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The following Despatch from His Excellency the Governor to the Secretary of State for the Colonies is published for general information —

KENYA

No 1937/61

GOVERNMENT HOUSE

NAIROBI

29th July, 1961

SIR,

Release of Jomo Kenyatta

I have the honour to address you on the subject of the release from restriction of Jomo Kenyatta. In 1953 he was sentenced by due process of law to seven years' imprisonment for managing an unlawful society and being a member of it, and the Court recommended that a restriction order should be made for such period as the Governor-in-Council should decide to succeed the term of his imprisonment. An order was made accordingly by my predecessor.

2 Since I was appointed Governor of Kenya I have informed you in advance of action which I proposed to take in this matter. On the 31st March 1960 and again on the 10th May, 1960, I stated publicly that it was my view that in the then prevailing circumstances the release of Jomo Kenyatta would be a danger to security. On the 1st March, 1961 immediately after the general elections, I said that it was not my view that he should be kept in restriction indefinitely, I did not, however, propose to release him until the new Government was working well and until I thought that the security risk could be accepted and contained and that the danger which his return presented to the economy and administration

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and to our whole constitutional progress towards early independence had been minimised. I also then announced that he would be restricted at Maralal instead of at Lodwar and that more people would be allowed to visit him. At the time of my formation of the new Government based on elected members of the Kenya African Democratic Union and their associates on the 18th April 1961 the following further statement about his restriction was issued —

“The Governor has agreed that the Government will now begin to build a house for Mr Jomo Kenyatta and his family on a site to be agreed in Kiambu district in readiness for Mr Kenyatta's return from Maralal to his home in Kiambu in due course.”

The house is now nearly completed and is expected to be ready for occupation in about the middle of August.

3 Since his move to Maralal Kenyatta has spoken freely to the many people who have visited him, journalists, politicians, diplomats, churchmen, writers, relations and friends, of all races and political persuasions. He has spent much time trying to effect greater unity among the African political parties and leaders. His very early release is now widely expected throughout Kenya.

4 Your predecessor as Secretary of State for the Colonies and my predecessor as Governor of Kenya stated with reference to the *Mau Mau* rebellion that irreconcilables would not be allowed back to the Kikuyu Reserve. Only events can establish the facts but since his move to Maralal Kenyatta has given every indication that he is now in no way irreconcilable to the maintenance of law and order and to the association of all the peoples of Kenya with its progress to independence in an East African setting based on a sound economy.

5 My new Government in Kenya has completed its first meeting—the Budget meeting—in the Legislature with credit and is working well. Within the limits of the finances which are available it is also tackling with sound sense the day to day problems and policy planning in the Ministries and Council of Ministers. It is determined to support me in maintaining law and order. It is making some progress already in the consideration of the major problems which require honourable solution before a transfer of power in Kenya, and in relation to questions both of constitutional advance and of restoration of confidence in land titles and property rights, it has displayed a wholly responsible attitude.

6 You will recall that I informed you when I was in London that I intended to review the security position on my return to Kenya and you will have recently received my detailed assessment on this matter. My Security Forces are highly competent and liaison with the Army and Royal Air Force in internal security duties has never been better. I am confident that with my Government behind me, I can accept and contain any extra security risk which now remains on Kenyatta's release. It is arguable that the economy is likely to be more damaged by the uncertainty caused by his continued restriction. The officials in the Government Services are among those who are now widely expecting his release and there is general agreement among my senior officers (including the Commissioner of Police) at headquarters and in the field and among representatives of the

Kikuyu who steadfastly supported the Government during the Emergency, that the timing is correct. Even those—and there are still many—who have deeply felt anxieties about the possible consequences of his release have come to realise that in the changed political circumstances in Kenya the wiser counsel is to release him at a time when Great Britain is responsible for law and order. They realise also that his continued restriction is an impediment to good relations and orderly progress.

7 The African Elected Members of my Government have continuously advised me that Kenyatta should be unconditionally released. Indeed they agreed to join the Government in the belief, which was certainly correct, that the formation of a Government would lead to his earlier release. All other members of the Government join them in recommending that Kenyatta should be returned to Kiambu as soon as the house which is being built for him is ready for occupation. The Council of Ministers recommends that he should be released after only a few days' period of limited restriction in Kiambu which will be necessary in order that the Police may control the immediate public excitement on his return.

8 You will appreciate how much anxious thought I have given to this question which has such weighty consequences for the future of Kenya. I have now decided that, if there is no deterioration in the security position, Kenyatta will be moved to the new house which is being built for him in Kiambu as soon as it is ready, that he will be under minor restrictions there for a short period only to enable the authorities to deal with the public excitement which will no doubt be caused by his return, and that thereafter he will be released from restriction. I suggest that an announcement of this decision should be made simultaneously in London and Nairobi sometime in advance of the move from Maralal.

I have the honour to be

Sir,

Your most obedient humble servant,

P M RENISON

Governor