British Colonial Policies

Wallace G. Mills Hist. 317 3 Brit. Colonial Policies

British Colonial Policies in South Africa

- Britain had longer, more continuous colonial experience than most imperial powers, even if not all of that was relevant (especially where white settlers predominated).

- in southern Africa, at least 3 approaches had been implemented during the 19th C—Natal, the Cape Colony and Basutoland:

1. Natal—the policy of 'differentiation'

- there were separate legal and political systems for whites and Africans even though the line tended to be a bit ad hoc).

- Africans were exempted from Roman-Dutch law which applied to whites and subject to 'Native law and custom'.

- also (primarily because of lack of money), the system used some African authorities for administration; the Lieutenant-Governor was declared to be 'supreme chief' whose powers were exercised by a handful of white officials and magistrates; the latter used 'traditional chiefs and headmen' to carry out the law, settle disputes among Africans, collect taxes, and provide labour (part of taxes was labour).

- Natal did have procedures whereby Africans could go from traditional law and custom to European law. There were procedures to allow Africans to obtain the right to vote; these procedures were so difficult that few were able (or willing) to acquire the vote.

- at the legal and political level, this was a prototype of an 'apartheid' system.

2 Cape Colony—policy of assimilation and **no** differentiation.

- partly, this Cape 'liberalism' goes back to the early 19th C and missionary struggles to eliminate differences in legal status based on colour. Cape 'liberalism' was founded on Ordinance 50 of 1828 and later the 'colour-blind' franchise introduced in 1853 with representative government. This policy had been primarily concerned with the Khoikhoi ('Hottentots') and people of mixed racial background (Coloureds in more recent terminology). [This is discussed in Hist 316 lecture "17 Christian Missions" under section 'Emancipation of "Hottentots" or Coloureds'].

- initially, most Africans were 'foreigners' and the Cape had not had to confront the problem squarely. However, as additional territories and Africans were annexed as a result of the wars, the problem of how to deal with large numbers of Africans had to be addressed.

- initially, a separate territory, Kaffraria, was set up in order to recognise and administer Xhosa law and custom. However, in the 1850s, Sir George Grey initiated the policy of assimilation that was to be policy in the Cape until 1936.

- Grey's objective: " to attempt gradually to win them [the Xhosa] to civilisation and Christianity, and thus to change by degrees our at present unconquered and apparently irreclaimable foes into friends who may have common interests with ourselves."
- he set out to achieve assimilation as rapidly as possible through schools and hospitals; he recognised that it would take time and have to be accomplished in an evolutionary fashion.
- he hoped gradually to substitute white magistrates for African chiefs and headmen—this meant direct rule; the magistrates were to apply Xhosa law and custom, but begin to introduce as much Roman-Dutch law as possible.
- in criminal aspects European law was used .

3 Basutoland—indirect rule and no assimilation.

- shortly after being taken over by the British government in the 1860s, Basutoland was turned over to the Cape Colony. There it was specifically stated that no law of the Cape Colony was to apply in Basutoland unless it was specifically proclaimed (i.e., Basutoland was subject primarily to traditional law).

- however, when the Cape gov't tried to apply the Gun Law to Basutoland in 1879, there was a revolt. The Cape was unable to crush the revolt; by the early 1880s, the war was unpopular in the Cape and the gov't was teetering on the brink of bankruptcy. In 1882, the Cape announced that it was abandoning Basutoland, and the British gov't very reluctantly agreed to resume responsibility.

- the British told the Basotho that they would provide no money and that if the Basotho made any trouble, the British gov't too would withdraw and leave them to the tender mercies of the Boers in the Orange Free State.

- there was 1 chief magistrate and 3 or 4 assistants; it was a classic case of indirect rule; the sons of Moshoeshoe (establishing a single king was not achieved for a couple of decades) were rulers, and the traditional system of African gov't was used.

- the hierarchy of king, chiefs and headmen collected taxes, acted as judges (the whites were advisors in legal matters and the chief magistrate was the final court of appeal as representative of the Queen); the chief magistrate was a kind of super paramount chief above the king.

- this was, I think, the prototype for 'indirect rule' in colonies without white settlers and with an African hierarchical gov't or kingdom; it was used in Bechuanaland later in the 1880s when Britain declared a protectorate.

Issues

- there was much debate and these were the 2 principal dichotomies:

   a. direct rule vs indirect rule;
   b. assimilation vs preservation of traditional society, customs and laws

     - the notion of preservation was a bit vague for several reasons:

      i.   all colonial powers after 1918 put forward some sort of idea of a civilising mission which meant at least the abolition of customs and practices which were 'repugnant to civilised standards' (e.g., execution for witchcraft and forms of trial by ordeal). Some critics even wished to go further to eliminate polygyny, lobola and other practices.
      ii. idea of trusteeship meant introducing such things as western education, medicine etc.; these inevitably eroded traditional culture.
      iii. the problem of paying for these and other gov't services meant introducing taxation and revenue enhancement; this was inseparable from economic change, especially in areas where there had been only a subsistence economy.
      iv. policies of economic development also meant economic change and, inevitably, social changes.

     - therefore, the opposite of assimilation was not non-assimilation or an absence of change; rather it was preservation of as much as possible of traditional society and culture.

     - "development along their own lines" was often the way it was described (this was also the rationale for apartheid—or "separate development" as the gov't preferred once 'apartheid' was denounced so vigorously—and the Bantustan policies adopted by the National Party government of South Africa after 1948).

     - it is also the preferred option of most anthropologists, including many of those putting forward proposals for native self-government in Canada!

Britain's African Empire in the 1920s

- this was a hodgepodge of different relationships and origins, many of which inhibited the freedom to make and implement policies.

Origins and Responsibilities:

1 Foreign Office—Zanzibar and south east Nigeria (Biafra)

- the Sultan of Oman had long been an ally of Britain, even before the move to Zanzibar; this was a protectorate in the original meaning of the term.

- Biafra had become a Br. protectorate as a result of international agreement in the era of the suppression of the slave trade in the early 19th C.

- Egypt was even more of an anomaly—Britain oversaw the gov't of the Khedive on behalf of an international committee of 6 creditor nations (Britain, France, Germany, Turkey, Austria and Italy)—this had given Germany a great deal of power over Britain before WW1.

- Sudan was a 'condominium' of Britain and Egypt.

2 Chartered company acquisitions

- this category included much of Nigeria (Royal Niger Co.), Uganda Protectorate (briefly British Imperial East Africa Co.) and the Rhodesias (Br. South Africa Co.—BSA Co.).

- when companies got into trouble, whether financial or questionable behaviour, most of these areas had gradually been taken over by the Colonial Office.

- however, the BSA Co. still officially governed S. Rhodesia until 1922 (it had lost its commercial and business aspects early in the 20th C) and thus had a separate board of directors (a majority were appointed by the Br. gov't).

3 Colonial Office

- these had been annexed directly by Britain and usually had a 'crown colony' status and gov't; even in these cases, there were often agreements and treaties made during the scramble which inhibited the freedom to develop policies.

4 League of Nations Mandates (Tanganyika, parts of Togo and Cameroon)

- colonial powers were treated as trustees and 'foster parents' rather than owners.

- holders of mandates were required to report annually to the League, to govern with primary concern for the welfare and benefit of the indigenous people, and to prepare the indigenous people for self-government and ultimate independence.

- Britain had a variety of colonial situations which I have organised on the following grid.

White Settlers

(a) Responsible Government
  (i.e., white settler control)

Southern Rhodesia after 1922

(b) No Responsible Government
  (white settlers had lots of influence but not political control of the colonial government)

Kenya and Northern Rhodesia

No White Settlers

(a) States and Kingdoms
  (kings, chiefs and even administrative hierarchies)

Uganda, northern Nigeria (especially with treaties) and Gold Coast (without treaty)

(b) Stateless or limited political systems
(lacked or had only weak authorities)
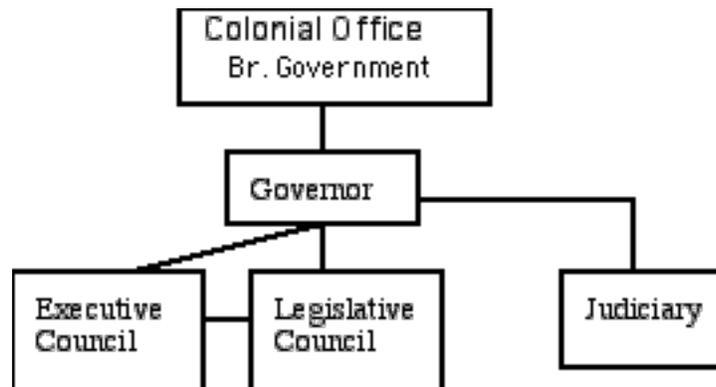
Kenya, south-eastern Nigeria

Model of British Crown Colony Government

- the outline of the model was almost always the same, but the model was infinitely flexible.

- although the judiciary is linked to the governor, judges were always independent.

- the British never liked to give a governor absolute power; a governor had to work with other officials.

- **Executive Co**. was made up of the governor and his top officials (kind of a cabinet); this was the head of the administration.

- **Legislative Co**. was responsible for passing new laws and regulations; the governor and Executive Co. were members as was the chief justice who often was the Chair or speaker. Other men would be appointed to represent the local people, business etc; they would be appointed by the governor but usually with advice from London. The rationale was that people should have some input into the making of legislation, especially levying new taxes. Until the 1950s, no Africans were appointed; often missionaries were appointed as representatives to articulate the interests of Africans.

- the Leg. Co. could be changed by introducing some elected representatives or by making the majority elected; usually when the balance of elected reps. to official reps. passed well beyond the 50% mark, it would become a de facto Legislative Assembly.

- responsible government could be introduced by making the Executive Co. 'responsible' (i.e., answerable) to the elected majority in the Legislative Co. (which would be renamed Leg. Ass.). Of course, when this happened, the majority would select one of its own members to become the prime minister; the latter would select some of his elected supporters to become ministers and the Executive Council would become a cabinet in the parliamentary system. The governor would cease being the head of government (i.e., chief executive officer) and would then become a representative of the crown.

- in the 1950s and 60s, these devices were used to make the transition to majority rule and eventually to independence.

Economic Development

- from the beginning of the 20th C, the British were anxious to promote economic advancement and increase activity.

- in West Africa along the coastal areas especially, there were already market-oriented, trade systems— gold, slaves, palm oil etc. Here it was relatively easy to encourage existing or new products for export (palm oil, cocoa, peanuts especially) and local small producers responded; scholars have called this approach (not entirely accurately) peasants and peasant production as opposed to plantation production by white planters or companies. Colonial administrations tried to improve infrastructure (ports, railways, roads etc.) in order to facilitate export of commodities in economic development.

  - climatically, West Africa was not too attractive to whites, and British policy was to encourage local indigenous producers. British or expatriate firms handled export and sometimes got into the middleman roles, but later under Dual Mandate theories, colonial governments tried to facilitate more African control of internal middleman roles.

- sometimes, the British adopted the opposite policy—the best example is Kenya. The local population had been engaged in a subsistence economy only.

  - for strategic reasons, the railroad had been built from Mombasa to Nairobi and on to Lake Victoria, but there was great determination to get the railroad self-sufficient and self-paying as quickly as possible. Also, the highlands area (around and to the west of Nairobi) had a relatively moderate climate and was attractive to whites.

  - as a result, about 1905, the Kenya government adopted a clear and deliberate policy of encouraging white settlers to come in order to develop export production on large-scale farms quickly.

  - however, white settlers demanded a say in decision-making; in 1914, settlers were granted the right to elect a number of representatives to the Leg. Co.; Africans and others were represented by appointed members (usually

missionaries); the majority of the Leg. Co. were officials or appointed, not elected.

The Dual Mandate

- in his book, ***The Dual Mandate in British Tropical Africa*** (1922), Lord Lugard tried to draw together various ideas into a comprehensive theory of colonial policy which could then be applied to the African colonies.

1. **Mandate to the indigenous population**

   - this was the concept of trusteeship—the idea of promoting the welfare and advancement of colonial people.

2. **Mandate to the rest of the world**

   - this involved the responsibility to develop Africa's resources and make them available.

- Lugard did not think that these objectives were necessarily in conflict; he believed that they could be made complementary.

Indirect Rule

- Lugard was also the great promoter of 'indirect rule'—governing by means of traditional chiefs and rulers.

   - a colonial official "would consider it as irregular to issue direct orders to an individual native ... as a General commanding a division would to a private soldier, except through his commanding officers." [Lugard had been a soldier.]

- white officials were to be more advisors than direct governors.

- the approach was based on his background in Uganda (where the Uganda Agreement with Buganda gave the Ganda a good deal of local autonomy) and in northern Nigeria where there were treaties and agreements with a number of sultanates and emirates); this was very like the situation in Basutoland.

- Lugard's indirect rule embodied a conservative outlook and ethos that suited many of officers and officials who came from aristocratic and gentry backgrounds; it fit with the

paternalist tradition of British conservatism which stressed the leadership and dominance of the hereditary, 'propertied classes' (democracy was still new in Britain and regarded with anxiety and even distrust by many in these classes).

- retaining and using existing elites and elements ('class' can be a misleading term at times) was very attractive. Order and stability, it was thought, could only be maintained by avoiding massive disruptions and changes and by stressing continuity. This fitted in with notions of how change should be pursued—i.e., gradualism.

- preserve as much as possible; change should take place by evolutionary processes which would allow adaptations to take place while maintaining a good deal of continuity—no sharp breaks with the past. They saw this as the secret of English and British success; this was how the parliamentary system and democracy had evolved. They felt that this was the only good way to proceed in Africa.

- they had a view of society as a growing and evolving organism; its shape and many aspects could be altered. The organism could evolve very significantly, but it should be done gradually. The British tended to see their role as similar to gardeners—trimming, pruning, grafting new elements in, but still retaining and preserving the original stock.

- Lugard's idea of 'indirect rule' was not a static one. He believed in changing and adapting— modernising, and he hoped to do this using traditional chiefs and rulers (it was frequently charged later that the system became more rigid than Lugard had intended).

- the chiefs should be gradually given more responsibility, especially in the handling of public funds.
- a portion of taxes collected could be retained in local treasuries to pay local officials and bureaucrats, fund local improvements and public works.

- most colonies included a number of (sometimes many) peoples with different languages, cultures, religions, etc.; he hoped to build up a new class of modernising traditional rulers who would gradually begin to see the advantages of cooperation, coordination, and thus national responsibility and cohesion.

Development

- Lugard felt that large projects (like railroads) could not be carried out by outside private enterprise (such projects involved large investments with only long term and general benefits rather than quick profits) nor by local Africans. He advocated state control (i.e.,

by colonial gov'ts). However, large scale activities, such as mining, could be left to private enterprise.

White Settlers vs Indigenous Producers

- by the 1920s, Lugard, who had advocated white settler approaches in East Africa before WW1, had become a strong opponent of white settlers. He felt that they hindered development of African enterprise and advancement in East Africa as compared with the rapid development he was seeing in West Africa. This opposition was very important in preventing white settlers in Kenya from getting powers and control such as were given to the settlers in Southern Rhodesia in 1922-23; Lugard's opposition was coming from the conservative side which more usually supported the white settlers rather than from Labour and radical groups who tended to speak up more for the rights of Africans and colonial peoples.

Indirect Rule—Evaluation

Indirect rule as a theory

- indirect rule was originally intended by Lugard as a flexible and adaptable approach for local gov't with a central, colonial administration of British officials for general gov't. Preserving traditional authorities would provide continuity with the past, but also into the future because European officials would come and go, but indigenous officials would remain.

- the idea seemed most appropriate where there were hierarchical political structures and kingdoms; in areas where there were no (or very weak) authorities, the system added to the difficulties of governing; in fact, such situations could be a real nightmare for colonial governments.

- indirect rule depended greatly on District Officers (DOs) who, under indirect rule theory, were to be primarily advisors to the traditional authorities; yet, the ability levels of DOs varied a great deal.

- DOs were supposed to promote change and progress, but were also supposed to work through local chiefs. These 2 aspects could (and often did) conflict with each other. Chiefs might not have the ability to promote or lead in the adoption of change; even more, they might be personally opposed or be under great pressure from their people who were strongly opposed to change. DOs often had the ultimate authority to replace a chief (a fact that Africans came to recognise). This power could become a major focus of politics; individuals or groups might build a campaign of complaints and

charges in order to get the DO to dismiss a chief.

Criticisms of Indirect Rule

- the system ossified in the hands of Lugard's successors and lost all flexibility. DOs who failed to be 'indirect' enough were often punished by not getting promotion; therefore, it could inhibit change and progress.

> - e.g., in areas where there had not been chiefs, creating them in order to set up 'indirect rule' was very counter-productive; there would be great resentment against this 'chief' and widespread unwillingness to cooperate; DOs had to continually prop up the authority of the 'chief' who then came to be regarded as a 'stooge' of the DO.

- even where there had been chiefs, change, even when it is beneficial, often had disrupting aspects, and people frequently don't like to change; chiefs who tried to follow the 'advice' of the DO could become unpopular.

- people might not have been any more eager for change, but if it had come directly from the DO, they might have acquiesced; as a foreigner with the power of gov't, he was irresistible. But a chief was expected to defend his people and he was expected to act as a buffer between them and the colonial government, including its local representative, the DO.

- by the late 1920s and 30s, most colonial administrations were trying to develop and expand services— education, health and agriculture (in fact began appointing technical specialists—Education Officers, Health Officers and Agricultural Officers who were usually whites but who had African assistants).

- however, chiefs and their assistants were often not adequate to administer these services. For example, how should appointments be made? Chiefs and traditional authorities were accustomed to doing this on personal bases (relatives, associates, etc.), but the jobs in these services required trained people (teachers, nurses, etc.); they might even have to hire individuals from different ethnic groups from outside or from a subordinate group (in northern Nigeria, the dominant Moslem groups were much slower to take to western education, especially from Christian missionaries, while the non-Moslem subordinate people were not).

- critics saw fundamental conflicts and contradictions; indirect rule had become almost a religious dogma and a straight-jacket.

- Lord Hailey in his ***African Survey*** said indirect rule "passed through 3 stages, first of a useful administrative device, then that of a political doctrine, and finally that of a religious dogma." In this last form, it mostly inhibited change and progress.

- there were more serious charges , especially relating to northern Nigeria, but applying to lesser extents elsewhere.

- the Fulani emirates were conquest states with Moslem Fulani conquerors as an aristocracy and other people subordinated by conquest; it was charged that indirect rule tended to entrench a kind of feudalism; moreover, because their power was buttressed and maintained by the colonial Nigerian gov't, the elite could act more selfishly and corruptly than otherwise (without the colonial power, they would have always been constrained by the dangers of revolts).

- also, the Moslem overlords were opposed to Christian missions and western schools (for a time, the Nigerian gov't tried to keep missionaries out) even though large proportions, even the majority, were not Moslem or were only nominally so. As a result, northern Nigeria began to lag far behind the southern areas in development and in the spread of education (this produced major sources of conflict after independence and set off the civil war in the late 1960s).

- there were other problems too; with the development of administrative and economic centres, there was a growth of cities and urbanisation; indirect rule was totally inappropriate there.

- as education spread, a western educated elite began to emerge among Africans, some from traditional elite backgrounds (sons of chiefs, etc.) but many also from commoner backgrounds.

- these were people with skills needed to deliver the new services and who needed employment; indirect rule had little place for them. Colonial governments did employ some as clerks, but imagine the resentments: the educated feel more competent and trained yet are subordinate to illiterate, backward chiefs. There was equal resentment the other way as traditional elites would regard educated Africans from humble parentage as upstarts! In other words, colonialism was creating a new, different elite which began to compete with the traditional elite for leadership and dominance. Indirect rule was hitched to the traditional elite, but the skills of the educated elite were essential to the goals of development.

- even in the 1930s, some critics were urging that indirect rule be scrapped entirely and modern western style bureaucracies be put in place instead; in fact, indirect rule was quietly dropped in 1947.

- in fact, in some areas (especially in stateless societies), colonial officials had never been able to make indirect rule work. In many areas, it was largely a farce because what was done or not done was largely determined by what the DO decided.

- on the other hand, educated Africans were greatly underutilised, and from an early period, they formed a critical, alienated group who began agitating for a greater role; they founded and developed nationalist, independence movements. This contrasts with the French areas where educated Africans were given much greater roles in colonial bureaucratic structures (critics say they were coopted) and did not develop a disgruntled elite agitating for change and independence.