

Address by Jomo Kenyatta at the Kenya constitutional conference (London, 25 September 1963)

Caption: On 25 September 1963, the Kenyan Prime Minister Jomo Kenyatta gives an address at the conference attended by British and Kenyan representatives from 25 September to 6 October 1963 in London. The aim of the conference is to finalise the constitutional arrangements ahead of the independence of Kenya on 12 December 1963.

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2. SPEECH BY MR. J. KENYATTA

MR. KENYATTA said:

"Mr. Secretary of State, Gentlemen: on behalf of the Kenya Government, I convey to you, Mr. Secretary of State our good wishes, and take this opportunity to thank you for the understanding and helpful manner in which you dealt with our Ministerial delegation in June this year. All our people were grateful for, and encouraged by, the announcement of December 12 as the date for Independence. This announcement, together with the efforts made by our Government in the last three and a half months, have helped to give Kenya greater unity, peace and harmony. Already there is a measure of stability that Kenya has not known in the last ten years. We are now confident that economic recovery is well on the way. This year, as you know, we have been able to balance our budget through internal measures. The mood and spirit of our people and country is one of hope, confidence and great expectations.

Our plans for Independence, on December 12, are firm and all invitations have now been set out, together with orders for our new national flag and Coat of Arms. The work on the Uhuru Stadium is well advanced and we hope that you, Sir, will come to Kenya to share with us the festivities of that momentous day.

As I have already said, the mood and spirit of the people of Kenya of all races and tribes is one of hope, confidence and great expectations. The spirit of 'Harambee' and unity has been acknowledged and recognised throughout the land. It is with this background that we now meet here in London. This, Sir, is entirely different from the background and atmosphere that surrounded the last Lancaster House Conference. At that time, suspicions and leadership claims, coupled with the negative attitude of the Colonial Government had created tension nearing explosion. The representation at the Conference was by political parties and some racial groups, none of which had proven its popularity and Kenya had a minority Government. It was acknowledged by all, including Her Majesty's Government that this did not make for the peace and stability of Kenya. Today, these things are all gone. We come here as a stable, popularly elected, Government of the people of Kenya, enjoying increasing support and response from all sections and tribes of the country. Opposition is not only a small minority in Parliament but in the recent county and municipal elections it has failed to retain any real control even in its former strongholds. In Mombasa, Coast, Rift Valley and the Western Regions the people have demonstrated their confidence in the Government and voted for unity and stability, disclaiming 'secession', 'autonomy' and even 'regionalism'. It is noteworthy that KANU won big majorities in Malindi, Mombasa, Eldoret and in other centres in county and municipal elections. In addition, of course, eight out of the thirteen members of Parliament from the Western Region (long supposed to be an Opposition stronghold) now support the Government.

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The fact that we must, therefore, emphasise at the outset is the change in political circumstances since we last met. This change must be borne in mind as we discuss the various issues before us. It is a change to which Her Majesty's Government must also respond if you are to help the Kenya Government to consolidate the gains that have already been made in the last three and a half months towards unity and stability.

As far as the issues for discussion are concerned, you have already received the various papers arising out of the Nairobi preparatory talks. At those talks in Nairobi, majority decisions were clearly recorded. At the last stage, the KADU Opposition boycotted the talks but under the chairmanship of the Governor we were told the talks would go on. Consequently, a number of issues were discussed in which there was unanimous agreement between the Government and the other parties. In the light of these circumstances, it is the view of my Government that this wide measure of agreement in Kenya must be recognised and acted upon. To reopen completely the Nairobi talks would amount to suggesting that KADU had veto powers and that the labours of our efforts in Nairobi were wasted. We would also like to add that in this Conference, responsibility for the future stability of Kenya lies squarely on the shoulders of the two Governments - namely Kenya and Her Majesty's Government. It is these two Governments that must take responsibility for all the decisions to be made here.

Our whole effort in this Conference is to endeavour to give Kenya a workable Constitution guaranteeing stability and effective Government in the years after Independence. We must remove contention and friction in the machinery of Government and leave ourselves free to prosecute the more urgent task of economic recovery and development. We are confident that Her Majesty's Government will adopt this same attitude at this Conference.

We cannot agree that merely because the present Constitution was the result of agreements at the last Lancaster House Conference, it is sacrosanct. Nor can we agree that the Constitution needs to be tried for so many years to discover its weaknesses. The fact is that the present Constitution was the subject of massive compromises, artificial feelings of mistrust and fear and arbitration by the Secretary of State. It failed completely to satisfy the majority of the people whose lives it was supposed to govern and has brought contention after contention in the country. In the interest of harmony in Kenya and in recognition of the majority opinion in the country the Constitution must be amended. As a result of the inflexibility of the Constitution overall planning will be made impossible in such important fields as Health and Education and there is utter confusion in the Civil Service. The Central Government which it was intended should be a strong and effective and the only one in the country, is obstructed and frustrated without physical representations or administrative image in the districts.

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What Kenya needs is a Constitution which promotes and preserves unity throughout the country - a Constitution which is not only workable but one which is in harmony and facilitates rapid economic development on a national basis. The present Constitution with its rigidity and duplication would tend to hinder rapid advances and national outlook in planning. We are not here concerned with the presence or absence of Regional Assemblies. We are concerned with the need for an effective government for Kenya as stipulated in the Lancaster House agreement.

In this Conference there are two possible attitudes that could be taken. One is for Her Majesty's Government to insist that the present Constitution is not changed and thereby launch Kenya into Independence with a Constitution rejected by the Government of Kenya and the majority of the people in the country. Such an attitude would lead to uncertainty and conflict immediately after Independence. This would not only be undesirable, but it would amount to abdication of responsibility and neglect of the true interests of Kenya and our future relations. As a Government, we would not consider ourselves bound by such Constitution if Britain were to adopt this attitude.

The second attitude, which we ourselves will take at this Conference, is to recognise the changed circumstances and conditions of Kenya and the need for a workable Constitution that would ensure certainty and stability after Independence. Such an attitude requires that significant changes be made now in the Constitution to meet the wishes of the majority of the people of Kenya. Her Majesty's Government is no longer in a position to guarantee protection to minority tribes or non-indigenous people in Kenya. This is the duty and responsibility of the Kenya Government now and in the future. It is, in fact, in recognition of these new responsibilities that we now seek a Constitution and relationship within Kenya that facilitates greater unity and identification of all our people as one nation. It is in this context that our people regardless of tribe or race can truly feel secure and safe and make their full contribution to the effort of nation building. We are impressed with the realistic and helpful attitude taken by the European delegates during our preparatory talks in Nairobi. It is in this spirit of 'Harambee' that we invite the co-operative participation of the Opposition delegation at this Conference."

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