

Developments in Central Africa

by

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CHAPTER I

DEVELOPMENTS IN CENTRAL AFRICA

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THE FEDERATION OF RHODESIA AND NYASALAND¹

The Federation of Rhodesia and Nyasaland came into being in 1953. As its name suggests, it is a federation of the two Rhodesias, Northern and Southern, and Nyasaland. The name itself is an awkward and cumbersome one, adopted because after much debate the protagonists and opponents of federation could not agree on a more suitable name. This small failure indicates, as will be shown later, the extent of the lack of any sense of national unity among the different sections of the people of the three territories.

THE PEOPLE OF THE FEDERATION

The people of the three territories consist of two obvious groups: the white people and the black people. These number in Northern Rhodesia 3,000,000 Africans and 60,000 Europeans; in Nyasaland 3,000,000 Africans and 9,000 Europeans; and in Southern Rhodesia 3,000,000 Africans and 230,000 Europeans. These figures are only approximate. The word "African" is used to describe the original, indigenous people of Africa, and more particularly of each of the three territories. The word "European" is used to describe that section of the immigrant population which claims racial, historical, and cultural derivation from Western Europe. There are also Asians

¹ The Federation has now been dissolved. One of its components, Nyasaland, has attained independence as Malawi; Northern Rhodesia is also scheduled for independence in 1964. — Ed.

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and Coloreds (i.e., people of mixed racial parentage), but their numbers are relatively insignificant.

The Europeans consist mainly of English-speaking and Afrikaans-speaking whites. There are other Europeans, i.e., Germans, Jews, Italians, etc., but their numbers are insignificant. The larger proportion are English-speaking, and the most influential of these are those who came to Rhodesia via South Africa, and so share to a greater or lesser extent South African sentiments. The Afrikaans-speaking section derives exclusively from South Africa and has basically a common approach with the English-speaking, South African-derived whites.

The Europeans have in common at least the fact that their ancestry is European, even if the last truly European ancestor lived some three to four hundred years ago, and even if none of his descendants has ever set foot in Europe. Nonetheless, to be classified as European in Central Africa creates that bond of cultural, historical, and religious association which is one of the ingredients of nationalism. The blanket description "European" carries with it all the attributes of Western Europe; it immediately makes a person one of the great inheritors, if not originators, of science, technology, and industrial development, and an adherent of the Christian religion (which by some mechanism of historical misinterpretation is regarded as a Western European invention). In short, to be described as European is to be credited, deservedly or otherwise, with everything with which Western Europe may legitimately be credited.

The Europeans also have in common their membership in a dominant minority, living perpetually in fear that the volcano of African labor on which the minority depend might suddenly erupt. They are acutely aware that their authority really lies in their superior knowledge and technical know-how, that any spread of this spells disaster for them, and that their interests would be served by holding, for as long as they can, the monopoly of skill, of knowledge, and of political power. All these are deep-seated feelings entertained by the Europeans, and they contribute to a sense of common nationality among them.

In addition, most of the Europeans speak English, whether originally they were Afrikaners, Italians, Germans, or Swedes. There is a set of hotels, swimming pools, cinemas, theaters, and even shops which cater to Europeans only, and this has contributed to the building of a typical Rhodesian European character. Their homes bear a striking resemblance to one another, however different their levels of wealth. Each has a black servant to work in the garden, another in the house, and a third in the kitchen. Each has a juvenile

black boy, or an African maid, or a married woman for a nanny, to look after the children. So, despite their very wide differences in wealth, at least they can share conversation on a common platform as employers of black labor, enjoyers of political and social privilege, and patrons of the same cinemas, theaters, and pubs.

Racially the Africans are all of one piece, Negroid: black, big-lipped, wide-nosed, frizzy-haired specimens of humanity. Linguistically and communally, they consist of at least two main tribal groups in Southern Rhodesia, four in Northern Rhodesia, and three in Nyasaland, not to mention smaller groups. "Tribe" in this context refers more to origins and language than to any real or significant divisions of loyalties; for tribal divisions are probably no more real and significant than the divisions among the Europeans into Afrikaners, Germans, French, Italians, and English. Nonetheless, the Africans are probably less united than the Europeans. Although their languages are all of the Bantu group, with basically similar grammar and speech, many Africans speak only their own tongue. African religions, whilst basically similar, never developed any form of common religious worship, except within each tribe or family; if religion is a unifying factor, the Christian religion has done more in this regard than the indigenous African beliefs.

But, in political terms, perhaps the greatest unifying fact among the Africans is their common subjection to imperial rule, and it is imperial rule whether it comes from Whitehall or from the exclusively white government at Salisbury. The common resentment and the common search for means to get rid of this yoke are important unifying features. Thus the song of the black man — the African National Anthem, *Nkosi Sikelele Africa*, *Mwarikonborero Africa*, etc. — is more of a unifying factor than is the claim to be an adherent of a Western civilization of which one must know nothing. Needless to say, the desire of a group to maintain its dominance is at least as strong as the desire to be liberated from domination, even though morally one is less justifiable than the other.

THE STATUS OF THE TERRITORIES, AT THE TIME OF THE FEDERATION AND NOW

Perhaps the most significant fact about the Federation of Rhodesia and Nyasaland is that its three territories have reached different stages of political development. None of them was, in 1953, independent in the international sense. Southern Rhodesia, which was the highest developed constitutionally, was only a self-governing colony. Both Northern Rhodesia and Nyasaland were only Protectorates governed by a legislative as well an executive Council in

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which the Colonial Government held the majority. In a sense the Federation of Rhodesia and Nyasaland was nothing more than a method adopted by Imperial Britain to administer those three territories. No other federation had been created by an Imperialist power in its heyday.

THE REASONS FOR THE FEDERATION

When the participants met in 1950, 1951, and 1952 to discuss federation, they were certainly not plowing virgin ground, for the idea of amalgamation of Southern and Northern Rhodesia had earlier been rejected by the Bledisloe and Passfield Commissions. The principal difference in the 1950's was that Southern Rhodesia for the first time was prepared for amalgamation or federation with Northern Rhodesia.

In the past Southern Rhodesia had opposed this union because Northern Rhodesia was a poor country, and joining with it would mean more mouths to share the national cake. By 1951, however, Northern Rhodesia had achieved unprecedented wealth because of the superlative world copper prices during and after the war. Meanwhile, Whitehead's mismanagement of the Southern Rhodesian purse, coupled with factors beyond his control, had brought Southern Rhodesia to the verge of bankruptcy, and she looked enviously across the Zambezi upon the buoyant Northern Rhodesian economy with its large surpluses each year.

In Northern Rhodesia Harry Nkumbula had recently returned from the London School of Economics and Political Science and had taken up the leadership of the African National Congress. His leadership at that time was sufficiently strong to make the white people in Northern Rhodesia feel thoroughly insecure. He was the breeze (not yet the wind) of change in Africa. No doubt, even though in Southern Rhodesia in 1951 there was a dearth of political activity among the Africans, the shrewder of the Europeans saw what was happening in Northern Rhodesia as the handwriting on the wall. They knew too that they, like their Northern Rhodesian neighbors, were in no position to resist if the breeze became a wind, and the wind a whirlwind. So the whites of Northern and Southern Rhodesia became united in their desire for federation, those from Northern Rhodesia in order to fight African nationalism, those from Southern Rhodesia in order to rescue themselves from economic collapse, as well as from African nationalism. In the hearts of many was the thought that the domain of white rule should be extended northwards from the Limpopo.

The fear of African nationalism was never expressed directly;

it was couched in terms of vague economic fears. Thus, a Northern Rhodesian Commissioner was reported in *The Times* as saying: "No one would invest . . . in those territories, if there was any risk that government control would be placed in the hands of immature and inexperienced Africans." And the Secretary of State said in the Commons: "If we gave them [the Africans] equal representation in the Federal Government, we should completely dry up the flow of overseas capital."

As far as my memory goes, the case for federation was never put as one to contain African nationalism, nor to save Southern Rhodesia from economic collapse, nor to extend the area of white rule northwards beyond the Limpopo. The argument urged in favor of federation was that federation would create a larger unit whose capital-inviting ability would be correspondingly larger and that the economies of the three territories were complementary: Southern Rhodesia, diversified (mining, tobacco, maize, and secondary industries); Northern Rhodesia, copper and some tobacco and maize; Nyasaland, nothing at all but human labor for the mines, farms and industries, primarily of Southern Rhodesia, and only secondarily of Northern Rhodesia. In the words of *The Times*, however, the economic argument for federation is "unconvincing," for a transport union, a customs union, or some other administrative arrangement could have served these purposes just as well.

Then it was said that the federation would promote a policy of racial partnership. As for this, Lord Malvern more than anyone else should know what this meant. And no doubt Sir Roy Welensky, his understudy, has followed in the steps of the master with fidelity. Malvern described partnership as the relationship between the rider and his horse. If anyone knew what partnership was, he did, and if that is what he meant by it, probably that is what the framers of the Constitution intended it to mean. He was after all the begetter of the word.

It is not necessary to comment on this except to say that the idea of making partnership a vital principle of the Constitution, like the idea of a built-in declaration of rights embodying this policy, was stoutly resisted by both Malvern and Welensky at all the pre-federation conferences. In fact, when an African M.P. moved that there should be no racial discrimination in federal public places in 1955, the motion was laughed out of the house with scorn.

The true purposes of the Federation are indicated by a glance at the provisions both of its constitution and of its laws. The first federal Constitution provided for a legislature consisting of thirty-five members, of whom only six were Africans; three were white

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people elected or appointed especially to represent African interests; the rest were Europeans, elected on a franchise which ensured that white people would predominate. Of the Africans, two were elected from Southern Rhodesia by an electorate 98 per cent white, and two each from Northern Rhodesia and Nyasaland were appointed by the governors. Later the house was increased to fifty-nine, but basically the proportion of European and African representatives remained the same.

In the distribution of legislative powers between the federal and territorial parliaments, the general principle is that all matters affecting whites are federal, all matters affecting blacks are territorial. Health and welfare are the only exceptions, but they have been explained by a cynic as conscience balm: The federal system is so iniquitous that it has to have power over health and welfare to cloak its sins.

The net result is that Europeans achieve virtual unity in law and in administration, while Africans remain divided territorially in law and in administration. The reason for this was in part, at least, that Southern Rhodesian whites, who form the majority among the whites of the federation, and who had been accustomed for thirty years to rule the natives as they pleased, were reluctant to part with this power and privilege. The Northern Rhodesian and Nyasaland Europeans saw federation as an indirect way to acquire from Her Majesty's Government in England power over the Africans, especially as the Constitution of the Federation provides that federal law takes precedence over any territorial law. If you control the Federation, you control most if not all aspects of government, and therefore the Africans.

This analysis of the Constitution and the legislative powers of the Federation is evidence that the Federation in truth was designed to increase the unity and power of the whites against black nationalism, which it was sought to divide and rule. Federation is not the best means to this end. Professor K. C. Wheare tells us that in 1909, when the question of federation or union arose in South Africa, the ultimate factor which decided the issue in favor of unification was "native affairs"; for central control of all African affairs ensured white supremacy, whereas federation would not have.²

THE SUCCESS OR FAILURE OF THE FEDERATION

The Federation of Rhodesia and Nyasaland has been in existence for seven years, and that is about enough time in which to judge

² See A. W. MacMahon (ed.), *Federalism, Mature and Emergent*, p. 30.

whether or not it has fulfilled the dreams of its protagonists or the fears of its antagonists.

So far as what I call the professed reasons are concerned, it is at least questionable whether the Federation has proved economically advantageous to each of the territories. On the positive side, it is true that the Federation successfully raised enough capital from overseas countries and from the World Bank, as well as from internal funds, to build the Kariba Dam and Hydro-electricity Station — perhaps the greatest single achievement of the Federation. But I have yet to meet one African who regards that with common national pride of achievement. In any event the case for Kariba was that it would ensure cheap power, cheap power would attract investment in industries, primary and secondary, and industries would ensure greater wealth for all, and so make partnership possible. In fact, however, so little use is made of Kariba power that at present power has become dearer, not cheaper. What went wrong is not difficult to detect. The completion of the Kariba hydro-electric scheme coincided with a period during which there was little confidence in the country for political reasons. This lack of confidence was based on the political unrest in all three territories which led to the banning of African political parties and the detention of African political leaders without trial. In turn, this unrest stemmed from African opposition to a federation conceived as a means of ensuring white control over the entire area and to the perpetuation in each territory of policies designed to maintain for the “foreseeable future” white political dominance.

It is, no doubt, also true that for a portion of the seven years of federation the economy was buoyant and virile and that a substantial degree of investment came in. But, on analysis, almost all went to the clearly white-dominated Southern Rhodesia and very little to Northern Rhodesia or Nyasaland. This could not be calculated to make Northern Rhodesians or Nyasalanders, white or black, more pro-federation. The result is that there has grown, even among the whites of Northern Rhodesia and Nyasaland, some doubt as to the value of federation. The fact that such investment as did come, came to Southern Rhodesia, may indicate confidence, not in federation, but in what appeared at the time to be secure white control. Indeed, South Africa is an example of a country where, notwithstanding a fundamentally explosive political system of white domination (there called apartheid), a degree — though, no doubt, a declining degree — of outside investment continues to come in. The lesson from this would appear to be that investors will invest, if

only for short terms, if they have confidence in the ability of the government to retain control and ensure the safety of their investments. They don't seem to worry about the justice or equity of the political system. It is impossible to say that such investment as came in, came *because* of federation. On the contrary, the probability is that it came in because Southern Rhodesians showed both the ability and the determination to protect the investment.

On the common-market issue there has been neither gain nor loss, for there were no customs barriers between the three territories. However, protective tariffs intended to benefit Southern Rhodesia's young manufacturing industry have done some harm to both Northern Rhodesia and Nyasaland, which by federation have been prevented from accepting cheap goods from other countries which would have suited, particularly, Nyasaland's low economy.

Quite certainly today there is still white support for, and national unity in, the Federation; and, at the same time, black resistance to it. But the Federation has completely failed to create a sense of national unity among all the people of its territories; and failure at this level is complete failure. For, as Dicey said, if a federation is to exist, there must be among the peoples of the territories or states a connection of loyalty — by history, language, race or the like — which in the eyes of the inhabitants bears an impression of common nationality. No one doubts that there is today an American nationalism — a sense that all citizens of the United States belong to a single nation. But it would be a gross exaggeration to suggest that such a feeling exists in the Federation of Rhodesia and Nyasaland — while Banda in Nyasaland, and both Kaunda and Harry Nkumbula in Northern Rhodesia are demanding secession. The case for secession in Northern Rhodesia is the strongest, for she has lost copper profits to the whites in Southern Rhodesia. Northern Rhodesia pays a great part of the cost of the Federal Services, but these are centered at Salisbury, and, as a result, Southern Rhodesia has been able to attract more industrial investment than Northern Rhodesia. The Africans in Northern Rhodesia cannot be expected to feel grateful for federation.

Yet to give this view of the Federation as a complete truth would be false. For among the Africans there is a desire to carry out the dreams of Pan-Africanism — a united Africa, not necessarily politically, but in general attitude and international policies. So, while the Africans oppose the existing Federation, they hope to unite under the Pan-African ideals of developing the African personality and pursuing international non-alignment.

QUO VADIS

This paper has been so critical of the Federation of Rhodesia and Nyasaland that it could be thought that the author does not believe in federation at all.

I must confess that in the course of preparing this paper, I almost came to the conclusion that there is no benefit to be derived from political federation which could not be achieved by a customs union, a common market or international co-operation among neighboring states. But consideration of the natural boundaries, geographic and ethnic, which were defied by the nineteenth-century European scramble for the continent, suggests that new political units in Africa are desirable in order to reduce the evil of what occurred.

Furthermore, where a common national spirit is possible, there is no doubt that a larger political unit means greater political status in the world community of nations, and so greater destinies.

Where this is possible it is imperative that the federation be founded on the noblest of man's ideals, for to found it on narrow racial or ethnic considerations is to condemn it from the start. This is what happened in the Federation of Rhodesia and Nyasaland.

This is where a bill of rights, a declaration of fundamental rights, should be an inspiration. For if there is such a bill, it assures all that the federal state intends to respect and preserve at least the fundamental human rights of all. It is trite to say these rights should be real and not mere words; and that this requires a competent, efficient and independent judiciary, a determined, courageous and equally independent legal profession, and a national sense of justice, fair play and humanity. Given a bill of rights founded on such principles, and so framed that they are enforceable rights, any federation could survive — even a world federation.

DISCUSSION

PARTICIPANTS: *Herbert W. Chitepo, J. G. Kiano, Leonard Thompson, Peter J. H. Okondo, Morton Grodzins, Robert Tredgold, R. S. Garfield Todd*

Mr. Herbert W. Chitepo: It is perhaps most proper and fitting that a symposium on federalism in the New African States should begin with a paper on the Central African Federation. When one speaks of "new African states," one has in mind new, internationally independent states which have graduated from European metropolitan dependence. The Federation of Rhodesia and Nyasaland is not independent in this sense, nor is any of its component parts independent. In effect, the Federation is simply a regrouping by an imperial power of its contiguous dependent territories with certain internal changes in government, but with no change in the status of each component part or in the status of the whole. Perhaps the only claim of the Central African Federation for inclusion in this symposium is that it was born, like all new African states, after the Second World War, and that it is a part of the African continent.

The most striking thing about the Federation of Rhodesia and Nyasaland is that its establishment reveals, not localized conflicts of interest, which it was thought could be harmonized by surrender by each territory of a limited part of its sovereignty, as in any classical federation, but horizontally juxtaposed racial interests. In all three territories federation was supported by the majority of the whites and opposed by the majority of the Africans. The question is whether federalism was at all relevant to the problems posed by the contending interests of two races horizontally juxtaposed throughout each of the three territories.

The second significant point about the Federation of Rhodesia and Nyasaland is that its establishment was without popular support, and that it was imposed upon an unwilling six or seven million black people to satisfy the wishes of just over a quarter of a million white settlers in the three territories. My paper suggests that all white supporters of the federation were motivated by the desire to retard the growth of African nationalism and to benefit from the high price of Northern Rhodesian copper. This impression is false; no doubt many were persuaded by the economic argument, and others thought, genuinely, though in my opinion wrongly, that federation might promote true partnership of the races. The fact, however, that the federation was imposed against the wishes of a very substantial majority of the African people takes such federation out of the category of federalism in African new states, which is the subject of this symposium. But the Central African experience teaches that a federal structure, which should be used to bolster liberty and preserve heterogeneity, can be used to preserve a racial oligarchy and frustrate the wishes of the majority.

The third point which I sought to explore in the paper (without giving any answer) is the question of the validity of the suggestion that larger groupings result in greater economic growth. In some cases they may, but it is doubtful whether this is invariably so. Involved in this question is the question whether a customs union, a common market, or a telegraph or transportation union can achieve its objectives without a tax-raising, lawmaking central authority, which is the essence of a federation. My paper leans toward the view that it can. But, I must confess, after reading Dr. Kiano's discussion of the problems and failures of the East African Common Services Organization (pp. 51-53, below), I am inclined to revise my attitude on this point.

Finally, I hope that my paper raises, if only obliquely, the question of nation-building. This was, in fact, what was needed in the three territories of the federation: the creation of a sense of common belonging, a common nationalism among people of different racial origins. Had this been accepted as the goal and racialism rejected as unworthy, the most important provisions of the constitution would have been the creation of a set of fundamental or essential rights which all must share without discrimination. By sharing these rights and holding them dear, the different peoples might perhaps develop a sense of common nationalism.

If the experience of the Rhodesian federation teaches anything, it is that, in order to found a federation worthy of its name, racial, or sectional interests must be rejected and only the highest purposes

and ideals must be embodied in its framework. In short, I do not think the federation of Rhodesia and Nyasaland has anything to teach the truly new nations in their struggle to establish peace, harmony, and economic and cultural growth on the African continent. And that, as I conceive it, is what lies at the root of Pan-Africanism.

Dr. J. G. Kiano: The point is sometimes made that cultural diversities can be preserved by a federal system. It appears to me that they can be if they coincide with territorial or regional groupings, but not if there is cultural or racial diversity within a single area. In the latter case, preservation of cultural diversities may require the recognition of group rights or privileges which to some extent conflict with the concept of human rights for every individual, irrespective of his cultural or ethnic relations. I agree with Mr. Chitepo that this was one of the fundamental mistakes that took place in the case of Rhodesia.

The distribution of powers between the territorial and the federal governments in Central Africa is somewhat unique in that, as to citizens living side by side, the race of the recipient of a governmental service determines whether the service shall be territorial or federal. Education is a case in point; education for European children is federal, and, I believe, education for the Africans is territorial. Racial considerations are basic and implicit in the present structure of the federation.

As for the motivations behind the formation of the federation, economics and politics cannot be easily separated. Yet I would have thought that a government, whether socialist, conservative, or colonial, would have some understanding that if the political context is unsuitable to the majority of the people, the anticipated economic benefits may not be forthcoming. I fully support Mr. Chitepo's views that the economic advancement of Rhodesia need not be attributed to the creation of the federation.

Professor Leonard Thompson: As a historian, I should like to throw in the time factor in relation to the African continent and also draw attention, in the time perspective, to some African political realities.

In reading Mr. Chitepo's paper, I was struck by many resemblances between what happened when the Union of South Africa was created in 1910 and what happened when the Federation of Rhodesia and Nyasaland was created in 1953, and at the outset, I should like to draw attention to some of these resemblances and, from them, to make possibly general deductions.

The South African Union was created by white South Africans

and given legal efficacy by the British Parliament. The majority of the inhabitants of South Africa were not white but African, and they had virtually no say in its creation. Insofar as they expressed opinions at the time, they were critical because they were being brought under a supreme parliament, consisting entirely of white men, for the most part elected by white men, and because they feared that in such a parliament the white-supremacy doctrine, which pervaded the northern provinces, would overwhelm the somewhat weak and shaky liberalism of the southern provinces.

The Federation of Rhodesia and Nyasaland was created by white Rhodesians and British officials and politicians. The majority of its inhabitants, too, were not white but African, and they also had virtually no say in its creation. They were extremely critical of it at the time because the federal parliament was to consist predominantly of white men elected by white men and because they feared the white-supremacy doctrine which pervaded Southern Rhodesia would be extended to Northern Rhodesia and Nyasaland.

Consequently, neither regime claimed the loyalty of the majority of its subjects, but that was not the only resemblance. Since less than a decade had elapsed after the end of the South African War, the British sponsors and the South African founders of the Union were mainly concerned with relations between Boer and Briton. They declared that a unitary and flexible constitution would improve those relations by promoting the amalgamation of Boer and Briton into a single white South Africa; in fact, however, though some white South Africans were sincere in desiring such an amalgamation, most hoped that within the union, once created, their own group, Afrikaner or British, would prevail. To them, white unity was a slogan of expediency concealing the will to dominate. The British and Central African founders of the Federation were mainly concerned with relations between white people and Africans, and they declared that federation would promote good relations between them on the basis of partnership; in fact, however, the basis of true partnership, partnership of equals, never did exist, for most white Rhodesians looked to federation as a means of extending white supremacy northward across the Zambezi and eliminating the powers of the imperial government. To them, partnership was a slogan of expediency concealing the will to dominate. So both the Union and the Federation were created in disregard of the opinions of their African majorities and, in both cases, wishful thinking and ulterior motives clouded the judgment of the dominant white minority.

The general proposition and question that emerges here is this: Can any political structure, unitary or federal, or what have you,

become viable if it is founded thus? Can such an unsure initial mess (to take up a quotation in Mr. Freund's paper) become a creative mess? See what has happened in these two cases: In South Africa, the Voortrekker tradition has triumphed over the Cape tradition, and the regime is now detested by an overwhelming majority of the inhabitants of the country. Furthermore, the political struggle between Boer and Briton has become more intense because, under the Constitution, victory or defeat at the polls brings all power or none. The logic of this situation has become apparent since 1948, when Afrikaner nationalism has had power and has used it to wreak vengeance on the British and tighten the screws of white supremacy. Moreover, the unitary state, which was to have facilitated control of Africans by the central government, has, among other things, accustomed Africans to thinking, organizing, and planning on a national scale, and the government is now making a desperate attempt to reverse that process by forcing Africans back into their tribal groupings, but it is too late. South Africa, today, is polarized between Afrikaner nationalism, whose fruits of victory are being soured by physical and moral anxieties, and African nationalism, which awaits its turn with impatience, but with confidence.

The Federation of Rhodesia and Nyasaland has never looked as if it would win the consent of the majority of its inhabitants and thereby reach the point of take-off. On account of the very great disparity between white and African numbers, of its geographic position, and of changes in British policy, breakdown is now apparently close. With Africans likely soon to attain power in Nyasaland and also in Northern Rhodesia, the stage seems to be set for the disintegration of the Federation into its component parts, and then, maybe, for each of them to seek new affiliations.

My opinion is that the error in South Africa in 1910 was not in joining the four colonies together into some form of political association (for otherwise the Customs Union and Railway agreements would have collapsed and hostilities would gradually have been engendered between those colonies), but rather that the wrong sort of association was formed. The British constitution was the worst sort of model for South Africa because of the immense differences between the British and South African societies. What was needed, I contend, was a rigid constitution, with powerful safeguards to protect the individual against abuse of power by his rulers. Federalism might have formed a part of these safeguards, though its effect would not have been so noticeable as it is in Canada or in Nigeria, because the Africans are in a majority in every part and Boer and Briton are both widely diffused. Nevertheless, by di-

viding power between central and regional authorities, federalism would have acted as a check upon arbitrary government. More important, though, would have been a bill of rights, with means for its enforcement.

Later we shall be discussing this difficult problem. Here I merely wish to say that the idea of providing safeguards for the individual against abuse of power by his rulers scarcely entered into the thoughts of the fathers of the Union of South Africa, except in relation to the languages of the two sections of the white population and the franchise rights of the African and colored people of the Cape Province; and notice that the safeguards which were to provide for these exceptions have not proved effective.

One last thought on the South African case: It is easy and natural for most of us to express moral indignation at the performance of Afrikaner Nationalists, but that, I submit, is not enough. It is also relevant to ask whether, in the exuberance of their own power and the conviction of their own rectitude, other nationalists in Africa may not move in a similar direction against their opponents, not only ethnic minorities (whites, colored people, Indians, Arabs), but also tribal and cultural, though African, minorities. Already, he who goes from the land of apartheid to Ghana finds himself in a depressingly similar environment. It is scant comfort to be told that the South African regime is a minority one and the Ghanaian a majority one, because such a distinction does not justify arbitrary government. Conceivably, the historian of the future may categorize Afrikaner nationalism, not as a unique phenomenon, but as the first effective nationalism in Africa and the prototype.

We all hope that this possibility will not be realized, and we may be encouraged by the papers of Mr. Chitepo, Dr. Kiano, Mr. Okondo, and Mr. d'Arboussier. Nevertheless, in my view, as a historian, we should perhaps be indulging in wishful thinking if we ignored this possibility. In Central Africa, as Mr. Chitepo has shown, there was no compelling reason of any sort for the creation of any political association in 1953. It will be observed, however, that Mr. Chitepo does not attack a federation of Rhodesia and Nyasaland in principle. What he does attack is the way the Federation was created, the Constitution of the Federation, and the attempt to use it as an instrument for extending and perpetuating minority rule. That is quite a different matter. If the Africans of Northern Rhodesia and Nyasaland get their way and secede, and possibly join with Kenya, Uganda, Tanganyika, and Zanzibar in another federation, what is to become, at any rate temporarily, of the Africans of Southern

Rhodesia? Is it not possible that they may then find themselves experiencing the greater evils of apartheid in an enlarged South African republic?

This opens up my final point, the question which will, I think, be basic to the work of this conference. When an African calls himself a nationalist, what is the nation with which he identifies himself? Is it a traditional African polity such as Buganda or Ashanti? Is it a colonial or former colonial territory such as Uganda or Ghana? Is it such a territory with its frontiers adjusted to correspond more closely with ethnic realities? Is it an association of territories, such as the Afro-Malagasy Union? Or is it indeed all of Africa? Or is it, in the last resort, humanity? At present, the answers are various and the situation is therefore plastic. But the time will soon come when the new post-colonial institutions will rigidify, and the new Africa will become more or less set in a mold. And that, I suppose, is one reason why it is particularly relevant for us now, in this fleeting moment of flexibility and fluidity, to focus our discussion on the problem of federalism in Africa.

Mr. Peter Okondo: In Professor Thompson's very clear discourse, he mentioned something which has been used several times as a kind of blackmail. I am referring to the idea that if we, the nationalists of Eastern Africa, pursue this breaking up of the Central African Federation, and if Nyasaland and Northern Rhodesia do separately obtain independent African-controlled governments, then the Africans in Southern Rhodesia may find themselves in a much worse position than now. I agree with him that this might be true to some extent, but it is not entirely true because it would be extremely difficult for Southern Rhodesia to join South Africa in the face of world opinion, without suffering very much more than it would benefit from this association. South Africa today is primarily a Boer Republic with definite objectives as to Boer ascendancy. It appears to me that in the long run it may persecute the English-speaking and other non-Boer inhabitants of South Africa, and that perhaps Southern Rhodesia might hesitate a great deal to join it.

Everything should be done to dismantle the present form of federation in Central Africa, because it exists, as Mr. Chitepo has very clearly shown, for the purpose of maintaining white supremacy in the whole area. That kind of organization does not fit any definition of beneficial federation. Why do we federate? For the destruction of individual liberty? Or do we federate to improve the lot of mankind within the federal structure? A federation for the subjugation of the majority of the people is not worth keeping. It is a kind

of racket; it is a trick of the minority to keep the majority dominated; and it should be dismantled.

Professor Morton Grodzins: I think it is a great error (and I think I may have detected this error in some of the things that have been said) to reject a useful political form just because it may have been associated in the past with formerly dominating governments or formerly evil ideas. Specifically, with respect to federalism, the Dutch imposed a federal system in Indonesia after World War II, clearly as a means of perpetuating Dutch control in those islands. This federalism was smashed as a consequence of independence movements, and nothing has been created to take its place.

It is quite clear from Mr. Clifford Geertz' published and unpublished accounts that the reason federalism is no longer possible in Indonesia is because of the "air" or "odor" it has taken on as a consequence of the Dutch use of this device. Clearly, federalization is the most feasible kind of government for Indonesia if it is to have a viable government now, yet the people of Indonesia are blocked off from the use of this device simply because of the odor it carries from past times.

Sir Robert Tredgold: I was very impressed by the paper of our friend, Herbert Chitepo, and I think that, in the main, he has admirably stated the situation in Central Africa. But in one respect I emphatically contest what he has said, and that is the suggestion that the Central African Federation of the Rhodesias and Nyasaland was intended to extend or perpetuate minority rule. I would accept the fact that it worked out rather in that direction, but I believe that to have been due to subsequent events. This is a very important point, because, as I see it, the crux of the situation is that federation was not the proper constitutional device for dealing with the situation as it existed, and it was the misconception of the purpose of federation that has caused consequences to follow which were not intended. I believe that it is demonstrable that in point of fact it was not the intention of the Federation to establish firm minority rule.

In the first place, it must be remembered that the Federation was not negotiated by a Conservative Government in the United Kingdom; it was negotiated by a Socialist Government. Although the final rubber stamp was put on the agreement by the Conservative Government, the negotiations were, to all intents and purposes, complete before the Socialist Government fell.

Second, the majority of the settler population at the time of fed-

eration was in Southern Rhodesia, and Southern Rhodesia, despite certain difficulties of an economic nature, to which Herbert Chitepo has referred, was moving steadily forward toward Dominion status. In the two northern territories, a liberal policy was attaining acceptance under the influence of the colonial office, which had the government in its hands. In Southern Rhodesia, there was a more reactionary attitude. But I think that almost any Southern Rhodesian who had any intelligence must have realized that association with the two northern territories would have the effect, in some measure, of liberalizing their own policy.

As I see it, when three countries which are associated in some way think of joining together in some closer form of union, there are two simple questions to be asked. One is: Is there a real community of interests that dictates this? And the other is: Is the federal form best in the circumstances, or is some other form better?

In Central Africa the three territories are economically interdependent to a very large extent. I know that the economists do not accept the view that the Federation necessarily is a good thing from an economic point of view, and I would accept that insofar as mere size goes, but the difficulty about these three territories was the imbalance of their economies.

Southern Rhodesia has a reasonably well-balanced economy, with mining, agriculture, and secondary industries. All these have developed, more or less, to an equal degree, but Southern Rhodesia is dependent upon the other territories for labor in its industries. Northern Rhodesia is by far the richest of the territories, but all its eggs are in one basket, a copper basket, and its position is one of some economic uncertainty, utterly dependent upon this one commodity. Nyasaland is very beautiful, but it is also very poor. Apart from a fairly considerable tea industry, its agriculture is largely on a subsistence basis. The country's most valuable commodity is its manpower, and, to a very considerable extent, it is dependent upon Southern Rhodesia for employment.

Thus, the three territories are all very closely linked. Over the years, common institutions had grown up quite spontaneously, and that is interesting since it indicates that there was a need for association between them. The railway system of the two Rhodesias was the same. The air communications of Rhodesia and Nyasaland were under one corporation. There was a joint Appeal Court. At one time the three governors met periodically to settle matters of mutual interest, and then a more formal body, the Central African Council, was set up. I don't want to go into detail, but all these were indications of a very close common interest among these countries.

When it was decided that they should be joined together in some form of association, the idea behind the adoption of the federal system was that it would preserve the different policies in the territories — the more liberal policies established by the Colonial Office in the northern territories and the more reactionary policy in Southern Rhodesia. But that was a very superficial view, because, in point of fact, the conflict of interests that created the problem in the joining of these territories was what has been aptly described as a horizontal and not a vertical conflict. The principal conflict of interests was between the white minority and the black majority, and that was not localized in any territory; it prevailed throughout the territories, to a greater or lesser degree.

In this connection, we ought to look beyond the black-white conflict of interests to another which may very easily arise in the future — that is to say, the possibility of a tribal conflict of interests. This conflict, too, is horizontal, and it cuts across all the territories. A little while ago, as larger nations go, it would have been possible to divide the Federation into fairly homogeneous states of a purely African tribal basis, but by today the population has been so dispersed and intermingled that this would be quite out of the question.

In my opinion, the key to the whole position lies in a passage from Professor Carnell's article:

Secondly, it would be generally conceded that federalism is an attempted solution to territorial rather than racial conflicts of interest. It endeavours to square unity with diversity, but it can only do so on the supposition that the major diversities are territorially expressed. If the major diversities have no inclusive territorial base but traverse the whole society in the form of racial or communal conflict between intermingled communities, it is extremely doubtful if federalism can serve any useful purpose.¹

He then makes specific reference to the Central African Federation.

My thesis, then, is briefly this: The cardinal mistake that was made at the time the Federation was created was the conclusion that the federal system was the remedy for the difficulty that confronted the three territories. But the makers of the constitution were mesmerized by the idea that a federation was the answer to their problems, and they lost sight of other constitutional devices by which it is possible to make provision for these conflicting interests, even when they are horizontal. There are such things as a bill of rights, a second chamber constituted on a different basis from the

¹ Carnell, "Political Implications of Federalism in New States," in *Federalism and Economic Growth*, ed. Hicks, pp. 16, 22-23 (1961).

first, special positions with regard to franchise, and so forth. Federation was certainly not the answer.

I do not know whether the Federation can be preserved. I agree with everybody that it is in very grave jeopardy, and the chances of its survival are not great, but I do believe that there is a tremendous economic reason for its continuance. I firmly believe that there will have to be a new approach if the Federation is to be saved. These other methods, which are not necessarily inconsistent with the Federation, can exist in a unitary system or in a federal system.

It may be necessary to go right back to the beginning and to reconstitute the whole of the federal Constitution, or it may be possible to introduce these other safeguards in a manner which will make the present system workable. But I think that is particularly relevant to the present discussions, because, after all, we are concerned here more with principles than with individual cases, and the only relevance of the Federation of the Rhodesias and Nyasaland is as an illustration of these principles. I do believe, however, that if there were an entirely fresh approach a way might be devised of preserving the Federation, which, I believe, would be in the interests of all its inhabitants. This is a point on which I should very much value the views of the other members of the symposium who come from my own country.

To my mind, the essential difference between the Union of South Africa and the Federation is that the majority of white inhabitants in the Federation now accept the fact that ultimately the African majority must rule. They are moving slowly and hesitantly in the right direction, and, although time is of the essence and the movement should be accelerated, the fact that they are moving in the right direction is the only hope that remains for the continuance of this political union.

Mr. R. S. Garfield Todd: In dealing with the question of motivation, Sir Robert Tredgold has pointed out the support of first the Labor Government and then the Conservative Government for the Federation in Central Africa. The interesting thing is that the Socialist Government thought there was a case for federation, and I think both Sir Robert and I are taking the line that, if the Socialist Government backed it, it must have had a moral basis.

We can go back still further, to 1938. To be sure, the Bledisloe Commission dismissed the possibility of a federation in one paragraph, simply on the basis that there was too big a difference in the degrees of development of the constitutional positions of the

three territories. But they did not dismiss the possibility of amalgamation in one paragraph. In fact, the Commission went on to say that at some future time there should be an amalgamation of these three territories, but at that time they were undeveloped; there would have to be a much stronger economic basis; there was not a big enough reservoir of people with experience for the development of self-government; and there was quite a difference in African policy among the three territories. As far as the European people were concerned, no one wanted federation in Central Africa. And the Africans did not want either federation or amalgamation. The British Government was the power that forced the idea of federation.

But 1938 passed and 1953 came along before we got our federation, and in that time there were very big changes in Central Africa. The whole economic situation had changed. In the four-year-period before federation, Southern Rhodesia's national income had jumped by 60 per cent and Northern Rhodesia's by 125 per cent. Where in 1938 there had been ten million pounds of copper from Northern Rhodesia, by 1950 there were thirty million pounds.

Mr. Chitepo points out that Southern Rhodesia's position was not so favored. In mineral production that was true; it had risen from only eight to twelve million. But in secondary industry the output had jumped from eight to forty-five million. The big weakness in Southern Rhodesia, which was not a weakness in Northern Rhodesia, was the serious adverse balance of payments. Southern Rhodesia imported about fifty-five million pounds while exporting thirty million, whereas Northern Rhodesia imported twenty-one million pounds and exported thirty-two million. And the bringing together of the two countries, especially as the copper exports of Northern Rhodesia increased, certainly was advantageous to both Southern Rhodesia and Nyasaland.

We are inclined, at the moment, to discount the economic advantages of a federation. I am not an economist. But I can hardly imagine that the fifty individual states of the United States would be as strong economically if they should separate as the fifty-state nation is today. In general terms, it seems that the economic situation is better where states can come together, especially when they are complementary to one another. At any rate, the Europeans in Central Africa did believe that bringing the states together would make for a better economic position, and in my opinion they were right.

I agree with Mr. Chitepo, and not so much with Sir Robert Tred-

gold, that a good many of the Europeans, and by that I mean more than half, believed that by bringing the three states together they would be able to maintain white dominance. This, of course, does not put the whole question of the Central African Federation rather outside the scope of classical federalism.

Sir Robert Tredgold was Chief Justice at the time and therefore would not have attended a number of the political meetings that I attended. I can remember quite well some of the statements that were made. For example, I remember it being pictured at one particular meeting how strong the European situation was in Central Africa. We had the bastion of the Union to the south of us. We had the unshakable Portuguese to the east and to the west of us. We had the Congo, and the Belgians knew better than anyone else how to run a colonial territory. A good many of my friends, even in the government in Southern Rhodesia, were forever citing the Congo and saying that this was the right thing. If you fed people and housed them right; if you saw that they had economic progress and kept from them all political powers; then you would have peace in your country. Admittedly, there was Bechuanaland on the one side, but we had already laid our formal claim to the northern section of Bechuanaland when that was to be divided up between the Union of South Africa and ourselves. That would take our border back to Southwest Africa which, being part of the Union of South Africa, was also unshakable.

Tanganyika was a big question mark, but fortunately it was the most backward of all the African territories that we knew, and it would certainly be a few centuries before the Tanganyikans would ever go forward to home rule. If we could get a satisfactory hold on the three territories in Central Africa, and could then legally exert our power there, the situation would be very strong — with the best possible motives, of course.

The Nyasaland problem was one about which there was not complete unanimity of opinion, because some thought that the only benefit from Nyasaland was its labor. This was very important, both to the Rhodesias and to the Union of South Africa, but it would also be a big responsibility. Nyasaland was also a small country, and, since the periphery was really quite satisfactory as far as we were concerned, we might as well leave Nyasaland to be supported by grants-in-aid from the British Government. But others pointed out that it would be much more sensible, and we would be much more secure, if Nyasaland were brought into the Federation. Otherwise,

there might come a day when we would have a black government on our borders, and of course this would be quite upsetting. To others it seemed that the black government would arrive within our borders — and within nine years.

Mr. Chitepo suggests in his paper that really you can explain all of this by the Afrikaner background of a section of our European people. I am not quite sure that the whole truth lies there. In the first place, only one third of our Europeans come from the Union of South Africa, and two thirds come largely from the United Kingdom. In the second place, this is not so much something peculiar to the Afrikaners as something peculiar to frail humanity. When people from any country are brought together and given the opportunity of a standard of living which is unnaturally high, based on a big population which has no political rights and whose standard of living is kept extraordinarily low, and if that small governing group has all the political power, it is not necessary to have an Afrikaner background for the people to act in a certain way. It seems natural and very understandable that the European people, wherever they came from, have acted in this way in Central Africa. In fact, we have been placed, as Europeans, in a most unfortunate situation where we really could hardly have acted differently. More than half our people would have been open to competition from Africans if Africans really had the opportunity of developing, and the unnaturally and un-economically high standard of living which unqualified people (Europeans) have enjoyed in Central Africa would be threatened immediately if the color bar were dispensed with.

So it was very human for us to act as we have acted, and we have been placed in an impossible situation. It is generally held that nobody is good enough to be the judge in his own cause. But we, a very small minority, have been made judges in our own cause.

This, then, has been our situation, but there were many of us who believed that, since we were deliberately going into an association with two almost entirely African territories, and we were deliberately altering our ratio of one white to fifteen Africans to one white to thirty-five Africans, it was quite obvious that the day would soon come when the African forces would be too great for us to stand against them. I was quite certain that that would happen, but I did not foresee the connivance of the British Government in the Federal Franchise Act and in other ways whereby they would actually negate the very principles on which the federal document was grounded.

In this way they were prepared to divide up the population of Central Africa into an "A" Roll and a "B" Roll — into first-class citizens and second-class citizens — and so, in 1957, to negate the terms (at least the preamble) of the federal agreement. The British Government believed at that time — according to Lord Home in his conversations — that this really would be something which the Africans would be happy to share in; that there would be 80,000 Africans who would come in on the "B" Roll and would exert a considerable influence. But what the federal government did not foresee (nor the British Government) was the fact that the Africans were not very happy about being second-class citizens in their own country, so that instead of 80,000, or even 50,000, getting onto the "B" Roll, there were only 800.

In Nyasaland, which has now moved forward so rapidly, there is also a "B" Roll system, but I think that was instituted to suit the federal government. The terms of the Roll, however, were such that the "A" Roll elected only eight members out of twenty-eight and the "B" Roll twenty; thus the "B" Roll was the important roll. Thus, we have got our African Government within the Federation; with the help, of course, of the British Government.

Now we are in serious trouble. As Sir Robert Tredgold says, there are a number of Europeans who are changing their views. Some of our leaders who used to speak in centuries are now believed to be thinking in decades, but the truth may (very unhappily for them) manifest itself in months. We have a bill of rights in Southern Rhodesia. It is suggested that this bill of rights might well be extended to include the four governments, and thus we might be able to save our Federation. But if it is the sort of bill of rights that we have got in Southern Rhodesia, then I do not think it would add up to very much, because our laws in Southern Rhodesia, including the Law and Order Maintenance Act, whose passage caused Sir Robert Tredgold to resign his Chief Justiceship, are not disturbed in any sense whatever by our bill of rights. If ever there were words that mean very little, here are words that mean nothing at all.

It appears to some of us in Central Africa that the Federation is something which in itself could have a great deal of benefit for us. After all, Dr. Banda, who has been the supposedly nationalistic extremist, par excellence, did not say that he does not believe in federation. On the contrary, and even in relationship to our own Federation in Central Africa, he has said, "Federation? Fine! Just give me three black Prime Ministers."

There is a lot of truth in this attitude that if the governments

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were governments of the people, and if the governments of the people had sat down to consider the creation of a federation, we might well have had a federation very similar to the one we have now. It would certainly have been based on a different type of franchise, but it might have been permanent. In the meantime, it looks to me as though perhaps the \$64,000 question in Central Africa today is: How can we unscramble the Federation?