

**CIVICS
FOR ALL
RHODESIANS**

L. M. N. HODSON

UNIVERSITY OF RHODESIA

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SPEC. COLL.

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by

L. M. N. HODSON

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*in recognition of Manfred Hodson's continued generous
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FOREWORD

by the Rev. Professor Robert Craig, D.D.,
Principal and Vice-Chancellor, The University of Rhodesia

The writer of **Civics For All Rhodesians** has various and strong claims on our attention. He has lived for 66 years in the country, has participated in its history and government, has reflected long and deeply concerning its future, and, above all, is wholly identified with its people—with “all Rhodesians”—in his concern for their progress and peace.

Two characteristics of the book and of its writer are outstanding and noteworthy.

First, it presents us with a properly balanced idealism and realism, an appeal to enlightened self-interest on the part of “all Rhodesians”. The book therefore presents the reader with a live alternative to both utopianism and cynicism.

Secondly the book has at its heart a rational and empirical premise in the conviction that “all Rhodesians” have a shared common humanity and a potential for responsible participation in government, which must be developed along two lines—education in the widest sense, and the possession of property, and perhaps particularly of land and of the facilities to develop it, which alone gives a man the awareness of having “a stake in the country”.

At this eleventh hour in Rhodesia’s history Dr. Hodson has written a book which, because of its sanity, urgency, hope and realism, has fair claim to be heeded by “all Rhodesians”.

BIOGRAPHY

The author, best known as Manfred Hodson, was born at Richmond, Natal and came, with his parents and three older brothers, in 1911 to the cattle ranch they established in Rhodesia, near Beatrice. He contributed over the years a number of articles to local and overseas journals, but this is his first book. He was educated at the Boys' High School, Salisbury, now Prince Edward, where he gained the Dux Prize for academic studies, and at the Universities of the Witwatersrand and (as an external student) South Africa. While at Wits he and many fellow students joined the Imperial Light Horse, and took part in the short campaign to suppress what was called the Red Revolution on the Rand.

He studied Civil Engineering for two years, changed to logic and law for a third, and completed his degree courses by private study while employed in the Civil Service in Rhodesia. In 1927 he married Iona Mackenzie, well-known for her painting in water colours. They have a daughter, two sons and nine grandchildren. He took up private practice as an advocate, was twice elected a City Councillor of Salisbury, and had letters patent as a Queen's Counsel granted to him in 1943, later becoming Leader of the Southern Rhodesian Bar. Also in 1943, after the fighting had moved on to Italy, he was seconded from territorial duties to be a legal officer in the British Military Administration in Cyrenaica. He was medically boarded out with post-dysenteric debility, and given a disability pension until he recovered. In 1945, with about fifteen friends, he initiated the movement to establish a University to serve Southern Rhodesia and neighbouring territories, sparked off by the offer of the late Mr J. F. Kapnek, C.B.E., of £20,000, later increased to £30,000. He continued with this work for thirteen years, for the last four of which he was the first Chairman of Council of the University College of Rhodesia and Nyasaland. For the sixteen years from 1946 to 1962 he was a Member of Parliament, first in Southern Rhodesia's Legislative Assembly, where he became a Deputy Speaker, and then in the Federal Assembly of the Federation of Rhodesia and Nyasaland. He has travelled in several European and African countries and in Western Australia. He was awarded an O.B.E. (1953), created a C.M.G. (1958) holds the Coronation Medal and is an honorary Doctor of Law of the University of Rhodesia (1975). He has been a widower since 1972.

CIVICS FOR ALL RHODESIANS

PREFACE

A salient fact of this planet has been, from earliest times, the wandering of its peoples from place to place, with little or no regard for any claim by the first occupants of an area that they are entitled, as its pioneers, to be left alone to work out their own destiny. The stronger have taken the possessions of the weaker, always against the will of the latter. Sometimes the changes brought by the conquerors have been intolerable, as where some tribes of Red Indians became extinct in the face of European incursions into the Americas. Sometimes the shifting of populations has, in the long run, brought considerable benefits to the conquered, as in the case of most of the Roman invasions. Whatever these broad consequences may have been, their history cannot be reversed. Even successful revolts do not completely restore the original organisation and set of customs. A fusion, though never complete, sometimes occurs, as when, after two or three centuries of Roman overlordship, leading Ancient Britons were proud to call themselves Roman citizens.

In Rhodesia, an invasion took place little more than eighty years ago, and no amount of nostalgia can ever make the country what it was before that event, nor does any thinking person wish for a return to internecine tribal conflict. Much of what is new is valued by the indigenous peoples. There is, however, discontent over the slowness of the coming of equal opportunity for all. This combined with the prevalence of racial prejudice, is erecting obstacles against the unity necessary for the future strength of the country. There is insufficient realisation among the newcomers that the education they have brought has implanted new aspirations.

At the same time, although the members of all races are keen to gain an insight into the accumulated knowledge and wisdom which have brought some degree of internal harmony to the leading democracies, any special attention to this important branch of learning, however objective, tends, in the present period of change, to arouse suspicions that the narrow, controversial tenets of party politics are being introduced into the classroom.

People, however, are not born with a knowledge of civics, and in no department of study is there a greater need for intercommunication and mutual understanding. At present what seems elementary to one race is in need of explanation to another. The study of civics shows that there are far more shared experiences and common beliefs than are allowed for in uninformed discussions. A base for the unity we must establish exists, and anyone who has taken any part in public affairs in this country is under the obligation to reveal what he has discovered about that base, even if only as an introduction to deeper study.

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Chapter 1

Introductory Chapter

Civics is a social study dealing with the duties of a good citizen in an organised society and with the means to maintain and improve the civic rights enjoyed by the whole body of citizens. It describes existing institutions and the history of their growth up to the present, whether they were established by law (e.g. the Post Office, the joint stock company) or arose mainly from voluntary effort (e.g. sport, youth organisations, the Press), and it takes account of the social trends and changes which continually occur when the society is not moribund. Thus it does not regard all institutions as immutable, but as part of a dynamic process affecting the lives of the citizens (e.g. through the speeding up of communications, or mechanisation in industry or agriculture). It cultivates loyalty to the best in the past but adopts an attitude of constructive criticism, not hesitating to find, if necessary, that a particular institution was mistaken from the start or that it has outlived its usefulness, and seeking to explain away the misconceptions and contradictions that often arise in the minds of many well-meaning but muddled persons. It therefore covers a wide field, and a small book must try to make a selection from the available material which will be typical rather than comprehensive.

A good citizen may be a labourer or a priest, a private soldier or a general, a clerk or a scientist, a surveyor of soil conservation contour ridges or a poet, and serve society in one or more of these or countless other capacities. Civics is especially interested in activities which increase the opportunities of every man to give of his best; clearly, therefore, it is one of those studies which make value judgments, have an ethical background and attempt to compose a picture of society as a whole, resembling in these respects political or social philosophy.

The rest of this chapter will enlarge upon the above description of our subject.

One dictionary definition of civics says that it is the science of citizenship, but this is only acceptable if one adopts for "science" an unusually extended meaning, synonymous with the whole of our knowledge and wisdom, including philosophy and history, although such subjects, by their nature, deal with much that cannot be measured and include many opinions, as opposed to facts capable of proof. Such an extended meaning for "science" is sometimes found but will not be adopted here. What the great philosophers have thought, what people have done during periods of progress or retrogression, and what laws they have made to regulate their own conduct, cannot be satisfactorily studied without the ascribing of values, the making of choices between good and bad and

the discussion of varying opinions, all of which to some extent civics has to do. The usual use of "science" refers to studies or a study which discovers rules of universal application to natural phenomena and does not concern itself to say whether they are good or bad, although, of course, lines of research, for example in ecology and the medical sciences, are usually prompted by ethical considerations. Again, the true sciences are highly specialised, so much so that each tends to develop its own concepts and language, whereas a subject like civics is very generalised. It is heavily indebted to the findings of the scientists, arrived at by analytic methods, but seeks a synthesis or putting together of their total effects, whereas true science is so specialised that it can hardly be said that there is any such thing as a science of the whole universe. It is only the philosopher of the scientific world who tries to find one, and he is not necessarily a scientist at all.

Sometimes the term "social sciences" is applied to studies where the phenomena examined are human relationships, as in economics, sociology, social anthropology and many more. These usefully employ the objective, analytic, observational and testing methods of sciences such as physics, biology or astronomy, but do not attain the same degree of certainty and universality. They have many imponderables. Perhaps it is better to refer to each by its own specific name rather than to give them a group name.

There are wide variations of opinion as to what the rights and duties of a citizen are among the governments of different countries, among persons who lived at different periods in the history of the same country and even among contemporary thinkers in the same country. In small primitive societies, bound by family ties, the life of the individual may be so absorbed in that of the community that the fruits of the chase or of tilling the soil are contributed as a matter of course to the common stock. Stability is preserved and anarchy avoided by the rigid observance of ceremonies and ritual at all important family events and economic activities, usually presided over by a headman in consultation with the other elders; seniority is highly respected. Social change is regarded with suspicion, but slow advances take place in the making of tools, pottery and weapons and also in agriculture and sometimes in mining and metal-working. Good fortune and disasters are usually explained by attributing them to the intervention of spirits. The ordinary person's civic duties consist mainly in following the lead of the elders and in conforming to a quite complicated traditional pattern of ceremony at every important stage of his life. Every society, however advanced it may now be, has at some stage had this kind of organisation, and it is a mistake to assume, as is sometimes assumed in Rhodesia, that any tribe in process of moving on to a more varied and fuller way of life will be happier if turned back to its old customs, especially when the original structure of chief and elders has already been basically

altered by the taking away from it of grave decisions such as when to go to war or to move the tribe to a new abode.

At the same time, every change away from the primitive life style does not give man a better life than he had before. To do so, it must give the citizen better access to what the American Declaration of Independence called the inalienable rights to Life, Liberty and the Pursuit of Happiness. These three must go together. It is not enough to attend only to the preservation of life by preventing starvation and lessening the chances that people will meet violent deaths. That is a first requirement, no doubt, and it is also commendable to bring about a state of affairs in which all have an equal opportunity to satisfy their material needs, so that distribution of available wealth is not marked by fantastic gulfs between the richest and the poorest, provided that we realise that not all will make equal use of their opportunities and that a man who has enough does not have much of a grievance if his neighbour has a good deal more. If all incentive to compete in the market place is removed, there is likely to be less wealth to be taxed for the benefit of the whole community, whether socialism or capitalism rules the roost, but the point here is that, whatever method be adopted to satisfy man's material wants, he cannot reach his full potential under any system which fails to cultivate the freedoms for which he instinctively longs, or which dethrones God and suppresses any form of spirituality, or places shackles on freedom of movement, of self-expression, of association with other human beings, of ownership of what a man has earned, of choice of work, or of the adoption by the people of methods whereby they may from time to time peacefully exchange their rulers for others more to their liking, all subject to the limitation that what the citizen does is not the cause of harm to his fellows. This incomplete and abbreviated outline of how men want to be governed has been expanded in many famous books.

It will be seen that the part about adopting methods whereby rulers may be replaced from time to time in a peaceful way visualises the existence of a democracy.

But it is not every sort of democracy that is admirable, and it is highly important to reject at once the kind which assumes that all will be well if only the mass of the people, regardless of how wise or foolish they may be, can decide from day to day everything that has to be done. Decrees made by a popular assembly without regard to any existing laws can bring extreme instability and misery and be as tyrannical and unjust as the decrees of the worst despot. As Aristotle puts it in his **Politics** IV, 4 (J. A. Sinclair's translation) "the monarchical demos now under discussion, not being controlled by laws, aims at absolute power and becomes like a despot, giving promotion and honour to those who curry its favour." Plato in chapter VIII of his **Republic**, has a long passage describing the steps by which such a democracy is inevit-

ably replaced by a tyranny in which one man transforms extreme licence and disorder into slavery, with himself as slave master, ruling by fear.

It is not mob rule which we aim at and have in mind when we speak to-day of democracy, but the mixed form of constitution referred to by James Harrington (1611-1677) where he writes: "The corruption of monarchy is called tyranny: that of aristocracy, oligarchy, and that of democracy, anarchy. But legislators, having found these three governments at best to be naught, have invented another, consisting of a mixture of them all, which only is good. This is the doctrine of the ancients."

In the leading modern democracies we can distinguish a head of state, such as the hereditary monarch of the United Kingdom, or a president, as in France, chosen by some special method of appointment. Then there is an upper chamber or senate, representing the aristocratic element. In Britain's House of Lords the hereditary principle plays a large part in the appointment of members. Younger recruits to the democratic club devise their own methods of filling their upper houses, but all try to introduce the stabilising influence of a body of sufficient age and experience to preserve long-established and valuable laws and traditions. The lower chamber or House of Assembly or House of Commons, elected directly by the people by secret ballot, represents the purely democratic element.

There is nowhere a faultless specimen of democracy. Human institutions, being human, do not attain perfection, but the good citizen gives loyal support to the best approximations to the ideal which can be seen in his own country, at the same time as he critically examines their shortcomings, even if he has to conclude that the country cannot yet claim to be a true democracy at all and must be called by some other name.

Once the election that we shall have democracy is made, we find that the broadest civic principles resemble those of the other democracies, though there will be differences in detail like those which distinguish the other democracies from one another.

We do not want a dictatorship. The Facist and Nazi varieties of that need no discussion, since they were their own undoing. The Communist system uses the phrase "dictatorship of the proletariat", by which is meant, apparently, that the lowest paid workers, who number more than any other class and who, under the Czar, had few rights, are, willy nilly, to be represented by a dictator, who will see to it, on their behalf, that a "classless society" comes about at some future date, whereupon, in some mysterious way that I do not understand, the State will "wither away", because all men will have abandoned thoughts of private gain and will be so devoted to the common good that they will not need a state to exercise any control over them. Meanwhile they are engaged in a ceaseless class warfare. In addition to the

dictator, there is what is called "the Party", of which the dictator is the head, consisting of a small proportion of the population who have distinguished themselves in one way or another. There is only one party, and one may vote for lists of candidates for the supreme Soviet and the provincial Soviets or Republics, but the general population has no hand in framing the lists. The general structure seems to be oligarchical (government by a few) rather than purely dictatorial. Ordinary people do not participate through their representatives in the framing of broad policies, though I gather they may be consulted on questions of method in the factory or communal farm. Obedience to their rulers is their main civic duty. There is a great deal more to it than that, but enough has been said to show that this is not democracy, as understood in the West, nor is the freedom of the individual regarded as worth much attention, the argument being that Western pattern democracy gives freedom only to the wealthy, which is not true to-day, whatever elements of truth it may have had in the state of extreme worker poverty and lack of general education at the time of the Industrial Revolution in England. And nothing approaching the Soviets' wholesale liquidation of persons disagreeing with governmental theories ever occurred there.

There are, of course, other kinds of oligarchy, one of which we shall be considering later, which do not meet democratic requirements.

Some features of what we now regard as democracy originated in comparatively recent times, e.g. the outlawing last century of slavery. The Rule of Law (not to be confused with law and order) came into its own in modern times with Magna Carta (1215 A.D.), before England was a democracy.

Briefly, it lays down that no ruler is free to rule in an arbitrary manner. He may not interfere with the freedom or the property of an individual subject save in accordance with the law of the land and in accordance with the processes of law which have been duly laid down.

Next we have to observe that some of the thought of the Ancient Greek statesman, Pericles, who lived about 2,300 years ago, can be paraphrased in the form of words we often hear in Rhodesia to-day "Progress on merit," and, in the same century, the Hebrew prophet Malachi asked the questions "Have we not all one father? hath not one God created us?". These thoughts of Pericles and Malachi are firmly embedded in the Western world's present view of democracy.

Coming nearer to our own time, Churchill said, wittily, "Democracy is the worst form of government, *except for all the others.*" Rhodes said "Equal rights for all civilised men south of the Zambesi," and his British South Africa Company laid down in Southern Rhodesia's first electoral law, of 1898, that every male adult, regardless of race, who was a British subject or had taken an oath of allegiance to the Queen and of permanent residence

would be entitled to vote for members of the Legislative Council if he could sign his name, write his address and occupation and earn £50 a year. Those were the principal requirements. There were other qualifications. Of course, the Company's Legislative Council was advisory. The Company actually ruled, but it gradually increased the proportion of elected to nominated members on the Council until Responsible Government became feasible in 1923. Though the qualifications were later heightened, the simple principle that everyone should be qualified in the same way persisted until 1961, when more complicated laws were introduced during the period of the Federation of Rhodesia and Nyasaland. But more of that later.

The reader will have noticed that, in the best examples of modern democracy, for example, in alphabetical order, those of Australia, Canada, France, Holland, Israel, Norway, Switzerland, the United Kingdom, the United States and West Germany, the main beliefs held have been accumulated over very many centuries. Many of them are ageless and timeless, and are as well stated in ancient writings as they are ever likely to be, though some are of more recent adoption. Though political philosophy and religion are not identical, they both, at their best, are ethical, and productive of ethical principles, so that any political system which deprives itself of religion is by that much the poorer.

Thus, when Holy Writ tells us that "a house divided against itself cannot stand", this can be and is invoked by politics in the establishment of its claim that the maximum of unity in the main aspirations of a country's people in their public affairs must be attained, notwithstanding the real difficulties which arise in countries such as those of Southern Africa owing to historical differences among the various communities inhabiting them. One's sympathies can be aroused by the view that a long-established tribal organisation should not have democracy ruthlessly imposed upon it, but what is the position when that organisation has already been profoundly disturbed, both in its political and its economic aspects, and when education has implanted a respect for democracy and a desire for modernity among the best-educated? How far does democracy have to upset the surviving domestic customs which do not form a part of public affairs? These are very practical considerations which will receive detailed examination later.

A favourite argument of many would-be innovators is that newly independent African states do not make a success of democracy, but one does not abandon something good because it has failed elsewhere, and Africa is not the only continent where failures have been witnessed. Britain herself took centuries to attain fully representative democracy, and may now have gone too far in removing all qualifications for the vote. Rhodesia can be a leader in Africa for various reasons, including the facts that modern

communications have enabled progress to be much faster than of old; the Africans, through their Councils established in 1937, have gained considerable experience of democratic methods; and, perhaps most important, they have for a long time had in their midst Europeans permanently settled here, whose democratic methods, employed among themselves, have provided an object lesson in the success of those methods in the economic and other fields. Few other African countries had all those advantages, and the Belgians in the Congo and the Portuguese in their territories did not even give a vote for a central Parliament to their fellow-countrymen living there.

There are few constitutional experts in the world. They are statesmen or writers whose speeches or writings have given them a world wide reputation. We should avoid appointing ourselves experts and spend more time on the works of those who are, realising that democracy began its slow growth long before there was a Westminster. The true experts make a blend of the old and the new, and do not start afresh each time there is a big problem.

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A Guide for the Perplexed

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Basic Forms of Government

Encyclopaedia Britannica, Section on Science

Republic

Politics

Model or Ally? The Communist powers and the Developing Countries

Chapter 2.

Old Africa and the Gathering Momentum of Change in Rhodesia.

In the introductory chapter we have seen that there are philosophical and historical elements in civics. On the philosophical side, it could be called simplified politics or political philosophy were it not for two recent developments, i.e. that, since the days of the Ancient Greeks, many studies with new names, including social anthropology and sociology, have hived off from the centre to constitute independent disciplines, leaving political philosophy much narrowed down to the questions of the ethical reasons for man's obedience to rulers and the right of rulers to command; secondly, politics, as a philosophy, has become much confused in the public mind with party politics, as a scramble for power concerned with controversial and short-term issues, not always remarkable for the dignity of its methods. The name "civics" can retain a high degree of generality and can avoid the confusion just mentioned.

On the historical side, as the late Karl Jaspers put it, "without history our minds cannot breathe". Only through attention to history can we begin to understand that a country where different cultures are meeting is not the scene of irreconcilable conflict between ways of life springing from utterly unconnected roots but the outcome of human experiences that have a great deal in common. It is a question of stages reached in the broadening of horizons. Physical obstacles have delayed this process more in one area than another. It is true that genius appears to flower better in one area than another, but this is largely due to a less harsh environment in which beneficial changes, once begun, have not been weighted down and obstructed by physical obstacles including difficulties of intercommunication so that they could not speedily interact and aid one another to develop a high momentum.

Not all change has been for the good of humanity, of course, as the atom bomb and pollution remind us, but, if we confine ourselves for the moment to the broadening of horizons, we can see value in that, and the historical view can convince us of the adaptability of those who may have been left behind. There is no need to give way to despair and go in for perpetual separation when so many peoples formerly classified as barbarians have in time taken the lead. We may well find that there are more similarities between the different cultures of Rhodesia than we at first suspected.

It is proper to begin with Africa, the scene of our enquiry.

It is sometimes said that history only begins with written records or that Africa south of the Sahara had no history before the coming of its Arab or European invaders and no development

of its own. Professor H. R. Trevor-Roper is on record as saying that it only had "the unrewarding gyrations of barbarous tribes." But even when written records exist and are of prime importance to history they are usually supplemented by archaeological, ethnological, anthropological, linguistic and other researches, which fill in many gaps in the writings. Where there is no understandable writing, as in Britain before the Roman invasion, such researches provide the main sources from which we gain what knowledge we have of how men lived in a Stone Age, a Bronze Age or an early Iron Age, and such knowledge is included in modern works on ancient history. Oral traditions, too, have a place in the building up of history. They have to be checked and tested to see whether they have distorted the story by guesswork or by some narrator's wish to glorify a dynasty or to exaggerate the good qualities of his tribe, but written records are not without a similar fallibility. Furthermore, a great deal of the early history of Europe and Asia, just as much as that of Africa south of the Sahara, tells of the ceaseless gyrations and conflicts of barbarous and unlettered tribes.

If it is important to find out about the Celtic tribes of Britain, who lived in clusters of round single-roomed huts, and engaged in subsistence farming, and were continually fighting one another, it is no less important for us to press back into the past of Africa, where there are relics, in our own part of the continent, of a Stone Age and of an Iron and Copper Age.

Yet it is only since the Second World War that this has been widely regarded as right. Before then historians, with a few notable Portuguese, Arab, British and French exceptions, had concentrated almost entirely upon the history of the foreign invasions. We are fortunate to live at the beginnings of deeper explorations and in a country which is the site of Zimbabwe, the greatest relic of past glories to be found in sub-Saharan Africa. As in the case of England's Stonehenge, the last word has not yet been spoken on its purposes and its origins, but the consensus of informed research into the three main layers uncovered in the excavations, and the comparisons with artefacts found near Lake Kisale in Katanga that are not associated with imported articles, are among many clues that support a Bantu origin. See the chapter on Historians and Central Africa by Dr. R. Grey in *Africa Discovers Her Past*, edited by D. Fag-e, where attention is also drawn to the researches of Professor Guthrie, whose conclusion it is that the savannah country between Zaire and the Transvaal produced the parent of all the Bantu languages. This seems not unlike the outward spread of the Indo-European languages from the plains of Hungary and the Ukraine.

While writing is, of course, of immense value not only to the historian but also as an instrument for speeding the growth of civilisation, we should not forget that the emergence of speech is

a preceding step of even greater importance. As Charles Bullock points out in *The Mashona and the Matabele*, language is an integral part of culture, and he gives the results of his own and other observers' studies on the well-developed grammatical structure, large vocabulary and expressiveness and flexibility of the Shona languages, with their extensive and fairly scientific classifications of botanical and zoological material and their capacity to express religious thought and to evolve vivid idiom.

Before we go on to mention other advances that were made by Africans unaided, we must remind ourselves of the factors that led to uneven progress in various parts of the world, so that to-day it is customary to speak of developed and underdeveloped countries.

1. Up to a certain point in the advance of *homo sapiens*, except in small pockets where he was held back by a terribly harsh environment, there was not much to choose between the stages reached in Europe, Asia and Africa. Then those people who were settled in certain fertile river valleys in Mesopotamia, Egypt, and China and India found their surroundings so favourable to the support of human life that they had time to think of a host of activities beyond what were needful for bare survival. Advance was greatly accelerated.

2. The spread of civilisations depended largely on the accessibility of neighbouring areas to the communications possible in those early times. Some regions could be fairly easily reached by the ships, camel caravans and armies of those days, motives for expansion being provided by desires to explore, to trade and to conquer, but sub-Saharan Africa was isolated from most of this movement. The Sahara Desert was a formidable barrier. Arabs and Chinese made some trading contacts by sea with the East Coast, but by far the greater part of the interior remained isolated by dense forests, arid plains, dangerous wild animals, tropical diseases, and perhaps most of all, by the absence of inlets from the sea or navigable rivers. The upper reaches of the White Nile, which might otherwise have opened the way, were obstructed by impenetrable masses of floating vegetable matter, known as sudd. Many high mountain ranges and the enormous distances to be travelled by narrow footpaths, combined with the hostility of many of the tribes, added further obstacles in the early times when civilisation was making giant strides among the much more accessible countries bordering on the Mediterranean. At a later stage, caravan routes across the Sahara to West Africa brought Muslim culture to some parts of that region. Still later, the eastern parts of Africa were the goals of Arab and Portuguese expeditions, in search of gold or slaves, but these contacts with the great land masses of the interior were mostly of a transient kind, doing little to lead the people towards the civilisations which were evolving in the more hospitable areas of the known world. This prolonged

isolation was undoubtedly a prime factor in giving the major part of Africa a late start in its development.

3. When at last contacts became more frequent, they were marred for centuries by the abduction of African slaves. The superiority of the arms used by the Arab and European plunderers made the people almost helpless against this nefarious traffic, and a dreadful chapter in European history was opened when slaves in their millions were exported to work in the plantations of the Americas. Powerful African chiefs collaborated with the European slavers to share in the profits by selling captives secured in local wars. When slavery was outlawed in the first half of the nineteenth century, it was only after a long period during which European civilisation, far from bringing the natives of Africa forward on the paths of civilisation, had exercised a malevolent and disruptive influence, accompanied by a tendency, still apparent in some quarters, to blame Africa for not progressing faster, when, but for the efforts of a few brave missionaries, the benefits she could reasonably have expected from the influences of an advanced civilisation had been denied her. Fortunately Rhodesia, less troubled by the unpleasant exploits of the slavers than other countries of Africa, has fewer bitter memories, and is in a good position to lead the way to a fruitful co-operation, provided civic responsibilities are known and accepted among all our naturally genial peoples.

Returning to developments within Africa, achieved without outside help, we know that there was a gradual improvement of Stone Age tools and weapons, followed by an age when tools and weapons of a high finish were made of iron or of copper. Prospecting and mining for these metals and for gold were skilfully carried on. Huge iron axes were made with which elephants were hamstrung. On the banks of the Zambezi, one may still come across, in use to this day, superbly made fish spears, of which the blades are barbed for their whole length. This native mining and manufacturing is no longer done. Imported articles are bought at trading stores, or metal requirements originate in European-controlled industries, where mass-production is efficiently and economically performed. We can see, however, that mining and mechanical skills, with their accompanying inventive and managerial genius, existed and exhibited original craftsmanship of no mean order. There is no reason to suppose that, left alone, they would not have evolved to higher levels, or that the descendants of these craftsmen, introduced to modern factories, will not play a part in future technical advances.

In social organisation, which comes closer to our study of the rights and duties of a citizen, the social anthropologists, since they began their systematic researches about ninety years ago, have taught us how institutions very different from those of Europe

have for a long time successfully supported human communities in various parts of the world. Family laws and customs persist strongly, while commercial laws, when modernity makes an impact, more readily give way to the rules evolved in the wider trading experience of the more advanced countries. Individual ownership of land is not readily accepted after centuries during which land has not been regarded as capable of private ownership, but population explosions make land less plentiful. Structures placed upon it are taking a more permanent form. The real value of a holding worked by a careful cultivator is being better appreciated. The individual who is required to give security in order to obtain an agricultural loan finds that communal tenure has insufficient certainty for money lenders. All these factors demand early legal reforms to make individual ownership the rule and not the exception. The mere fact that there is now a state in place of a congeries of tribal holdings is another force for change. It cannot be claimed that modern developments are better than the old practices, but the commonest features of landholding in the more developed countries are bound to come with general local development. Reforms in commercial law and landholding can be adopted by all without the need to interfere with anyone's more intimate social rules and conventions. It is the duty of a citizen to encourage and assist in the conservation of natural resources and to bring this to a higher standard than was seen in old Africa, but that in no way interferes with the custom of paying **rowora** or bride price in respect of a wife: in fact it may make it easier to accumulate the **rowora**. The duty of a citizen to take part in the defence of the country against attack, in conjunction with people of other races, is much the same as the older duty to defend the tribal boundaries against raids by other tribes. The African's extended family, with its obligations towards a wider circle of relatives than in the more limited European concept of the family may in time be narrowed, as orphanages, old age pensions and old people's homes become more common, but the extended family exhibits some points of superiority over those impersonal institutions. Whether a new scheme is adopted, whereby the head of the extended family is assisted, does not affect the general duty of the citizens to see to it that the helpless are looked after.

Everywhere social customs undergo change, and these may go in different directions among different peoples living in the same country, but, since change there must be, it is a mistake to assume that any one section of the populace is going to remain so stationary that it must be perpetually separated off from others, to be organised to enjoy different civic rights and perform different civic duties compared with the others. Peoples living

side by side have a natural tendency to interact and to adopt similar views of citizenship. Different family customs or even religions do not imply distinctions in the broad field of citizenship. If such distinctions are made, they make for expensive administration. On a higher plane, they militate against the countrywide unity that a citizen is bound to support and foster. They weaken the country.

Unpleasant superstitions such as the killing of twins and proof by ordeal of boiling water and the fear they brought were common among all primitive peoples, but they are well on the way to being rooted out in the Rhodesia of to-day, and must not be confused with African religion, which has regard for a supreme Being. Many Africans have adopted Christianity. Some make a blend of their beliefs with Christianity, to produce what may be regarded as a heresy by European sectarians, but, as the adherents of different European sects are not without conflict, among themselves yet may all succeed in being good citizens, the important point here is that Rhodesia has so far escaped the evils of sectarian violence and should be able to continue to do so.

It is a duty of a citizen to respect the central core of the African's religion, even though he thinks his own when different is better. This we call freedom of worship, which, incidentally, does not interfere with the right of religious leaders to make converts to their own beliefs.

Similarly, the art and folklore of the Africans form a part of the heritage of Rhodesia, and the citizen has a duty to preserve and help to cultivate them.

Africa had its despots in the past, but usually the institution of chieftainship, involving consultation with the elders of the tribe, where all present talked themselves into agreement instead of voting, contained more than the mere germ of democracy. Already it is undergoing modification in the African Councils, which have a proportion of elected members, sitting with traditional leaders. Some avowed European democrats place less reliance upon the open discussion which is at the heart of true democracy, and are more secretive. Anyway Lord Lugard's indirect rule, which saved the British Treasury much expenditure, especially in West Africa, has, in the long run, created so much inter-tribal conflict, especially in Nigeria, that it has now been seen to be an expedient of doubtful value. In fact N. U. Akpan has written a book called *Epitaph to Indirect Rule*. We can confidently assert that the transition of all Rhodesia's people to modern statehood, in which local governments perform only such functions as are assigned to them by the central government, provides the obvious niche into which the chiefs and their councils fall and always have fallen under existing legislation. The chiefs may be likened to the country squires who were rather more prominent at a slightly earlier stage of English history. They have strong local roots, but to make them

into heads of little states, exercising, in a confederation like that of old Germany, functions which must be exercised by the central government of a unitary state is to court needless division and disaster, as can be so clearly seen in the story of Nigeria since its independence. The former powers of the chiefs in Rhodesia have already been so severely pruned that what they do now is merely ancillary to local government. The administrative changes brought by the European invasion make it impossible to restore to them all the decision-making which formerly fell within their province. Efforts to improve their status must, under modern democracy in a unitary state, lie in the direction of encouraging them to provide, in the Senate, part of the aristocratic element, and not in the direction of trying to give them a position competitive with the central Parliament. They themselves may favour the present policy of attempting to move in both directions at the same time, and European administrators may often favour this combination, for the reason that it relieves the central Government of considerable responsibility. It leads, however, to an uneven distribution of financial resources, by putting too great a burden of local taxation on the poorest section of the population. The advance of a community does not coagulate or crystallise at the stage reached under chiefly rule. The spread of the knowledge of civics among the chiefs and everyone else will show that the building of a nation is impeded by duplications, for different sections, of governmental institutions.

To continue with our contemplation of advances made in Africa before the coming of the white man, obviously European technology had gone much further than that for which Africa alone was responsible, but, despite the handicaps of a difficult environment and isolation, sub-Saharan Africa did evolve a way of life which, for centuries, produced peoples of fine physique, generally characterised by courtesy and dignity. Despite the insecurity engendered by many tribal conflicts, it was not a static way of life, but had elements of progress, some of which we have noted. To mention others, the shifting cultivation, though unsuitable for permanently settled villages, was not inappropriate for a thinly-populated continent, where there was plenty of room for the inhabitants to move on, leaving their first-cultivated fields to lie fallow and regenerate over the years. New crops, such as maize and tobacco, were from time to time introduced, and gradually became widespread. The domestication of animals and the use of imported domestic animals such as cattle showed a similar adaptability, and were woven into the life of the people as completely as among the tribes of other continents. Inter-tribal trade was established, especially along such waterways as the Congo and the upper Zambezi.

In our own times we have seen adaptations to the needs of permanent close settlement, although this has not gone fast enough, and a few of the old Reserves have become practically uninhabitable. With the rapid growth of population, settlement was too close for the poorer areas to support.

Efforts made by the administration in the middle of this century, through its Land Husbandary Act, involved changes in agricultural methods which were revolutionary as compared with the old shifting cultivation. The need for a quick turnover in the disposal of aging cattle encountered the obstacles of old customs under which the mere number of cattle owned was a status symbol. It was found that the new methods, imposed from above, were not understood and were unacceptable to most of the indigenous people. The substitution of community development, in which they were consulted and encouraged, has been more successful. There is now more convergence among the races over modern agricultural methods, but recent surveys of the position in the Tribal Trust Lands are pessimistic. It is not that the faults of the racial development of land are not known, since the Quinton Report on Re-settlement of Natives of 1960, referred to again at later points in this book. They are known to those who choose to study them, but these are far too few. Civics must become a subject of much more regular study among all sections of the people if a unified nation is to appear.

Further reading:

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| Fage, G. D. (ed.) | <i>Africa Discovers her Past</i> |
| Bullock, C. | <i>The Mashona and Matabele</i> |
| Kriel, A. | <i>An African Horizon</i> |
| Gelfand, M. | <i>Gubulawayo and Beyond</i> |
| Garlake, P. S. | <i>Great Zimbabwe</i> |
| Rodney, W. | <i>How Europe underdeveloped Africa</i> (useful more for its statements of fact than for its leftist theories) |
| Davies, D. K. | <i>Race Relations in Rhodesia</i> |
| Oliver, R. and | |
| Fagan, B. M. | <i>Africa in The Iron Age</i> |
| Southern Rhodesia | <i>Second Report on the Resettlement of Natives, (S.C. 3 of 1960).</i> |

Chapter 3

Old Europe: the Greeks and the Romans

The western culture with which Rhodesia has become associated has a very long history, with important roots in those fertile river valleys of Mesopotamia and Egypt we have already mentioned; in the enormously influential books collected in the Bible; in the adventurous trading expeditions across the seas of the Phoenicians and in several other growth points of civilisation. But we are not attempting a sketch of the entire growth of western culture. What we are concerned with is the growth of the democracy from which we derive our understanding of the rights and duties of a citizen in a modern democratic state, and it is to Ancient Greece, the birth place of democracy, that we must go in the first instance. Whatever the position to-day in older countries, a small, new isolated country like Rhodesia, grappling with a thousand problems that arose when Ancient Greece was new, can there find many clues and records of discussions of fundamental points, couched in terms of such perennial freshness that they seem perfectly appropriate to the elucidation of questions that frequently crop up at our party congresses in Rhodesia. In a few centuries the Ancient Greeks attained pinnacles of civilisation which, in many cases, have not been surpassed to this day. It is true that the beginnings of this leap forward owed much, including the writing developed by the Egyptians and the Phoenicians, to other peoples around the Mediterranean, but Greek brilliance was such that its contribution was of quite incomparable worth. Its lasting value is such that, despite the eventual overthrow by external military power of Greece, and despite the almost total extinction in the long Dark Ages of Europe of its democratic legacy, that legacy can still be relied upon to provide a guide along the democratic path.

What the Ancient Romans took up from Greece in regard to democracy was very little in the period when Rome was at the height of her power, but Rome and Roman Law preserved and acted as carriers for many of Greece's other contributions, in the fields of philosophy, science, art and public works.

If we begin at the point in time, about 1300 B.C., when Ancient Greece began to establish colonies in Asia Minor, on the islands of the Aegean, around the Black Sea and in Sicily, Southern Italy and North Africa, none of which was then densely populated, we find that Greece was made up of numerous little independent countries which had features in common with almost all primitive communities, provided we give a very rough outline of these and do not try to carry our parallels too far. The basic unit was the family, the head of which decided all the everyday

affairs of his wives, brothers and sisters and descendants. Families were grouped into clans, also with their leaders, responsible for providing a number of warriors at the bidding of the chief or king. The chief or king was priest, judge and army commander rolled into one. His political decisions were made in consultation with a council of elders, consisting of the heads of the leading clans. Such decisions were put before an assembly of all the free-men, who did not debate them but could communicate their feelings by acclaiming them or maintaining a stony silence. Religion and hoary old stories of the kingdom's past had an influence on the decisions. Ancient Greece never became a united country, though, from time to time, loose confederations of some of the little component states would come into being for short periods, usually in order to resist an attack from without, after which they would split up again.

The colonising expeditions did not originate as a joint enterprise of all Greece. One or two of the states would send forth an expedition to make a landing in foreign parts, where the colony would become an independent replica of its mother country, not in any way controlled by its mother country. Some of these colonies founded others in the same region. The instinct of the Greeks for independence was very strong. Various motives existed for the colonising expeditions — love of adventure, a wish to get away from overcrowding in the not very fertile mainland or lack for one reason or another, of close ties with any clan at home. The colonising period went on for about 500 years, and was a belated continuation of the way the Greeks had drifted into their mainland in the more distant past, not markedly different from the way the numerous tribes of Africa drifted down that continent. So independent of one another were the little Greek states, that the Greeks did not originally have a name for all of themselves together. It is supposed that, when they began to establish colonies away from the Greek mainland, other peoples recognised their similarities and gave them names like Hellenes or Greeks, both derived from the names of tiny areas in Greece. The colonies, however, independent as they were, exerted a unifying influence, for many old traditions that the people of the homeland had in common and a common language of great richness maintained strong sentimental links, but these links were not strong enough to make Greece into a unified country. Generally, trade across the sea changed the life of the Greeks very swiftly. They were no longer entirely devoted to agricultural pursuits. Commerce and industry provided many new occupations, from ship-building to banking. The writing brought by the Phoenicians was improved upon. The little farming states became city-states. This urbanisation was favoured by the kings who liked to be in close touch with their citizens. The word "politics" itself referred to the affairs of the *polis* or city, the surrounding rural areas tending to become an adjunct, neces-

sary for the supply of food, but somewhat remote from the growth in sophistication. Forms of government varied greatly from a developing democracy to a tyranny and back again. Athens was the scene of much instability of this kind. Sparta, in the southern part of the Greek peninsular, was more stable. Wars among the city states were frequent, the most famous being the three wars in the 5th Century B.C., extending with intervals over about forty years, between Athens and her allies and Sparta and her allies, chronicled by the great historian Thucydides, which greatly reduced the power of Athens.

Such wars were among peoples who had already attained a high level of civilisation, and were not mere raiding parties among barbarous tribes. This does not make them commendable, but it does show that the inter-tribal conflicts of Africa cannot be invoked as evidence of a particularly uncivilised or intractable trait of the Africans and does illustrate the importance for good citizenship in a country like Rhodesia of avoiding divisive courses of action, which, because the peoples are inextricably intermingled, could be more disastrous than among the Greek city states, whose peoples were in occupation of viable countries not dependent for their survival on unification, whereas in Rhodesia the whole organisation of the units of farming, mining and industry is based upon interdependence. Intensive mechanisation of European farms, for instance, is beyond the financial resources of most farmers, while, in the Tribal Trust Lands, the tiny landholdings are, for the most part, insufficient for the support of life without supplementation by the earnings of at least one member of the family in the European-owned farms, mines or industries. As a plain economic fact, unity and equality of opportunity must grow, not be diminished, if the destructiveness of conflict is to be avoided.

To return from this little digression, it is quite wrong to suppose that any of the Greek city states attained political perfection. Rather did they provide us with almost limitless assortments of methods to conduct the art of government, together with brilliant discussions of them all, through their philosophers, dramatists and historians. These gentlemen dared to question existing institutions, sometimes being put to death for their criticisms, as Socrates was. In a few cases, as to-day's judgments have it, existing institutions of those days are more to be admired than the philosophers' criticisms of them; for example, we mostly think the freedom to be found in Ancient Athens was superior to the exaggerated importance of authority in Ancient Sparta, though Plato, enjoying the former, said he preferred the latter. Aristotle's defence of slavery looks to us to be full of specious arguments. Perhaps Socrates, who left no writings but continually discussed profound ideas with the young in the streets of Athens, was the greatest teacher of them all. From him the West learned its respect for the power of the individual intellect and the creativeness of discussion itself.

Tolerance, in the sense of how to disagree without coming to blows, can be said to be an invention of Ancient Greece without which modern parliamentary government cannot function. Plato, was a pupil of Socrates and Aristotle was a pupil of Plato, yet they disagree among themselves on many points, and all three have this in common — that, when you have formed a judgement on something they discussed which interests you and then compare their views, you will find their thorough examinations add something you had not thought of, either supplying useful reinforcement to your original opinions or, more usually, causing you to revise them considerably.

Both in Greece and Rome, as in other countries of the ancient world, there were always large numbers of slaves, captured in war or sometimes made into bondsmen because they could not pay their debts. They took no part in political organisation, but provided the freemen with leisure in which to devote much time to unpaid civic duties. Payment for performing such duties came later in Athenian history. Slaves were often set free, and at any rate during the Roman Empire, were sometimes granted full rights of citizenship.

To make our generalisations more understandable, let us take two city states, Sparta and Athens, and give some details of their contrasting organisation.

The Spartans moved on from what has been described as the typical organisation of a primitive society in a way dictated by their own peculiar circumstances. They had conquered the Messenians, who outnumbered them, and felt they had to keep the latter down by force in the position of helots or serfs. These unfortunates staged several rebellions, but never got the upper hand. They tilled the fields and had to give half their produce to their masters who were thus left free to devote most of their time to soldiering. Sparta was the precursor of the western world's examples of the magnification of the state above the individual. The life of all Spartans was organised by the state, from the cradle to the grave. Duty to the state was the supreme virtue. Their discipline and efficiency in military affairs were admired by other states which, however, were not, fortunately for the cause of freedom, persuaded to imitate them. Weakling children were put out on the hillsides to perish from exposure. Military training began at the age of seven.

The Spartan constitution was full of cunning balances, including elements of a monarchy, an oligarchy and a democracy, which probably added to its stability. Also Sparta, being more inward looking than Athens, was not so much affected by the rise of a merchant class and was more inclined to follow old traditions. It despised the accumulation of wealth, which it regarded as softening. The Spartans made a mighty contribution to the repulse

of the Persians under Xerxes when the whole of Greece was imperilled by his invasion.

The Spartans had two kings who ruled jointly and kept an eye on each other. They had a council of elders, consisting of the two kings and twenty-eight aristocrats over the age of sixty, who were elected by the freemen. There were five ephors, also elected by the people, who were guardians of the laws and had administrative duties. Any Spartan could be an ephor, so this provided a more fully democratic element, together with an assembly of all citizens over the age of thirty, summoned by the ephors every month to hear and confirm the decisions of the council which could overrule the assembly. The ephors also had to watch the doings of the kings and bring them to book if they exceeded their kingly powers. Judicial powers were divided between the council and the ephors.

The helots or serfs had no rights worth mentioning, and could be slain by a Spartan on mere suspicion of subversion. They seethed perpetually with discontent. Sparta illustrates how the employment of force to keep a subject people down leads to an uncomfortable life for the lords and masters. The army consisted of all male Spartans of military age, and did not rely, as in some city states, solely upon a class of specialised aristocratic warriors. The army therefore increased the force of democratic opinion within this minority rule by Spartans over Messenians, though the majority did not benefit from it save to obtain some protection from any foray against Sparta that might be mounted by another state.

Still bearing in mind that Ancient Greece and her colonies formed a bright constellation of numerous states, all different, let us now glance at the political history of one more — Athens. Recalling again the primitive organisation previously mentioned, the council of elders came to be called the council of the Areopagus. With the growth of manufacture and trade, wealth provided a route to inclusion in the aristocracy, in addition to noble birth. At one stage various grades or ranks were based on the size of their fortunes. From among the members of the council of the Areopagus, powerful officials and magistrates were appointed, who took over most of the duties of the king. The polemarch, for example, became commander of the army, and the archons took over judicial functions. Eventually the king was left with priestly duties and was elected every year like any other official. The assembly of all the full citizens continued, and had considerable power, including the power to decide whether to go to war or to make a treaty, but the council normally organised the business and put forward the proposals which had to be considered. Economic factors played an increasing part in the modification of all this. Individual ownership of land had come in after the older days when land was regarded as occupied by the whole tribe, the various families merely being given the use of fields or pasture

land allotted to them by the chief or village headman. Now, wider gulfs were created between the rich industrialists and merchants of the city and the farmers, who when they got into debt, were often dispossessed of their patches of land, and sometimes made into slaves when they could not pay up. Things got so bad that Solon, a rich archon with a reputation for fair-mindedness, was appointed with wide powers to introduce reforms. As a result, those enslaved for debt were released, and a limit was set on the amount of land that could be owned by one man. An additional large class of people was included among those who could attend the assembly, and a new council of 400, based on the four tribes which made up the city state, was established, to take over many (but not all) of the powers of the Areopagus. The wishes of the populace found a better means of expression. Athens was still under aristocratic rule, but the foundations of a future democracy were laid.

Unfortunately, much tribal or party strife emerged. This led to so much confusion that, for two years, no archons were elected, whence came the word "anarchy."

Pisistratus got himself into supreme power, and ruled as a tyrant for twelve years, until his death in 540 B.C. A tyrant in those days was not necessarily indifferent to the public good. He was simply one who obtained dominant power by unconstitutional means. Pisistratus was not a harsh ruler, but his son, Hippias, who took over on his death, had little regard for the public welfare, and the aid of the Spartans was invoked to get rid of him.

More reforms were then introduced, designed, under a council of 500, to escape from the local factions that had upset Solon's council of 400. The electoral districts were carefully delimited on the basis of numbers, but a device was brought in to limit the community of interest of the people of a district. The electorate was greatly extended, and each of ten artificially constructed tribes sent fifty members to the council, which became the most important deliberative and administrative body in the city-state. The assembly of all the citizens continued, but did little more than ratify the doings of the council. Thus was representative democracy founded, long before it was independently adopted in England. These reforms took effect in 502 B.C. Fifty years later, in the time of Pericles, the old council of the Areopagus was abolished, and salaries began to be paid to the council of 500 as well as to the various state functionaries. Except for the slaves and certain other non-citizens, a full democracy was now established.

We may note in passing that the Spartans did not like this movement towards complete democracy, and tried unsuccessfully to intervene to prevent it, lest it should spread to their country.

In addition to the practical steps taken by the Athenians under their duly appointed leaders, brilliant commentaries on politics were continually being made by the independent political philosophers, whose profound speculations and theories did much

to deepen the interest of the ordinary people in how they were governed. There was a continual action and interaction between the practical and the theoretical exponents of politics. There was considerable instability, but no apathy over the civics of those interesting times.

We have only touched upon the political developments that took place in Ancient Greece, leaving out, among other things the tale of how Greece was militarily eclipsed, finally being taken over by Rome about the beginning of the second century B.C. We have not even mentioned the names of the many other states besides Sparta and Athens, but perhaps we do appreciate better how long and complicated has been the struggle towards democracy and freedom and how eternal vigilance is needed to protect them against unceasing attacks made upon them right down to our own times. The fullest freedom and dignity of the individual are unattainable except under a democratic form of government, and, although Ancient Greece was overcome militarily in the end, her legacy of political wisdom still shines brightly to illuminate the path of the student of civics, who will use it to solve many a vexed question which will remain insoluble if he looks only to the blurred and confused images created by current events. The latest is not always the best, and technology, except when it has an ethic to control it, often winds up in hatred and violence.

Now for some glimpses of Ancient Rome. The Roman story falls into two long chapters named the Roman Republic and the Roman Empire. The Roman Republic dated from 508 B.C., when the Romans got rid of their kings and were ruled by an aristocratic Senate and a pair of consuls, the latter elected for short periods. It lasted for about 500 years, followed by another 500 years (as far as the western part of it was concerned) of imperial Rome. The Romans were not great philosophers. They were practical people with a genius for organisation. By 508 B.C. they held sway over a large portion of Central Italy. Doing away with the kings, who had raised Rome from a collection of mud huts to a fine city holding a commanding position, did not at first turn out to be a good thing. The long range planning of the kings established a time of rapid development in commerce as well as in public works. The niggling policies of the early consuls brought about a slump. Neighbouring tribes took advantage of this to rise, and Rome's territory was reduced to an area about 45 km long and 30 km wide. It took about a century for it to recover the lost territories. Meanwhile thousands of displaced Romans flooded into the city. Unemployment and discontent led to revolts by the *plebs* or common people. They were given more influence in public affairs, but the Senate remained dominant, and Rome, though a republic, was never a democratic republic at any time. One of the grievances of the *plebs* was that they never knew what the law was, and, after one of their revolts, three senators were sent to Athens to find out

what Solon had done about similar misfortunes that had befallen the common people in Athens. As a result a commission was appointed which drew up the Twelve Tables of 451 B.C. The short legal code of the Twelve Tables provided a foundation stone for the system of Roman Law, which was developed over a period of about a thousand years into one of Rome's greatest legacies to western culture, being the basic study of lawyers to this day, although its incorporation into English law was less direct than in continental systems such as the Roman-Dutch law that is the common law of Rhodesia.

The Romans, of course, were also distinguished by their valour and skill in war, by their conquests, extending over most of the world as known to them, by their iron rule over their colonies, established by conquest alone and very different from the Greek Colonies and by their dissemination throughout their Empire of a civilization largely derived from Ancient Greece. During the Republic they were like the Spartans, a highly disciplined people with a great regard for their duty to the state. During the Empire, when many foreigners settled in Italy as freed slaves and otherwise, they lost some of their distinctive character and sought after luxury and displays of imperial power and wealth. Although he was assassinated on suspicion of having too much power, it was Julius Caesar, with his immensely successful campaigns and conquests, who sounded the death knell of the old Republic, in which *Senatus Populusque Romanus* or the Senate and the People had ruled. A general at the head of a triumphal procession of thousands of Roman legionaries, laden with booty and bringing slaves, seemed to the people of Rome a visible and stirring proof of the power of the general above all other claimants to power. Growing military ascendancy seemed to bring rewards hitherto undreamed of. There followed the long succession of Roman Emperors, holding dictatorial power. Some emperors ruled well, but all dictatorships suffer the handicap that the replacement of one dictator by another cannot be brought under workable rules. The outgoing man often meets a violent death, and all his works, good or bad, change in the instant from being objects of adulation to objects of execration, as the fickle populace seeks safety from the wrath of the new all-powerful one. Freedom of the individual has to take on, to use a modern phrase, a low profile, and sycophancy is rife. So it was in the Roman Empire, and some of the emperors were the most terrible characters imaginable, vainglorious, avaricious, self-indulgent and cruel. However, the conquests of the new territories went on, and we must not suppose that the Empire had no redeeming features. Had Rome not been preceded by Greece, with all its contributions to the arts, science, philosophy, public works and generally high standards of behaviour, it is unlikely that there would have been a Roman Empire that lasted much longer than the British Empire of a later period. But all that

had been created by the Greeks was still admired. Even Nero had ambitions to be a musician. Greek slaves were in demand as tutors of the children of Roman senators. The original organisational ability of the Romans and their respect for law and the bravery of their soldiers actually extended the influence of much that was good in the civilisation that had grown up around the Mediterranean. And, of course, there were Roman poets, orators and historians of genius. Many of the territories which were overrun by the Romans had previously been in a very backward condition. The *Pax Romana* advanced their civilisation. It did not bring them the benefits of democracy, but local dignitaries were listened to and local laws were often drawn upon in the formulation of the **jus gentium** which modified the technicalities of purely Roman law. Splendid roads were built to link distant parts of the Empire with the "eternal city" of Rome. When Christianity was adopted as the official Roman religion, its beneficent influence was extended. The Roman dictators were not totalitarian dictators in the sense that they tried to invade every domain of the human spirit and subject it to a central authority. It must be remembered that many of the conquered territories had previously languished under tyrannies more unjust than anything evolved in Rome. On the material plane, better methods of agriculture were introduced, as for example in Britain, and better houses, public buildings, towns, aqueducts, sewers and countless other material products of civilisation.

The Stoics, representing a late flowering of Greek philosophy, had thoughts which appealed to many Romans who were respecters of the virtues of discipline and duty. The Stoics evolved some of the lofty language in which Christian theology was later to be clothed. An intriguing feature of their view of life was its attempt to get away from body-soul dualism by regarding what it called "right reason" as a physical substance—a gas (*pneuma*) that permeated people and heavenly bodies like the stars in a greater or lesser degree. All who had a good allowance of this right reason, wherever they lived, were brothers, and this was the origin of a cosmopolitanism that marked the Roman Empire. Roman citizenship was a privilege that could be acquired, whatever one's race, and this did much to hold the Empire together for the long time that it was held together. Tribes that had been conquered by the Romans but had had Roman citizenship conferred on many of their members often rose in support of Rome against kindred tribes that had not experienced this advantage. Septimius Severus, who became a Roman Emperor, was an African. This has some relevance for Rhodesia. The Emperor Marcus Aurelius is sometimes called the last of the Stoics. Although their philosophy had undergone changes before his day, its preparedness to recognise merit remained, and Cecil Rhodes was an admirer of Marcus Aurelius.

The Roman colonies were under the direct rule of pro-consuls appointed by the Emperor and backed up by strong forces of Roman legionaries. In Rhodesia we look forward to a democratic organisation as the environment within which the rights and duties of a citizen develop to their highest level, but civics owes much to what the Romans, as carriers of civilisation, brought us, apart from what may be ascribed to democratic politics, in which they did not distinguish themselves. Like the Greeks, they placed a high value on keeping open the channels of trade with other countries, supporting the great men of arts, letters and science and fostering the development of community centres of many kinds, including theatres, public baths and sports stadia.

In the later Roman Empire there were two emperors, one at Rome and the other at Constantinople. After the barbarian hordes descended upon Rome and ended her rule in Europe, the eastern end of the Empire survived for a long time, and it was at Constantinople that many of the old Greek and Roman records were preserved, whence they were later to bring light to Europe, after the dark ages.

All the lights of Europe, however, did not go out with the barbarian invasions, for, within the Christian monasteries, much was preserved from the plundering hordes, and Latin remained as a universal language, enabling scholars to communicate with one another for centuries.

Such highly compressed accounts as are given in this and succeeding chapters of long periods of history can do little more than point to the broad main stream from which our civics is derived, but can serve to make the point that there are many currents in that stream which we must know at least a little about if we are to understand the present and plan for the future in the realisation that we are not embarked upon a raging whirlpool of problems never before encountered. We cannot understand what we have to-day or steer a course without some knowledge of how the western world has managed to escape up to the present from being dashed on the rocks when it has been confronted with difficulties not unlike those we now have, although the twentieth century's are on a much bigger scale. The river is not entirely uncharted, and there is a vast literature through which we may enlarge our knowledge, only a tiny list of books for further reading being appended to the chapters of this book.

Further Reading:

Bury, J. B.	<i>A History of Greece</i>
Montanelli, Indro	<i>Rome, The First Thousand Years</i>
Dudley, D.	<i>The Romans</i>
Wells, H. G.	<i>Outline of History</i>

Chapter 4.

Old Europe: Onwards from the Dark Ages

Under the autocratic rule of the Roman emperors, many people both from the east and from the west settled in Italy, bringing with them a great variety of pagan beliefs, so that, until Rome began to be the headquarters of the Christian religion in Europe, numerous different gods were worshipped at that city. Partly because there was no single religion to exercise a unifying, steadying and refining influence, standards of conduct underwent degeneration. At the same time the farflung dominions of the western empire were being overrun by more and more barbarian invaders until, at about the end of the fifth century A.D., the last of the Roman emperors of the west was deposed, although, centred at Constantinople, now called Istanbul, the eastern empire continued for almost another thousand years.

In western Europe a period of much confusion and obscurity followed the collapse of the western part of the empire, often known as the Dark Ages. Since the Dark Ages merged gradually into more enlightened times, one cannot fix a clear date at which they ended, but, roughly speaking, one can say that they continued until round about 900 A.D. Before that date the feudal system had begun to grow. This was something very different from anything known to Greece and Rome, where the organs of government were more centralised. Now there were no central governments strong enough to protect the people from the bands of marauders that roamed the land. There were isolated strong men or barons or counts who, in their castles, were able to defend themselves and to conduct forays of their own against their neighbours if they could collect sufficient followers. The people, in order to gain protection for themselves, joined these barons as followers. It is true that a king, living at some distant place, would call upon barons living within his somewhat ill-defined sphere of influence to assist in the conduct of major wars and to help with what central government there was, but the barons, living on their estates, were the main instruments in restoring some sort of order out of chaos in an unsettled time of great insecurity. Minor characters, whom we may call vassals or knights, would promise loyalty and military service to some baron, and he would provide leadership and judicial and administrative services to them and allow them to occupy their fiefs or smallholdings under his protection. There were also serfs who were allowed to cultivate strips of land for their own subsistence under the protection of the baron, provided they cultivated the baron's fields. Seldom did any central government have anything to do with these centres of defence. Even the towns grew up under the prevailing necessity of defence from attack, and the

shopkeepers and craftsmen clustered around the castle or other fortification. In a sense it can be said that the public duties or duties to the state of the ordinary citizen became supplanted by a complicated set of private contracts among the ranks of the population. One consequence was that there was an infinite variety from place to place in the customs that grew up relating to land-holding and a host of other matters.

The abbots in their monasteries were sometimes able to organise their own defence in the same way as the barons, and were sometimes dependent on a baron. The impact of Christianity on all this was to produce the age of chivalry, with its high standards of personal conduct and loyalty to leaders. Although it was a rough age, in which a bad baron could behave unchecked with great cruelty and avarice, it must not be supposed that the feudal system, which reached its most mature development in the thirteenth century, represented a fruitless stage in the growth of civilisation among the energetic and enterprising peoples of Europe. Great cities grew up, universities were founded, the study of Roman Law was revived, illustrious scholars, artists and religious leaders added to the sum total of man's heritage. Although the political legacies of Ancient Greece were lost, not to be discovered for many centuries, Europe was still making contact with the relics of the old Mediterranean world, including Egypt and Arabia. The church led the way in the foundation of institutions to look after the poor and infirm. Magnificent cathedrals and churches were built, although, especially in the towns, the common people lived in conditions of great poverty and squalor, perhaps nearly as bad as the worst slums of the Industrial Revolution, centuries later.

As times became more settled, the countries of Europe, some large, some very small, acquired better defined boundaries, and government became more centralised in the hands of monarchs. Nothing approaching the democracy of Ancient Athens at its best period appeared, and nearly all the people were illiterate, but the ordinary citizens, especially the craftsmen, could and did take much part in service to the community in which they lived. Portugal destined to maintain a connection with Africa during five centuries (just ended as this is being written) broke off from Spain. The Norman invasion of Anglo-Saxon England imposed feudalism there. The exclusiveness and antipathies of nationalism began to divide the countries of Europe more and more. Society was much stratified into different social classes.

In a unique position on its islands and lagoons, Venice resisted the attempts of Charlemagne and others to incorporate it with the mainland, and remained attached, by somewhat tenuous links, to the surviving half of the Roman Empire at Constantinople. She established a powerful navy and acquired extensive possessions in the eastern Mediterranean. After numerous wars with her rivals, she became mistress of the growing trade between Europe and the

East, a position she held until the discovery of the Cape sea route ousted her from it, and Portugal, Spain, Holland and England became the great carriers by sea. The prosperity of the merchants of Venice at the time is reflected in the ornate and spacious mansions, often now converted into hotels, which we can still see along the canals. Venice demonstrated the cardinal importance of naval power in relation to the holding of important sea routes, and showed how the lot of the common people can be improved, not worsened, by the presence among them of the very rich, provided heartless exploitation of poverty, as in England's industrial revolution, does not take place.

We have now, in our fleeting glimpses of the past, arrived in the Middle Ages. Venice is still in command of the trade between east and west when the Renaissance, familiar from our school history books, is mightily spurred on by the fall of Constantinople to the Turks in 1453 and the bringing to Europe by refugees of the records of the Ancient Greek civilisation, which were to broaden and illuminate the thinking of the mediaeval west. Not long afterwards Portuguese and Spanish explorers opened up new worlds into which this wider vision could find more room to unfold. For many years the Portuguese had been edging down the West Coast of Africa. The rounding of the Cape by Bartholomew Diaz (1486) and the discovery of the sea route to India by Vasco da Gama (1497) initiated the indisputable dominance of Europe and its American offshoots over the rest of the world until the present century, when eastern countries, led by Japan, began to rise to power.

This brief account of some world events after the fall of Rome was necessary to establish some continuity, but it has little to tell of the rights and duties of a citizen in a modern democratic state. Venice was a republic, but, at the height of her power, she was an oligarchy, governed in her public affairs by a Senate and a Council of Ten, all members of the leading patrician families. The other European states were governed by absolute monarchs or (e.g. Genoa) by oligarchies. The influence of the Renaissance in politics had not yet had time to take effect. But local governments of a democratic complexion were beginning to arise. Those of England are of particular interest, not only because of their influence on the local councils of Rhodesia but also, and more especially, because British parliamentary government, fathered by local government, led the world towards democracy for the two centuries preceding the present time. By 1450 the feudal system brought by William the Conqueror in 1066 had undergone modifications. The feudal lord had become a commercial landlord. The villeins and bondmen were no longer tied to the land. Their obligations to the lord of the manor were increasingly discharged by the payment of rents and other dues instead of by service, and they became hired labourers. But the protection of the manor was

partially lost, and there was much poverty and unemployment. The parish council, elected by the parishioners, in an England still largely agricultural, had churchwardens, overseers and a constable to carry out, in association with the Church, various local duties. A great deal of parish work centred around relief of poverty and destitution. There were justices of the peace, royal appointees, among the local lords and squires, who dispensed summary justice and had a general supervision over the administration of the poor laws. They also had duties connected with the fixing of wages and prices. Local administration became more detached from the Church. The parish council and the larger borough and rural councils provided the foundations of democratic rule. It is sometimes said that welfare work of various kinds fell outside the province of government until very recent times, but this is only true when one is thinking of central governments. Local government, from very early on, attended to schools, hospitals and poor houses, if we recognise that the responsibilities assumed by the parish councils would have been very inadequate but for the charitable work of the Church, but the Church was partly supported by the tithes paid by the people. Although charity and what can strictly be called local government were thus mixed up, and though primary education was aided by teaching in the home and did not attain a universal character, the net result was that many and probably most of the children had the rudiments of primary education, due in large measure to the joint effort, through one channel or another, of the people of a locality, so that, when the invention of the printing press made books easily available, there was a large and immediate demand for them, which would not have been so if those who could read were very few. The facilities for primary education varied from place to place and could be handicapped either when a population was too scattered or when it was too dense, as in the towns, for an existing parish council to cope with all the children. Also the need for education was not realised to the same extent everywhere. For example, the Scots as early as 1560 were keener than the English in early times to have a village school in every village. The point to be made is that it was through local councils, attending in varying degrees in different localities to welfare work and many other things, that the spirit of democratic organisation developed.

Another potent force in this direction was the growth of the joint stock company. Although it may often have derived its powers from a royal charter, it did, by enabling numbers of small investors to create a large enterprise, accustom people to working democratically in the economic field.

Before we devote a separate chapter to the development of parliamentary government in England, it is advisable to say a little about how the continent of Europe was faring, so that we may better understand what impeded the growth of democracy

there. We shall not attempt to follow all the intricacies of the story, but certain trends must be noted if we are to see how great were the changes which took place in England away from the absolutism of the continental monarchies.

The long survival of the Roman Empire had firmly implanted in men's minds the idea that the world they knew was, politically, one organism, under an autocratic rule. Although latterly there was one emperor in Rome and another in Constantinople, or, (before Constantinople was built) at another centre near by, the Roman Empire was regarded as one empire. This notion did not die easily. Even after the last emperor at Rome was deposed in 476 A.D., those who had usurped his position for a long time regarded themselves as heirs to this tradition of authoritarian unity and in some way bound to restore it. The acceptance of Christianity by the Emperor Constantine in 325 A.D. reinforced this sense of unity by introducing one indivisible Church, upholding the spiritual unity of mankind. Although attempts by Constantine V to interfere in ecclesiastical affairs at Rome helped to part the papacy from the Church's leaders in the east, doctrinal differences between Roman Catholicism and the Greek Orthodox Church did not wholly obscure the common origins of both or demolish the ideal of an eventual return to unity.

The unsettled times mentioned on the first page of this chapter were experienced in Italy no less than in the rest of Europe. The popes did not have the military power to protect the Church, and had to look to powerful monarchs for aid. Charlemagne, who had extended his territories from the Pyrenees to the Harz Mountains and from Hamburg to Rome and had at the same time spread Christianity by force as well as by persuasion, came to the aid of the Pope against the Lombards. In the year 800 A.D. the Pope crowned Charlemagne as Emperor. Legend has it that Charlemagne was not overjoyed, as he had a plan of his own to depose Irene, a female emperor at Constantinople, and thus to bring about re-unification of the old Roman Empire, which, be it remembered, was still surviving in the east. He accepted the Crown, and later proposed marriage to Irene, who, however, was not interested. He was a Frankish monarch who ruled over what is now most of France and Germany. After his death and by the year 888 A.D. his domain had been split into many parts through internal dissensions, and it was then that France and Germany began their separate existence. For the next 36 years after 888 A.D., lesser monarchs were crowned emperor, and then, for 38 years, the Popes regarded the fictitious western empire as "in suspension", and crowned no one. In 962 A.D., the dominant political power in Europe having moved to Germany, the German King Otto I was crowned, and this was the beginning of the so-called Holy Roman Empire, which lasted for 844 years, until 1806, when an Austrian emperor abandoned all claim to be its head, Napoleon having

established a new kind of empire by then. During all that long time there were many shifts of influence between Pope and Emperor, the former taking the view that imperial rule was derived from a crowning by himself while some of the emperors thought they had the right to nominate the Pope. Some of them actually did appoint their friends to that high office. The political and military centres of the Holy Roman Empire shifted from time to time, and it is sometimes said that it was neither Holy nor Roman. Eventually the Reformation disrupted Church unity in the west. We have had to mention the date 1806, but, of course, both the American and the French revolutions had by then taken place, and many new influences were at work.

The salient point about all this is that both Church and State were for an immensely long period organised in Europe on authoritarian lines. Neither had the slightest wish to substitute a democracy on the Athenian pattern or a patrician rule like that of the Roman Republic, both of which had passed out of memory so many years before. Even when the Netherlands, in the sixteenth century, broke the spell and threw off the savage rule of Philip of Spain, it was to substitute a type of patrician rule rather than a democracy, though there, as in England, democracy was arising in local government.

When William the Conqueror came to England in 1066, he behaved in the time-honoured authoritarian way which was then the only way known to Europe. He stole the estates of the Anglo-Saxon thegns and handed them over to his barons, but his government was rather more centralised than other large feudal countries. He rode his barons with a tighter rein, and it was the barons who, as we shall see in the next chapter, struck the first blow for greater liberty in the Magna Carta of 1215, though this was not a move towards democracy.

Even this curb on the absolutism of a monarch was regarded, however, with feelings akin to horror among the monarchs of the continent, and King John of England managed to get the Pope to declare that the great charter was revoked and to excommunicate the barons who had obtained it, but King John died soon afterwards and was succeeded by a more reasonable king, so that the Pope's decrees were ineffectual. Magna Carta had set England on a path different from that of most continental countries.

To summarise the latter part of this chapter, when once a climate favourable to the gradual emergence of democracy had come to Britain, the seas surrounding this island insulated it in its domestic affairs from interference by the monarchs of the continent, who though constantly at war with one another, were united over the divine right of kings.

Further reading:

Encyclopaedia Britannica Articles on the Middle Ages, Fuedalism, Venice.

Bonham1Carter, V. *The English Village*.

(Note: While there are, of course, countless other authorities on the wide fields sketchily outlined in this book, the few listed at the end of each chapter will suffice to put the reader on the track by means of the longer lists they give).

Chapter 5.

The Gradual Growth of Parliamentary Government and its Incomplete Transfer to Southern Africa.

As pointed out in the previous chapter, local councils of limited jurisdiction operated to accustom the people of England to governing themselves in respect of the affairs of the parishes. The people began to free themselves to some extent from the little autocracies of the barons, established under the feudal system. The big autocracy of the king, to which the barons were subservient, took a very long time to become a limited monarchy, with a parliament as the main instrument of government. The barons did not, by compelling King John to sign the Magna Carta of 1215, attempt to do away with the leadership of the feudal monarchy which had been established, but they struck an important blow for liberty and created a climate in which the king could no longer rule in a purely arbitrary and irresponsible manner in regard to the lives and property of his subjects. The barons were of opinion that there was a proper way for a king to behave and that King John was not following it. What they did was to draw up a declaration of how the existing institution of kingship could be expected to work. They had no thought of doing away with it, but, in claiming that not even a king could behave in a completely lawless manner, they said, in effect, that there is a rule of law to which all rulers are subject. While they were primarily concerned with removing their own baronial grievances, the language they used clearly shows that they realised that their principles would have a far wider application.

Magna Carta is a long document. Some of its principles may seem elementary to-day, but one may question whether they are all followed in every country which has a parliament. Yet freedom cannot flourish if they are neglected. Consequently they are most relevant in any country where civics is studied and where it is desired to preserve the basic principle of the rule of law and to understand what it means for the citizen. Three clauses of Magna Carta have been translated from the original Latin as follows:

"No freeman shall be taken or imprisoned or disseised (which means dispossessed) or outlawed or exiled or in any way destroyed nor will we go upon him nor will we send upon him except by the legal judgment of his peers or by the law of the land."

"To no one will we sell, deny or delay right or justice."

"All persons are to be free to come and go in time of peace except outlaws and prisoners."

There was provision for the dismissal of foreign mercenaries to whom King John had given minor administrative officers, and there were many other provisions, dealing, for example, with

abuses of power by officials, the standardisation of measures, the ancient liberties of towns and other matters. After Magna Carta, kings who tried to return to absolutely unfettered power, as several of them did, could be confronted with this charter of liberties, and would in the end be obliged to desist from their worst practices, which is not to say that there never was any more oppression, but the worst excesses, such as those indulged in by some of the Roman emperors, were effectively prevented.

The kings did not govern in solitary state. From earliest times in Norman England they took counsel with the barons, bishops and other lords, temporal and spiritual. This grand council was the ancestor of the House of Lords of later times. The House of Commons grew out of an elected jury, first established as a land valuation and taxation court, and later dealing with crime. By 1295 the Commons were being summoned to agree to taxation. They consisted of the knights of the shire, who were lesser lords or country gentlemen, and representatives of those boroughs or towns which the king decided to enfranchise. Gradually the House of Commons had the scope of its work increased to cover the redress of grievances and legislation, in addition to agreeing to taxation. By 1322 it was laid down by statute that the affairs of the realm should be decided upon by the king "and by the assent of the prelates, earls and barons and the commonalty of the realm." The king was still paramount. Parliament, though it advanced its views with increasing determination, still appeared as a petitioner and as an institution which must do the king's bidding. It could, however, refuse to vote money for extravagant wars and other kingly enterprises, and it several times did so.

By 1547, when the reign of Henry VIII came to an end, that monarch had taken some steps to improve parliamentary representation, but had imposed his will on Parliament very successfully, and his daughter, Elizabeth I, displayed a similar skill in getting her own way. But the Stuart kings, James I and Charles I, came into sharp conflict with Parliament, the latter losing his head over it. Charles II avoided another conflict, but James II was deposed in 1688.

This is the date one may take for the establishment of a limited monarchy, in name but not in the fullest sense until much later, for imperfections in the system of representation of the people left them with little real strength in the formulation of policy, and the King still had a considerable say as the leading personage in what was an oligarchy rather than a democracy; a very small proportion of the people took part in the election of the House of Commons, and the House of Lords, descended from the old feudal council of the king, retained much influence and standing compared with the Commons. Nevertheless the power of the monarchy was from now on indisputably limited by the powers of Parliament, even though Parliament represented but a fraction of the population. The reform

Bill of 1832 brought about great improvements in popular representation, but no one at the time dreamed of "one man, one vote." That would have led to disaster in the state of general education at the time. A property qualification ensured that only men of some substance could vote. Although this was a measure of financial standing and not necessarily of education, it was a good beginning for the gradual progress towards universal suffrage that was an outstanding feature of democratic advance. The percentages of the population aged 20 years and over who had the vote were as follows, according to the section on Parliament in the *Encyclopædia Britannica*:

After the Reform Bill of 1832	7.1%
After 1867	16.4%
After 1884	28.5%
After 1918	74.0%
After 1928	96.9%

With the extension of the franchise, bribery, corruption and intimidation at first became common, and strict laws had to be introduced to control them. It may be said that, without such laws, it is really impossible to ascertain whether demagogues claiming to represent the people do in fact do so. Consequently any movement that would hold back as far as possible the extension of a properly regulated franchise tends to be self-defeating. Those who remain unenfranchised do not remain silent, but tend to put their agitation for the vote into the hands of leaders whose methods of gaining more adherents, in the absence of a proper electoral law applying to them, leave much to be desired. Britain gained some experience of this in the nineteenth century.

The participation of the general public in central government in Britain had been, especially before 1832, very small, and not nearly so extensive as in the small city state of ancient Athens at its best periods, and it was extended at a very gradual pace. On the other hand, Britain did not have slaves in the home country. Athens did, but Britain enthusiastically supported slavery in her American colonies so long as the slaves were not white, and played a leading part in the transport of Africans to her own and to Spanish and Portuguese colonies in America until well into the nineteenth century. While it was proclaimed in a song that Britons never, never, never would be slaves, the notion that no one should be a slave anywhere was a comparatively recent development of the national conscience. Parallel with the growth of democracy in Britain went a growing concern for the welfare of the individual human being, but the point to be noted at the moment is that the notion that all adults should participate in their own government, even within the British Isles, has not had a long life. At the time of the American War of Independence, Britain was governed by an oligarchy, not a democracy, and George III, at the head of this oligarchy, retained, in regard to the colonies, much of the power

that had characterised the British monarchs of earlier times, and, at the beginning of the party system, the king was closely involved in the day to day running of Britain. Within Britain itself, he could be said to be the leader of a party.

The House of Lords has in recent times had its power gradually reduced. It retains its position as the supreme court of appeal in Britain, but its judicial functions are performed by the "law lords", who are judges of great experience elevated from the ordinary courts of the land and appointed to the House of Lords for this special purpose. Their lordly titles are not inherited by their descendants. Some other peers are appointed for life, but most of them supply the aristocratic element in modern government through a continuance of the hereditary principle. The Prime Minister and the Chancellor of the Exchequer must today be members of the House of Commons, which now occupies the dominant position in respect of legislation. A money bill passed by the House of Commons becomes law within one month thereafter, even if the House of Lords has not agreed to it. Other public bills passed by the House of Commons can be delayed by the House of Lords for a year. It is rather more complicated than that, but the point to be made is that the will of the Commons, if not modified by the work of the House of Lords, prevails in the end. Private bills have to pass both Houses, so that the House of Lords can not only delay but kill them. If the Government of the day is defeated on a matter of confidence in the House of Commons, it must resign, but not if defeated only in the House of Lords. The lower House therefore has the final say, between general elections, on whether the Government shall continue in office. At a general election this right passes to the voters.

The monarch acts generally on the advice of his or her Ministers, but is not a mere rubber stamp. He has a right to be consulted on affairs of state and to encourage or to warn, out of the depths of an experience usually longer than that of Ministers. While the *power* of the Crown is limited its *influence* is very great and there are certain duties, especially in regard to calling upon a party leader to form a Government when there is doubt as to who is likely to have and retain the confidence of the lower House, where the sovereign has to exercise initiative and sagacity of a high order. The existing prerogatives of the Crown are considerable, in regard to the reception of the ambassadors of foreign states, the conduct of state ceremonial, the granting of charters to universities and many other matters. The hereditary principle is invaluable in placing a sovereign above party politics, although, for obvious reasons, it is not available to a young country for the appointment of its head of state if it is completely unconnected with Britain.

The Prime Minister is almost invariably the leader of the political party with the largest number of members in the House of Commons, though variations may occur when no party has an

absolute majority and a coalition is formed. The Prime Minister selects the other Ministers and the Parliamentary Secretaries, who are junior Ministers. Not all Ministers have a regular seat in the Cabinet, which is the Prime Minister's inner council, but may be called in for consultation. Free expression of opinion enables any member of the public to criticise a Prime Minister, and people sometimes get the impression that the daily affairs of the nation are carried out by a sort of preponderance of voices at every step, but this is quite wrong. The unifying influence of a single leader at the top is always preserved. The democratic safeguard is that the Prime Minister goes out of office (a) if he is defeated in the House on an important measure (b) upon the expiry of the term of office of a Parliament. The people can then vote in another political party if they do not like what the Prime Minister has initiated, or, if it is to do with personal unpopularity, his own party can try to get back with a new leader. While he holds office, his rule is nearly as all-embracing as that of a dictator. Of course he is in constant consultation with his Ministers, and some Prime Ministers are less domineering than others, but the same may be said of most dictators. It is the method of getting rid of a Prime Minister more than the method of appointing him which distinguishes him from a dictator, who stays on indefinitely unless his rivals mount a coup or assassinate him, usually to the accompaniment of much loss of life and misery among opposing factions. The British democratic system depends for its effectiveness largely upon conventions that have grown up in practice and been found to work well. Workability rather than the rigidity which springs from reducing everything to written laws has been a sufficient test for the practical British temperament. It seems to me that persons rather than words are the prime units of the system. This does not make it less of a system or allow it to be treated with disrespect. If there are significant departures from this way of securing personal leadership, for instance when party bosses make the Prime Minister's judgment subject to their own, then the system becomes something different and less well-tryed. A Labour Prime Minister of Australia is said to have no power to dismiss a Minister and to be obliged to accept Ministers nominated by the Trades Union Congress. All he can do is to shuffle them around. This, however, is no part of the system we are describing, and could substitute a committee of third raters for a single first rater, left free, after careful selection, to do what his kind of genius commands.

It is possible, under the system, to have a number of political parties, and many voters feel that neither of the two major parties is very good and that it is a question of voting for the lesser of two evils. A two party system ensures more stability and continuity, and usually exists, partly because voters prefer to vote for a party that has a fair chance of success rather than for one of the small parties which are almost certain to be defeated.

The development of modern democracy, originally under British leadership, (as far as the broadest principles are concerned), is a continuing process, affected in its details by historical differences in different countries, but it is always possible to determine whether a people has sufficient equality of opportunity and individual freedom to make it democratically governed or whether, on a true view of the situation, it is governed by an oligarchy or a dictatorship. A variation like the introduction of proportional representation does not affect the essentials of modern democracy, but, if a system is instituted whereby, for instance, different classes of voters have different weights attached to their votes, perhaps for compelling temporary reasons, this is an alteration of an essential, and it is no use pretending that democracy has yet been attained. In the West, democracy is almost invariably the ultimate aim, but the problem of how to get there is complicated and not clarified by saying, for instance, that a democracy exists when there is an oligarchy which, within itself, adopts parliamentary forms denied to other sections of the community. It may well be that it is advisable to progress gradually, as we know the people of Britain progressed, but there is nothing to be gained by misnaming the stage reached at the moment, and a good deal of trouble and discontent has arisen, especially in Southern Africa, through claims to be democratic which are false. It is also unhelpful to claim that the whole of a population is ready for democracy when a large section of it is not yet ready. In such circumstances it is best to provide a uniform qualification for the vote, pitched quite high, and to allow the electorate to adjust itself accordingly, so that, while all the adults are not yet enfranchised, it is plain for all to see that, with educational and financial progress, they will be, within a reasonable time, although, at the moment, an oligarchy is ruling. Problems of defence and economics may dictate the pace of advance, as they did in Britain, but the hope of advance must at all times be kindled, otherwise an intractable situation will arise wherein the more backward feel that they and their descendants are going for ever to be denied progress, whereupon the essential unity of the country can be destroyed.

The duties of the Member of Parliament are to examine all the details of the Government's budget and then to vote supplies for the carrying out of the budget or to withhold them, on pain of possibly bringing about a general election. He also airs private grievances, if other remedies have proved fruitless, takes part in the debates on legislation, serves on select committees of inquiry and has an interesting opportunity for constructive work if he introduces a private member's motion on some subject additional to the Government's programme. Such motions have often struck a first blow for an important reform. He should report back to his constituents from time to time, to give his view of what is happening in the House. He is often called upon to open new factories, charit-

able bazaars, etc.

The Civil Service carries out Government policies and provides information and tenders advice to the Government.

The Judiciary, selected for the independence and integrity of its members, interprets and applies the laws to the innumerable cases, both criminal and civil, that arise, and this applies not only to laws enacted by Parliament but also to the great body of common law that has grown up over the ages. In the eleventh century A.D. the University of Bologna, one of the first three universities to be established in Europe of the Middle Ages, became a centre for the study of Roman Law. Many students from far afield attended, including a number from the Netherlands, the home of a long succession of able jurists, who blended Roman Law and Germanic customs into the Roman-Dutch system, which was later brought by the Dutch to the Cape. In Holland itself it was afterwards replaced by the Napoleonic Code. In Ceylon and Guyana only small relics of it survive. Southern Africa is now its home, and here it has been much influenced by English Law in various of its branches. Professor R. W. Lee professor of Roman-Dutch Law at Oxford, has said, comparing it with English Law, that it is rich in principle but poor in detail whereas English Law is rich in detail but poor in principle. As English Law was carried by British colonization to huge areas of the globe, including what is now the United States, practitioners in that system are seldom impressed by this statement, but that is only because they have not had the advantage of being brought up on the Roman-Dutch system;

When England began to establish overseas colonies, these were regarded at first as possessions of the Crown in a literal sense, though where, as in North America, there was considerable European settlement, the settlers had of necessity to set up their own legislatures, if only because the slowness of travel made it impossible for London to attend to every colonial affair. In Virginia, the oldest of the original thirteen colonies, a Governor and Council were appointed in Britain, but from early in the seventeenth century, there was an elective assembly of burgesses with wide powers so that, at this early date, the freemen of Virginia, made prosperous through the growing of tobacco, had better representation in the councils of their state than the bulk of the people of England had in theirs. The King, however, retained overriding powers, and, in the late eighteenth century, the American War of Independence was sparked off when George III imposed certain taxes upon the thirteen colonies to help to pay for the wars with the French which had in part been undertaken to protect those colonies. The cry was "no taxation without representation," since the colonists were not represented in the British Parliament.

The success of the War of Independence ushered in the long period of decentralisation within the remainder of the Empire which has done so much to further the cause of freedom in the

modern world, reaching down at long last, to the numerous slaves in South Africa and the British Caribbean islands, though slavery continued for many years in the United States and South America. Ex-slaves, however, still formed a depressed class, and their descendants seldom found a full measure of freedom. As they were coloured people, this situation has done much to exacerbate the problems which later came to be called "the Colour Question." Leaving out for the moment the special case of the ex-slaves, self-government in varying degrees was granted to all the more important components of the Empire. After World War I, many of them became completely independent, but shared the same sovereign. After World War II, India, Pakistan, Burma, Ceylon (Sri Lanka) and a galaxy of African states became independent, Eire, Burma and South Africa left the Commonwealth altogether, and some of the others have their own heads of state and are associated together only for the purpose of consultation and co-operation on matters of common interest.

The name "Commonwealth" has been substituted for "Empire", being used to denote all the countries which are still associated together, including those that remain colonies of the United Kingdom or of some other autonomous state (e.g. Papua-New-Guinea, till recently a trust territory of Australia). see the section on *Commonwealth* in the 4th Edition of Halsbury's *Laws of England*. This seems to be the better nomenclature, though it is tempting, in one's search for a collective name for those countries which are not full members of the Commonwealth, to retain the name "Empire" for them, and one does occasionally find references to "the Commonwealth and Empire" In an article in the *Encyclopaedia Britannica*, Professor Mansergh writes of "the colonial Empire," and British laws of citizenship have provision for citizenship of the United Kingdom and colonies.

Whatever the problems of nomenclature may be, those countries which are not full members of the Commonwealth are usually governed in important respects by the civil servants of a full member, with a Governor at their head. They usually have a legislative council with some local representatives elected to it. When, as in the case of Rhodesia and Malta some years back, they are well on the way to becoming full members, all the members of the legislature are elected in the country concerned. A protectorate, as its name implies, sometimes preserves the thought that it will some day no longer need protection, though, while it does, the protecting power will govern it, save for minor aspects of purely local government. Thus Northern Rhodesia and Nyasland, before Federation, were protectorates in which the protected persons had no vote, unless they elected to become naturalised British subjects. Before 1923, Southern Rhodesia was classiffed as a protectorate. but it was administered by a commercial company which tended to follow a colonial rather than protectorate model. The company

exercised the main functions of government, but it had a legislative council, an increasing proportion of whose members were elected by the people, which meant all the people, African no less than immigrants. This will be followed up in greater detail in a later chapter. After 1923, Southern Rhodesia became a self-governing colony; the country was annexed by the Crown, and was all set for gradual progress towards the fuller self-government already granted to Canada, Australia and New Zealand, but differing from South Africa, in which representation in Parliament of the majority of the people was of a very slender character, to be later abolished altogether. The outstanding point about the government of Southern Rhodesia immediately after 1923 and for the next 38 years, was that all the people could qualify for the vote on the same basis, which is an essential feature of modern democracy. The fact that we have already tasted it should make a return to non-racial government easier, now that education has made long strides among the Africans. At the present date, however, although the foundations for a normal democracy were laid in 1923, those foundations have been departed from. In recent constitutions, racial differentiations have been introduced into the form of the parliamentary constituencies and the principle of the single common roll has been abandoned. The principal reasons for these changes are probably (1) the desire to bring about a faster representation in Parliament of a large majority who were less advanced than the European minority, without losing for the country the leading position in public affairs occupied by that minority before the majority were ready to assume greater governmental responsibilities. This operated at the time of the 1961 constitution, with its provision for two common rolls. (2) the growth among the European minority after 1961 of a desire to maintain a privileged position for all time, or for "the foreseeable future," which is much the same thing. Here the influence of Rhodesia's rich and powerful neighbour to the south was of considerable force. South Africa had adopted its dogma of separate development for the races and had abandoned the ideal, cherished earlier in the Cape Province, of moving towards a single democracy for all the people; it was proposed to give independence to the "Bantu homelands", which occupy about 13% of the total area of South Africa. The Coloured and Asian sections have no home lands, but are also regarded as forming "nations" which must be developed separately. Since the homelands cannot possibly contain all the Bantu who live and work in the "European areas," these separations invite much criticism from abroad. What changes may have to be made in South Africa is a question falling outside the scope of this book, but some modifications may well take place. For Rhodesians it must be pointed out that Rhodesian history as a European dominated state began much later than South African history; South Africa can claim that world attitudes towards peoples in the newly dis-

covered lands were uniformly arrogant and usually hostile, as can be seen by recalling how the Red Indians of the Americas and the Aborigines of Australia were treated. Social anthropology had already begun to improve those attitudes by 1890, and Rhodesia does not have the excuses which South Africa had in her early history, when slavery was universally practised. Consequently if we believe in democracy and wish to make our contribution towards preserving it against the attacks of its enemies, we would be foolish to adopt those obstacles to its progress in South Africa which arose from ancient attitudes in the course of being rejected in most of the West at the time Rhodesia was born. We have our own special problems which are numerous enough, without adopting those which have unpopularised South Africa among the other nations. Rather should we imitate only those many features of South Africa which have gained her a leading place.

At present we have to admit that modern democracy has brought only a partial recognition for itself in Rhodesia.* Its failure in many newly-independent African states proves that it cannot be introduced suddenly to people who do not fully understand it, but does not prove that it must fail where introduced gradually in Rhodesia; to believe so would merely invite a destructive conflict. The student of civics can, through his acquaintance with the history and main principles of democracy, see that there is no escape from those principles if the country is to be restored to the sound foundations originally laid in the earliest electoral laws. It is no good indulging in what one liberal South African newspaper has called constitutional cosmetics, in an endeavour to patch up schemes which, however well-intentioned they may be, have ignored the basic principles in favour of novelties suggested by amateur reformers.

While the chief and elders of small primitive tribes are not to be despised, we can see that, if a modern viable state is to grow up, their functions have to change so that they become part of only one element — the aristocratic element — in a better-organised government, capable of holding its own among the western nations. Arrangements such as the indirect rule associated with the name of Lord Lugard have useful features at a certain stage, but, as the recent history of Nigeria shows, they cannot continue indefinitely else they create a collection of little tribal groups trying to settle every problem according to what is best for the tribe and thus causing disunity where unity of the whole state is essential.

The main stream of democratic progress is there to be seen in history, but there are many earnest but confused persons who ignore it in favour of what they think are flashes of genius occurring in their own minds.

* For more details, see the next chapter.

Further reading:

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|----------------------------|---|
| Encyclopaedia Britannica | <i>Articles on Empire, Parliament, etc.</i> |
| Morrison, Lord | <i>Government and Parliament</i> |
| Garlake, P. S. | <i>Great Zimbabwe</i> |
| Rich, N. | <i>The Age of Nationalism and Reform, 1850-90</i> |
| Gilbert, F. | <i>The End of the European Era, 1890 to the Present</i> |
| Richardson & Spears (eds.) | <i>Race, Culture and Intelligence</i> |

1. The first of these is the fact that the Rhodesian Government is a government of all the people of Rhodesia. It is not a government of white Rhodesians only, nor a government of black Rhodesians only, but a government of all Rhodesians. This is the first principle of the Rhodesian Constitution, and it is the basis of all the other principles of the Constitution.

2. The second principle is that the Rhodesian Government is a government of the people, by the people, and for the people. This is the second principle of the Rhodesian Constitution, and it is the basis of all the other principles of the Constitution.

3. The third principle is that the Rhodesian Government is a government of the people, by the people, and for the people. This is the third principle of the Rhodesian Constitution, and it is the basis of all the other principles of the Constitution.

4. The fourth principle is that the Rhodesian Government is a government of the people, by the people, and for the people. This is the fourth principle of the Rhodesian Constitution, and it is the basis of all the other principles of the Constitution.

5. The fifth principle is that the Rhodesian Government is a government of the people, by the people, and for the people. This is the fifth principle of the Rhodesian Constitution, and it is the basis of all the other principles of the Constitution.

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Chapter 6

Government of Southern Rhodesia from 1889 to the Present

The explorations of Livingstone, Stanley and others showed Europe that sub-Saharan Africa could be penetrated and that it held exciting prizes which could be taken. At the Berlin Conference of 1885, the European powers which had gained a foothold in Africa agreed on how they would conduct their "scramble" for the continent with the minimum of dispute among themselves. In the previous year Bechuanaland, now Botswana, had come under British control, but there was no European power with an indisputable claim to the wide areas of the interior on the banks of the Zambezi.

Rhodes shared with Joseph Chamberlain and others an ambition to see an all-British empire or sphere of influence extending from the Cape to Cairo. He secured in 1889 from Queen Victoria a Royal Charter for the British South Africa Company. The Belgians and the Germans cut the road to Cairo, but there was plenty of thinly-populated land as far as the southern shores of Tanganyika, towards which covetous eyes were cast by the Portuguese, President Kruger of the South African Republic and the Germans.

The Charter of 1889 gave the Company the right to operate in an area vaguely defined as the region of South Africa to the north of British Bechuanaland, to the north and west of the South African Republic and to the west of the Portuguese Dominions. In 1891 an Order in Council issuing from the Court at Windsor, recited that the parts of South Africa bounded by British Bechuanaland, the German Protectorate (i.e. South West Africa) the rivers Chobe and Zambezi, the Portuguese Possessions and the South African Republic were under the protection of Her Majesty the Queen, and, until 1923, when it was annexed, Southern Rhodesia was classified as a protectorate. Clause 24 (vii) of the Charter authorised the Company to settle its territories and lands and to aid and promote immigration. Clause 10 required it to preserve peace and order and enabled it to establish and maintain a police force. Clause II required it "to the best of its ability to discourage", and, "so far as may be practicable" abolish by degrees any system of slave trade or domestic servitude in its territories. Clause 13 prohibited it from interfering with the religion of any class or tribe of the inhabitants except so far as might be necessary in the interests of humanity, and Clause 14 laid down that in the administration of justice careful regard must always be had to the customs and laws of the class or tribe or nation to which the parties respectively belonged, but subject to any applicable British laws.

An Order in Council of 1898 provided in clause 49 (2) that the law to be administered by the High Court and the Magistrates' Court would, so far as not inapplicable be the same as the laws in force in the Colony of the Cape of Good Hope on the 10th June 1891. Clause 50 provided that in civil cases between natives the Courts were to be guided by native law so far as not repugnant to natural justice or morality or to any Order in Council, Proclamation or Ordinance. This Order in Council was called the Southern Rhodesia Order in Council, 1889, and it defined the boundaries of the territory a little more precisely than before. Rhodes, who had been Prime Minister of the Cape since 1890, resigned that position in 1896, as a result of the Jameson Raid late in 1895, and this Order in Council gave the British Government more supervisory powers over the Company than hitherto. Clause 12 of it allowed a Secretary of State to appoint a Resident Commissioner. Clause 13 established an Executive Council to assist the Company-appointed Administrator, consisting of the Resident Commissioner, every administrator other than the Senior Administrator and not less than four members appointed by the Company with the approval of a Secretary of State. Clause 17 established a Legislative Council composed of the Administrator, the Resident Commissioner (who could speak but not vote) and nine other members (fourteen after the Order in Council of 1903). Five of these (or seven after 1903) were appointed by the Company with the approval of a Secretary of State, and four (or seven after 1903) were elected by the registered voters. By 1917 the number appointed by the Company had been reduced to six and the number of elected members had been increased to thirteen. Clause 48 placed the police under the control of a High Commissioner stationed at the Cape. In 1909 the Resident Commissioner was placed in command of the police. The duties of the Resident Commissioner included the immediate reporting of all occurrences of importance to the High Commissioner.

Before 1898 two African rebellions had been put down, and Southern Rhodesia could be regarded as a conquered territory, hence the annexation in 1923. At the time of the original occupation in 1890 it is extremely doubtful whether Lobengula realised the full implications of the permission he had given the Company's agents to mine in his raiding grounds in Mashonaland or whether all the chiefs in Northern Rhodesia who gave concessions had any such realisation. All of them probably had a vague understanding that the European powers were taking control over Africa and that British protection might be the best on offer. Northern Rhodesia was administered by the Company through separate administrators until 1924, when it came directly under the Colonial Office.

In Southern Rhodesia the earliest electoral law, relating to the elected members of the B.S.A. Company's legislative council, appeared in a High Commissioner's Proclamation of 1898. As noted

in chapter 1, it provided that any male person not being under the age of twenty-one could be enrolled as a voter if he was a British subject or had taken an oath of allegiance to the Queen and of intention to reside permanently in Southern Rhodesia and if he could fulfil one of three conditions, i.e. (a) that he had occupied a building worth £75, (b) that he was the registered owner of a block of reef claims or of an alluvial claim, or (c) that he earned salary or wages of not less than £50 per annum. In addition he had to be able to sign his name and write his address and occupation. Later the property and income qualifications were heightened, but not to an unreasonable degree, considering the fall in the value of money. The educational qualification was made more difficult. Illiberal views among the Europeans were often expressed, but Britain's control over differential legislation held them in check. This plain and orthodox common voter's roll continued after the grant of responsible government in 1923, with some further heightening of qualifications, until 1961, when two common rolls were instituted, introducing an original Rhodesian variation of the normal democratic form, in the implementation of which change the Africans refused to co-operate. Whether this rejection was because the aims and effects of the innovation were not understood, or whether it was because of a right instinct that age-old democratic methods were unlikely to be improved upon in one small country at that late date, may be the subject of controversy, but the fact is that the single common roll, though slow in operation, had for 63 years been a powerful assurance of the good intentions of the invaders. The Africans did not hurry themselves to get on to the voters' roll, and the predominantly European electorate did not exert itself to put them on the roll or to recruit for political parties those who were enrolled, with the exception of the Southern Rhodesia Labour Party which, for a short time, existed side by side with another Labour Party, devoted to the leadership within their sphere of the European artisans. Only a few hundred Africans were enrolled, but the mere fact that a path had been opened along which they could take some part, on the same terms as everyone else, in the administration of the country, marked an enlightened and fair attitude on the part of those in control, which was reciprocated by a loyal support for the Government after the two rebellions of the nineties had been put down, as evidenced by the not inconsiderable contributions made voluntarily by chiefs and their people in the two world wars fought in defence of freedom.

After the provinces of South Africa were united in 1910, the liberal policies of the Cape, which had inspired the original Rhodesian franchise policy, persisted there for some years and then were overborne by the racial separations of the other three provinces. The influence of little Southern Rhodesia's powerful southern neighbour has always been present, and the Federation of Rhodesia

and Nyasaland (1953-1963), followed by the immediate grant of independence to the Africans of the two northern protectorates, increased the isolation of Rhodesia as an enclave wherein the liberal element strove to maintain the principle of non-racial progress on merit against separate development on the one hand and the other brand of racism, embodied in the phrase paramountcy of African interests, on the other. Unhappy events in the Congo and other newly-independent states where the Africans had not progressed as far as those in Rhodesia in education or in agricultural and industrial development of a western character, caused a reaction against African political progress among the Rhodesian Europeans and a surge towards South African separate development. The unilateral declaration of independence of 1965 followed, accompanied by frankly racial constitutional changes. Whether this new direction was intended to be a harbinger of peaceful growth remains obscure to any who did not help to cause it, but, if that was the intention, current events have done little to show that it is being realised.

Franchise laws provide only one aspect of democratic life. Another arises in connection with land laws. A bad feature of early company rule in Rhodesia was the sale of enormous tracts of land at very low prices to land speculating companies. By the time the Morris Carter Land Commission had reported in 1928, 31,000,000 acres had been acquired by Europeans, who naturally took the best areas available, while the financially weak African community had only been able to acquire 45,000 acres outside the already established native reserves, which had been set aside for occupation in perpetuity by the Africans. It is obvious that, unless something was done to prevent it, nearly all remaining saleable land would be snapped up by Europeans. Most of the evidence given from all sides favoured what the Commissioners called "possessory segregation" for races then at very different stages of advancement, and this was recommended. It was thought that it would last "for generations to come," and "until the Natives had advanced much further along the paths of civilisation." but the Commissioners did not regard the proposed apportionment as something that would last forever. They did not contemplate extreme rigidity nor did they go beyond their terms of reference to recommend any kind of political segregation. At that time the dogma of *apartheid* by law had not been developed in South Africa, though it existed there in large measure in practice as it did in most aspects of social life in Southern Rhodesia.

There followed a Land Apportionment Act, based on the report, which was amended at least twenty-five times, often to meet "advances along the paths of civilisation," e.g. the amendment which allowed African advocates to have their chambers in the heart of Salisbury and Bulawayo, and that which allowed African students to reside at the University, these amendments being made

without undue fuss or controversy.

In 1960 a strong non-party select committee of the Southern Rhodesian Parliament, after three years of intensive work, during which they reviewed the whole history of the land laws, travelled all over the country and heard much evidence, came to the conclusion that land apportionment should be progressively abolished. Sir Edgar Whitehead, then Prime Minister, adopted this view at the next general election, but was soundly defeated, and the next Government reversed the gradual movement that had already begun towards equality of treatment for all in land rights, and introduced a rigid Land Tenure Act at the same time as they formulated their own variety of South Africa's separate development for a country differing widely from South Africa in the proportion of the races, the size and situation of the areas predominantly occupied by the respective races, the historical background and other features. The proportion of land allocated per head of the African population was roughly the same in both countries.

When the Land Tenure Act is read with the 1969 Constitution (summarised in Chapter 8) it will be seen that the electorate swallowed a package deal which contradicted the general notions of a unified democratic state towards which, slowly and grudgingly, the country had been moving. The reasons for this are not far to seek. The ten years of Federation, though economically successful, had not succeeded in making a blend of Southern Rhodesia's gradual progress towards a non-racial democracy and the northern protectorates' aim of a rule that would, above all else, be a black rule. The Congo debacle, during which thousands of persecuted Belgian refugees had streamed out through the Rhodesias, had shown that black rule could mean chaos. The refusal of the Macmillan-Butler partnership to trust Southern Rhodesia with complete independence could hardly fail to cause indignation in this country. More important from the viewpoint of civics, however, is the mystery of why the Southern Rhodesian electorate chose to abandon the pre-Federal policies it had evolved in regard to land tenure and to adopt a dogma of separate development which had brought so much unpopularity to South Africa. One reason certainly was that the essential documents concerning land apportionment were not available. The Morris Carter Report of 1928 was out of print. The Land Apportionment Act and its numerous amendments had not by then been consolidated, were scattered throughout numerous statute books and could not be understood by the lay reader. Though political separation was not a consequence of land apportionment, most voters thought it was, and that land apportionment was a sort of Magna Carta for Europeans, which it was not. This is a prime example of how an accurate knowledge of history must be gained before a previous fairly successful course of development is broken down. If voters are not prepared to take the trouble to gain such knowledge, they can-

not expect to govern themselves. Once they have mistakenly adopted a wrong course, they make some new history, from which it is almost impossible for them to extricate themselves, hence the derivative complexities of the 1971 settlement proposals. These proposals, known as the Smith-Home proposals, endeavoured to make the way clear for a return to normal democratic principles in a way that would not appear to be too much of a somersault for the Europeans to take. Generally speaking, the Europeans accepted the proposed settlement, but the African nationalists had got the bit between their teeth, did not want yet another complicated scheme imposed upon them, doubted whether its terms would be carried out to the letter, and cried for majority rule now and "one man, one vote". At the time of writing, this is the *impasse* reached. The need for détente among African countries, espoused by Mr Vorster and the presidents of certain other Southern African states, has introduced a new factor. It is not impossible to find a solution, but the people of Rhodesia will have to get together on the basis of the true facts, which means hard work, and mutual understanding at all levels. It also means a realisation that higher education cannot be dominated by those faculties which serve the wants of the economic structure, important though these are. They alone cannot solve our major problems. We saw what happened to the University of Heidelberg during the period when it was compelled to serve the demands of Hitler's Germany. Our state is not a Nazi state, but it has need of those broad views which can only be cultivated in independent philosophical and historical departments.

Further reading: In the original editions of the Statutes and not in the later consolidated editions which omit what is no longer in force:

The B.S.A. Company's Charter; the S.R. Order in Council of 1898; High Commissioner's Proclamation No. 17 of 1898; the S.R. Constitution Letters Patent of 1923; the amendments to that Constitution; the Federal Constitution; the 1961, 1965 and 1969 Constitutions for Rhodesia; the 1971 Settlement Proposals;

Galbraith, J.S.

'Engine without a governor: the early years of the B.S.A. Company', Rhodesian History, the Journal of the Central Africa Historical Association, Vol. 1.

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Articles on Africa and Jameson.

Chapter 7

Local Government in Rhodesia

The early parish councils of Britain, as we have seen, played a noteworthy part in the development of democracy. In Rhodesia, local government, did not. The B.S.A. Company's rule over the whole country was authorised by a Royal Charter and by various Orders in Council setting up a central government. The Company had to maintain peace and good government. The necessary instruments for this task included the creation of municipalities and village management boards for the European towns and villages. In this sphere the principle enactment was the Municipal Law, 1897, which continued in force for a long time after the Company had ceased to rule, and became a very antiquated piece of legislation. In the country districts the European farmers and miners for many years had no sort of local government at all. The African tribesmen had the relics of their tribal organisation, which were relied upon to supply their needs for local government in the native reserves, later enlarged and called Tribal Trust Lands,, into which they were concentrated. The chiefs and headmen were supervised by the Native Commissioners, but this supervision was at first mainly concerned with collecting hut tax, preventing the spread of cattle diseases, persuading the Africans to come out to work for the Europeans and generally enforcing submission to the new white rule. The necessary policing and administration of the criminal law were not connected with local government, nor was the settling of civil disputes when they were important enough to come to the Native Commissioners and Magistrates or to the Superior Courts. Until 1937, when Native Councils were established, little was done to bring the Africans along in the ways of democratic local government. The European municipal councillors were not expected to, and did not interest themselves in civics for the Africans. They confined their attention to the administration of the towns for which they were elected by the European ratepayers, and no one felt that the bringing of western civilisation required the inculcation among the indigenous people of a knowledge of the construction of roads, sewers, aqueducts, abattoirs, assembly halls or the other conveniences of civilisation which the Ancient Romans managed to show their colonies how to build.

Local government in Rhodesia is distinguished from its counterparts in most other countries by its racial separation, even more pronounced than in the country's central Parliament, which at least provides a few seats for African members. Local Government in the African areas is expected to evolve almost entirely out of the efforts of the poorest section of the community, and the financial resources available are inadequate to engender a rapid move forwards.

In the European rural areas, the farmers and miners are thinly spread, and, until a few years ago, had only road councils and intensive conservation area committees and village management boards. The new rural councils have wider powers, and take some of the villages and some of the outlying town suburbs under their jurisdiction.

The African councils have a longer history, being established under a statute of 1937, which provides for the issue of warrants setting up these councils with varying proportions of elected members and traditional leaders and with differing powers as considered suitable to the stage of advancement reached. There are still parts of the Tribal Trust Lands without councils, where a District Commissioner, with some aid from the local chief, extends the powers of the central government to form the only local government. In the more advanced and prosperous areas the councils administer annual budgets of considerable size, and have built up a bigger store of experience than that of the new European rural councils. Guidance and some financial help is provided by the agents of the central government, but racial separation remains rigid. The original Native Reserves, the Land Apportionment Acts and the new Land Tenure Act have all combined to put the races in possession of different areas of land. Both races find it easier to work with people of their own language, customs and background experience, but this factor is less striking than it was, owing to the advance of education and the common use of English at least among people who are likely to serve upon local governments and to the fact that the duties of local councillors, whether black or white, are becoming more and more the same in essence, though the works to be undertaken may differ in size. Racial customs hardly enter into such questions as the siting of a dam or a road or the allocation of funds for tree-planting. The African Councils set up in 1937 are beginning to work, but racial separation robs them of some of the fruits of this success, to the prejudice of the whole country. An African council and a European rural council in charge of adjacent areas, sharing the same river basin, requiring transport to the same markets with a network of minor roads to give access thereto, and the same problem of soil and water conservation must employ separate staffs, buy separate machinery and equipment, be advised by separate central government departments, meet in separate buildings and not even consult with each other about how to take their next steps, so as to effect economies. The original setting aside of land on a racial basis has, of course, resulted in the thin spread of comparatively wealthy Europeans on the one hand and densely-populated areas of poor Africans on the other, with consequent very patchy development of roads and other facilities of two different qualities. But the high rates paid by the few Europeans could be compensated for by a very large number of poor ratepayers. It is as if the

rulers of the present regarded the African councils of 1937 as embodying so masterly a principle that it would be presumptuous to regard them as demanding change to meet changing times, notwithstanding that new light has been shed in other countries by the development of such studies as country planning. When the original apportionment of land was made in Rhodesia, no attention was paid to the situation of river basins, mountain ranges, mineral deposits, similar soil formations, etc. The consequence is that general development is just as patchy as the unequal development of the African and European rural areas. Roads of heavy construction, power lines, telephones and railways were extended first to the European areas, then the only areas that could make full use of them, but the districts cannot find ecological centres, being split up into areas of unequal development. This in turn impedes decentralisation of industry. The whole country cannot be re-mapped, but the component parts of existing districts can be made of more equal value by adopting plans less wasteful of administrative personnel, skill, plant and accumulated knowledge. The telescoping of state services now provided separately for African and European rural areas offers a particularly promising field, and we know that, immediately after the dissolution of the Federation, agriculture was for a time successfully served by one ministry, the officers of which found that, under one large ministry, they had better opportunities for advancement and, more important to the country, that the chance to advise both large-scale and small-scale farmers extended their knowledge of the country's agriculture as a whole, to the advantage of both races. Yet, in most people's minds, it remains pure fantasy that stern economic realities must soon create councils having both African and non-African members who will make the best use of available resources and help each other with either the employment of efficient modern techniques or, in the other direction, with knowledge of the special problems of the under-developed areas of the district, road alignments, the presence of gravel deposits for roads, the best rating structure, etc. In recent years, an immense amount of time has been spent on how to separate the races still further. The results of that policy are not encouraging. The attempt to transfer to a tribal organisation which was not devised for the subordinate status of a local government in the straightforward tasks of a local government, employing a paid staff, has created something new to African administration, and made for conflict between elected and traditional leaders. The organs of local government should provide one of the best means to bring about that unity of organisation which a democratic unitary state must have, and this, would in no way interfere with the proper and quite different function of the chief as the authority on African social customs, or with his judicial functions.

Moving now from rural to urban local government, the con-

trast with the more advanced countries of the western world is even more striking. In Rhodesia the majority of town dwellers are Africans, but they have no representation on municipal councils, however successful they may be in business or the professions. This fact is so startling that the need for reform scarcely needs to be stated. To say that the African townships surrounding Salisbury to-day are no part of the city, or that their inhabitants are all incapable of voting sensibly for city councillors, or that they have no one who could be a good city councillor is fictitious. It is quite true that, when Salisbury was founded, the Africans had no knowledge or experience of the complicated organisation required for the government of a town. They had no towns; even Lobengula's kraal was only a large rural village. It is also true that a too sudden enfranchisement of the more backward Africans in municipal affairs would do no good to them or anyone else. I once visited a Tanganyikan town where this step had been taken too suddenly. The resulting disorder had to be seen to be believed. The best way to create a worse kind of disorder here will be to continue pretending that there has been no progress among the urban Africans. A road for the African townships to become wards must be opened if we are to do more than pay lip service to "progress on merit," for the Africans are believers in that maxim. There is no need to plunge. The property qualification of the European ratepayer would keep out a very high proportion of the Africans.

In fact, for the ward system to operate effectively in the African townships adjacent to the cities and towns, a new qualification for voters, possibly based on a fixed period of residence and period of gainful employment, will be necessary, and that would need also to be brought in for predominantly European wards, for the sake of uniformity.

Recent amendments to the Land Tenure Act will throw open to the Africans the business areas and certain non-racial residential areas to be selected. All remaining restrictions by race can be expected to go upon majority rule in central government being introduced, but, even without that, the movement towards non-racial voting in urban life is on its way. A doctor or university professor or businessman who establishes himself in one of the new non-racial areas will expect to have a vote there, and it is difficult to see how he can be precluded from standing as a councillor if he wishes to do so. That he may have a vote in a rural area where he is only present on rare occasions and consequently has little knowledge of rural problems is no compensation for not having a vote in the place where he daily lives, moves and has his being. It is very doubtful whether the amendments to the Act will produce dramatic movements of population sufficient to create an African preponderance in areas which have hitherto been occupied only by persons other than Africans, and it is a question of inter-

pretation whether section 86 of the 1969 Constitution, mentioned at the beginning of the next chapter, clearly provides for the expectations of the individual professional or business man just referred to, without amendments to that Constitution or some additional legislation of another kind.

Fortunately the cities and towns have been well-administered in the past. When a party of distinguished Nigerians visited Salisbury during the time of the Federation of Rhodesia and Nyasaland, they were full of admiration for the water supplies, lighting, sewers and absence of slums in the African townships. European skills in town management have established good foundations and prevented haphazard and unhygienic growth. A citizen seldom feels very bitter because he does not participate in local government so long as someone efficiently provides the required services. Apathy among a public in connection with such participation, however, means lack of opportunity to learn about the administration of a large urban complex and may lead to demands being made without counting the cost. The day of the old town native location for the housing of temporary unskilled labourers, administered by a location superintendent, has gone by without being noticed by the law-giver, except to introduce one or two developments of the old theory.

The second report of the Select Committee on Resettlement of Natives (1960) clearly explains how that theory has gone out-of-date. (Whenever this comprehensive report is mentioned it must be remembered that its title is misleading, in that the Committee found that resettlement was not appropriate).

While in Britain and Europe there are great variations of detail in the sizes of area represented by a local government, in the extent of the influence of the central government and in other matters, it is fair to say that, in a modern local government area, there is a body of ratepayers who elect councillors, and this body is determined by their residence in the locality and, in many cases, by their ownership or tenancy of fixed property. It is not determined by their descent from one race or another, nor are the councillors of different races prohibited from working on the same council. The time to follow these simple principles in Rhodesia is long past.

Fortunately the making of this transition to normality will be aided by the fact that recent developments in the theory and practice of local government point the way to reforms here that will be comparatively easy. We can build upon the best from our past by importing the idea of the town manager who relieves the part-time activities of the councillors of much detailed administration. Salisbury has recently adopted this innovation. Because it has had town managers for years in the African townships, this is not altogether new to the people here. All that needs to be done is to assimilate the practice of having town manager plus councillors

throughout the whole area of Greater Salisbury, no longer leaving the African townships without councillors.

Let us now leave the dominant fact of racial division in Rhodesian local government for a moment and consider how the organisation of a parliament of the British pattern differs from that of a local government.

As we have seen, when a political party becomes the governing party in a parliament, the new prime minister selects the ministers, who form the executive and take the lead in new legislation. The other Members of Parliament are legislators with the additional duties already described. The Speaker maintains order and has ceremonial functions, but does not take part in decision making. The Mayor of a town, on the other hand, does not owe his position to being the leader of a political party. He is elected annually by the councillors from among their number. He not only presides over council meetings and keeps order but also takes part in decision making. He has no ministerial executive. All councillors are accustomed to taking part in executive decisions and in the making of by-laws. The burden of duties placed on the full council is relieved by the committee system. There are several committees of the council, e.g. the Finance and General Purposes Committee, the Public Works Committee, the African Administration Committee, on which groups of councillors work and sort out the problems appearing, after which they make recommendations to the full council. It used to be the case that, while all councillors had three years' terms of office, only one third of them were elected at one election. This staggering of their terms of office ensured some continuity of policy. Now they are all elected at the same time for four years. The permanent staff and the fact that there are so many municipal construction programmes which take a long time to complete are the main agencies in ensuring a fair degree of continuity of policy. Ideally, councillors should confine their attention to broad questions of policy — to deciding what should be done within available financial resources, and not much to how it should be done. The expert staff employed by the council should be trusted if carefully selected to carry out the policy properly. But there is a strong tendency for councillors to become involved in details of administration and for the permanent officials, finding that councillors want to supervise their every step, to fall in with this rather than to have a long series of technical decisions upset at a later stage.

The committee system is to some extent on trial. Recent legislation in many parts of the world allows a council to transfer much detailed work to a high-powered administrative officer who will co-ordinate the work of the various departments and settle areas of conflict without constantly referring back to the council. In the United States, many cities employ town managers with such functions. It does not mean that the council relinquishes all its

duties. It still has to make many broad financial and other decisions, and can sack the town manager if he proves unsatisfactory. But the system, which has recently been adopted for Salisbury, is a reasonable concession to the world's growing reliance on specialised knowledge, including that of the "specialist in generalization," which cannot be supplied by laymen councillors who work on a part-time basis and hold office for limited periods. There is also some talk of having an inner council, resembling the ministers of a central government, so that the whole body of councillors is not brought into the making of every policy decision, but methods of appointing such an inner council are fraught with great difficulty, for obvious reasons, and will not be pursued here.

All true local governments are, of course, subordinate to the central government, which sets them up, determines their functions and fields of activity and whose legislation, in case of conflict, overrides their by laws. There is some talk in this country of "provincialisation", which seems to suggest that small African local governments will elect a few bodies with jurisdiction over five or six large areas, these bodies to perform some of the duties appropriate to a central government, in respect of which duties they will not be subordinate to the central government. They will be petty states in a sort of federation. The European areas, however, would not have their towns and cities electing representatives to any such petty states. Such an arrangement appears to be without parallel in other parts of the world, save in the most superficial respects, which do not provide true analogies, as a little study will reveal, and there seems to be no reason to suppose that all the complexity and expense of having this novel sort of federation in place of the unitary state founded in 1889 will work any more smoothly than the Federation of Rhodesia and Nyasaland, which was at least composed of three long-established states. The affairs of a federation cannot be successfully conducted if the Federal Government trespasses at all on the functions of the State Governments, or *vice versa*. The difficulty of observing this rule was one of the causes of the break down of the Federation of Rhodesia and Nyasaland. The component units must approximate to economic equality, one of the reasons for the ending of the first West Indian Federation. Tribalism is a disruptive force, as the recent history of Nigeria shows. 'Provincialisation' solves none of the difficulties of the advanced urban African. Members of Scottish clans employed in heavy industry in Glasgow may retain respect for the chief of the clan, but have long ago seen that he can be no substitute for local government within the city according to normal patterns.

The point has been made that local governments in modern times are subordinate to the central government, but this does not mean they are merely the tools of central government in matters properly placed within their jurisdiction. The central government

maintains a presence in varying degrees in different countries, e.g. in France, in the appointment and status of a mayor, but everywhere, in a democratic country, one has a body of electors who elect councillors to perform the duties of the local government, and this council, within its allotted sphere, acts independently. If it does not, healthy local government cannot exist. Where, as in Nigeria in recent years, there has been continual interference by the political parties of the central legislature, followed by a movement there towards dictatorship, one cannot any longer speak of local government at all. One simply has local administration, directed from the centre. In a democratic country, which Rhodesia claims to aim at becoming, there will always be variations in the form of local governments, due to historical reasons, such as the transition from rule by chiefs to modern rural councils, or to varying degrees of independence as between municipalities and town management boards, or to different sizes of urban areas and their respective resources, but divisions based on race though unavoidable on the first contacts of the two cultures, are among the things that must go, if we are to move towards democracy and not away from it.

A major factor in the extraordinary divisions which exist in Rhodesia's urban centres has been plain neglect. It has been no one's business to keep pace with educational and industrial advance in this matter. In the rural areas, dual control and the land laws have prevented advance. The African Councils of 1937 represented a step forward, as things were at that date, but to-day the ill-defined functions of Chief and District Commissioner have become anachronisms, and there is no movement towards the conception of districts based on economic necessities which must eventually be the basis of truly *local* government — a government for all the people within a defined *locality*.

Similar problems have been encountered elsewhere. England's first colony was Ireland. The coming to Ireland of feudal ideas, with large numbers of English lords who took over much of the best land, began a long history of foreign controls, all the complexities of which will not be traced here. They cannot be unravelled completely to this day, but, after securing her independence, Eire displayed some striking resemblances to Rhodesia in her rural life. Not particularly rich agriculturally, she had good pastures and still produces excellent livestock. There are many small-holdings, held by people who were not at all rich and, like our African peasants, were unable to generate sufficient wealth to provide all the services which modern rural local government demands. A reform of local government legislation was undertaken, which might well provide the direction in which our local government should be reformed, if we could send emissaries to study it on the spot. A very small local government needs the services of many specialists which it cannot by itself afford. What Eire has done suggests to me that central government in Rho-

desia should provide a pool of such specialists who would be recruited by central government. Each of them would be assigned to the service of several small local governments, who would pay for such services. Instead of each local government having by itself to employ health experts, dam builders etc. of little expert knowledge, thereby running the risk of making mistakes proportionately more serious than in the case of a large, prosperous local government, which can afford a whole range of experts and will seldom strike a failure, these small councils will be in full control of their own policies, without all the duplication which must exist when a Chief or District Commissioner has to obtain reports from several Government Departments and issue orders accordingly, taking over much of the management and co-ordination of effort. The Councillors, elected on a ward system, would represent all the people of the locality and could function in a truly democratic way.

Further reading:

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| Leemans, A. F. | <i>Changing Patterns of Local Government</i> |
| Akpan, N. U. | <i>Epitaph to Indirect Rule</i> (West Africa) |
| West, M. E. | <i>Divided Community</i> (a depressing study of a small South African town in which the social injustice of racial division is traced) |
| Gratus, J. | <i>The Great White Lie</i> |
| Barnes, L. | <i>Africa in Eclipse</i> (a pessimistic view) |
| Hodson, L. M. N. | <i>The Need for Speed</i> (address at University of Rhodesia graduation day) |
| Maclean, Fitzroy | <i>Eastern Approaches</i> (Tsarist authoritarianism left Central Asia less developed than much of Africa) |

Chapter 8

The 1969 Constitution

So far we have been approaching constitutional questions in the light of the fact that they are subject to continuing discussion among sections of the community in Rhodesia and may still attract further discussion between Rhodesia and the United Kingdom. To that extent they are still in the melting pot, and we felt ourselves at large to give opinions on how future arrangements that would be satisfactory to all concerned might grow out of the experience and the written constitutions of the past.

At present, however, we are governed by the 1969 Constitution, and we must therefore examine its provisions, for, unless and until they are changed, our activities will have to take place within their framework.

In the last chapter we were talking about methods of bringing about greater efficiency, economy and country-wide unity through improvements in local government, in the light of modern developments in that field. It is therefore convenient to begin our consideration of the 1969 constitution by looking at its section 86. This provides that an African shall not be entitled to vote in any election for or to be elected or appointed as a member of a municipal council, town council, rural council or other such local authority established in the European area, provided that a law can be made to provide that an African can participate in elections for a board or council performing local government functions in a commercial area in an African township within the European area or in a commercial or residential area set aside for both Europeans and Africans. A further provision dealing with African areas prohibits, subject to a converse proviso, any European from voting or being elected or appointed in connection with local governments in African areas. The suggestions made in the previous chapter are therefore effectively obstructed at the present time, and will continue to be so obstructed unless and until section 86 is amended; or unless and until provision is made for some new category of local governments under some such name as merged or mixed councils. Although the 1969 Constitution brings about other separations of the races, section 86 stands by itself as an additional separation, and its repeal could be considered as a starting point for whatever reforms emerge as a result of the discussions referred to above. There can be no doubt at all that the methods to achieve greater co-operation between the races in the field of local government have been gravely neglected for very many years, by successive governments. It cannot be denied that local government provides an excellent, if not the best avenue for

cultivating that greater inter-racial understanding towards which we are nowadays constantly being urged. The other reasons, given in Chapter 7, for this reform need not be repeated here.

Fortunately, the Constitution makes provision for its own amendment.

Let us now consider some of the other provisions of the 1969 Constitution, especially those which depart most radically from the Constitution Letters Patent of 1923, as amended, and the Constitution of 1961.

We have seen how parliamentary government has been the result of gradual growth in Britain toward greater freedom for the people and how the title "Mother of Parliaments", as applied to the Parliament of the United Kingdom is well-deserved, because many other countries, both inside and outside the Commonwealth, have taken over basic features of the British system.

Any full description of the "Mother of Parliaments" and her children would involve describing many practices, usually called conventions, which have sprung directly from political thought and have never been embodied in any statute. They have grown up in something the same way as a code of etiquette grows. Although they deal with more weighty subject matter than the rules of etiquette, they are very effectively supported in the same way by the prevailing attitudes of society towards what makes for the smooth intercourse of people in association, in this case an association of politicians. The party system, for instance, though it has become an indispensable part of the working of parliaments, receives no mention in written constitutions, but is governed by conventions.

It is sometimes said that the United Kingdom does not have a written constitution. This is not quite accurate, but it is true that such parts of its constitution as have been written into the law are not assembled in one place but are scattered throughout the statute books. But when another country sets out to incorporate in its system those parts of the British constitution that seem appropriate to its own circumstances, it is obvious that the precise extent of such incorporation has to be clearly defined. This can only be done by means of a written constitution. Even then, however, reliance is placed, particularly in Commonwealth countries, on many of the uncoded conventions evolved in Britain. This continues to be so in Rhodesia up to the present time, and the 1969 Constitution refers to "constitutional conventions and practices" e.g. in section 54(3). Anything in a written constitution which impedes the operation of an important convention deserves careful examination before being adopted. As Lord Malvern wrote in his foreword to Wilding and Laundry's *An Encyclopedia of Parliament*, "it is in the younger countries of the Commonwealth that parliamentary customs, traditions and procedure have had to be studied most carefully, in order that the high standards of

the Mother of Parliaments may be maintained. We in this country are conscious of the great heritage which has been passed on to us, and the writing of this book by two of our citizens may be regarded as a recognition of our solemn trust."

On the 20th June, 1969, the voters of Rhodesia voted to adopt a republican form of government. They also voted for the adoption of the 1969 Constitution, creating the oligarchy of which consideration was promised in Chapter 1.

The first decision involved the dropping of a number of conventions relating to the monarchy and the substitution in a written constitution of new provisions to take their place. This was done. In regard to the other provisions, particularly those concerning the relations between the major races of the country, the adoption of a republican form of government did not of necessity require alteration to the major trends established by previous constitutions, as described in preceeding pages, but an opportunity did arise for the exercise of originality and for the making of sweeping changes, which, in fact, the voters did make. Some such changes had been made in the 1965 Constitution, but those of 1969 were far more extensive.

Under the 1969 Constitution the President is appointed by the Executive Council for a period of five years and is eligible for re-appointment for a second term of five years (sec. 3 and 4). The Executive Council consists of the Prime Minister and other Ministers appointed and removable on his advice (sec. 56). The executive government is vested in the President acting on the advice of the Executive Council (secs. 53 and 55). There are a few matters on which the President is empowered to act at his own discretion, e.g. he may appoint the Prime Minister, but here he is required to appoint the person who is, in his opinion, best able to command the support of a majority in the House of Assembly. (sec. 57(1) (ii)).

Much originality appears in relation to the Legislature. There is a Senate of 23 Senators, of whom ten are elected by the European members of the House of Assembly. Ten are Chiefs (5 in Matabeleland and 5 in Mashonaland), elected by the Council of Chiefs. Three Senators are appointed by the President (sec. 13).

There is a House of Assembly of 66 members, of whom 50 are Europeans, elected by the voters in 50 European Roll constituencies. (European is defined as a person who is not an African). There are at present 16 African members. Of these 4 are elected by the Africans enrolled on the voters' rolls of four African Roll constituencies in Mashonaland and four are elected by African Roll Constituencies in Matabeleland. The other 8 are elected by four electoral colleges in Mashonaland and four in Matabeleland. These electoral colleges are composed of such Chiefs, Headmen and elected councillors as are prescribed in an Electoral Law. Increases in the number of African members are made dependent

on the proportion that total income tax assessed on African incomes bears to the total of income tax assessed on European incomes. Increases of two at a time are provided for, the first two to be elected by additional electoral colleges and the next two by additional African roll constituencies. For example, if at some future time the aggregate of tax assessed on African incomes were to amount to two-fifths of that on European incomes, then the number of African members would rise to twenty, or two-sevenths of the total membership of the House. If the number of African members rises to 50, no further increase of African membership can take place. (sec. 18).

It will take a long time for parity to be attained. The Whaley Commission proposed parity to be achieved quickly and the Monckton Commission on progress in the Federation had previously made a similar suggestion for the Federation, both apparently being moved by the desirability of making the major races feel that neither was being dominated by the other.

In Indonesia, when the Dutch were in control there, such a system apparently worked successfully in relation to three races. In Tanganyika, before it attained complete independence, there was representation of European, African and Asian communities by the election of one of each race in three-member constituencies. While it subsisted, this system worked well, according to members of the Legislative Council there whom I was able to interview on a visit to Dar es Salaam.

The 1969 Constitution is silent on how, if and when parity is attained, one is to ascertain who commands majority support in the House of Assembly. One solution would be found if the House was divided into political parties regardless of race. This could happen if the electorate favoured multi-racial parties. So far, however, the electorate has not adopted a convention to the effect that such parties must be preferred. Rather has the racial composition of Parliament had a ripple effect on the whole of political life by suggesting that community of interest and anything built thereon should be avoided whenever such community of interest cuts across the colour line.

Any bill other than a money bill or a private bill may originate in the Senate (sec. 40(2)). The Senate may delay the passage of a bill originating in the House of Assembly, which is not a constitutional bill or one certified by the Prime Minister to be so urgent that it is not in the national interest for its passage to be delayed. The period of delay is 180 days not counting periods when Parliament is prorogued (sec. 41, 42, 45).

There is a declaration of rights in the second schedule to the constitution. Section 84, however, provides that no court shall inquire into or pronounce upon the validity of any law on the ground that it is inconsistent with the declaration of rights. There is a Senate Legal Committee which has to examine all bills other than money bills or constitutional bills to see whether, if enacted,

any provision would conflict with the declaration of rights. (Another type of bill the Committee need not report upon is mentioned, but this is merely a technical point, connected with bills that have already been to both Houses, and need not concern us in this brief summary). If the Committee finds an inconsistency, the Senate may still resolve that the offending provision is necessary in the national interest. (secs. 71 to 75). The declaration of rights should be studied, when it will be seen that it embodies rights which are protected by the long-established laws of the country and are regularly enforced by the courts in any event, but, in accordance with the old maxim that the safety of the State is the supreme law, incursions upon the list of individual rights have sometimes to be made in times of war and national emergency, and the declaration allows the legislature to make laws that have that effect which are reasonably justifiable for dealing with situations that may arise in such events. See also sec. 80 of the Constitution for provisions as to the declaration of states of emergency.

There are of course many other provisions in the Constitution, the whole of which should be studied. Even those which have been summarised here should be studied in their complete form, for any summary of statutory provisions must fail to achieve the degree of precision that the full text has.

Since, as previously indicated, there prevails considerable uncertainty over whether changes to the Constitution will be found necessary, it is advisable to notice what provisions exist in the 1969 constitution for its own amendment. These will be found in sections 76 to 80. An amendment requires the affirmative vote in both Senate and House of Assembly of two thirds of the members of each House. Except in the case of amendments to entrenched provisions, if the Senate has delayed the amending bill for 180 days by not providing the requisite two thirds majority and if the House of Assembly then transmits the bill to the Senate for a second time, a bare majority in the Senate will suffice. Amendments to entrenched clauses, however, must score a two thirds vote in both Houses every time they are considered. The entrenched clauses are those relating to the constitution of the Senate and the House of Assembly (secs. 13 and 18), the Judicature (secs. 62 to 70), the method of amending the Constitution and entrenched provisions of the Electoral Law or the law relating to tenure of land (secs. 78 and 80), the provision that English shall be the only official language (sec. 81), the provision separating local governments on a racial basis (sec. 86), the second schedule, containing the declaration of rights, and the third schedule, which lists the entrenched provisions.

The national aspirations of various racial groups have, of course, exercised a profound influence upon the history of Europe. Where they existed within the same country, as in Austria

Hungary before the First World War, they have had a disruptive effect, against which the central government has usually fought, as the Austrian emperors did. The Hungarian rebellion led by Louis Kossuth in 1848 was based on nationalism, and it secured for the Hungarians a measure of autonomy, but there were many Slavs living in Hungary, and the rebellion was really in favour of the Hungarian landowners who, while resenting Germanic rule from Vienna, were not at all concerned for the freedom of the Slavs, whom they treated very badly. It was in the settlement of boundaries after the First World War that the nations of the world began to regard nationalism as an irresistible force. At this date it seems strange that President Wilson should have popularised the term "self-determination" for racial groupings, seeing that the United States is a gathering place of all the races of Europe and other continents, wherein the self-determination of racial groups would be disastrous. However, so it was, and the groups of various race settled along the Danube, whose lands, when knit together, made a natural economic block, were divided up into Czechoslovakia, Hungary, Austria and Jugoslavia. It did not really solve any problems, for racial minorities still existed. In Czechoslovakia there were Germans in the Sudetenland, destined to give Hitler an excuse for attacking his eastern neighbour. There were Croats and other groups in Jugoslavia which to this day give trouble to one another.

Though it has wrought so much mischief, racial nationalism still asserts itself in many parts of the world, sometimes inflamed by the memory of old grievances, as in Ireland, or by religious differences, as in the sub-continent of India or the Middle East. It tends to spread like wild fire even where it was not much in evidence long ago, as in Africa. Every country, however, which includes two or more races must, if it values its survival as a unified country, do all it can from the centre, to encourage the convergence of common aspirations within itself. It must respect differing racial customs, but only so far as these do not create disunity in the government of the whole country.

It is possible to follow this course, and, while they do not always succeed, the major democracies of the world, such as the United States, Canada, Britain, France, West Germany and many others make it their aim to follow it. India to-day, long divided by a caste system, is trying to rid itself of that system and to give freedom even to its untouchables.

Indonesia under the Dutch was another example of how different races could combine in matters of central and local government. For three hundred years they got along together there very well. Of course, in Indonesia as in the United States, the presence of slaves introduced an early obstacle, but, when that was got rid of, there was a gradual advance in all kinds

of co-operation. During the Second World War, Holland was overrun by the Germans and cut off from her great Indonesian empire. She had to rely on her allies to look after her interests there. They did not fulfil this trust very well. Again the word "self-determination" was given emphasis which now seems altogether exaggerated. Of course there were nationalist influences at work in Indonesia, and the Dutch do not claim that their administration was perfect, but they were doing their duty in bringing the indigenous people along in a successful partnership and were giving more and more autonomy to Indonesians as a whole, regardless of colour, steadily increasing the representation of the indigenous people at all levels, and not assuming that differences of race effected an eternal separation.

It was probably impossible for the diverse nations assembled in the United Nations to understand fully the long and complicated history of Indonesia with all its halting advances, good intentions and setbacks.

The Dutch received little help to re-instate what was good in the old administration. Sukarno was favoured, and a long period of chaos followed during which nearly two million Indonesians lost their lives from starvation or the attacks of Sukarno's young thugs.

It is sometimes cynically said that people never learn anything from history, but this is really true only of those who never read it. The student of civics is under an obligation to take a lead in studying history, and to look for those methods which have succeeded in the past.

The student of history must not be afraid to supply his own reasoning powers. He will sometimes find that a particular assessment of a recurrent group of facts appears to have an enormous weight of authority behind it. The writer of the history book being studied will refer to numerous earlier publications which all advance the same view. Such repetitions establish a school of thought, but they do not necessarily prove its correctness. As an analogy, we may mention that courts of law, for ages past, have refused to grant judgement to a party to a dispute solely because he can produce a multitude of witnesses. Truth does not always rest with the majority. A clear view of the facts must be obtained, independent of the opinions that are built upon them by others, if one is to be able to contribute a worthwhile opinion of one's own.

Returning now to the position as it is in Rhodesia to-day, a list of the Government's ministries shows how the work of the executive branch is divided. Some Ministers have Parliamentary Secretaries to assist them in addition to the permanent heads of the ministries, who are civil servants and are employed to provide information, to carry out Government policies and to make many decisions on routine matters.

Here is the list:—

- Prime Minister and cabinet secretariat.
- Agriculture.
- Commerce and industry.
- Defence and foreign affairs, public services.
- Education.
- Finance.
- Health.
- Information, immigration and tourism.
- Internal Affairs
- Justice, law and order, police, prisons.
- Labour and social welfare.
- Lands, national parks and wild life management.
- Local government and housing.
- Mines.
- Transport, power, roads and road traffic.
- Water development.

Many departments not named in this list are allocated to different ministries, e.g. under the ministry of finance come the central statistical office, the pension office, printing and stationery, customs and excise, income tax, and several more. Education has a division of African education and a division of European, Asian and Coloured education. Other racial distinctions are not revealed in the list. For example, local government for Africans comes under internal affairs. There used to be a ministry of native (or African) affairs, but a previous administration abolished the department of native affairs and put its duties under internal affairs, with the object of assimilating all types of local government. More differential treatment is now favoured.

In passing we may notice that, in the long history of Indonesia under the Dutch, this administrative pendulum swung backwards and forwards several times. This swinging seems to be the result of varying attitudes towards how far and how fast the individualism of European institutions should replace the communal organisation of an indigenous people, bearing in mind that modern education and other modern developments inevitably bring about changes to the native structure of society.

Essential parts of the administration of Rhodesia, it must be noted, are conducted by statutory bodies having a great degree of internal autonomy, though responsible in the last resort to a ministry. Samples of these are the Posts and Telecommunications Corporation, the Rhodesia Railways, the Electricity Supply Commission, the Cold Storage Commission, the Forestry Commission and many others. The Central African Power Corporation administers electricity supplies for both Rhodesia and Zambia. A unique position is occupied by University of Rhodesia, which is independent and, following the precedent set by the most successful universities of the West, controls the major part of

higher education policy, although its current expenses are mainly provided out of the general taxation of the country.

Judicial functions are, in accordance with usual practice, separated from the executive branch of government, and their independence is ensured either under the Constitution (in the case of Judges) or under the terms of the statutes governing their operations (in the case of the Magistrates).

The English philosopher Hobbes (1588-1679) thought of men as being driven to establish governments in order to protect themselves from one another's predatory instincts. He emphasized the duty of the State to preserve order and to provide protection and justice for its citizens. Between any view of the State as concerned almost entirely with seeing fair play at the struggles of individuals for power and wealth and the modern idea of the welfare state, there is an enormous gulf, filled by the writings of many other social philosophers and by the gradual extension in practice of the functions of central government, so that Beveridge, after the First World War, when people thought of making a land fit for heroes to live in, began his work on a scheme which would make the State into the guardian of the citizen against any misadventure that might befall him.

Rhodesia is very far from being a welfare state, but has made big strides in the provision of health and education services undreamed of in the days of Hobbes, and in the direction of supervising the welfare and safety of children, the physically and mentally handicapped, workers in factories and mines and the aged, substantially assisted by various voluntary associations. These services are not uniformly spread. At the beginning of Rhodesia as an identifiable member of the community of nations, an even spread over races at very different stages of development was impossible. To-day it is a major task of the student of civics to help in the making of an even distribution.

The State also intervenes very much, either directly or through the statutory commissions, in providing the infrastructure for an expanding industry, in marketing and in providing the initial impetus for new industries (e.g. iron and steel, cotton growing) when these can be classified as basic industries.

The net of State intervention is now spread very wide, but at the centre of it all, is the human element. A country can be militarily powerful, have favourable trade balances, and produce a wide range of goods, but it will not be well-governed if numbers of its people live in degrading poverty or have little opportunity to better their lot or have to cope unaided with accidental misfortunes beyond the control of any individual. Absolute equality in all these things is hardly attainable, and, even if we approximate to such equality, there is room for argument about whether, in providing it, we do not take away some of the independence and stimulus that make life worth living in a free enterprise

society. A largely agricultural community like ours, however, will, for a very long time, have to contend with the slings and arrows of outrageous fortune, owing to our erratic rainfall, if nothing else. We are very far from the danger of being too molly-coddled. We therefore have before us an unlimited field of endeavour, and need not put on the brake because we think the State is doing too much for its citizens. But a great emphasis has to be placed upon educational work. It is little use to work for better housing if the occupants of the houses have no knowledge of the principles of hygiene.

A test of a good government measure is whether it increases the freedom of the individual and this largely means freedom to help himself more than freedom to receive gifts from above, with an exception, of course, in the case of the very young, the very old and the unfortunates who will need help all their lives.

Further reading:

The 1969 Constitution.

The 1971 settlement proposals.

Furnivall, J. S. *Netherlands India*

Gerbrandy, P. S. *Indonesia*: (by the War-time Prime Minister of the Netherlands)

Bastide, Roger *African Civilisations in the New World*

Walker, R. S. *Rhodesia the Zimbabwe of Southern Africa*, (where a very useful collection of facts is made though the theories are not supported by the present writer)

Note: Appended to this chapter and Chapter 11 are short lists of questions for discussion, which may assist the student in wrestling with the rather heavy subject matter of his study. The reason for not adopting this plan throughout all the chapters was that it was thought advisable to hope for a bird's eye view of the whole picture, with its many inter-relations, before inducing discussions.

Points for discussion

1. Given areas which are in fact, apart from the compulsion of any law, predominantly occupied by persons of a particular race, how far is mobility in the occupational field best secured?
2. Is social work materially impeded by the existing geographical distribution of the population? Is it assisted?
3. Has racial nationalism any constructive rôle to play in the modern world?
4. Having regard to the pollution problems, the hi-jacking, the kidnapping and the industrial troubles of the modern world, are there advantages to be seen in a period of isolation for

Rhodesia? If so, what use should be made of this period in relation to civic work?

5. How would you proceed to bring libraries to the rural areas? Would you put the masterpiece of literature or books of reference first on your list? Why?
6. Comment on the following passage from Furnival's *Netherlands India*: "In a plural society, the community tends to be organized for production rather than for social life; social demand is sectionalized, and within each section of the community the social demand becomes disorganized and ineffective, so that in each section the members are debarred from leading the full life of a citizen in a homogeneous community; finally, the reaction against these abnormal conditions, taking in each section the form of Nationalism, sets one community against the other so as to emphasize the plural character of the society and aggravate its instability, thereby enhancing the need for it to be held together by some force exerted from outside."

the first of these is the fact that the Rhodesian Government has been successful in securing the support of the majority of the Rhodesian people for its policy of maintaining the status quo. This support has been secured by a combination of factors, including the fact that the Rhodesian Government has been successful in securing the support of the majority of the Rhodesian people for its policy of maintaining the status quo. This support has been secured by a combination of factors, including the fact that the Rhodesian Government has been successful in securing the support of the majority of the Rhodesian people for its policy of maintaining the status quo. This support has been secured by a combination of factors, including the fact that the Rhodesian Government has been successful in securing the support of the majority of the Rhodesian people for its policy of maintaining the status quo.

Chapter 9

Most Urgent Requirement of Rural Development and Some Brief Notes on other features of Civic Life in Rhodesia

Our rush through long periods of history has revealed that all men everywhere, as they escape from superstition and begin to broaden their horizons, develop a desire to take part in their own government.

To attain a system of representative democracy is very difficult, and, as we have seen, to maintain it is almost as difficult. It often degenerates into mob rule and then becomes an easy prey to some form of dictatorship or oligarchy, under which men's search for the greater freedom of effective self-rule is thwarted for an indefinite period ahead. The totalitarian rulers may be able to persuade many of the people that they are on the way to democracy, by employing names like, "The People's Republic of X" or "The Dictatorship of the Proletariat" or "The One Party Democracy", but the fact remains that government is *not* then through the freely elected representatives of the people. It is a different kind of rule, falling into one of the other classifications of Plato or Aristotle.

Assuming that we are by now convinced both that representative democracy is what we want and that its difficulties are very real and that it has endured longest when it has been adopted very gradually, so that the voters have gained a thorough understanding of all its intricacies and have prepared themselves to stand up against and defeat the unending attacks that are made upon it, then it follows that our aim is to have as good a form of representative democracy as we can get and that we accept a degree of gradualism, *so long as every new step takes us towards and not away from our ultimate aim*, though mounting impatience among the people with too much gradualism in the past may necessitate greater speed in the future.

It is very important to establish this broad aim at the outset, for it is to be our guide when we take a look at some of the details of life in a developing democracy. Here are a few details which come nearer to earth and should be within the knowledge of the student of civics.

Education

It is the aim of the educator to prepare the child for the whole of life and not only for that part of it which is concerned with earning a living.

In a plural society like ours, the remarkable thing is the apparent ease with which children respond to educational techniques very different from those customary among people at the early stages of agriculture, before the advent of writing. Not

that all primitive education is the same. The Zuni of New Mexico bring their young towards a friendly and harmonious living with the neighbours and a feeling of being at one with the forces of nature. The Dobu of the South Pacific, on the other hand, bring their children into a world charged with suspicion and hostility and full of evil spirits.

In the period in Rhodesia of transition to modern ways of life, it is a tribute to our schools that the new learning is enthusiastically adopted by the young, but, as in other countries when they first learned how to write, an early effect is to give to the clerk an exaggerated status. Of course it seems fine to remain seated all day like a chief instead of trudging around in the fields, but the citizen who can make two blades of grass grow where there was only one before does more for society than the one who only keeps a record of the numbers of new blades.

As the number of clerical jobs is limited and as most of the people will be working agriculturally for many years to come, efforts are being made to increase the number of places in those schools which prepare for life on the land.

The greatest problem of the country is probably how to give to the worker on the land a standard of living equal to that of the citizen in other walks of life, and this is beyond the scope of the school, although, in a wide sense, it involves education (among other things). It is the sort of education provided by agricultural extension and community development officers, but that is only part of the story.

Full land utilisation the most urgent problem.

The student who cannot devote as much time as he would like to give to civics should at least master the facts stated in this section.

The so-called developing countries (i.e. the poor countries) are not *not* developing. The amount of food they produce is falling behind the consumption of the rapidly increasing populations. The peasants do not earn enough to provide an internal market for the industries being set up in the towns.

In Africa and Asia it takes about 2000 times as long to produce a given quantity of grain on a peasant holding as it does on a farm in the United States, where one farmer can produce food for 43 townspeople, while the African or Asian subsistence farmer is lucky if his produce, after feeding his own family, is sufficient to feed one other family. In the U.S.A., only 6 per cent of the people are engaged in farming, and the farmers earn rather more than the average town worker. The commonest American farm is still the family farm. It has advantages over the company-owned farm. Farming is a way of life in which an important feature is individual ownership of the land farmed.

The Japanese farmer farms successfully on $\frac{3}{4}$ an acre of land. Rainfall in Japan is more reliable than in Rhodesia. From the agricultural standpoint, Rhodesia is two countries, the low rainfall areas where, without irrigation, stock farming only is practicable, and the larger high rainfall areas, suitable for crops.

The expert Rhodesian farmer can equal the production per acre of the American farmer. It is not our land that is at fault. It is that our people are not fully utilising the land in all areas of the country.

Not nearly enough is being done to achieve full land utilisation. In fact many parts of the Tribal Trust Lands are deteriorating, while the population is increasing at a high rate. Much of the "European land" is underdeveloped.

First, we must appreciate that the agricultural revolution of Europe made its industrial revolution possible. It was on the land that capital was accumulated. We must have an agricultural revolution.

Subsistence farming is immensely wasteful and inefficient, especially on a single crop basis. Most of the year those living on the land are underemployed.

With diversification comes fuller employment and more earning power.

The most advanced farming sees a return to specialisation, but this is only possible with a large supporting system outside the farm of suppliers of services, transport, fertilisers, good seeds and well-organised credit facilities. It is too early yet for many Rhodesian Africans to move on to that third stage. Some of them are reaching out with success to the second stage (of diversification) and growing cash crops like cotton or burley tobacco, and going in for poultry, fruit and vegetables and even dairy farming, in addition to the usual maize, munga and cattle. Animal husbandry is making some progress. Old or inferior cattle are being culled to make room for younger and better stock. The low veld presents the special problems of tropical as contrasted with temperate agriculture, and calls for more research. Allowing for that, we know what ought to be done, but it is not going nearly fast enough to meet a dangerous situation which is threatening.

In most of the rest of Africa and in India the position is far worse, but that does not remove our particular threat.

With the skills vested mostly in European hands and with a determination to use those skills before a misguided politics ousts their possessors, to the irrevocable damage of the African populace, Rhodesian rural life can be set on a prosperous course.

But this can only be achieved by a dynamic programme which will reach into every corner of the country. Capital expenditure on communications, on dams and irrigation projects will have to be increased and credit facilities made available to

peasant farmers. The enterprise and drive of the European and African private sector will have to be employed in addition to Government schemes. The number of extension officers must be vastly increased.

But first of all must come a reform of the antiquated system of land tenure as well as a thorough survey of the whole scene.

In a short section of a single chapter like this one cannot deal adequately with the most important problem in our country but it is true that we are neglecting highly valuable work already done.

In a report which took three years to prepare, a Select Committee of the Southern Rhodesia Parliament dealt in a bold and imaginative way in 1960 with land reform and made a good beginning with a survey of the agricultural problem. The name of this report is very misleading. It is called Second Report on Resettlement of Natives. The Committee was appointed to report on that, but they decided that resettlement was not the answer, and gave what are obviously the right answers. The Report's number is L.A.S.C. 3 — 1960, and every student of Civics should read it and should also read the best general book I know on this immense problem, arising in all the developing countries.

The book is called, very appropriately, *From Peasant to Farmer*; it is by Raanan Weitz, an expert who has worked in 46 countries. It is a highly practical book and can do much for Rhodesia.

A house to live in.

A reasonable expectation for a town dweller in a modern country is that he will be able to buy a house (in which case he should get a builder friend to look it over to see whether it is well-built and likely to stand up for many years), or to buy land on which to build a house. He should first save up about one-fifth of the purchase price of the house (or piece of land plus house to be built). He should raise a loan for the other four-fifths on a mortgage bond to be entered into when the property is transferred. A building society or finance house can be approached or one's employer may have a scheme of finance for such a project. Usually one finds that what has to be paid in interest on the bond and repayment of a portion of the capital borrowed comes to less every month (if one has put down as much as one-fifth) than one would have to pay in rent for someone else's house, and the house is gradually becoming one's own unbonded property. A circumstance to be considered is the permanency of one's own employment in the town where the house is. If one is liable to be transferred to another town, he has to let his house, and good tenants cannot always be found just when wanted. If a good tenant can be found, then the rent he pays may be more than one is paying every month to the bondholder, and so one still goes on acquiring absolute ownership.

Insurance

House property, furniture and one's motor car should all be insured. By law the car must be insured against third party risks. Insurance premiums add to one's expenses, but a sudden destruction of an important piece of property by fire or other accident can be a tragedy from which it takes years to recover. One should also join a medical aid society.

The Post Office and other State enterprises

One historically interesting feature of the Post Office is that it represented the earliest launching out by the State into business. Formerly the State looked after defence and provided law courts. Lately there have been great extensions of State activities into the field of transport, electricity supply, marketing, social welfare, and many other fields.

The Press

A free Press is one of the props of democracy. News is collected and disseminated to all newspapers of standing by the great central news agencies. Reporters employed by newspapers supplement the news. Newspapers always work at very high pressure. The next edition is due to be prepared before the last one is completely out of the way. Comment on the news gives scope for widely-disseminated views that keep the citizen thinking on the problems of the day. A country where the only news comes through Government sources does not show up the trends of public opinion in all their interesting variety. A strong editor plays a considerable part in forming public opinion, and therefore carries a heavy responsibility. Sensational stories may help to sell a paper, but one with a reputation for reliability and well-reasoned comment performs a valuable public service. The ferreting out of important pieces of news is a highly-skilled business which requires the existence of the professional journalist. To enable one to do one's many duties as a citizen, a constant stream of reliable information about what goes on in the world is essential. Without the Press we should be unable to study the constantly changing scene. Broadcasting is another valuable medium, but few people sit around the lounge with notebooks in hand. A printed record is needed if one wishes to reflect upon and quote the news in one's discussions.

Further reading:

Weitz, R.	<i>From Peasant to Farmer</i>
Southern Rhodesia	<i>Second Report on the Resettlement of Natives</i> (S.C. 3 of 1960).
Lord Walston	<i>Dealing with Hunger</i>
John Cole	<i>The Poor of the Earth</i>
A. M. Kamarek	<i>The Tropics and Economic Development</i>
Ed. Alice M. Hilton	<i>Against Pollution and Hunger</i>
Edward Hyams	<i>Soil and Civilisation</i>

the first of these is the fact that the Rhodesian Government has been successful in maintaining a high level of economic growth and development. This has been achieved through a combination of factors, including a strong and stable political system, a well-trained and motivated workforce, and a commitment to economic reform and development.

The second factor is the fact that the Rhodesian Government has been successful in maintaining a high level of social and political stability. This has been achieved through a combination of factors, including a strong and stable political system, a well-trained and motivated workforce, and a commitment to economic reform and development.

The third factor is the fact that the Rhodesian Government has been successful in maintaining a high level of economic growth and development. This has been achieved through a combination of factors, including a strong and stable political system, a well-trained and motivated workforce, and a commitment to economic reform and development.

The fourth factor is the fact that the Rhodesian Government has been successful in maintaining a high level of economic growth and development. This has been achieved through a combination of factors, including a strong and stable political system, a well-trained and motivated workforce, and a commitment to economic reform and development.

Chapter 10

Man's unalterable Desire for Power not lastingly fulfilled through Racialism.

We want to know something of how the wishes of the individual are effectively translated into political institutions that will not turn upon him and impose on him the slavery of the bee in the hive or the termite in the anthill. A comparison of the experience of India with that of the Federation of Rhodesia and Nyasaland will help.

India, next to China, is the country with the largest population in the world, and is the largest democracy ever to be established.

To read even a short account of it such as *India's Democracy* by Harrison and Douglas, mentioned for your further reading, tends to leave one in a slightly dazed state. The sheer size of the Indian population, reflected in state and central parliaments which have between them nearly four thousand constituencies, the staggering annual growth of the population, the seemingly inescapable poverty of the masses, the religious differences, the caste system, the numerous languages spoken, the multiplicity of political parties and pressure groups, the ever-changing relationships between central and state governments, the wide gulfs between the cities and the remote rural areas, the separatist movements which arise in various localities, the conflicts between extreme parochialism and all-India views, frequent riots arising from a multitude of differing and sometimes very obscure grievances — those are but a few of the factors that make India altogether different from Rhodesia and ever so much more complex, difficult as our own problems are.

Indian experience, so different from our own, may not provide many detailed guides for Africa, but it does show that parliamentary government has, survived in India despite innumerable reasons why it should have failed. The authors of the book do not seem to be at all sure of its future there, but such speculations are prompted by the difficulties that arise whenever democracy is tried. In Britain and Australia to-day, for instance, where the sectional motivations of the trade unions are now so strong, one can take a pessimistic view of the survival of rule by representatives of the whole country, while the treatment recently meted out by Mrs Ghandi to opposition parties shakes one's confidence in India's ability to keep to the democratic path.

Yet our history has shown us that, throughout the ages, people have tried to have governments which would not display the arbitrary character of a tyrannous rule over a helpless herd but would allow majority opinions to be effective. If they do not go on trying, they are left without a worthwhile political aim.

We have taken the line that democracy is something much broader than any particular form of it, but that the British parliamentary democracy and modifications of it have not yet been bettered. The imprint of British methods is very clearly seen in India too, though the modifications there have been very extensive, due to the unique complexities already mentioned. Everywhere where democracy is tried we have the problem of how to preserve what is best in the past and how to ensure that the standards of education are high enough to prevent unscrupulous power seekers from manipulating the votes of voters who cannot grasp the great issues before them. Yet, though India has a thousand variations of these difficulties to face, she has managed for over a quarter of a century to preserve the main democratic purpose. The recently declared state of emergency seems now to have passed.

Parliamentary government was introduced into India first through the state legislatures, which were created before there was a representative central parliament. Large numbers of Indian politicians and voters thus gained experience and were able, when their representatives were summoned for the purpose, to work out among themselves a federal type of constitution for India. That they did it themselves is probably one of the main reasons why it continued to work, notwithstanding that federations are always difficult to operate. We must remember, too, that India is the home of ancient civilisations.

The Federation of Rhodesia and Nyasaland, which lasted for ten years, was not preceded by a period of democratic experience in all three of its component parts, and, while there were some Africans participating in the preliminary discussions, the Federal constitution was largely a product of the ingenuity of European civil servants. There were very few Africans able to make contributions to such an intricate operation, even had a fully representative convention been assembled. Those who were actually engaged on the task did find a way of bringing the three territories into a federation, though one of their leading members said they were engaged in squaring the circle. The constitution adopted was quite a brilliant piece of work. The Federation undoubtedly gave a boost to the economic well-being of all three territories, and the idea of partnership between the races gained many supporters on all sides. From the very beginning, however, the official Opposition in the Federal Assembly and other opponents of the Government spent a great deal of time in trying to prove that we should never have had a Federation at all. The new constitution was given little chance to settle down and was perpetually being pulled up by the roots to see whether it had really established itself in the soil. Despite very substantial successes on the side of economics, separatist movements in the two northern territories gained in strength.

In a federation, the federated countries agree to transfer some

governmental powers (e.g. defence, foreign affairs, income tax) to a federal government but retain in their own hands such powers as are not transferred (e.g. police, land laws). They are equal in status to the federation. In a unitary state such as the Republic of South Africa, the provincial administrations are subordinate to the central government and have only such powers as are delegated to them by the central government.

Whatever the prime causes of collapse of our Federation may have been, Rhodesia is to-day a unitary state, and, whatever its other difficulties may be, it does not have to add to them the peculiar problems of a federation. This is a fact of enormous significance at the present time, in relation to the talk of "Provincialisation" one sometimes hears.

To convert a small unitary state into a federation of overlapping states according to the races of the voters would be a novel procedure, the advantages of which, if any, are of the most elusive character. To convert it into large geographically separated racial blocs in order to construct a federation of the usual pattern would be beyond Rhodesia's financial resources.

If we are to pay any attention at all to the experience of those federations that have been successful e.g. Canada, Australia or the United States of America, either of these constitutional adventures would require as a preliminary a constitutional convention to which all political parties of whatever colour would have to be invited.

Would agreement be reached, in the first place, on the need to substitute a federal for a unitary state?

If it were to be imposed, without agreement reached, what reason is there to believe that it would be more lasting than the defunct Federation of Rhodesia and Nyasaland?

Are there some substantial and overriding reasons for us to adopt such a course? If so, what are they?

One can but put these questions and leave them to all the people of the country, who will have to live with the answers.

It has often been said that politics is a branch of moral philosophy, and that is true enough in the sense that it is primarily concerned with the rights and obligations of the individual in association with his fellows, and ceases to exist under a tyrannical form of rule where the rights of the rulers, calling themselves the State, are the only rights considered. Yet politics is not the same as ethics, though it owes much to ethics. It does not subordinate itself to one of the several codes of ethics, but tends to extract from all of them only those generally acceptable rules of external human conduct which affect the relationship between the State and the individual. This it embodies in the various declarations of human rights we have seen from Magna Carta onwards. It does not concern itself with the inner wrestlings of man with his conscience.

For somewhat similar reasons, politics is not a religion, though it is a historical fact that, as evolved in the West and also in India, it would be very much poorer were it not to acknowledge divine precepts superior to its own.

When one recalls the less inspiring aspects of party strife, it may seem that we are now putting politics on too exalted a plane. But the art of politics, properly appreciated, is the highest of secular arts, and those political parties that have contributed most to human progress do attempt to follow ethical principles.

Politics is not law. It is fairly obvious that laws are derived from the political principles held by the law giver, and are his instruments. But it is often assumed that the political life of a people can be moulded by some neat legal system imposed from above on which the people concerned have not been consulted. Of course it is easy to rely too much on analogy and to say that laws should be an organic growth out of the wishes of the people. This is not altogether true. Someone has to keep the record of all the laws that have gone before and to see that new laws are consistent and to frame them in such a way that they cover a multitude of cases which have probably never occurred to politicians who are urging a particular reform. Broadly speaking, however, there is no political system, strictly so-called, unless the laws embody what the majority of the people want, at any rate if they are sufficiently well-informed to know what they want.

Politics is not education, though an Argentinian, Senor Sarmiento, has said "to govern is to educate". In developing countries a major task of politicians is to educate, and neglect of this duty inhibits the growth of healthy politics, but, even while education is generally at a low level, time has to be spent in finding out what the public wants, otherwise one has an oligarchy, not a democracy.

Politics is not economics, though the courses dictated by economics, if not followed, may lead to the collapse of a political system.

Finally, politics is not a dogma or even a political party creed deserving of a better name than dogma. The requirements of a people are constantly changing. For instance, they may at one stage be content with and even expect a paternalistic government under which their oldest customs are carefully preserved. Later they may wish to have better means of putting new ideas into operation.

In so far as one can say what politics is in a few sentences, it appears to me as that part of the human environment which allows humans to group themselves to support their State and their local governments as they are and freely to exchange views on the improvement of both, placing much reliance on the belief that the exchange of views in itself can produce something better than each disputant had in his mind before discussion took place. It produces a system wherein a balance is kept between stability

and anarchy. It is essentially "public" and democratic, but cannot exist if based entirely on untutored mob rule or on false premises, e.g. skin colour. It is older than "the Westminster form of Government", but derives much from the styles of representation evolved at Westminster.

Diversity among the peoples occupying a country like Rhodesia gives rise to difficulties, just as it does in India. The solution, however, does not lie in the adoption of anything approaching a caste system. It lies in the gradual enrichment of the attitudes of all the peoples so that there is more and more convergence.

Racial discrimination, however, is a powerful weapon in the struggle for power and privilege towards which the nature of man strongly impels him. In the short term it seems to be successful in its objectives. Unfortunately but a few can be induced to think of what will happen in the long term.

Consequently to move away from that racial discrimination, which is prevalent not only in Southern Africa but in Uganda and other states under black rule, seems to come down, in the last resort, to changing the nature of man.

Desirable though this may be, it is not likely to come about swiftly. Mere condemnation of racism is brushed aside. It is even dismissed in some quarters as an emanation of communism, and minor prophets, from Gobineau onwards, who have dwelt upon racial difference as the most significant aspect of political life, are revived. They have followers among those who quote modern writers such as Jansen and Eysenck, although, to do justice to these two, they do not seem to go further than saying that heredity must not be completely displaced by environmental factors in designing educational courses. This dictum has been greatly distorted in certain press reports, and one needs to restore one's balance by reading books like *Race, Culture and Intelligence*, edited by Richard and Spears, which is mentioned for further reading in Chapter 5.

What is likely to prove more profitable than straight preaching against racism is to explore the endless opportunities for enrichment of society which are presented by the voluntary associations that form so large a part of our social life in Rhodesia. To give the victim of an unpleasant propensity something better to think about is an age old tactic. Moreover the voluntary association familiarises its members with the process of translating human wishes into institutions.

The importance of voluntary associations is not always fully appreciated. Quite apart from any ulterior motive in supporting them, any person interested in civics must see that they provide in themselves valuable insights into worlds beyond the workday world and also make considerable contributions to social welfare. In addition, we have in Rhodesia the ulterior but legitimate motive that these associations can occupy a big part of our social life

without being at all called upon to think in racial terms. In fact racialism is usually nothing but a nuisance to them.

The student of civics will follow his own inclinations in selecting the voluntary association that attracts him, and will encourage others to do the same. Each can find a niche or two in enterprises both large and small, including church work, art, sport, historical and scientific inquiry, languages, tribal customs, animal life, a great range of charitable and educational work, trade unions, producers' and consumers' co-operatives, etc. etc.

Organisations interested in economics and rural and industrial development probably have a special value, in as much as they can disseminate so much indisputable information on the fallacies of not using human resources to the full. They can show directly that European or African self interest is best served by the rejection of racialism.

Further Reading:

Rae, D. W.	<i>The Political Consequences of Electoral Laws</i>
Adam, H.	<i>Modernizing Racial Discrimination</i>
Harrison & Douglas	<i>India's Democracy</i>

Questions for discussion

1. What part can the study of civics play in over-all town and country planning?
2. Compare India and the Federation of Rhodesia and Nyasaland in relation to the political experience and knowledge of their component states.
3. How do voluntary associations play a part in translating the wishes of the people into political institutions?
4. Why do electoral laws play a specially important part in the law-making process?
5. Comment on "To govern is to educate".
6. Assuming that some distinctions have to be made among voters in the earliest stages of establishing democratic rule, what should be the basis of such distinctions?

Chapter 11

The Making of New Constitutions

The constitution of a country is sometimes called its basic law, a term which brings home to us the idea of a law of maximum permanence embodying principles which all the people will accept and respect, no matter what different shades of opinion they may follow in regard to less important laws. "Maximum" permanence is preferable to "absolute" permanence, because it is possible for the general consensus among all the people to change, even on basic principles: for example, it may be generally found necessary to reduce the powers of an upper house or senate if it obstructs too often or too long the passage of progressive laws of the ordinary kind when they have been passed by the lower house, or to increase the senate's powers following upon a period when successive party governments in the lower house are so much at loggerheads that each tends to destroy the careful work of its predecessor, with the result that too much time is taken up in undoing what has been done and all sense of direction is lost. Such far-reaching changes, however, will be infrequent, especially if the constitution is so well-designed in the first place and so far-sighted that it anticipates and makes provision for a number of likely future developments: for instance, the 1923 Constitution for Southern Rhodesia did not contain the necessary detailed provisions for an upper house, for the functions of an upper house were, in 1923, largely performed by the British Government, which retained certain supervisory powers over local legislation: but that constitution did have a clause which provided for the setting up of an upper house as and when a greater degree of self-government should be granted, leaving the details thereof to be worked out later.

It can be seen, therefore, that any country which has a constitution that has worked well for a long time should never want to pursue the revolutionary course of substituting an entirely new one. No constitution is perfect, and it is therefore always possible for some eager reformer to devise something which he thinks will be better, and even to get the existing electorate to vote for it, but has he considered all the implications? Has he considered how progress among all the people may materially change the composition of the electorate? If circumstances are at present such that the majority of the people do not have a vote, is he entitled to assume that this will always be so, or to transfer into the basic law the provisions of an electoral law, which is not a fit subject for the constitution, seeing that it can be expected to change rapidly with the advance of education? Finally, has he qualified himself either by long experience in a

legislature or by long study of constitutional history or by both to devise so important a document as a new constitution?

This undertaking is extremely difficult. As previous chapters have indicated, it has many aspects, psychological, anthropological, legal, economical, historical, religious and, perhaps most important, that which is derived from the accumulated wisdom of the political thinkers of the past, whether recorded in the speeches of great statesmen or the writings of philosophers whose work has been of a more theoretical character. It is thus not something to be lightly approached. It is easy enough, and quite a fascinating hobby, to design a constitution on the basis of a more limited range of knowledge, and his product may seem to the designer to be very clever. It may improve upon what exists in some respects, but will be sadly wanting in others. The aspiring amateur should not take up this line of work without adequate preparation, and he must start off with a serious respect for politics, in the broad sense, as a field of its own which constantly draws upon the findings of other branches of study, but is not confined to any one of them. It does not compete with other broad approaches to life, for example, religion, and it insists on its own individuality. One would not go to the Old or the New Testament for a treatise on higher mathematics or biology, and nor do those great collections of books contain all there is to know about government or about a complex question such as how far a ruler is entitled to commit all his subjects to turn the other cheek when assailed by an aggressor nation even when he may, in his private dealings with other individuals, be accustomed to following that unselfish course. This does not at all imply that the Old and the New Testaments contain nothing which politics may feed upon. On the contrary, we are accustomed to speak of "Christian western civilisation", and there are many principles of those Testaments which are not only applicable in politics but have found their best political expression there.

There are, however, in the Africa of this half century, two occasions upon which an entirely new constitution had or has to be devised. Firstly, in the many former protectorates and colonies outside South Africa and Rhodesia which subsequently became independent, there were no democracies. Each was governed by a bureaucracy with a Governor at its head, subject to the overlordship of the government of the colonial power. In the British areas, local legislatures had some of the indigenous people among their members, and laws were made locally by these legislatures, but these could be vetoed by the overlord, and all major governmental decisions had to be approved by him. There was much consultation at every stage, and local legislatures and executives usually got their way, but the ultimate responsibility did not rest with them. Upon the grant of independence, there was a dramatic change in all this. Constitutions had to be devised which, for the first time, en-

trusted all political power to the local inhabitants. The departing European administrators did their best to provide their former dependencies with constitutions and electoral laws which would put them on a democratic course and keep them there, and this meant entirely new constitutions to effect a change from bureaucracy to democracy. Secondly, in Rhodesia, which had been self-governing from 1923 onwards, with a few powers — gradually being eliminated, — reserved for the British Government, the course towards complete independence had been set on the base of a truly democratic constitution. Although participation by the majority had not been attained because large numbers of the people were not educated to the level where they could understand the system, or were not considered to have a sufficient “stake in the country” to make them keen supporters of stable government, the qualifications for the vote were not set so high that a moderately industrious person could not qualify if he wished to do so. “One man, one vote,” was not instituted nor even contemplated, but it is not an essential part of democracy, and can only be instituted against a background of universal education. In fact there is a good deal to be said for a qualified franchise even in a very advanced country, as being a little hurdle to be surmounted before one gains the privilege of voting. It is therefore true to say that we had a truly democratic constitution, in that there existed provision for all to participate sooner or later, without discrimination. The need to think about a new constitution at the present time arises owing to the fact that we have already had three entirely new ones since 1923, and none of the three, least of all the third one, of 1969, has evoked support from the majority of the population, as offering them hope of rapid progress towards an orthodox democracy, under which people are regarded as people and not as members of a race.

The 1923 constitution could not claim perfection any more than any other, but it did preserve hope for the future, for the children of the majority of the inhabitants, if not for themselves. Whether, if allowed to continue, it would have been accepted in 1977 as readily as during the previous 54 years is debatable, but the fact remains that it worked until 1961, when the completely new constitution of that year was brought in. Too much has happened in the interim for us to contemplate a return to the precise framework established in 1923, and so we have to devise something new again, which will avoid the errors of the three new constitutions of 1961, 1965 and 1969. We seek a democratic constitution, without regard for the moment to the question of independence from other countries.

On the 1961 constitution, we have to remember that it was drafted at a time when it was fashionable in the countries formerly ruled by the Colonial Office to introduce what came to be known as “fancy franchises,” a main feature of which was to classify

voters according to their respective educational attainments and success in the battle for material advancement, and to give different weights to their votes in accordance with this classification. Perhaps as a result of being linked in the Federation of Rhodesia and Nyasaland with two British protectorates, Rhodesia adopted a similar complexity in 1961, and made its electoral law a part of its constitution, in an effort to make it lasting. At first the African leaders in Rhodesia accepted the new arrangement, but their followers would have none of it, and serious disturbances arose, for, further north, the colonial powers had suddenly granted complete independence to inexperienced African leaders there, and Rhodesian Africans were unwilling to accept anything less. Being part of a self-governing colony, acquired by conquest, they were in a very different position from the people of a protectorate, whose very name indicated that the European administrators were there for a temporary purpose, until the Africans were able to govern themselves. They were therefore mistaken as to their status, but, as it turned out, the days of the "fancy franchise" in the north were soon over. The system did not work. I remember discussing it with an eminent professor of political philosophy who had made a special study of franchise laws in Africa and other continents. As I understood his comments, they were that, when one has classified voters in accordance with a "fancy franchise", all the trouble taken will be in vain, because, when the weighted votes are counted, either they will not reflect the wishes of the whole body of voters, and so the system will not be satisfactory, or, when there is a large measure of agreement among the populace, the result of the voting will be practically the same as it would have been if no classifying had been done.

With exceptions in the cases of non-citizens, the very young, inveterate criminals and the mentally afflicted, it may be strongly questioned, too, whether one can claim any system as being democratic if the same qualification for the vote is not made applicable to all the people equally and if a set of administrators can arrogate to themselves the right to classify people according to any narrower classification than that cited in Chapter 1 and 2 given by the prophet Malachi, when he asked "Have we not all one father? Hath not one God created us?" There have been outstanding craftsmen, and even artists, who were almost illiterate and not possessed of many worldly goods. If man is made in the image of God and the units of political institutions are men, is it not a little blasphemous to say that some men must have smaller opportunities to be heard than others, even if we accept that, in order to vote, all men must have certain minimum qualifications? Another guide line is to be found in the numerous works which deal with proportional representation and other variants in the effects given to methods of counting votes, where it will be found, without any exception that I have been able to

discover, that the qualifications for voting are assumed to be the same for all the sane, adult and non-criminal citizens. And the 1961 law began the system of having two classes of constituencies, overlapping throughout the country. In one, highly qualified "A roll" voters had the dominant influence. In the other class more lowly qualified voters, on the "B roll" had the dominant influence. But there was also provision, called cross-voting, for "B roll" voters to have some influence in "A roll" constituencies, and *vice versa*. It was all done with the best of intentions, and with a view to getting some African representatives into the House quickly. There was also provision for one of the several forms of proportional representation. There is again serious doubt as to whether the cross-voting was truly democratic, and it was difficult to understand its full effects, in a field where simplicity is very necessary.

The 1965 constitution, among other changes, did away with the "cross-voting" and the proportional representation. The 1969 constitution has been described in chapter 8, and here the ideas of parity between M.P.s voted in by Africans and those voted in by the other races was introduced, this parity not to occur at once but over a long period, made dependent on the amount of income tax collected from the two sections. Thus an element of plutocracy or government by the few rich ones came in. We are left with an oligarchy of long duration in place of a democracy. As this is a major cause of the present severe unrest, still another wholly new constitution may be expected. At the time of writing it is impossible to foretell what form will be agreed upon by the warring factions, if they agree at all. Civics can only state what broad principles must be observed in a democratically organised country, bearing in mind that everyone who has tried to work out an ideal universally applicable democratic constitution in all its details has quickly given up this endeavour. Britain, France and the United States of America, to mention only three democratic countries, have widely differing constitutions, and give effect to the broad principles through different detailed provisions. We are, I think, justified in saying that the following five broad principles must be observed, however. They are numbered from 1 to 5 but vary in numbers of paragraphs included in each.

1. Whatever seemingly permanent differences in religion and domestic or social customs may exist among different peoples occupying the same country, unity must be attained in the principles embodied in the basic law or constitution. This is, of course, easier said than done, particularly where divisions on a racial basis have persisted for a long time and been given a place in the existing constitution. We have examples of failure, as in the component Hindu and Moslem peoples of the sub-continent of India before the division into Pakistan and India, and as in the Catholic South and Protestant North of Ireland. But it is not impossible, even where the peoples sought to be unified for the

most part occupied, at the beginning anyway, distinct areas, as among the English, Welsh and Scots. Hopeful factors in Rhodesia are that there has never been any serious clash among different religions or sects here, and a non-party, objective examination of the formerly existing Land Apportionment Act by a Parliamentary Select Commission which completed its labours in 1960 revealed that that division's period of usefulness has expired. The present Land Tenure Act, far more rigid, has reversed that finding, but, when this is seen to be a serious menace to unity, that Act can be repealed. It has already been substantially amended. To make two countries of one when numerous European areas and African areas are intermingled, as they are in Rhodesia, means that partition (always undesirable) is impossible, while the needless expense and inconvenience of separate development cannot for ever remain unappreciated. Unity here means that in every activity concerned with the government of the whole country, every man and woman has to be given equal opportunities to be heard. It will take a little time, and interim measures may be necessary, so long as a time limit is set to them. For example, the dual constituency, with one African and one non-African representative, voted in by all the voters of the constituency, voting for pairs of candidates, could go far towards getting the representatives accustomed to working together, and this habit would in time seep down to the voters themselves. In saying this, I am moving into the details of the new constitution, but justify myself on the ground that this is only an interim measure and one that presses on towards the desired complete constitutional unity.

2. The next two principles really deal with the attitudes which must be adopted if any democratic constitution is to work at all, but this is legitimate, for constitutions should only arise out of the attitudes of people. Firstly, it must be recognised that corruption among those who serve the public, and arrogance, are chief enemies of democracy, and, secondly, whichever of the major trends in a country (e.g. conservatism, liberalism and socialism) happens to be the most popular and therefore to have the largest number of M.P.'s, it is essential that the one forming the government of the day must take active steps to make the others feel safe to express their views and free to convert people to their way of thinking. To enlarge a little on these attitudes, one should consider the situation before a country has moved forward to democracy. Not only in Africa, but also in the countries of western Europe, there have been times when the chief or king or a small group of his high-ranking agents used to deal with petitions of various kinds from individual subjects. It was then regarded as quite proper to bring a present to the great man, as a mark of respect and of gratitude for his readiness to give some of his valuable time to sorting out the troubles of the humble petitioner. His secretary might also receive a little present for arranging the

interview, and even the doorkeeper might receive a tip for telling the secretary what sort of petition had to be dealt with. But, as public administration becomes more complicated and many-sided, so that every individual has to deal as a matter of impersonal routine with hundreds of underlings concerned with numerous matters of taxation, transfer of land, road rates, dipping fees, school fees, etc., the opportunities for corruption are endlessly increased, unless all administrative officials, of all races, adopt and maintain the high traditions which have been one of the greatest gifts to Africa made by European administration in Rhodesia and in many neighbouring countries. Without the maintenance of those impeccable traditions, it can easily be seen that a democratic organisation must collapse. If they are to be maintained, all the people must assist by making it an article of faith to admire them. This they are unlikely to do if the administrators humiliate them by adopting an arrogant attitude, as if they are civil masters instead of being civil servants. So also, if the various political parties and their followers seek to stifle legitimate political opposition and to regard it as an enemy of the state, by employing character assassination or other unfair means of furthering their party aims, democracy cannot be preserved. A striking way of observing the right principle here is contained in the British parliamentary habit of calling the party in opposition "Her Majesty's Opposition", which brings out the essential point that variation in the method or the speed of normal political change (which is always taking place, hence the need for legislatures) are less important than the universal loyalty that all parties owe to the country as a whole. The understanding of what is dealt with in this paragraph is not always apparent. So many people, concerned chiefly with their private business, do not reflect upon these elementary principles, yet it is imperative that they should at all times see them as included in the civic duties of all people.

3. Brought up in an environment of numerous customs peculiar to the area in which one was born, different peoples tend to regard their set of customs as obviously the best. There are countless ways in which this is seen. For instance, most Englishmen, at any rate when the British Empire was the largest the world had ever seen, were inclined to make grand gestures and to take it for granted that the rest of the world was simply unfortunate not to be able to compete with them. Most Frenchmen, on the other hand, are quite sure that the French are the most civilised of people, and therefore the sooner the others try to catch up, the better it will be for them. These different views are harmless enough, and do not obstruct the larger pursuit, of establishing the essentials of democracy. In fact, different peoples, when not actually at war with each other, usually take some pleasure in studying each other's ways, and do not ascribe them to any lack of intelligence.

There are some writers who attempt to prove that, when a community is backward according to modern views, this is due to an inherent lack of intelligence, but their proofs are unconvincing, for many reasons, including the virtual impossibility of sorting out what is due to heredity and what is due to environment or to having different sets of motivations. If a community, for example, is composed of slaves who have been slaves for many generations, they may find that, in order to survive, they have to adopt a subservient attitude and to repress any tendency towards original thought. They must be menials and nothing else, bowing down to their masters at every turn, lest they offend and are punished. Even on release from slavery, it takes a long time for them to recover their dignity. In any case, it is profitless, from the standpoint of civics, to look upon degrees of intelligence as determined by race. There are morons in the most advanced countries. There is only one thing to do, and that is to make the best of what there is.

There is another consideration of value to Rhodesia. That some people are more intelligent than others is obvious to the meanest intelligence, and, if you take two groups of Britons, each numbering 100, it would be quite an accident if each group were found to contain precisely the same number of people of high intelligence, but let us assume, for the purpose of argument, that each group was bound to contain exactly 10 of these highly favoured individuals and that, again only for the purposes of argument, a third group of 100 consisting of Rhodesian Africans, invariably produced only 8 of the highly intelligent. Now apply these unproven assumptions to a population of 300,000 whites and 6,000,000 blacks. Then one would expect to discover 30,000 highly intelligent whites and 480,000 blacks falling into the high category. Even if the rather ridiculous assumption were made that only 1 in 100 blacks were highly favoured, there would still be twice as many of them as there would be of the whites. Positions of political leadership are scarce, and this seems to indicate that a sharing of such leadership is entirely feasible. Of course, the intelligence one is born with is not all that counts. Experience in other kinds of leadership also counts, and the whites have the advantage at present. Given increasing equality of opportunity, however, this advantage will gradually disappear. It is unlikely to be permanent, and so we must accustom ourselves to change, which will be gradual and orderly if all, blacks as well as whites, study civics, including the main principles of democratic rule, but may well be revolutionary if they do not. The time has come to have an electoral law with the same voting qualifications for all and with a division into constituencies which are in no way based upon race.

4. So far this chapter has been concerned with the constitution of the lower house, which contains the element of "pure" democ-

racy, and we have suggested that there the aim must be uniformity in voting qualifications, qualifications for candidature and the geographical arrangement of constituencies, with perhaps one concession to a less usual form, in the dual constituency represented by one African and one non-African, as a temporary measure, really to hasten the day when it will become unnecessary. But, earlier on, we have insisted that a "mixture" of monarchy, aristocracy and pure democracy is the best. If this be accepted, as history indicates that it must be, we can proceed without the conflicts that have so far marred our views of the respective merits of orthodox democracy and traditional institutions like chieftainship. There need not be a conflict here. The three components of our system are complementary, not in opposition. Turning now to the aristocratic element, it so happens that we have, in the chiefs and the Chiefs' Council, a ready made institution in which is contained a body of persons who, over many generations, have gained a full knowledge through experience of the customs and modes of thought of the African people. Not only that, but they have also played a notable part in leadership and have gained the respect of their people. Their representation in the Senate is obviously desirable. But they will not be the only ones to be represented. The Chiefs' Council is the obvious body to choose some chiefs as senators, and then there must be represented many others who stand for the traditional way of doing things in the general and more modern departments of national life. Who should they be and how should they be chosen? What proportion of the Senate should they take up in relation to the Chiefs' Council representatives? The hereditary principle will not come into the picture, as it does with the chiefs, for obvious reasons. A lower age limit of, say, 35, can easily be agreed upon. The other questions just asked are more difficult, and have been answered in different ways for different countries. We should need to take a look at how senators are chosen elsewhere, but France and other European unitary states exhibit so many changes from time to time in the constitution of their upper chambers, due to chains of historical events having no parallel in Rhodesia, that it seems unsafe to adopt any of their prominent features. Federated countries have, ready to hand, the idea of a representation of the component states as a means of forming upper chambers. It is best to take our own circumstances and consider how best to create an upper chamber that will be independent of the lower house. Its functions will be to revise legislation passed in the lower house and to initiate bills of its own that are not money bills. The disadvantage of electing representatives of various vocations is that there are so many vocations, each tending to hold fixed views on legislation, where compromises must be arrived at which will satisfy all callings. Furthermore, the leader of a particular profession or calling may be excellent in that sphere

but not at all good on national questions. Many callings, again, may be centred in a few large cities, and senators elected by them may create an imbalance in the upper house for that reason. A person likely to be successful as a legislator has, by the time he has reached the age of 35, established a public record of some kind which is known to the public — as a leader in voluntary work or in local government or in science or art or as an outstanding author of written works or in some other way. Probably the simplest way to attain the objective would be to divide the country into five or six provinces and to allocate two or three senate seats to each province. Senators could then be elected by popular vote, consideration being given to heightening the qualifications for voters as compared with those required for electing members of the lower house. Since the senator chiefs would already form a considerable proportion of the Senate, that degree of racial representation could reasonably be compensated for by requiring that a number of "ordinary senators" equal to the number of senator chiefs would be non-African. Senators would hold office for the period of office of the Government in power.

5. The President, representing the "monarchical" element, would be appointed according to the method in force at the time the reformed constitution was introduced, in the case of the first one. Thereafter he would be elected at a private joint sitting of both houses, whereafter his period of office would be ten years, thus ensuring a determination to elect someone who was above party politics, chosen for outstanding service to the country and general suitability, as recognised by all or nearly all of the members of both houses. Alternatively, the mayors or chairmen of the principal local governments could be included with the members of the two Houses in the "electoral College", to minimise the influence of the strongest political party.

Chapter 12

Conclusion

The endeavour to summarise in a few chapters so much that has gone into the formation of the concept of good citizenship makes it difficult to summarise still further, and it is perhaps better to look for the elements of underlying unity.

One could have followed the method, exemplified in Chapter 9 and favoured in some books on Civics, of examining one by one various existing institutions and problems, without much attention to how they arose. But that would not suffice for a country as unsettled as Rhodesia now is, where we are all looking for answers to the question of what sort of country it is which we want to serve as citizens. That question cannot be dodged.

It is only for the past half century that we have had a world divided into two utterly incompatible ideological camps, both of which are claiming the adherence of Africa. It is not much use talking about Freedom, or even about Insurance unless we believe in the conditions which make both desirable. Those basic conditions are being assailed by the occupants of the other camp, armed as they are with great military and propagandising powers.

The main principles supported in this book are not the product of a mere half century. They have grown over many centuries, and have been assailed before, with varying degrees of success, but human beings everywhere have always welcomed them whenever they have appeared, even in embryonic form. The historical survey shows us that this is so, and that a stable democracy provides the best hope of putting the principles into practice.

We must see this for ourselves. That is the best protection against being subverted by novel systems, in which the rulers claim a monopoly of all knowledge and a right to dominate every aspect of life for their own ends, not the citizens' ends.

Then we must see clearly where our own country stands in the struggle for the kind of government which men want, and try to follow the best in the world's long experience, realising that we are all humans and have far more likenesses than differences, with very similar obligations towards the country and similar desires.

At present the two major communities seldom meet for wide-ranging discussion outside of Church or University. If we all develop the kind of understanding that Civics gives, that will be a big step on the way to the unity which the country sadly lacks at present, and without which it cannot survive. Hence the title "Civics for All Rhodesians". More and more such meeting places must be found.