he was informed by the Financial Secretary that the finances of the country would not permit of any recommendations that he might wish to make being implemented; and that I think was the state of affairs for two years before 1960 - would that be correct ?

A. I think in general that is probably a fair statement.

Q. He actually made that statement in a letter that he wrote after the Emergency. He said on 8th September, 1961, in a letter addressed to you, headed "Criminal Investigation Department, Increases in Establishment", among other things, "I have long been planning to expand the C.I.D., particularly in the districts, but have made no specific proposals during the past two years in view of the fact that



the Financial Secretary has made it quite clear in his various memoranda that no further posts would be approved. I therefore endeavoured to concentrate upon quality rather than quantity, but regret to state that in Zanzibar that policy has not been found to be strictly practicable." I do not know if you remember ?

A. I do not remember clearly that particular letter.

Q. But since the Emergency - it is a fact, we have already heard the evidence - that proposals for increasing the force, both the rank and file and the C.I.D. - have been approved ?

A. Yes, Sir.

Q. And was that approval due to experience gained through the Emergency, or due to any improvement in the financial position ?

A. Most definitely not due to the latter, Sir. It has made the financial position considerably worse.

Q. I meant did any increase in revenue make it possible to do that ?

A. No, Sir; it was a result of some recommendations by the Inspector General of Colonial Police, who was asked to come and review ...

Q. And visited this country shortly after the disturbances ?

A. Yes, and he made an inspection and advised an increase in the force by, I think, 108 men, to create a mobile force like the Kenya General Service Unit.

Q. On the lines of the Kenya General Service Units ?

A. Yes, and arrangements for that are now in train.

(The witness withdrew.)

MR. R.H.V. BILES recalled.

Examined by the ATTORNEY GENERAL

Q. Mr. Biles, prior to the June elections in the month of May did you have meetings with Ministers to discuss the security arrangements?

A. I did not, Sir.

Q. Did you ever have a meeting with Sheikh Ali Muhsin, leader of the Nationalist Party, concerning the security arrangements?

A. No, Sir.

Q. Has he ever made representations to you in writing ?

A. No, Sir.

Q. That in his estimation the dangers of violence in the June elections were greater than in the January elections?

A. No, Sir.

Q. Do you know Sheikh Hilal Mohammed Hilal?

A. I do.

Q. What is his position in the political world?

A. He is one of the leaders of the Nationalist Party, and Chairman of the Zanzibar Town Council.

Q. And do you know Sheikh Juma Aley?

A. I do.

Q. What is his position?

A. He is another member of the Nationalist Party, at present serving as Minister of Agriculture.

Q. Have either or both of these gentlemen, either in writing or by word of mouth, made representations to you that the danger of violence in June - the possibility of violence in June - was greater than that in the January election?

A. No, Sir.

Q. In the course of his evidence - this is page 111 on the Tenth Day - Sheikh Ali Muhsin was asked:

"Are there any other measures which you think ought to have been taken in order to avoid the troubles which occurred in June?"

A. The question of an adequate police force composed entirely of the people of Zanzibar; one of the things which was quite apparent was the unreliability of some of our police."

Now I would like to ask you some questions about Zanzibarisation.

A. Yes, Sir.

Q. What are these documents, Mr. Biles? (Bundle of documents shown to witness).

A. These are copies of letters exchanged between myself and the Civil Secretary, between December 1959 and February 1961, on the subject of the security of the Zanzibar Police Force.

Q. And in the letters, is the question of Zanzibarisation discussed?

A. It is, Sir.

ATTORNEY GENERAL: I tender these in evidence, Sir.

Document  
RHVB.71

CHAIRMAN: This is a bundle of correspondence passing between the Commissioner of Police, Zanzibar, and the Civil Secretary, commencing with a letter dated 18th December, 1959.

ATTORNEY GENERAL: Is this a letter on the question of the Zanzibarisation of the police force, from you?

A. This is an extract from a demi-official letter addressed by me to the Permanent Secretary in the Civil Secretary's Office on the 21st March, 1961, on the subject of Zanzibarisation.

ATTORNEY GENERAL: Sir, I only want one copy of that to go in. There are some figures, Sir, after this.

Document  
RHVB.72

CHAIRMAN: An extract and three appendices.

ATTORNEY GENERAL: May I put this general question now: would it have been possible to have had a completely Zanzibarised police force prior to 1st June?

A. Not of the size provided for in the Estimates of the Territory, Sir.

Q. Had you been pursuing a steady policy of Zanzibarisation?

A. Yes, Sir.

Q. In conformity with efficiency?

A. Yes, Sir.

CHAIRMAN: I understand you to say "consistent with what you considered would produce a reasonable degree of efficiency in the force"?

A. Yes, Sir.

ATTORNEY GENERAL: I will not ask more questions, Sir. The witness has already dealt with the question of reinforcements to Gulioni and Raha Leo.

Cross-examined by MR. TALATI

Q. Mr. Biles, before June 1961, did you receive any information from known political leaders that violence on a large scale was likely to flare up at the elections in June?

A. No, Sir.

Q. Before June 1961, did you receive any information from known political leaders that certain persons were going to be brought to Zanzibar or were being brought into Zanzibar from outside to create trouble at the elections?

A. No, Sir.

Q. Have you received such information since the election disturbances started?

A. No, Sir.

Cross-examined by MR. KANJI.

Q. Mr. Biles, did you receive any report from Mr. Moore, who was the Election Supervisor, to the effect that some members of his Committee had complained that there was trouble at Raha Leo and Jangombe constituencies in the January election, and the members of his Committee feared there would be trouble in the June elections?

A. I received a report from Mr. Moore, Sir, but it was mainly conveying criticisms of the police arrangements in the January elections. It did not suggest that there would be more trouble in the June elections. It merely criticised alleged inactivity by police officers at certain polling stations.

Q. So do I understand you to say it was only a complaint about the past behaviour and nothing to do with the present?

A. Yes.

Q. I have here minutes of a meeting held on 24th April, 1961, at the election office, minutes are signed by the Supervisor of Elections, Mr. Moore. I am reading a passage from it which says: "Sheikh Hilal Barwani" - this is the same person to whom reference has been made as leader of Z.N.P.?

A. I do not know; I was not at the meeting.

Q. He said: "He was not quite satisfied with the police behaviours during the last election. Could Mr. Moore make some suggestions about the arrangements to the Commissioner of Police. Mr. Moore informed him that whilst he could not interfere with police matter, if the Committee had no objection he would ask Mr. Meyer who is liaison officer with the Commissioner to attend these meetings only to deal with the police matters." Did you attend any meeting of the election committee?

A. No, Sir. I was not invited to.

Q. There is a note at the end of this minute which says: "Subsequent to the meeting the Supervisor of Elections did in fact approach the Commissioner who requested that written complaint should be submitted to him at once. All parties have been advised accordingly by this office." So it seems according to this note that someone in the election office did get in touch with you?

A. Mr. Moore, Supervisor of Elections, was in police headquarters nearly every day for the two months prior to the elections discussing various matters with Mr. Moyer who was responsible for arranging the police duties on the day of the election, not only in Zanzibar but in Pemba and Mr. Moore was informed that if there were any specific complaints against police officers in connection with what had happened at the previous elections I wanted details of the place, of the time and the persons concerned so that I could investigate the matter.

Q. So no suggestion was made to you that this meeting was in respect of security measures which were to be taken at the June election?

A. I am sorry. I do not understand to which meeting you are referring.

Q. After this meeting at the election office it was not suggested to you that you should come to a meeting at the election office to discuss the question of security measures?

A. No, it was not, Sir.

CHAIRMAN: To which meeting were you referring the Commissioner of Police?

MR. KANJI: The election office meeting.

CHAIRMAN: The date?

MR. KANJI: 24th April. May I tender this, Sir?

CHAIRMAN: What is it?

Document  
SHMK.73

MR. KANJI: It is minutes of a meeting held in the election office at 9 a.m. on Monday, 24th April, 1961.

CHAIRMAN: The Commissioner of Police was not noted as being present at that meeting?

A. No, I was not present.

MR. KANJI: Am I confined to the questions which have just been asked by my learned Friend?

CHAIRMAN: The subject, not the questions.

MR. KANJI: Did you receive a report from the Senior Commissioner, I think, as he then was, in respect of some report which he himself had received from the District Commissioner?

A. I saw a report in March which had been written to the Senior District Commissioner by the District Commissioner, a copy of it was shown to me by the Supervisor of Elections and also by the Superintendent of Police, Zanzibar, to whom a copy had also been sent.

Q. Am I right that you replied to that letter saying that the matter of security was being discussed at a high level and therefore there was no need for any meeting with the District Commissioner?

A. I did not reply to that letter because it was not addressed to me but I received another letter from the Senior District Commissioner addressed to the Superintendent of Police, Zanzibar, suggesting that he and the District Commissioner and both District Commissioners and certain other persons should discuss police arrangements and various other matters and I replied to that saying that I did not think that there would be any useful purpose

in the Superintendent of Police, Zanzibar, attending a meeting to discuss police arrangements as the matter of the police arrangements for the whole of the Protectorate was being dealt with at a higher level and the matter of distribution of police throughout the Protectorate would be considered by me personally at a later date in the light of the forces available and intelligence forthcoming then.

MR. KANJI: But did you ever write to the Senior Commissioner or Senior District Commissioner saying that the matter was being dealt with at a higher level?

CHAIRMAN: The witness has just said so.

A. I would add to that, Sir, that I did tell the Supervisor that if the Senior District Commissioner or any of the District Commissioners had any specific point in connection with the elections which he wished to discuss with Mr. Meyer I suggested they should contact Mr. Meyer. I understand that he subsequently wrote to the Senior District Commissioner conveying that information.

MR. KANJI: Do you know, Mr. Biles, that quite a number of people came from Tanganyika and elsewhere to Zanzibar just before the elections?

A. There is a constant flow of immigrants and emigrants to and from Zanzibar.

Q. You did not see any difference?

A. I did examine the figures and there was no significant change immediately prior to the elections.

Q. I assume that you have read the proceedings of this Commission of the evidence which Sheikh Ali Muhsin has given, have you?

A. I have, yes.

MR. KANJI: Is there anything on which you wish to comment in that?

CHAIRMAN: I do not think you can put a general question like that. Have you anything specific? We have a few questions we want to ask. I do not think it is right to invite the witness to comment on the whole of that evidence which occupied something like two days.



By the Commission

CHAIRMAN: Mr. Biles, it was suggested by Sheikh Ali Muhsin that the police arrangements were too much in the air and there was not sufficient discussion at the level of people who had actual experience of the necessities of the position. I think I am putting his evidence fairly if I say that. Is there in your view any justification for that comment ?

A. I do not think there is any justification for that, Sir.

Q. Supposing Mr. Smithyman, for example, he did not make that comment, but supposing he had wished to draw something to your personal attention would he have had easy access to you or not ?

A. Very easy access, Sir. He only had to telephone me or send me a letter and I would have been available either to see him in my office or to go to his.

Q. And your relations are such that access and communication between you is easy ?

A. We were meeting frequently, Sir.

Q. Sheikh Ali Muhsin also expressed the view that certain members of your force appeared on occasions to be expressing approval of the rioters rather than getting down to the business of doing something about stopping them ?

A. Yes, Sir.

Q. You have already told us that you did enquire into various allegations which had been made ?

A. Yes, Sir.

Q. Are you completely satisfied that there is no substance in that accusation or do you think there is some substance in it ?

A. Nothing has been drawn to my attention to give me any cause for thinking for one minute that any member of the force was not doing his job. It is possible that the individual constable may have been a little nonplussed at times.

Q. It was not a case of being nonplussed. It was a case of expressing approval or smiling at the crowd rather than getting on with the job of trying to maintain law and order.

A. The first suggestion of that, Sir, is contained in Sheikh Ali Muhsin's evidence before this Commission. I have no grounds at all for believing that to be true. No one has adduced any evidence of that to me. I did receive a complaint from Sheikh Ali Muhsin about which I have already given evidence, that at Raha Leo two constables on duty there were a little slow in coming forward when he was involved in an incident which concerned his agent. But apart from that there has been absolutely nothing, Sir.

Q. In your evidence in chief on the third day, Wednesday, 27th September, you gave evidence as to certain changes which you made in the disposition of the police for June ?

A. Yes, Sir.

Q. Compared with the arrangements for January ?

A. Yes, Sir.

Q. I think before you answer the question it would be fairer if you looked at your evidence to enable you to refresh your memory. It is at page 23. (Copy of the evidence passed to witness).

A. Yes, Sir.

Q. I wonder if you would be good enough to repeat the changes you made in the dispositions in June as compared with January.

A. May I refer to my notes, Sir ?

Q. Yes. We feel that we wish this clarified because it is not very clear in the evidence to which I have just referred.

A. Yes, Sir. I reduced the number of constables at the Vanik Mahajan Hall.

Q. These are the differences between June and January ?

A. In June I reduced the number of constables from two to one but I increased the welfare office from two to three.

At Darajani School I increased from two to three.

At Kisiwandui School I increased from one to two.

At Kikwajuni School I increased from one to two.

At Gulioni School I increased from two to four.

At Raha Leo I increased from two to four.

At the King George VI School I increased from two to three.

Q. Those were the actual polling stations ?

A. At the polling stations, Sir. That is in the town.

I made certain adjustments outside the town. I do not know whether you want me to go through those too.

Q. I do not think that is very necessary. It is the town area with which we are particularly concerned on the 1st June.

A. I also arranged for mobile police stations, that is to say, an omnicoach with radio.

Q. There were two of those, were there not ?

A. Yes, Sir, and an Inspector and four constables one to be between Gulioni and the King George VI School and the other in the vicinity of Kisiwandui, near the fire station.

Q. You did not have those in January ?

A. No, Sir.

Q. Yes?

A. I also made arrangements for various officers and Inspectors to carry out periodic patrols but I have no record of the exact arrangements in January so I cannot say whether there was any substantial increase or not.

Q. Yes ?

A. I beg your pardon, Sir, there was one other change I did make. I have only just recalled. I did add a constable of the Zanzibar police to the special constable patrols which were going around. In the January elections the patrol had consisted only of two special constables but I added a Zanzibari constable to each patrol. There were eventually three patrols in the town and three in the rural areas.

Q. Was that an increase over January ?

A. Only the constables, Sir. There were the same number of patrols.

Q. The only addition was a constable to each patrol ?

A. Yes, Sir.

Q. Now those changes, had they any relation to any assessment that you had made of a greater likelihood of trouble during the June election than January or was it merely a re-arrangement to improve efficiency ?

A. It was really a re-arrangement to improve the efficiency, Sir, and to try to obviate or deal with more quickly the type of incident which had occurred in January and about which the politicians had been complaining to me.

Q. And those re-arrangements were designed to try and meet.... ?

A. To try and meet the needs as best I could with my limited resources.

Q. You had your reserve ?

A. Yes, Sir.

Q. Consisting of ?

A. Approximately one hundred men at Ziwani and also a further reserve of fifty in Pemba.

Q. The force has now been increased ?

A. Yes, Sir.

Q. By 124 officers and other ranks, I think it is ?

A. The establishment has been increased.

Q. And you are in the process, presumably, of trying to implement it ?

A. I am, Sir.

Q. If you had had that establishment before June, and it had been filled, do you think it likely that it might have made any significant difference to the incidents we are inquiring into ?

A. It would undoubtedly have made a difference, Sir. It might even have prevented things from developing but it is very difficult to say.

Q. Of course, you ended up, did you not, after the disturbances had grown with two special service units from Kenya - Police units ?

A. Yes, Sir, and five companies of troupes. Two from Kenya, and three from Tanganyika.

Q. So you had five companies of King's African Rifles in addition to the two companies of the General Service Unit ?

A. Yes.

Q. But, of course, that was after the disturbances had grown ?

A. If your question means could I have coped with what happened on, say, the third, fourth and fifth days with this increased establishment, my answer is no.

Q. No. My question was not directed to that. My question was directed to asking your view as to the likelihood or otherwise of having been able to cope sufficiently to prevent the disturbances spreading had your establishment been what it now is and had it been filled ?

A. I might have, but I am not sure about that.

Q. But, of course, you had not asked for it, had you ?

A. I had not asked for it, Sir, no.

Q. These recommendations for an increase in the establishment were made, if I may be pardoned for using the expression, in the light of hindsight ?

A. That is correct, Sir.

ATTORNEY GENERAL: Sir, would the Commission like me to put in two letters which have been mentioned in the evidence this morning? The letter from the Senior District Commissioner and Mr. Biles' reply.

CHAIRMAN: If you think it would be of assistance.

ATTORNEY GENERAL: I think it would be of assistance to the Commission.

CHAIRMAN: Would you show it to Mr. Kanji and to Mr. Talati. The recommendations that you have made in the letter which has already been referred to of 8th September, 1961, were recommendations for an increase in establishment in connection with the Criminal Investigation Department?

A. That is true, Sir.

Q. And I notice that in your letter to the Civil Secretary - you may have heard me read it out this morning?

A. I did, Sir.

Q. You said that you had not made any recommendations for increasing the establishment before because you had been told by the Financial Secretary that there were insufficient funds to meet any increase in cost?

A. That is right, Sir.

Q. Would your not making any representations apply to the force generally or only to the Criminal Investigation Department?

A. It applied to the force generally during those two periods, during the last two budget sessions, Sir.

Q. In the years?

A. In the years 1960 and 1961.

Q. Had there been no financial stringency would you have recommended an increase in the establishment of the force apart from the C.I.D. ?

A. I should, Sir, but it would not have been anything comparative with the establishment which has recently been recommended, the point being that there were physical difficulties in implementing the recommendations. There are problems in providing buildings, accommodation for the men. At the moment I am engaged in a building programme which only provides adequate accommodation for half the force. The remainder are living in very old and dilapidated accommodation and it would not have been realistic for me to ask for an enormous increase because I would have had nowhere to put them.

Q. Quite. But now satisfactory arrangements are in the process of being made ?

A. Now funds are being obtained and buildings are being erected and we have recruited quite a number of young men during the past three or four months.

CHAIRMAN: Thank you.

ATTORNEY GENERAL: This letter sent to you dated 25th March, 1961, and your reply of 27th.

A. Yes, Sir.

ATTORNEY GENERAL: I tender those two letters.

CHAIRMAN: Letter of 25th March, 1961, addressed by the Senior District Commissioner to the District Commissioner (Urban).

A. There are a number of addresses there, one is Superintendent of Police, Zanzibar.

Q. To the Commissioner of Police.

A. No, Sir. It is sent through me to the Superintendent of Police.

Document  
RHVB.74B.

CHAIRMAN: Another letter dated 27th March, 1961, written by the Commissioner of Police addressed to the Senior District Commissioner relating to the disposition of police at elections. Thank you, Mr. Biles.

(The witness withdrew)

CHAIRMAN: Mr. Talati, you have concluded calling your witnesses ?

MR. TALATI: I have.

CHAIRMAN: Mr. Attorney, you are not proposing to make any application to call anyone else ?

A. No Sir,

CHAIRMAN: Certain persons have indicated a desire to give evidence and we will proceed with them.



MR. ABDULLA HAMOUD HARTHY called sworn.

CHAIRMAN: You have applied to give evidence before us ?

A. Yes, Sir.

Q. Evidence relating to ?

A. Disturbances.

Q. Disturbances which commenced on 1st June, 1961.

I believe you wanted to give your opinion as to what led up to the disturbances ?

A. Yes.

Q. In your own way you must tell us.

A. Yes.

Q. If you want to refer to a statement that you have written out, you are at liberty to do so.

A. Sir, the disturbances of early June partly were caused by hatred deliberately engineered by the pursuit of policies on racial considerations.

Q. Would you like to give us your reasons for saying that ?

A. Yes, Sir. It was clear during the election and before the election each race hated the other race.

Q. Yes. When you say each race hated the other race to which races are you referring ?

A. I refer specially to the fact that Arabs were hated by Africans. They were also boycotted in business.

Q. Who was boycotted ?

A. The Africans were boycotting the Arab shops and even buses. Those buses which are owned by Arabs mostly the African does not get in or travel in them and also using insults during the meetings, in general meetings.

Q. Are these political meetings ?

A. Yes, Sir, political meetings.

Q. Was that prior to the election of June 1st ?

A. Before the election regarding the election. These speeches of election campaigns.

Q. Was it any particular Party ?

A. I think the Party which is against the Nationalist Party, Sir.

Q. You think they were the ones who were using these terms ?

A. Yes, Sir.

Q. Not the Nationalist Party?

A. No.

Q. Yes?

A. Also in streets and the markets, in the shops, in the gathering places you hear such words.

Q. What words?

A. Words that these, people, they will see, Arabs will dominate them and that is a sign of real hate, Sir, and we will see after the election what will happen to them.

Q. You heard that yourself?

A. I heard it, Sir, myself. A lot of campaigning I received, as I am a newspaper man, Sir.

The second point, Sir, about race relations in Zanzibar which were also deliberately upset by recollecting slavery and other past events.

Q. What do you mean by that? That people were reminding themselves and others of past history, is that what you mean?

A. Yes, about slavery, marketing and so on and even by administration that was used.

Q. What do you mean by that?

A. I mean that sometimes we hear these mainland broadcasts, like Dar-es-Salaam or Mombasa as something of each sort, Sir.

Q. Stirring up racial differences?

A. Racial and slavery and so on.

Q. That is what you mean by administration?

A. By saying that I think some pictures were posted in the Museum showing the marketing and about the importing and exporting of slaves and how some ships were rescuing them and so on and those pictures are shown in the museum up to the present time, Sir.

Q. You do not think they should be in the museum?

A. I have seen them with my own eyes.

Q. Do you think they ought not to be in the museum?

A. Yes, I think so.

Q. That is your opinion?

A. That is my opinion.

Q. Yes. What was the next point you wanted to raise?

A. The next point: it is significant that during the disturbances the Party, namely Z.N.P. suffered all the casualties and no losses by the A.S.P. which was hardly touched even in areas which were predominantly Z.N.P.

Q. Do you think the only casualties during the disturbances were suffered by the Zanzibar Nationalist Party? No one else, you think?

A. No. That is my opinion.

Q. You would not be impressed by any figures supplied by the Hospital?

A. If there are any, it would not be even half per cent.

Q. Yes?

A. The last point: I am enclosing here a newspaper cutting which speaks for itself of some facts. Also I suggest that

your Honour should spare a little time to hear the political speeches which were recorded by the police, Sir.

Q. If it is any consolation to you we have a lot of them before us.

A. If you found it necessary, Sir, or if you found you could spare a little time, you may gain much experience or more picture.

Q. Did you write this before the Commission commenced to sit?

A. The second point, I should like your Honour to find out the real meaning of the signals which were given during the disturbances; it is like a "V".

Q. We have seen that. It has been suggested that it meant victory.

A. It may be victory. It may be some other meaning but in my opinion it does not stand for victory only but there are two words. Unfortunately I cannot make them out. It is not only one word. This is the newspaper cutting. (Exhibit passed to the Commission).

Q. This is an article which looks like a leading article which appeared in the "Tanganyika Standard" of Friday, June 2nd, 1961, and it is dealing with the events which took place on 1st June in Zanzibar. You cut this out of the "Tanganyika Standard"?

A. Yes, Sir.

Q. And you wish to tender it?

A. Yes, Sir.

Q. We will take it in evidence and we will read it.

A. Thank you, Sir.

Q. Is there any other point on which you wish to give evidence?

A. Not so far.

Q. I am afraid as you have come to give evidence these gentlemen may want to ask you a few questions.

A. With pleasure, Sir.

Cross-examined by MR. KWAW-SWANZY.

Q. You are a member of the Arab Association ?

A. Yes.

Q. You are an Arab ?

A. I am.

Q. You are a member of the Zanzibar Nationalist Party ?

A. I am not really a member but I am a sympathiser.

Q. You are a supporter of the Nationalist Party ?

A. Yes.

Q. You were accused of sedition in 1954, were you not ?

A. Not myself only - the whole committee.

Q. You were one of them ?

A. Yes.

Q. You were at the time the editor of a newspaper ?

A. Yes.

Q. What newspaper was it ?

A. Al Falaq.

Q. You are still the editor of that newspaper ?

A. Yes.

Q. You were convicted of sedition ?

A. No, not alone.

CHAIRMAN: You have been asked whether you were convicted.

I understand your answer to be - "Yes, but there were others with me".

A. We were prosecuted; the whole committee of the Arab Association were prosecuted, not me as the editor.

Q. You were one of them ?

A. I was one.

Q. Were you one of those who were convicted ?

A. The case I think was defeated.

Q. You do not know whether you were convicted or not ?

A. We got a warning, Sir.

MR. KAW-SWANZY: Do you remember in 1954 the Arab Association of which you were an executive member called a boycott against all government administrations ?

A. Yes.

Q. Did you approve of that boycott ?

A. Yes.

Q. What was the reason for the boycott ?

A. We wanted a change in the government or administration.

Q. There were other people who did not agree with you on that ?

A. I have got no idea about the other people.

Q. Your boycott was for all members of the Arab Association not to co-operate with the Government of Zanzibar ?

A. Only on condition.

Q. Not to co-operate with the Government of Zanzibar ?

A. Yes, not to co-operate with the Zanzibar Government until we are given some particular demands. Then we resume co-operation.

Q. And your appeal was made to all Arabs in Zanzibar ?

A. No, only the executive committee.

Q. The executive committee called upon all members of the Arab Association not to co-operate ?

A. No, it is not true.

Q. Do you remember at about ~~this~~ time you also called for a boycott of the Legislative Council ?

A. Yes.

Q. Do you remember one Arab refused to obey your order ?

A. It may be, yes.

Q. Do you remember that Arab was killed ?

A. I know that he was killed, but the court knows for what

reason he was killed. I am not in a position to say.

Q. Do you remember that was the first political murder in Zanzibar ?

A. It may be - but I was young, I cannot remember.

Q. You say that the Afro-Shirazi Party were responsible for these disturbances of June ?

A. I did not say the word "responsible".

Q. You say that the Afro-Shirazi Party were responsible for these disturbances of June ?

A. I should say, yes.

Q. What are your reasons for saying they are responsible for the disturbances ?

A. The reasons I have already mentioned before the Commission.

Q. One of your reasons, may I remind you, was that more Arabs died than Africans ?

A. Of course, yes.

CHAIRMAN: No, he said "injured".

MR. KWAW-SWANZY : But one of your reasons is that more Arabs died than Africans ;

A. Of course, yes.

Q. It has been stated here by the General Secretary of the ZNP that it is not known how many of the dead Arabs were members of the Nationalist Party and how many belonged to any other party. Would you say that you know precisely how many of those dead Arabs belonged to the Zanzibar Nationalist Party ?

A. From the beginning, Sir, I said Arabs. I did not say about the Nationalist Party.

Q. Are you then suggesting that the disturbances were purely caused by racial hatred ?

A. Yes.

Q. You said before the Commissioners that you heard people saying in the streets that the Arabs will see ?

A. Yes.

Q. Did you at the time consider this talk serious ?

A. Yes.

Q. And you are one of the responsible citizens of Zanzibar ?

A. I am not.

Q. Did you at any time report this matter which you considered serious to the authorities in Zanzibar ?

A. Which authority do you mean ?

Q. The Commissioner of Police for instance ?

A. I knew there was nothing that could be done, so it was better to ignore it.

Q. Why do you say nothing could be done ?

A. There were a lot of reports and no action was taken.

Q. Did you report this particular incident which you say was serious ?

A. No.

Q. Did you report it to the British Resident ?

A. I do not think that the procedure is to report to the British Resident.

Q. What is the procedure ?

A. I think it is to bring it before the political parties, and the political parties may take action.

Q. But you do not belong to a political party. Did you report to a political party ?

A. I said before I am only a sympathiser.

Q. Did you report to a political party ?

A. I did discuss it with some of the members.

Q. Did you ask them to report the matter to the Commissioner of Police ?



A. Yes.

Q. Did you find out whether they made a report ?

A. It may be made, yes.

Q. You have stated here that one of the causes of the disturbances was that broadcasts were being made from Dar-es-Salaam and Mombasa which stirred up racial hatred ?

A. Yes.

Q. Did you ever make representations to any party on this matter ?

A. No, because everybody was hearing them. I was expecting somebody else to take the matter up.

Q. You know, do you not, that on 1st June many Africans were assaulted in Mtendeni near the branch office of the Zanzibar Nationalist Party ?

A. I do not know.

Q. If I told you it happened would you be surprised to hear that ?

A. I may be or I may not be.

Q. You would expect an assault on Africans in the Mtendeni area ?

A. It may be but the assailant may be on the other side: I do not know.

Q. How long have you had the statement you read to the Commission ?

A. About three or four days.

Q. After the start of the inquiry ?

A. Yes.

Q. I put it to you that your analysis of the causes of the disturbances in so far as they suggest that they were caused by the ASP is untrue.

A. I do not agree with you.

- Q. You agree that speeches were made on ZNP platforms ?
- A. Which speeches ?
- Q. The campaign for the election ?
- A. Every side was making speeches.
- Q. You would agree some of these speeches were inflammatory ?
- A. It is not for me to decide.
- Q. Why do you not want to answer that question ?
- A. I have got no idea of that; how could you compel me to answer ?
- Q. Have you an idea of speeches which were made on ASP platforms ?
- A. Some, yes.
- Q. Did you ever attend ASP meetings?
- A. Sometimes, yes.
- Q. Did you also attend ZNP meetings ?
- A. Sometimes, yes.
- Q. I am putting it to you that speeches from ZNP platforms were equally inflammatory.
- A. I cannot judge them because I did not attend the whole meetings. Which one do you refer to ? Which date ?
- Q. You are a newspaper man ?
- A. Yes.
- Q. You have got reporters ?
- A. I have not.
- Q. How do you collect your information to build up your newspaper, Mr. Harthy ?
- A. With my own experience.
- Q. Do you get your news by sitting in your office ?
- A. Not sitting in my office; I go myself to find out.
- Q. So naturally you did not attend some ZNP meetings ?
- A. I said some of the meetings.

Q. And some of the speeches made at some of those meetings you attended were equally inflammatory ?

A. That I cannot say because every day is not the same, you get different speeches. The speeches which are given today are never used again.

Q. Did you at one of these meetings hear people talking about attacks on religion ?

A. Religion was not used very much.

Cross-examined by MR. KANJI.

Q. You emphasise the question of racial hatred ?

A. Yes.

Q. Could you tell us which party engineered racial hatred ?

A. I stated the party which is against the ZNP.

Q. You mean the ASP ?

A. Yes.

Q. Would I be right in saying that the ZNP did not at any time try to create racial differences amongst the people of Zanzibar ?

A. So far as I heard, no..

Q. There are a number of newspapers in Zanzibar which support the Afro-Shirazi Party, is that correct ?

A. Yes.

Q. Would I be right in saying these papers which support the Afro-Shirazi Party generally contain lots of articles trying to create racial hatred ?

A. It is true, many; shall I name them ?

Q. Would you, please.

A. One is Kipanga. That means a bird which pounces on chickens. The symbol of the ZNP is a cock, so that Kipanga is against that cock.

Q. Any other newspapers ?

A. Yes, Afrika Kwetu.

Q. Is that the newspaper which is ...

A. The official organ of the ASP.

Q. Are you saying Afrika Kwetu is regarded as the official organ of the ASP ?

A. Yes.

Q. Can you give us any other examples of the newspapers which are trying to create racial hatred ?

A. The other one is from Dar-es-Salaam - Mwafrika, which quotes the Zanzibar disturbances.

Q. Did these papers and some of the speeches at the ASP meetings which you attended tell people that Zanzibar is only for black Africans ?

A. Yes.

Q. And that other communities or races have no right to participate in the government of the country ?

A. Sometimes an article like that or resembling that appears.

(The witness withdrew.)

CHAIRMAN: Two other persons have indicated a desire to appear before the Commission to give evidence. One unfortunately is ill and unable to attend, and the other one is not present although he was informed that he should be here if he wished to give evidence.

There are also letters from Mohammed Nassor Suleiman Lomki and Mr. V.S. Patel. We are of the opinion that no written memoranda should be accepted as evidence unless they can be admitted by consent or the person concerned is present to be subjected to cross-examination by the representatives appearing before the Commission.

(It was agreed by the representatives that the memoranda from Mohammed Nasser Suleiman Lemki and Mr. V. S. Patel should be admitted by consent.)

We are proposing after the proceedings today to adjourn until Friday morning at 8.30, which will give the advocates an opportunity of considering the evidence and exhibits. If you have any special applications to make in connection with any of the exhibits, you only have to let us know and we will do what we can to facilitate inspection. We ourselves are proposing tomorrow to visit the locus of some of the trouble spots. We are intending to obtain the services, possibly of a police officer, who can point them out. If any of you wish to accompany us you are at liberty to do so. We are proposing to go round the north central area, starting from the Sisters' Mess as near 9.30 a.m. as we can. We are not going for the purpose of obtaining evidence, we are just going to inspect the various places which at the moment are only names to us.

(The proceedings were adjourned until 8.30 a.m. on Friday, 13th October, 1961.)