

Chapter 2

CITIZEN AND SUBJECT

CONTEMPORARY AFRICA
AND THE LEGACY OF
LATE COLONIALISM

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E D I T O R S

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CHAPTER TWO

Decentralized Despotism

THE TARGET of the late-nineteenth-century European Scramble was equatorial Africa. Prior to that, the European colonial presence in Africa was mainly to the north (Algeria) and the south (South Africa). Otherwise, it was restricted to a few coastal enclaves. It is not in the early colonies, but in equatorial Africa that the African form of the colonial state was forged, first and foremost by Britain, with other powers following suit. The lessons of equatorial Africa would then be applied to colonies with an earlier history.

The purpose of this chapter is, first, to reconstruct the moment of the Scramble as a confluence of several developments. Together, these set the parameters within which colonial policy in the newly acquired possessions evolved. Second, it is to sketch the contours of the form of power that emerged by the end of the colonial period. I describe this state form as a *decentralized despotism*.

The moment of the Scramble was a meeting point of several inter-related developments, both internal and external. The end of slavery in the Western hemisphere underlined the practical need for organizing a new regime of compulsions, except this time within newly acquired African possessions. From being a humanitarian impulse, the movement to abolish the slave trade gained practical immediacy in the aftermath of the American Civil War. A direct effect of that war—which rerouted the supply of southern cotton to the north—was an acute shortage of cotton for textile production elsewhere, the “cotton famine,” as it came to be known. To address the dilemma this vital shortage posed for its leading industry, the British Cotton Growing Association was formed in 1902. By 1904, the cotton question had become sufficiently important to be included in the king’s speech. “The insufficiency of the supply of raw material upon which the great cotton industry depends has inspired me with deep concern,” noted His Majesty and then drove the point home. “I trust that the efforts which are being made in various parts of the Empire to increase the area under cultivation may be attended with a large measure of success!”¹ This changing context helped swing important sections of manufacturing opinion against slavery and in favor of colonization, so that Africans who yesterday were transported to the New World could now stay at home—in both instances to produce cotton for “the Satanic mills.”

Colonial crops ranged beyond cotton, from sugar and sisal to rubber and coffee. All of them tropical agricultural products, their significance was either strategic or simply economic. Yet in this constellation of raw materials that would feed European manufacturing, the pride of place belonged to cotton. The three *c*'s that Livingstone claimed would together rejuvenate Africa were cotton, Christianity, and civilization. The prototype organization lobbying for an official policy that would encourage the cultivation of industrial crops in the equatorial colonies was the British Cotton Growing Association in London.

If the end of slavery in the American South underlined the practical need for a regime of compulsions in equatorial Africa, the human and organizational fabric from which to fashion such a regime could be made available only by actual developments on the African continent. Key to these developments was the defeat of nineteenth-century slave-based conquest states. As this development brought to a close the regime of formal slavery on the continent, it opened the possibility of a new era of compulsions short of formal slavery.

Every colonial power with experience understood that a colony was not akin to a blank slate; there was no choice but to work with the material available on the ground. This practical limitation, however, did not mean the absence of choice. For developments in precolonial Africa were not uniform and consistent, but heterogeneous and even contradictory. The choice that colonial powers did make from a limited menu was a result of both practical necessity and vision shaped by experience. If the nature of practical necessity was underlined most acutely by the "cotton famine" following the American Civil War, the vision of late colonialism was marked by its experience in older nineteenth-century colonies, particularly in Asia.

More than any other influence, it is the nature of developments in late-nineteenth-century Africa and the experience of late colonialism in Asia that made for how colonial powers pursued practical necessity in their equatorial possessions. In what follows, I will try to disentangle these two influences. When it comes to nineteenth-century African developments, I will sketch these as a mixed menu that offered different possibilities to conquering powers, before going on to sketch the alternative that colonial powers actually built on and privileged as customary and traditional Africa. I say built on because at no point did colonial powers simply reproduce a nineteenth-century mix. If the starting point of a colonial initiative was a possibility actually on the ground, what colonial powers made of it—the scope and force they gave to the customary and to tradition—was shaped by the lessons late colonialism drew from its primarily Asian experience. The customary, in this sense, was neither just arbitrarily invented—like the Christian God creating the

world in six days and resting on the seventh—nor faithfully reproduced. It was crafted out of raw material on the ground and in contention with it. Out of this process, this statecraft, was forged the decentralized despotism that came to be the hallmark of the colonial state in Africa.

PRECOLONIAL ANTECEDENTS

Like all colonial powers, the British worked with a single model of customary authority in precolonial Africa. That model was monarchical, patriarchal, and authoritarian. It presumed a king at the center of every polity, a chief on every piece of administrative ground, and a patriarch in every homestead or kraal. Whether in the homestead, the village, or the kingdom, authority was considered an attribute of a personal despotism. To what extent does this conception reflect actual developments in precolonial Africa? To begin with, one needs to realize that notions of a precolonial tradition are far more constraining than illuminating. "How far back do we have to go," asks Catherine Coquery-Vidrovitch, "to find the stability alleged to be 'characteristic' of the pre-colonial period: before the Portuguese conquest, before the Islamic invasion, before the Bantu expansion?"² She then answers: "Each of these great turning points marked the reversal of long-term trends, within which a whole series of shorter cycles might in turn be identified." "In short," she concludes, "the static concept of 'traditional' society cannot withstand the historian's analysis."

I will confine myself to the backdrop to the scramble and argue that the tendencies that went into the making of nineteenth-century Africa were multiple rather than singular, diverse rather than uniform, contradictory rather than consistent. Of these the one that came closest to echoing these notions was also the least traditional, itself being a product of nineteenth-century conquest history. More than reflecting a slice of reality in the collage that was nineteenth-century Africa, the colonial notion of the precolonial was really a faithful mirror reflection of the decentralized despotism created under colonial rule.

To bring out the diversity of the precolonial experience is important, if only because of a widespread tendency to present that experience as uniform, whether the point is to demonize or to idealize it. Counter to notions of a tyranny-ridden Dark Continent, one can find characterizations of a continent where noble savages lived freely and without restraint. "Africa," argues a study, *Blank Darkness: Africanist Discourse in French*, "has been made to bear a double burden, of monstrousness and nobility," for "throughout the history of Africanist writing there is a striking tendency towards dual, polarized evaluations which are too

often hastily ascribed to this or that historical trend.²³ One example from Anglophone literature will suffice to make the point. In his recent summation of decades of research on the subject, Basil Davidson has argued that although the historical paths to state formation and the resulting state forms were various, a common feature underpinned the political life of African states: the quest for "a unifying force," depending on "a system of participation that must not only work, but must publicly be seen to work," combined with "a systematic distrust of power."²⁴ Together, these amounted to "an insistence on the distribution of executive power," a theme that Davidson argues regulated the life "of pre-colonial political institutions in every African region where stable societies produced one or other form of central government." The statements are categorical, and Davidson goes on to build a general theory on one set of experiences while ignoring discordant notes. His account accurately sums up the historical experience of the Akan states, as it does the main tendency in instances where state formation was the result of internal differentiation, but it is difficult to find in the text a single reference to the conquest states of nineteenth-century Africa or to the experience of degrees of unfreedom that was the lot of a growing number of Africans in the time of turmoil that was the nineteenth century. The fact that these states hardly exemplified a deeply rooted African tradition or that the colonial powers built on that nineteenth-century tradition of administratively appointed chiefs keeping in place a regime of force is hardly reason enough to remain silent about it.

To understand the historical roots of unfreedom in the African experience, one needs to recognize that experience as not just diverse but also contradictory: state power was built not only as a consequence of processes of internal differentiation, but also as the direct result of conquest. Similarly, precolonial chiefship was not only the traditional variant constrained by kin-based obligations; there were also administrative chiefs who acted relatively independently of these restraints. Just as conquest did not begin with colonialism, administrative chiefship was not confined to the conquest states. Yet the point about colonialism was that it generalized both the conquest state and the administrative chiefship, and in doing so it wrenched both free of traditional restraint.

Stateless Communities

Ifi Amadiume recently has underlined the need to appreciate the contradictory character of the African experience.²⁵ In an effort to grasp the flux of gender relations in precolonial Africa and the colonial impact on it, she has argued for the need to move away from an understanding of

matriarchy and patriarchy as two mutually exclusive systems of descent and inheritance, with associated implications of king or queen rule, toward a conceptualization of them as systems of power and ideology that could and did coexist in tension. Matriarchy, in this sense, was a system of autonomous female organization and an associated ideology that crystallized and defended this autonomy—and so coexisted with similarly autonomous forms of male organization, as in Igboiland. This autonomous space was uniformly destroyed by colonial rule. And in this sense the "world historical defeat" of the female gender was experienced in Africa not as much with the onset of state organization as with the consolidation of the colonial state.

In the political literature on Africa, Igboiland is the prototype of not only a nonmonarchical order but also of a nonstate one. The "decentralized village self-government"²⁶ characteristic of Igboiland is, in this sense, representative of similar decentralized and democratic forms of organization operative in other contexts: for example, among the slash-and-burn agriculturalists of northern Uganda²⁷ or the extensively grazing pastoral communities of Karamoja and the East African Rift Valley.²⁸ In these stateless communities, colonial imposition could not resonate with any aspect of tradition. Often tribes were created on the basis of territorial contiguity as villages were brought together under a single administrative authority. Chiefship was similarly manufactured and chiefs were imposed. If marginal men who shifted alliances at the sight of a more powerful invader could not be found, others were brought in from the outside. The two great revolts against the imposition of a state hierarchy in the colonial period was the Maji Maji rebellion in Tanganyika and the great revolt against the warrant chiefs in Igboiland, so-called because these were chiefs created by warrant of the colonial governor. Similar revolts echoed across the range of stateless communities, even if the protest did not always break into the open with an equivalent force.

Traditional Chiefs

The transition from tribal to state organization has often been conceptualized as one from a kinship to a territorially based authority. Although tribes organized under the domination of elders, they contained redistributive mechanisms that thwarted tendencies to reproduce inequalities in a cumulative fashion. The nature of the relationship between elders on the one hand and juniors and women on the other is still the subject of debate. Was it an exploitative relationship? If so, did elders constitute a class?²⁹

The conflict between the clan (kinship) and the administrative (territorial) mode of organization is brought out by studies on the intralacustrine region of eastern Africa.¹⁰ They conclude not only that the conflict between the two modes of political organization existed at varying degrees of intensity, but also that the outcome varied. In the midst of variation, one needs to keep in mind a distinguishing feature of the African landscape. To the extent that kin groups were able to defend their custodianship over land and keep it from being turned into private property—and this was the overwhelming tendency continentally—state authority remained significantly circumscribed by that of clans and lineages.

Similarities notwithstanding, each outcome had a unique dimension. Contrast, for example, the cases of Buganda and Bunyoro, where the centralizing tendency had gone the furthest. In Buganda, the king emerged supreme with control over land but with an administrative hierarchy whose personnel came from both humble and noble origins: the line of chiefs recruited from ordinary citizens predominated over hereditary chiefs.¹¹ Traditional chiefs, those in office by right of descent, had been eclipsed by administratively appointed commoner chiefs. In Bunyoro, however, the tendency was toward the consolidation of a landed aristocracy with heritable wealth. The landed nobility continued to check the centralizing ambitions of the king, in the most extreme case leading to secession, as in Toro. But even when centralization had gone far, as far as in Buganda, the organized power of clans continued to function as a popular check on both the king and the appointed administration.

The tension between administrative authority and kin groups gave rise to a differentiation within the institutions of chiefship: between kin-based, hereditary traditional chiefs and state-appointed administrative chiefs. Both were in turn checked by clan- and lineage-based councils that in most places retained the right of access to land and all other natural resources: village councils made and enforced rules of access that regulated the balance between livestock, water, and forage, ensuring a sustainable use of sustainable resources; local councils regulated the movement of herds and the protection of crops; others organized vast markets and sustained long-distance trade; still others regulated bride-wealth and obligations between families and spouses, ensuring personal rights for the children and the aged.¹²

These were the traditional institutions of traditional Africa through which village-based communities regulated social and economic affairs, but they were not its only institutions. This is particularly clear with the nineteenth century, which was hardly a period of stable reproduction of customary relations. Ngoni conquest in central Africa, for exam-

ple, was experienced as the dominance of patriarchal over matriarchal societies, leading to a proliferation of internal "slavery," including "slave marriages," terms put in quotation marks because they refer to a diversity of relations embodying degrees of personal unfreedom contained within familial and clan relations, but none a subjugation as total as the market-driven slavery unleashed by the acute demand for labor in New World mines and plantations organized along capitalist lines. The West African counterpart to the Ngoni *mfucane* was the Fulani *jihad*, which subjugated peasant societies to a range of similarly enforced tributary relations.

Administrative Chiefs

The rise of nineteenth-century conquest states gave a fillip to the administrative variant of chiefship, but it was not until the colonial period that the administrative chief emerged as the full-blown village-based despot, shorn of rule-based restraint. Restraint on precolonial authority flowed from two separate though related tendencies: one from peers, the other from people. The first was a tendency internal to state organization, exemplified by the tension between kings and chiefs, particularly traditional chiefs, who were not likely to be royal appointees. This tension was the driving force behind the king's trying to offset hereditary traditional chiefs with a hierarchy of appointed administrative chiefs. To the extent that they could claim a nineteenth-century precedent, the chiefship that the colonial powers created was built on the administrative variant, not the traditional. Even then, what is impressive is not the continuity in tradition, even if a nineteenth-century one, but the break in continuity. To begin with, even if nineteenth-century administrative chiefs were the king's appointees who could not stay in office without the king's pleasure, their power was not just circumscribed by the will and capacity of the king. It was also constrained by tradition as embodied in the traditional chiefs alongside whom they functioned in tension. Besides this peer restraint, there was also a popular constraint, that of the people, the result of the second tendency that shaped developments in the nineteenth century. This was the tension between state authority in all its forms (traditional and administrative) and clan organization. By undermining both popular (clan) checks on state authority and traditional constraints as embodied in traditional chiefs, the colonial state really liberated administrative chiefs from all institutionalized constraint, of peers or people, and laid the basis of a decentralized despotism. In what follows, I will try to illustrate the two forms of constraint on nineteenth-century administrative chiefs. My examples will be

taken from south-central (Zulu, Xhosa, Swazi, and Tswana) and western (Fanti and Ashanti) African state formations.

The Zulu kingdom is often held up as an instance of the most centralized and despotic form of political authority in nineteenth-century Africa. In 1881, the Cape Native Laws and Customs Commission interviewed Cetshwayo, the former king of the Zulus, on the position of the Zulu monarch.¹³ The line of questioning suggests that the interviewers expected their prejudices regarding an absolutist kingship in Africa to be confirmed. The answers are even more revealing. We can divide the questions into two sets: those which probe the relation between the king ("supreme chief") and his chiefs, and those which concern relations with peasants.

The King and the Chiefs

144. As the king of the Zulus, was all power invested in you, as king, over your subjects?

- In conjunction with the chiefs of the land.

145. How did the chiefs derive their power from you as king?

- The king calls together the chiefs of the land when he wants to elect a new chief, and asks their advice as to whether it is fit to make such a man a large chief, and if they say "yes" the chief is made.

146. If you had consulted the chiefs, and found they did not agree with you, could you appoint a chief by virtue of your kingship?

- In some cases, if the chiefs don't approve of it, the king requires their reasons, and when they have stated them he often gives it up. In other cases he tries the man to see whether he can perform the duties required of him or not.

147. In fact, you have the power to act independently of the chiefs in making an appointment, although you always consult them?

- No; the king has not the power of electing an officer as chief without the approval of the other chiefs. They are the most important men. But the smaller chiefs he can elect at his discretion.

The King and the Subjects

90. Is compassing the death of a chief a crime punishable with death?

- No, only a fine of cattle.

91. Is a man killed for trying to kill a king?

- He is simply fined cattle, and is talked to very severely.

92. Is a man punished with death for disobeying a direct order of the king?

- He is simply fined when he has committed the offence twice before.

93. What is the punishment for a man deserting from his tribe?

- If the chief of his district had given him any property he would be asked by the chief to return that property, and then he would be at liberty to go.

The parameters of the questions are clearly narrow, reflecting the interest of the commission in such issues as what happens when authority is challenged (disobedience, desertion, up to regicide) by ordinary persons not in their rights. But even this limited query shows that, when defied, power could not respond with impunity.

A recent document prepared by a Transkei-based community organization contrasts the nature of traditional chiefship in the precolonial period with the one under colonial rule.¹⁴ Notwithstanding its tendency to equate the precolonial with the traditional and the colonial with the administrative, the document illuminates the contrast between the two forms of chiefship. The traditional chief functioned in "an advisory and consultative context, unlike the bureaucratic model imposed under colonialism." The administrative power of such a chief consisted mainly in "the right to allocate land," but it was a right exercised through a double consultation: "with his (sometimes her) counselors, but primarily in consultation with the wider community," for the chief was "the custodian" of the land, not its proprietor. And custody "could only be exercised through a consensus of the community as a whole." The ultimate popular sanction against a despotic chief was desertion: "You tried to increase your following, rather than encouraging desertion to a neighboring chief, or to a rival relative." Colonial conquest built on the administrative powers of the chief, introducing "a highly bureaucratic command-and-control system." Under apartheid, "the administrative powers of the chief were systematically strengthened" but were made accountable to "a new consensus," one that "emphasized the state as the determiner of the consensus."

The check on administrative authority by one's peers was perhaps more highly developed in Swazi than in any other Ngoni society.¹⁵ The distribution of authority, leading to a form of checks and balances, was practiced at every level, from the royal house to the village. The queen mother (*indlovukazi*) came to occupy a position both independent of the king (*ingwenyama*) and strategic enough to act as a check on any absolutist royal pretensions. The king controlled the army, and the commander-in-chief resided at the queen mother's village. The king's centralizing ambitions led to the creation of an administratively appointed hierarchy of princes. Based in the provinces, their function was to oversee the activities of traditional local chiefs and their headmen. The king ruled with the advice of an "inner council" (the *liqogo*).

Though appointed by the king himself, it was drawn primarily from "members of the royal clan, as well as principal headmen and trusted commoners."

This whole state structure, the community of peers—the king and his council, the queen mother, the princes, chiefs, and headmen—was constrained by a popular institution called the *libandla*. A "national council" chaired by "a senior prince from the *liqogo*," the libandla's membership comprised both commoners and nobles. The difference lay in this: whereas attendance for commoners was voluntary, it was compulsory for the entire state hierarchy—the king and queen mother, all chiefs, princes, and headmen. Its sanction was required "on all important matters." These structures did not function just at the center; both the *liqogo* and the libandla were mirrored at local levels, requiring the traditional chief to consult the corresponding council "on various aspects of local importance." But the assembly's limitations are also clear: it was limited to adult males among commoners, and it met only once a year.¹⁶

The changing relationship between popular (clan) and administrative (state) organs through the colonial period is well illustrated by the example of Botswana. Alongside administration by state officials, there developed in the precolonial period the institution of the *Kgotla*, "a place where the community meets to discuss openly issues of common interest with the chief." As a clan-based institution, the *Kgotla*, like the libandla in Swaziland, had one clear shortcoming. Neither women nor subject nationalities were allowed to participate in its deliberations. Yet this popular institution of Tswana adult males represented a check on the authority of the chief. It was a public assembly that could discuss any public issue, one where administration by public officials was subject to public scrutiny, including strong criticism in the "highly stylized form of songs or poems."¹⁷ At the same time, the *Kgotla* also functioned "as a judicial court where the community as a whole could participate in the process of adjudication."¹⁸

In the colonial period, this public assembly was turned into a forum where decisions were announced but not debated. A reform was initiated in 1920. Its point was not to restore the powers of the *Kgotla* but to reduce the autonomy of chiefs vis-à-vis the colonial power. Once this was achieved, the chiefs' powers over the local population were re-enforced in phases, starting in 1938. The 1938 law allowed chiefs to appoint a finance committee to supervise the local treasury; it also gave them powers to make bylaws "with the agreement of the *Kgotla*." The 1954 African Administration Proclamation gave the chiefs "legislative and executive authority, as long as they exercised it with the consent of the *Kgotla*." But the "consent of the *Kgotla*" was by now a euphemism

for the veto power the colonial state exercised over all chiefly decisions,¹⁹ for it was colonial authority that had the ultimate power to decide what the real interests of the *Kgotla* (the people) were. In relation to the peasant, however, the chiefs were all-powerful. They had the powers to allocate land and administer schools; to approve the appointment of clerks, police, and messengers; to make bylaws; and to adjudicate cases.²⁰

At the other extreme of the conquest states of nineteenth-century Africa were the loose confederations arrived at among the Akan peoples of West Africa, particularly the Ashanti and the Fanti. Rattray argued that at the heart of "the whole success and wonder of this loosely bound confederacy" was the practice of "decentralization."²¹ Over time, the authority of the chief had come to be so "limited and severely defined" that "a whole series of injunctions . . . were publicly recited before him on his entoolment." The "most important" of these was "never to act without the advice and full concurrence of his counselors, who were in turn subject to similar restraints." Policy was discussed at various levels: in "the old Oman or national councils" as in the "Omansin (sub-tribal division) before a final decision could be taken constitutionally." At such gatherings, "a Paramount Chief and such of his counselors as attended with him were never anything more . . . than vehicles of communication." Should a chief make "the least attempt to act on his own initiative," it was considered "a legitimate cause for destoolment." The community of freemen (for there were others who lived in degrees of unfreedom) among the Akan constituted a genuine "public opinion."

Both the Ashanti and the Fanti confederations were subordinated to British power by the last quarter of the nineteenth century. But before that happened, the Fanti made an extraordinary attempt to safeguard their independence as a people by reforming the constitution of government so as to cement a national alliance between the traditional chiefs and the elite educated in Western institutions. The Fanti confederation "assumed a political nature" in 1871 "with the promulgation of the *Mankessim* constitution." "Based on the blueprint set out by Dr. James Africanus Beale Horton in his *Letters on the Political Condition of the Gold Coast* published in London in 1871," this document provided for "a legislative assembly in which both the traditional and educated elements would be represented."²² When the British proclaimed a formal protectorate over Fantiland in 1874 and assumed the right to dismiss chiefs—"a right which traditionally belonged to the Oman Council of chiefs or the people"—resentment grew among the traditional leadership and the Western-educated stratum. Indeed, once this violation of tradition was formalized in the 1883 Native Jurisdiction Ordinance, the Western-educated elite saw it as imperative "to study and interpret the