

sions were always fruitful; questions were pertinent, concise, direct and often brutally frank. It was shown that Kenyan women, not always in agreement with the men who direct them or solicit their votes, have the determination to work for change.

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THE CONGRESS OF AFRICAN WOMEN of Kenya produced a collection of constructive resolutions which cannot be ignored by the first independent government of Kenya.

The difficulties encountered by women wishing to stand as candidates in elections were forcefully attacked. Men (no matter what their party) had united to prevent women from standing and thus possibly becoming members of the Assemblies (National Assembly, Senate, Regional Assemblies). A resolution was adopted asking the future government to name women representatives among the high officials in Kenya, either at the U.N., in the East African Common Services Organisation (E.A.C.S.O.) in the Legislative Assembly of E.A.C.S.O. or in a fourth international organisation.

The second resolution—which, if it is followed, will bring about a social revolution—is that requiring that widows be given the right to inherit from their husbands.

Finally, the women are asking for a technical agricultural education, since it is they after all who cultivate the land. These were the main resolutions, but one important problem was that of husbands' treatment of their wives. One of the independent candidates at the next elections (who has chosen the zebra as his symbol) emphasised the point in his electoral manifesto. He asks "that a commission of enquiry be set up to study family problems, planned parenthood, *the bad treatment undergone by wives beaten by their husbands*, and that salaries be paid to those wives whose husbands are given over to drink or gambling."

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SO IT IS THAT a small group of enlightened women, who decided five years ago to take care of their less privileged compatriots and, gradually to educate their servants, village communities and all those with whom they come into contact, reached a practical result in the first seminar of 1962. Since then, a year's work has shown the tenacity of the Kenyan women and the seriousness of their efforts. The new autonomous government should not ignore the importance of the Limuru conference, nor its conclusions. ●

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## WOMEN IN AFRICA

### Queens and Slaves

Marion Friedmann

*Women of Tropical Africa* edited by Denise Paulme (Routledge and Kegan Paul, London, R3.50)

THESE SIX ANTHROPOLOGICAL STUDIES, by women and about women encompass the diversity of a vast continent. They deal with nomadic tribeswomen; agriculturalists; women, in and about Dakar, integrated into commercial life. There are Muslims, Christians and heathens; slave-women and—uniquely in Africa—the rainmaker Queen who wields supreme power among the Lovedu of the North-Eastern Transvaal. Some like the Coniagui of Guinea, (who form the subject of one of the studies) may choose spouses; others have spouses thrust upon them. Flexible societies are described and also the rigidly-stratified society of the Burundi.

In the diversity, certain social patterns and values recur: children everywhere constitute wealth, although, now the birth-rate is declining; girls have a large measure of premarital sexual freedom; although women as mothers are of primary importance, everywhere they need tact, intelligence and luck in order to exercise power in their society.

Colonialism set up shockwaves whose force shifted, bent or swept away those social patterns with which this book is most closely concerned. Anne Laurentin, who presents brief biographies of five Nzakara women, chosen chronologically, of the Central African Republic, draws attention to the radical transformation in the position of women over the last twenty years. Class distinctions go with the decline in power of the chiefs who, not allowed to make war, are deprived of free or cheap slaves and wives. At the same time, the administration has compelled every man, whatever his rank and whether the woman is slave or free, to pay bridewealth. The chiefs fought this measure for years but found vain resistance to obdurate authorities. (This particular shockwave has set up another. The author notes a spirit of profound anti-feminism among Nzakara men who know that there will never be a return to the good old days of female dependence).

THE CONCLUSION OF ANNIE LEBEUF, who contributes a study of women in political organisation, is that "African women have a tradition of practical participation in public affairs." This is hopeful for the future although in this field colonialism, which disrupted the old patterns and excluded women from the new, has altered the position of women for the worse. Annie Lebeuf's study, which covers about twenty tribes in East, Central, West and Southern Africa, is one of the most interesting. She also does the reader the service of providing a map on which the political divisions of Africa are marked, although not named. The edi-

tor's contribution in this field—an outline of the Continent showing rivers and lakes (not named) and the position of five nations in relation to them—is of little help.

The editor and most of the authors are fretful about Western prejudice against polygyny and seem every now and then to be about to tackle the Western view. But no: though there's many a sidelong glance and a snort, the writers veer off from a subject about which—although none has set herself to deal directly with it—all obviously hold strong views.

THE READER MUST BEAR with me for devoting space to the tail which almost wags the dog. This is an analytical bibliography of about 500 items classified by topic: social and legal status, family life, political activities, initiation, ritual functions, education, work. Under these main heads are references to works on major themes—agriculture, fertility, legislation, marriage, birth— but there are also references to works on minor themes: hair-styles, nose ornaments, public taunting, passes, career women, women in the Mau-mau, possession by spirits, fixed fireplaces. Works referred to are frequently described and a subject and an author index makes for easy use of the bibliography. (Among South African authors are Hellman, Kuper, Schapera, Hoemlé, Jeffreys). The non-specialist reader (of whom this reviewer is one) cannot but determine to read more widely in the field; the specialist must, I think, find the bibliography—though the editor disclaims exhaustiveness for it—very useful. ●

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## One-Sided Truths

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Suzanne Cronje

*Die Christliche Mission in Sudwestafrika.* [The Christian Mission in South West Africa. The destructive effect of the Rhenish Mission Society on the process of state formation in South West Africa, 1842-93] by Heinrich Loth (Akademie Verlag, Berlin, D.M. 26.50)

THERE CAN BE LITTLE doubt left about the nature of the German penetration of South West Africa and the effect of so-called missionary activities or of subsequent colonial intervention. This study of the second half of last century contributes some detailed evidence about the ruthless policy which was pursued in the name of 'Christianity' and colonial 'protection'. In particular, it demonstrates how the very profitable trade in arms which accompanied a course of calculated intrigue incited the various factions to war, and how the consequently intensified hostility between Nama and Herero was used for exploiting and subjugating South West Africa.

The 'Christian' sentiment is expressed by the Rhenish missionary, C. H. Hahn, who stated that he expected the German government 'to make war on the Hereros with the help of the Hottentots' (Nama), whilst Governor Leutwein admitted, 'It is of course more advantageous to have to reckon with a Herero nation which is politically torn than with one which is solidly united.' Such words marked the early stages of one of the most brutal regimes, whose record includes genocide.

The Rhenish mission and other official or private German representatives were by no means the only foreign interests involved, but they were the chief architects of colonialism in South West Africa. All parties were driven by greed, the missionaries no less than others: for a time they held a monopoly of trade, and they organised large commercial undertakings, either directly or through secular employees. Profits ranged between 300 and 2000 percent; tobacco and munitions were sold at five times their original price. At times, weapons constituted the most important item of missionary commerce; they were exchanged for cattle, ostrich feathers, ivory, and later for mining rights and other concessions.

THE RELIGIOUS SUCCESS of missionaries was less conspicuous. For many decades they

made barely any impression on the Orlam, and their campaigns were often directed against people who were already Christian. The Christian Nama Chief, Jonker Afrikaaner, who had protected them for a time, came to the conclusion that foreign missionaries were not essential. He called them 'traitors and spies of the Cape government', restricted their activities and prevented them from influencing his church, which had already been in existence when they arrived. His declared intention to control prices in the area under his jurisdiction was regarded as 'impudent nonsense' by the missionaries, and they sabotaged his peace treaty with Chief Maherero, which might have ended tribal wars. In later years, the Nama Chief Hendrik Witbooi—also an autonomous church leader—met with similar German opposition, but in his case it took the form of a surprise attack by colonial troops after he had concluded a peace treaty with the Herero.

The argument which attempts to justify colonial intervention by identifying it with 'pacification' could not stand up to such evidence. Apologists for colonialism who claim that Europe's role in Africa was—or is—to replace 'chaos' with law and order, to enlighten and civilise, should find plenty of material for second thoughts in this book. However, they are unlikely to accept it, because it was written from the point of dialectic materialism, and attempts to fit the events it analyses into the Marxist-Leninist schedule for social evolution. It does not, in fact, prove or disprove any particular political doctrine, but it has a moral implication which points to the hypocrisy of those who represent colonialism as a benevolent institution. However biased the author may have been, he proves every point he makes—and he makes many—with detailed references to source material, some of it previously unpublished documents in the Berlin archives.

IT COULD BE ARGUED that his political tendencies have led him to present a one-sided picture, that he ignored evidence which did not fit his theory. This may indeed be so, and it is probably true also of some historians with different political convictions. But whatever further evidence may be produced, *nothing* could invalidate that which has been proved to be true: that the missionaries of South West Africa engaged in profitable trade which involved the supply of arms, and which put them into an economically influential position from which they could interfere with tribal politics; that they engaged in intrigue and deliberately promoted discord and bloodshed, that this policy was continued under the German regime, and that dishonest methods were used to gain various concessions. Furthermore, the efforts of tribal leaders to establish internal

peace were thwarted, and the German colonisation can in no way be regarded as 'pacification'.

The study contains much interesting historical detail, especially about the formation of indigenous churches and the development of separatism. This evidence is relevant to the study of Ethiopianism in South Africa. 'We don't need the Bible any more, Hendrik is our Bible', said one of Witbooi's people. The phenomenon, of course, is not confined to any racial group.

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## Legal Metamorphosis

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R. N. Nordau

*Changing Law In Developing Countries* edited by J. N. D. Anderson (George Allen and Unwin R3.50)

*The Nigerian Constitution: History and Development* by O. I. Odumosu (Sweet and Maxwell and African Universities Press R5)

THE APPROACH OF SCHOLARS to the law and the legal institutions of the countries of Asia and Africa has undergone a definite metamorphosis in the last few years. Until recently, the study of these aspects of societies which have now, for the most part, become independent, was the preserve of social anthropologists. Their concern was with the elaboration of customs and practices—some, but by no means all of them, legal—in communities which were looked on as "primitive".

Much of the work done in this field was of great value, and nearly all of it was done by pioneers, immensely dedicated to the discovery of new and as yet unexplored facets of social structure. They not only established the nature of the 'new' institutions which they studied, but also explained their significance within the total framework of the societies in which they operate. In doing so, they achieved a number of things: they helped to disabuse high-minded moralists of ill-founded objections to a variety of misunderstood customs; and they provided a valuable contribution to the study of jurisprudence by testing "universally applicable" theories which had been developed in a Western environment against the practices

of societies which did not fit into that pattern.

But, like so many pioneers in the colonial field, their work has come to be regarded as inadequate. At best they are seen as outdated or irrelevant to present-day means; at worst, they are treated with suspicion or even contempt. Too often they were pre-occupied with one small aspect of society, or described a whole society in terms of a single characteristic—kinship, or status, or religion, for example—while leaving the others in obscurity. Above all, because their studies were seldom followed up or kept up to date, they tended to preserve and perpetuate a picture of societies at their first point of contact with other cultures.

None of these remarks applies to the two books under consideration here. Professor Anderson has performed a valuable service in collecting together fourteen essays by people whose approach to the subject reflects a totally different outlook. All the contributors to this volume are lawyers (some academic, and others senior civil servants) and all aim at the discussion of the law as it has been practised and is being administered in the newly independent countries, viewed against the background of their changing status.

Their approach is, for the most part, technical and many of the essays will be of little interest to the average reader. The more general ones—like those by Sir Kenneth Roberts-Wray on "The Authority of the United Kingdom in Dependent Territories", "The Legal Machinery for the Transition from Dependence to Independence", and "The Independence of the Judiciary Commonwealth Countries", or the extremely readable contribution by Professor Gledhill on Fundamental Rights—will, however, be of interest to political scientists and historians. And others, like the stimulating and perceptive essay by Dr. Allot on "Legal Development and Economic Birth in Africa", or that by his colleague at the School of Oriental and African Studies, Mr. Read, on "Women Status and Law Reform" will be of great value to those concerned with the wider social implications of law in the developing countries.

Mr. Odumusu's book reflects an even greater departure from the old pattern. He is concerned solely with the origin and functioning of the Nigerian Constitution of 1960—soon to be amended by the change to a Republic. His historical treatment of the growth of the concept of Federalism in Nigeria is an admirable exercise in restrained comment on the activities of the three main political parties and the British Government, and provides a clear explanation of the working of the successive constitutions by means of which Nigeria was governed in turn as a number of colonies, a single colony, semi-autonomous Regions and ultimately as a Federation.

IT IS A PITY that so much of the book is taken up with the historical development, and so little with the present constitution. But Mr. Odumusu's comments on the significant aspects of this document—the nature of Nigerian Federalism, the guarantees of fundamental rights, the relations between the Regions and the Central Government—are all useful, and his clear treatment of the legal and constitutional aspects of the Western Regional crisis is particularly valuable.

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## Sub-Saharan Challenge

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David Welsh

*The Human Factor in Changing Africa* by  
Mellville J. Herskovits (Routledge &  
Kegan Paul R5)

PROFESSOR HERSKOVITS HAS written an impressive book which endeavours to describe the processes of social change in Sub-Saharan Africa. As the title suggests, his canvass is a broad one. The reader is taken from consideration of the broad outlines of African prehistory right down to the problems facing modern African governments.

The author analyses the main influences to which the aboriginal cultures have been subjected. He is anxious to correct false impressions about the nature of traditional African societies and their alleged inflexibility and backwardness. Most readers of *The New African* are familiar with the hoary myths about Africa's pre-colonial past which pass for argument in South Africa. Herskovits makes short work of "... the fiction of an Africa that for centuries lay dormant, out of contact with the rest of the world, impervious to the impulses emanating from centres of civilisation—the essence of the myth epitomised by the phrase 'darkest Africa'."

He is perceptive on the attitudes to traditional cultures by colonial powers and the reactions of Africans to European assumptions of cultural superiority, implicit in such notions as the "White Man's Burden", the *mission civilatrice* or assimilation as preached by the Portuguese. When false theories of race are demolished they may be replaced by doctrines of cultural

One of the standard—if rather arrogant—clichés of the past was embodied in the statement that the influence of British law would long outlive any other aspect of colonial rule. If this does turn out to be the case, it will be because the study of law in developing countries of the Commonwealth has either been adjusted to the changed circumstances which are dealt with in Professor Anderson's book, or because it is interpreted from within by scholars of the calibre of Mr. Odumusu. ●

superiority—termed "culturism"—with similarly pernicious results. From the Africans' point of view both racialism and culturism are doctrines which serve to maintain a gulf between non-Africans and the vast majority of Africans. Partnership, as practised in Central Africa, lays itself open to this criticism.

At the other end of the political spectrum Herskovits criticises the Marxists for "the assumption . . . that it was their mission to hasten the inevitable arrival of African societies at the higher stage of civilisation, which the Communist countries had reached." In other words, even if there is the will to effect sweeping social changes in accordance with some blueprint of what is desirable, this cannot be justified, nor, he suggests, is it practicable.

A recurrent theme in the book is the strength and flexibility of aboriginal African cultures and the ability of many of these to adapt to changed conditions. He argues that many, notably in West Africa, have shown a notable degree of selectivity in cultural change; eclecticism is traditionally well established. While social change has certainly taken place, the author believes that there is a tendency to underestimate the continuity with the past in the process.

How far can traditional social institutions be reconciled with the socio-economic development demanded by African leaders? Is the African nationalist's pride in his traditional background inconsistent with his desire for industrialisation? Or is the "tribalism" versus "modernisation" antithesis a false one? Herskovits does not satisfactorily resolve these questions but his discussions are illuminating.

Anthropologists will no doubt criticise Herskovits's theoretical framework and his methodology. Those interested in modern African politics will feel that his account of the problems of modern government is sketchy. His section on music would have been enriched by some attention to the fascinating body of "songs of protest" which has risen in South Africa. ●