

E3.1

INDIRECT RULE.

[by Tshekedi Khama]

INTRODUCTION.

A paper by Professor Victor Murray, which appeared in the July number of the quarterly Journal of the Royal African Society, discussed the above subject from an educational point of view. In submitting my comments on this paper, I have somewhat approached the question from the political view point while keeping in mind that the substance of this paper is not intended to create a political agitation but rather to appreciate a better understanding towards an adjustment to modern conditions of the main factors governing the African. It is this object which has moved me to offer comments on some of the issues raised in Professor Murray's article.

I have, at times, felt that much has been said and written about the rights and privileges, not only of the people as a whole, but also of the educated classes within, under the authority of their native rulers. In all the discussions and arguments which I, as Chief, have had occasion to study, I cannot help feeling that both the personal and official rights of a Chief in his community have been to a very great extent overlooked, if not ignored. I may be regarded as overstating the position, but my reasons for saying this will, I hope, be gathered as I proceed in this discussion.

I have held the Chieftainship for some nine and a half years now and as regent, I am approaching the end of the term of my office. For these reasons I am more or less privileged than many people to discuss this aspect of the matter; for in dealing with this point, I can justly claim to speak with perhaps an inside knowledge of the position, and as disinterested in that position as any member of a community can claim to be.

DEVOLUTION OF AUTHORITY.

In his excellent book on the subject, the "Dual Mandate in British Tropical Africa", Lord Lugard has said:

"The essential..../"

"The essential feature of the system is that the native Chiefs are constituted as an integral part of the machinery of the administration: they are not two sets of rulers - British and Native - working either separately or in co-operation, but a single government in which the native Chiefs have well defined duties and acknowledged status equally with British officials."

Now the above is a very broad statement of fact, looking at the question from many angles. My earlier impressions of the policy of "Indirect Rule" led me to accept the principle of a single government, but I am now beginning to wonder whether the policy of parallel institutions - at all events in those Protectorates where British Authority found Native institutions intact - does not offer better considerations for reaching the desired goal, namely, the strengthening and maintaining of tribal institutions so modelled to fit in with modern conditions.

This question would appear to revolve on the point whether real African Chieftainship survives when the "Indirect Rule" is enforced upon a Native community. We can scarcely get away from the point that the position of a Chief in the administration of the affairs of an African tribe is understood today by Western Civilization as "repugnant to natural justice". Yet "Indirect Rule" instructs us that its very essence to successful administration lies in the freely given allegiance of a people to a tribal head without the necessity of external pressure. But the rule makes certain definite stipulations in the exercise of the policy, namely, the appointment, recognition and deposition of Chiefs by the Supreme Governor. With the exception of the first these are not limitations to independence, as it is recognised that authority should be exercised by the Supreme Power, and difficulties should not be encountered in their exercise, because the recognition and deposition of a Chief existed even in primitive Native society. Nevertheless, in the use of these powers difficulties have arisen. The change today from the old to the new method is, that in the case of the former the power to recognise and depose a Chief was governed by the feelings of the community, while in the case

of..../

of the latter, the views of the Supreme Governor are paramount.

The truth is, Western democracy appears to be high-bound by legislation - legislation being made and enforced by the representatives chosen by the community over whom the laws are to be administered; whereas laws governing the administration of a protectorate are made by the representatives of the Supreme Power, that is to say, the adoption of the democratic principle "government of the people for the people and by the people" does not as yet include the African in matters of administrative legislation wherein his status is defined. If I have overstated the position, I may be excused for doing so, but I feel that such statement is true in fact and in substance so far as some Protectorates are concerned.

Now, it would be politically wrong to question the power of the Supreme Authority to make and enforce its legislation, for today it is an accepted principle in administration that the Supreme Authority knows what is best for the people under its care. But the cup of knowledge is never filled, and I think it would be to the advantage of the whole system of administration if full, and not partial, consultation were given to the Chiefs. Robert Russa Moton, in his book "What the Negro Thinks" points out the fact that finality is not often reached in administrative problems concerning the Negro. He says: "It is because the chief factor in the problem - the Negro himself - has had no place at the council table when adjustments were made".

Now this is equally true of an African community.

I suppose that it will have been noted that in my above remarks I have said consultations with the Chiefs instead of using the adopted phrase "Chiefs and Tribes", and I stress this point with a purpose - I see no reason why the use of the word Chief should be shirked; if "Indirect Rule" intends to "rule through and by the Chief", i.e., the Chief is a Governor to his tribe and it is not customary to use the phrase "Governor and People" in this sense. This office is therefore entitled to receive the consideration and respect due to such an office.

By.... /

By this I mean consideration and confidence shown by the Governor in administration to consult with the senior officials in the initiation of policies. If a Chief does not deserve this confidence, then the phrase "to rule through and by the Chief" would mean that the Chief is only a convenient tool to be used in such administration. This is the position which no active Chief can be expected to fill with dignity. In this event, the only sound alternative would be to completely abolish his status and substitute some workable machinery which will represent in its mechanism the true representative and active element of the community, instead of playing hide-and-seek with our own conscience that the Chiefs are the rulers while they have ceased to exercise private judgment in administration. I have seen no argument as to what the attitude of the Supreme Administration would be in the event of an important African Chief, for reasons of political policy, feeling it impossible for him to hold office any longer and deciding to resign and becoming a member of his community. I think that it is reasonable to accept the view that in making such an appointment, the person so appointed has the right to accept or decline such office. Yet I am suspicious that any such resignation or refusal to accept office may be construed as equivalent to an offence which would entail banishment from his country on the ground that it is in the interest of public peace etc.

THE POLICY OF PARALLEL INSTITUTIONS.

Would not the relationship between the Supreme Authority and the African community be more harmonious if the Supreme Authority, in accepting the position of responsibility and trust over a Native community would state outright the conditions on which it would accept that responsibility and trust, so that the power exercised by Native Chiefs could continue to exist so long as they confine their activities within these defined limits, in preference to assuming power by Proclamations in the initiation of which the African community had no

say?..../

say? Power by Proclamation, a question-seeking phrase, (to use the words of Miss Margery Perham on the question of the Protectorates in South Africa, and their inclusion into the Union of South Africa)

"is liberalism to be applied only to the White races".

Of course, we have to admit that the Supreme Authority is the controlling power and it must necessarily use that power to control. I do not think any African tribe in a protected state can question this right. In those instances and in those Territories where grievances have been voiced or felt, it will be found that these were due to the application of this power. Whatever friction between the protected and the protectors there may have been and the conflict of outside opinions thereon, this may be attributed to the expression of the indignation of the people on the manner in which such power was used. All these misunderstandings have, I think, been caused by the one reason - the tendency of the protecting power to gradually assume the responsibility for the administration of the protected territory not only externally but internally as well, until the Native community in the end finds that even the internal administration is carried on not in its name but in that of the protecting Power. It is difficult to convince an African that this is in effect a strengthening of his political freedom.

THE SUPREME OFFICERS TO "RULE THROUGH AND BY THE CHIEFS".

Professor Edgar Brookes in his book "The History of Native Policy in South Africa" has described the position of a Chief in his community as the

"embodiment to the tribe, the head and centre of all fabric". Other writers have described the same position as a "sacred authority" inherent in such a position, that to his community the Chief is looked upon as "representing themselves - the whole body, of which they form an intergral and indissoluble part".

If we accept (and we have to accept that all sovereign positions are sacred to their adherents) the belief that

Chieftainship is a sacred office to its people, we shall land ourselves in confusion of thought if we take into account the fact that today the appointment, recognition and deposition of a Chief are largely determined by the judgment of the Supreme Authority. Does this power not annul any sacred bounds which may exist between a Chief and his community? Let me illustrate my point. It may so happen that the Administration's officers on the spot are actually unable to put a law into force because of a protest against promulgation of such law received from the Native community affected thereby. The policy of Indirect Rule is "to rule through and by the Chiefs". What is the position if a Chief is instructed to enforce the law? This actually means that the Supreme Authority believes in the "sacred position" of a Chief, and it sincerely trusts that an order from the Chief to his people would solve - I suggest almost superstitiously - the difficulties apparent to both parties concerned. But what if it does not? I often wonder whether the Supreme Authority, in instructing the Chief to enforce legislation, which is not acceptable to his people, does not in reality create greater and insurmountable difficulties. Is such action not opposed to Indirect Rule which in point of fact, guards against the despotism of the Native rulers of South Africa over their people? Here, I will venture to say educationalists and missionaries have moved faster than administrators in conceiving and realising that typical African Chieftainship is merely a link in the chain of tribal administration, and that the Chief can only exert as much force as he, as a link in the chain, can stand.

I believe I have led my readers to question whether I am advocating the continuance of Chiefs' powers unchecked; this is not my intention and it is certainly neither possible in face of the pressing influence of Western Civilization nor is it existent where the real African system of administration has contrived to continue up to now. What I mean is, there

may..../

may be African rulers today, but African monarchies came to an end where Protectorates were proclaimed. To be more pointed I am suggesting that a Chief, like any member of the community, is not a machine merely to be set on motion: as a governor of his people, he has got his feelings as to personal and official liberty, and the liberties of his people; personal and public grievances and possesses aspirations for better privileges. All this consciousness will long remain latent until the African ruler is not only consulted as to how best the policy of rule evolved for him and his people can best be enforced, but also given a hearing at the council table when any adjustments of policy are made.

But it is naturally difficult for a Chief to appreciate summary deposition without trial - this may be necessary where there was a possibility of resistance with arms - and a curtailment of his power hitherto enjoyed without assigning thereby any reason for such drastic action. My point is, in a case where the Supreme Authority feels that a Chief is abusing his power, ^{it} is/not better for such Authority to intervene at once and give an explanation for such intervention but withal to invite discussion with the people and demand an explanation from the Native ruler for his actions, rather than to legislate or frame legislation and thereafter invite discussion thereon? The former policy opens up a channel to the Chief to take part in the initiation of policy and for him to realise his mistakes, while the latter method unfortunately suggests to the Native ruler lack of toleration, patience and sympathy, and quick opportunity to assume more power, on the part of the Administration. Unfortunately the procedure fails to enlist his co-operation, and in the words of Robert Russa Moton only "stimulates an abnormal race consciousness". But I think it will be appreciated that it is difficult, if not impossible, for anyone to enter into an intelligent discussion on political legislation when, in many respects, he is in the dark as to the purport and cause of such legislation.

I am..../

I am making these statements in direct reference to the generally accepted view, that a Native ruler does just what he likes with his people and adopts high-handed actions for personal gain, disregarding the educated class of his people in his pursuit of despotic rule.

THE POLICY OF INTERFERING AS LITTLE AS POSSIBLE WITH
THE AUTHORITY OF THE MEN ON THE SPOT.

It may be considered advisable by the Supreme Authority to interfere as little as possible with the powers of the officials on the spot, and it may be of some annoyance to these officials to feel that there is continual interference from higher placed officers elsewhere. These considerations originate from the fact that "the men on the spot" are in closed touch with local events and local opinion. Now, in dealing with the administration of an African community, the Chief being an African himself, is naturally in closer touch with local events and local opinion than the home office and local officials. Yet, here, the policy appears to be otherwise. To me the policy of interfering as little as possible with the authority of "the men on the spot" seems a policy contrary to the democratic principles advocated and extensively practised in the modern world. As an expression of my personal opinion, I have come to the conclusion that ~~that~~ it is quite possible for an administrator of a Native territory himself to become a despotic ruler.

Western Civilization even in its present high modernity has still to realise the truth of Professor Murray's dictum when he says the phrase "repugnant to natural justice" in effect means "so long as they are not repugnant to the Europeans' view of what is right". What seems efficient, in administration, to an European administrator is not always what is efficient to an African ruler, and in cases where an official and an African ruler do not see things eye to eye, little more of outside and disinterested opinion would be found necessary. Certainly the typical African view of life is today still very different to the European view of life. One has only to read a book like

the..../

the "Remaking of Man in Africa" by Oldham and Gibson to see that European consciousness is awakening to the truth. The fundamental outlook of life of the African can best be given in the words of the following authorities:

Oldham and Gibson in their book, "The Remaking of Man in Africa" say:-

"In contrast with the disastrous atomisation of Western Society Native Society in Africa still possesses an organic unity. In the life of the family, the clan and the tribe, men remain bound to one another in mutual obligation."

and again they say:-

"There is, however, another side to western civilisation. While it has brought about an immense liberation of the human personality and opened up vast new possibilities of development, it has at the same time given birth to a boundless egoism which threatens the destruction of society itself. The sense of human solidarity has been weakened; the bonds which unite men to one another in mutual obligation have been rudely shaken".

Sir Theo. Shepstone, perhaps the most able administrator in Native administration South Africa has ever known, is said by J. R. Sullivan to have accepted Native administration as

"unbroken chain of responsibility from individual to Chief, i.e., a system whereby a man is bound to report to his immediate superior....."

Maurice S. Evans in his book "Black and White in South East Africa" says:-

"The white man has his attachment to the town or country in which he was born and reared, and his larger patriotism to the country to which he belongs. But he demands individual rights, and his energies are mainly devoted to obtaining for himself and family better material conditions, a greater social recognition; he is by race, upbringing, environment, an Individualist. In proportion to the time, thought, emotion he devotes to his private and personal ends, that given to the community is small. The native as he was, and as he largely is, cannot conceive that he has rights against those of the tribe, devotes only a small portion of his time to actual personal ends, realizes his life in the tribe and in his chief, and is, in every fibre of his being, a Socialist".

Now, Western Civilization believes in the administration by appointed administrators and this being the best accepted type of administration it naturally has to be introduced into the system of the Government administering the backward territories. This would be the natural sequence of events - yet somehow it

has..../

has been found to be less practicable in the administration of African territories - hence the inauguration of the "Indirect Rule". The goal of the "Indirect Rule" would therefore appear to be a compromise but it is not a compromise inasmuch as no African leaders in administration have so far come up to assist in the making of that policy; it has therefore unfortunately been a somewhat one-sided agreement and as such the status of the Native people will hardly stay fixed. Perhaps I cannot draw my conclusions better than to do so in the words of the Secretaries of the International Missionary Council in their book "The Remaking of Man in Africa" where they say:-

"Let us, to prevent possible misunderstanding, define more precisely the question we are considering. It is not whether the African should be given the opportunity of advance and to that end have access to the knowledge of the West. That question we have already answered in the affirmative. It is not a question whether tribal life should be preserved unchanged. That is neither possible in the face of the pervasive influence of western civilisation nor is it compatible with the Christian message of repentance and renewal. Nor are we concerned here primarily with areas, such as may be found in South Africa, where Native Institutions have been largely destroyed and the African has no choice except to find his place within an alien system. The question before us is whether there are in Africa society values and living forces which can contribute to the healthy growth of Africans and help to vitalize the educational and pastoral work of the Church.

No fact can be of greater importance to the educator than the sense of the continuity of tribal life which is deeply engrained in the African mind. The individual is regarded only as a link in a chain of life which binds together the generations. Loyalty to the tribe in its unbroken continuity is a soil in which the ambition to pass on a still richer heritage to the next generation may attain to vigorous growth".

EDUCATION FOR THE SONS OF CHIEFS.

It is a constant argument that in order to foster the principles of "Indirect Rule" it is of the highest importance that the sons of the Chiefs should be trained for the high positions which they will be called upon to fill. This sounds well, but I am afraid it has objectionable features. The point is, what type of training is he going to be taught, and who is to teach him? Is he going to be trained to rule his people according to their tribal traditions or is he going to receive the same training as the British Officer would receive before taking up

the official duties of the government of a backward territory? It is doubtful whether the latter training is possible because of the lack of facilities and perhaps other more important reasons, while with regard to the former I associate myself with Professor Murray's contention that

"nothing educates a man for a job so well as being in the job itself."

Legislation exists, empowering the Government to depose a Chief - in certain territories just after trial, while in other territories even without trial. It is correctly said that sons of Chiefs cannot all be competent rulers, and I think "Indirect Rule" aims at "clothing with authority only those chiefs whom it considers competent"; (incidentally an action of external pressure in designation of authority). But is the position very much improved with the special training given to the sons of Chiefs? Today the office of Chieftainship is less constant than in a primitive society under its own sovereignty. It is therefore unfair to a prospective young Chief that at the time when his mind is plastic and receptive to sundry callings of life, he must of necessity be specially trained to be a Chief. I ~~may~~ may have led my readers to form the opinion that I am opposed to the education of young Chiefs; this is not the case; I certainly oppose the training of young Chiefs to be Chiefs, but I advocate that the young Chiefs should receive the general education open to all people, and for those who are capable and able to acquire the highest education possible - "Education is the sovereign remedy of all evils". The sons of the Chiefs might not be successful as Chiefs but may possibly be successful as business men, doctors, engineers or farmers. This being so, why not give them a chance like other youths to choose for themselves, with of course the usual advice from parents to sons, the calling for which they are specially fitted. What is to happen to them in the event of their failing to fill and maintain the position of a Chief? This incidentally bears out my contention that very little consideration has been given to those who are regarded as Chiefs.